



Application Address	The White House, 34 Buccleuch Road, Poole, BH13 6LF
Proposal	Demolish existing dwelling and erect a single block of 10 flats with basement parking.
Application Number	APP/20/00052/F
Applicant	Mrs Jakubowicz
Agent	Evans & Traves LLP
Date Application Valid	5 February, 2020
Decision Due Time	10 July, 2020
Extension of Time date (if applicable)	10 July, 2020
Ward	Canford Cliffs
Recommendation	Grant in accordance with the recommendation below
Reason for Referral to Planning Committee	This application is brought before committee at the request of Cllr Mrs Haines because of concerns about the impact of the design of the flats on the character of the area; the loss of trees exacerbating that impact; and the impact of the proposed access on highway safety.
Case officer	James Gilfillan

### Description of Development

1. Planning consent is sought to demolish the existing dwelling and erect a single block of 10 flats with basement parking.

### Key Issues

2. The main considerations involved with this application are:

- The principle of the development
- Impact on the character and appearance of the area
- Highway safety
- Relationship to trees

### Planning Policies

3. National Planning Policy Framework (February 2019)

4. Poole Local Plan (Adopted 2018)

- PP01 Presumption in favour of sustainable development
- PP02 Amount and broad location of development
- PP07 Facilitating a step change in housing delivery
- PP08 Type and mix of housing

PP11	Affordable housing
PP27	Design
PP28	Flats and plot severance
PP32	Poole's important sites
PP33	Biodiversity and geodiversity
PP34	Transport strategy
PP35	A safe, connected and accessible transport network
PP37	Building sustainable homes and businesses

#### 5. Supplementary Planning Document

SPD1	Parking & Highway Layout in Development
SPD3	Dorset Heathlands Planning Framework (2015-2020)
SPD4	Affordable Housing SPD (Adopted November 2011)

#### **Relevant Planning Applications and Appeals:**

6. **2019:** Pre-app enquiry (19/00107) to demolish existing and erect 10 flats with basement parking. The principle of the scheme was considered as having merit, but revisions to the scheme would be required for it to be able to demonstrate that it would constitute sustainable development. The principle of flats was potentially acceptable because of the already established character of the area. Judgement was reserved on the acceptability of the size of the building until the siting and arrangement for vehicle access to the site were resolved. Access from The Avenue would potentially deliver a better design; layout; and environmental benefits provided that highway safety could be preserved.

#### 56 The Avenue.

7. **2019:** Revisions to planning permission APP/18/01103/F: Alterations to second floor and addition of third floor to form two additional flats, total 11 flats. **Approved** and under construction. (19/00622)

#### **Representations**

8. Letters of representations have been received in which the following concerns are raised:

- Impact on the character and appearance of the area, overdevelopment of the site
- Flats are inappropriate and not needed
- Impact on highway and pedestrian safety and increased congestion
- Loss of trees and ecology
- Exacerbate surface water flooding
- Impact on services and infrastructure
- Sets a precedent
- Loss of amenity during construction
- Conflicts with covenants

9. Letters supporting the proposals raise the following points:

- Preservation of the character of flats in this part of the Avenue, especially with the development adjacent.

- Contributes positively to the arrival to the beach.
- Replacing an inefficient unsustainable single house with more efficient properties.
- Inclusion of new trees for the future landscape of the area

### **Consultations**

10. BCP Highway Authority: Subject to conditions the scheme as delivering additional housing in the urban area, with sufficient parking to meet its needs and safe access to preserve highway and pedestrian safety.

11. BCP Environmental Services: **Supports** the scheme as providing sufficient and accessible bin storage.

12. BCP Lead Local Flood Risk Authority: Accept the principle of soakaways, but given existing surface water flooding at Branksome Chine request details are agreed before development occurs.

13. Wessex Water: No objection.

14. Branksome Park and Canford Cliffs Residents Association: Objects to the erection of flats and the impact on the character and appearance of the area and the conflict with highway safety on a busy and sloping section of The Avenue.

15. The Society for Poole: Object to the impact on the character of the area; on highway safety; and increased hard surfaces.

### **Constraints**

16. The site is covered by a TPO.

### **Planning assessment**

#### **Site and Surroundings**

17. The site is on the south side of Buccleuch Road, at its junction with The Avenue and is occupied by a large detached house with attached garage, orientated to front Buccleuch Road. The area is of a wholly residential character and dominated by large detached houses on spacious plots and large purpose-built blocks of flats in large plots, resulting in a spacious appearance and low density of development.

18. There are large; mature; preserved trees on and around the site and the dominance of landscaping over buildings is a characteristic of the area. There are a variety of trees and large shrubs around the boundaries of the site, including dense landscaping fronting Buccleuch Road and established hedges along the highway verge to The Avenue.

19. There are two vehicle entrances to the site, both from Buccleuch Road, providing an 'in-and-out' arrangement and a pedestrian access in the south east corner of the garden onto The Avenue.

20. Whilst the site is close to Branksome Chine and the beach, it is significantly raised above the shore and is outside of any tidal flood zones. Ground levels continue to

rise to the north along The Avenue, and gradually along Buccleuch Road to the West. The application site is within the Coastal Zone and Shoreline character area.

## **Key issues**

### The Principle of Development:

21. The scheme proposes the demolition of the existing house and the erection of a block of 10 flats, over three floors, with a basement garage. A new vehicle access would be formed from The Avenue.

22. The site falls outside of the Town Centre; is not in any district or local centre; nor is it in any Sustainable Transport Corridor, to which the majority of new housing development is directed. Policy PP02 2b, states that, outside of these areas, residential development is only permissible if it delivers a sustainable pattern of development, such as would provide economic; environmental; and social benefits, incorporating suitable sustainable transport measures to reduce reliance on the private car.

23. The existing house is neither nationally nor locally 'listed' as a heritage asset, nor is the site in a Conservation Area. Nor does the existing house merit such protection. The existing house is nevertheless an attractive building set in an attractive landscaped setting site and, as such, its loss would result in some erosion of the character and appearance of the area. This must however be weighed against the benefits of the proposed development and does not fundamentally prevent its demolition.

24. The scheme would have the economic benefits of creating employment during its construction. The social benefits of additional residential development in an area already characterised by flats would contribute to the availability of a range of unit types and sizes for the wider housing market. It would have the environmental benefits of delivering additional residential development in the urban area that can support and be supported by established services, facilities and infrastructure. Those benefits must be set alongside the impact on the character and appearance of the area.

### Character and Appearance

25. The area is predominantly residential in character, with a development of 11 flats on an adjacent site (56 The Avenue) currently under construction, adding a further block of flats to the area, having been assessed as acceptable under the same Policy PP02 (Sustainable Pattern of Development) requirement.

26. There are both flats and detached houses in varying degrees of dominance and in a variety in architectural styles; designs; and building forms in the area around the application site. This reflects the evolution of development and process of renewal in the area and reflects the age of development in the area. The mature landscape on and around the site remains the dominant feature of the streetscene and wider character.

27. Whilst the existing house fronts Buccleuch Road, the rear elevation is visible from The Avenue. The plot rhythm along Buccleuch Road changes at the west boundary

with no.32, to a finer grain and regular rhythm, which is not apparent from The Avenue.

28. The proposals would not sever the plot or break up the frontage lengths on either road, thereby preserving the contribution of the plot size to the character of both Buccleuch Road and The Avenue.

29. The proposed building would be orientated to front The Avenue, resulting in a much greater presence in views along The Avenue and impact on the streetscene. This new relationship would not be harmful, merely new and different. The alignment of the building would be commensurate with that of 56 The Avenue, preserving a spacious separation from the edge of the site in which to provide a landscaped setting to complement the tree lined Avenue.

30. The side elevation would be closer to Buccleuch Road and would be larger and more dominant than the existing house. The removal of the existing access points and driveway would however allow increased landscaping to Buccleuch Road. The proposed building would not extend as far along that frontage towards no.32, and would step down in height, increasing the separation to the retained boundary trees.

31. There would be in excess of 8m separation between the south (side) elevation and the facing elevation of 56 The Avenue, ensuring views to the trees at the rear are retained; that the spacious character is preserved; and that the buildings do not appear too cramped.

32. Due to the local topography the application site is higher than 56 The Avenue and the proposed floor levels would preserve this sloping character. The top floor of the proposed building is recessed away from the south edge, achieving a successful transition from the heights of the building at 56 The Avenue, and contributes to a well mannered proposed layout and built form.

33. The separation distance to 32 Buccleuch Road and intervening dense landscape punctuates the streetscene and mitigates the relationship between the proposed building and that neighbour in combination with the proposed reduction in height and scale away from the junction, to reflect the existing streetscene.

34. The design of the building would reflect and complement the architectural style and form of the building under construction on the neighbouring site, but incorporate sufficient variety to preserve the diversity of form in the area. The design would introduce an attractive building into the streetscene, with articulation; recesses; and a solid to glazed ratio. This would make it both a positive feature in the streetscene and introduce passive surveillance and interaction which does not currently exist.

35. The north facing elevation to Buccleuch Road, also introduces articulation, openings and outlook, avoiding a blank elevation without being overly detailed. The west facing rear elevation would be visible in views from Buccleuch Road, although largely seen through the trees along the site's edge. The building would not have an overbearing presence in views from the street.

36. The scheme proposes to take access from The Avenue from the lowest point of the site, minimising the change in ground levels down to the finished floor level of the basement. This approach was identified during the pre-app process as a means of

reducing the visual impact of the access, removing it entirely from the Buccleuch Road streetscene and improving on site amenity by securing interaction between the rear facing flats and the garden. This also avoids potential conflicts with the prominent Buccleuch Road trees and enhances the landscape setting of Buccleuch Road.

37. Whilst there would be an impact of the new drive access on the appearance of the site and The Avenue Road streetscene, it would be readily absorbed as part of the development of the site and better relates to the integrity of the design of the building, relating directly to the legibility of the front elevation. Furthermore such features are common along The Avenue, and would have significantly less impact on the appearance of the site and the success of the scheme in delivering a sustainable pattern of development than an access from Buccleuch Road would have. The loss of highway verge would not be significant given their extent along the length of The Avenue.

38. The space afforded by the corner plot location can support the larger building proposed, which although significantly more prominent in the respective streetscene than the current building, would not unduly dominate the plot or sterilise the opportunity for landscaping. By preserving the character and appearance of the area, coupled with the economic and social benefits of additional residential development, the proposals would deliver a sustainable pattern of development.

#### Highway Safety

39. The existing vehicle accesses to the site from Buccleuch road would be closed and a new one formed from The Avenue. Whilst it is usual to take access from the lower category road of those available, the proposed access to The Avenue would not be either unsafe or inappropriate.

40. Sufficient access width to ensure vehicles can enter and exit simultaneously and both pedestrian and vehicle visibility (having regard to vehicle speeds on The Avenue) can be provided. The access drive in to the basement achieves acceptable gradients.

41. The adopted parking standards require 13 parking spaces to serve the proposed development and 14 spaces are proposed in the basement. One over-size space on the surface along the drive would be appropriate for visitors or smaller delivery vehicles. Sufficient cycle storage is provided and each flat would have use of a store room in the basement. The plans indicate the provision of four, electric vehicle, charging points in the basement.

42. As with 56 The Avenue, the site is not within a local centre or sustainable transport corridor, however it is close to the beach and the promenade, providing easy access for informal recreation; an attractive walking and cycling route towards Bournemouth as well as Canford Cliffs library; and is relatively close to the services and facilities in Canford Cliffs village local centre. Whilst these are not the range of services and facilities, employment and education that are readily available in the Sustainable Transport corridors they benefit the amenity and well being of residents and might otherwise result in trips in private cars.

43. Bin storage is provided close to the access for easy access, to the satisfaction of the waste collection standards.

#### Trees:

44. The site is covered by a Tree Preservation Order. The principal trees on the site are in the north west corner and along the west boundary. These would be retained and have their root environment enhanced by the removal of the existing building, outbuildings and drive.

45. The scheme requires the removal of 2 oaks and a small group of low quality trees to facilitate the development. The oaks are advised to be 'U' category as a result of fungal infection. The loss of these trees could be adequately compensated for by replacement tree planting and adequate space is afforded for a landscape scheme to include substantial tree planting. An illustrative landscape scheme has been submitted; however a condition could be used to secure full details, layout and species (#15).

46. An arboricultural method statement identifies where protective fencing would be appropriate to protect retained trees, which could be secured by condition.

47. A significant characteristic of The Avenue is the roadside trees and there are 3 in the length of the frontage of the site, none of which are required to be removed to facilitate the development, although one has been identified as being in poor health and drawn to the attention of the Highway Authority as a potential highway safety consideration.

48. The layout of the scheme would preserve an adequate tree-building relationship in order to safeguard the future of the trees from immediate requests for pruning.

#### Residential Amenity:

49. Due to the corner location, design, layout and separation distance to 32 Buccleuch Road and 21 Buccleuch Road, the amenity; outlook; daylight; and privacy of the neighbours would be preserved.

50. All of the proposed flats are significantly in excess of the national space standards; have access to the shared garden and to private terraces or balconies; have unrestricted outlook; and those flats with outlook to the north would also have east or west outlook from their primary living spaces. Adequate amenity and privacy would be achieved for all residents.

#### Other matters:

51. There is known to be surface water flooding to the south of the site at Branksome Chine. Whilst this scheme would not directly exacerbate that situation, appropriate soakaway capacity would be necessary to ensure the larger building does not cause inundation of soakaways and attenuation designed around ground percolation rates. The principle of a soakaway scheme is accepted by Flood risk management engineers and appropriate capacity and design can be secured by condition (#7).

52. The site does not include any protected habitats nor have any protected species been identified. Bio-diversity enhancement has been identified as part of an ecological survey undertaken and the proposed bat tubes; swift boxes; appropriate planting; and a wildlife pond can all be secured by condition (#14).

53. Being a new build it would be readily possible to deliver an energy efficient and sustainable development in accordance with the Building Regulations. In accordance with PP37 a condition could be used to ensure 20% of the schemes energy needs are secured from on site sources of renewable energy (#6).

54. Matters raised regarding covenants are not for the Planning authority, but private matters between the respective parties.

Affordable Housing:

55. At more the 1000sq.m floor area the scheme qualifies for assessment of its ability to deliver a contribution towards affordable housing. Independent review of the schemes viability has concluded that it cannot make a contribution towards affordable housing.

**Section 106 Agreement/CIL compliance**

Contributions Required			Dorset Heathland SAMM	Poole Harbour Recreation SAMM
Flats	Existing	0	@ £269	@ £96
	Proposed	10		
	Net increase	10	£2690	£960
Houses	Existing	1	@ £394	@140
	Proposed	0		
	Net increase	0	-£394	-£140
Total Contributions			£2,296.00 (plus admin fee)	£850 (plus admin fee)
CIL	Zone A		@ £230sq m	



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56. Mitigation of the impact of the proposed development on recreational facilities; Dorset Heathlands and Poole Harbour Special Protection Areas; and strategic transport infrastructure is provided for by the Community Infrastructure Levy (CIL) Charging Schedule adopted by the Council in February 2019. In accordance with CIL Regulation 28 (1) this confirms that dwellings are CIL liable development and are required to pay CIL in accordance with the rates set out in the Council's Charging Schedule.

57. The site is within 5km (but not within 400m) of Heathland SSSI and the proposed net increase in dwellings would not be acceptable without appropriate mitigation of their impact upon the Heathland. As part of the Dorset Heathland Planning Framework a contribution is required from all qualifying residential development to fund Strategic Access Management and Monitoring (SAMM) in respect of the internationally important Dorset Heathlands. This proposal requires such a contribution, without which it would not satisfy the appropriate assessment required by the Habitat Regulations

58. In addition, the proposed net increase in dwellings would not be acceptable without appropriate mitigation of their recreational impact upon the Poole Harbour SPA and Ramsar site. A contribution is required from all qualifying residential development in Poole to fund Strategic Access Management and Monitoring (SAMM) in respect of the internationally important Poole Harbour. This proposal requires such a contribution, without which it would not satisfy the appropriate assessment required by the Habitat Regulations.

59. The applicant has submitted a S.106 Unilateral Undertaking to secure the relevant contributions towards Dorset Heathlands and Poole Harbour Recreation SAMM.

### **Summary**

- The scheme would deliver a sustainable pattern of development
- It would preserve the character and appearance of the area
- Sufficient parking and safe access would be provided
- Important and high quality trees would be retained and unaffected, replacement trees would mitigate the loss of poor quality trees
- residential amenity would be preserved

### **Planning balance**

60. The scheme delivers minor economic benefits, environmental benefits of additional residential accommodation in the urban area that preserves the residential character and appearance of the area and minor social benefits. The scheme therefore achieves a sustainable pattern of development without any identified harm to outweigh the benefits.

### **RECOMMENDATION**

**GRANT permission with the following conditions, which are subject to alteration/addition by the Head of Planning Services provided any**

**alteration/addition does not go to the core of the decision and the completion of a Section 106 agreement with the following terms:**

**ItS106 terms;**

- 1 A financial contribution of £2,296.00 (+ admin fee) towards offsetting the recreational impact of the development on the Dorset Heathlands SPA and SSSI in accordance with Policy PP32 of the Poole Local Plan 2108 and the Dorset Heathlands Planning Framework 2020-2025 SPD 2020.
- 2 .A financial contribution of £820.00 (+ admin fee) towards offsetting the recreational impact of the development on Poole Harbour SPA, in accordance with Policy PP32 of the Poole Local Plan 2018 and the Poole Harbour Recreation Framework 2019-2024 SPD (2019)

**Please list**

1. GN150 (Time Expiry 3 Years (Standard))

The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason -

This condition is required to be imposed by the provisions of Section 91 of the Town and Country Planning Act 1990 and amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

2. PL01 (Plans Listing)

The development hereby permitted shall be carried out in accordance with the following approved plans:

received  
received  
received

Reason -

For the avoidance of doubt and in the interests of proper planning.

3. GN030 (Sample of Materials)

Details and samples of all external facing and roofing materials to be used shall be submitted to, and approved in writing by, the Local Planning Authority before their use. The development shall thereafter be carried out in accordance with the approved details.

Reason -

To ensure that the external appearance of the building is satisfactory and in accordance with Policy PP27 of the Poole Local Plan (2018).

4. GN180 (Accessible and adaptable dwellings)

In advance of securing Building Regulation Compliance, the developer will identify 20% of the dwellings hereby permitted to be built in accordance with the requirements of Approved Document Part M4(2) Category 2 of the Building Regulations (2015) (as amended). The units shall first have been agreed in writing by the Local Planning Authority.

Reason -

In the interests of meeting the needs of the ageing population and in accordance with PP12 of the Poole Local Plan (November 2018)

5. TR030 (Implementation of Details of Arb M Stmt)

All works relating to the ground clearance, tree works, demolition and development with implications for trees shall be carried out as specified in the approved arboricultural method statement, and shall be supervised by an arboricultural consultant holding a nationally recognised arboricultural qualification.

Reason -

To prevent trees on site from being damaged during construction works and in accordance with Policy PP27 of the Poole Local Plan (November 2018),

6. GN162 (Renewable Energy - Residential)

Prior to first occupation of the building hereby permitted, details of measures to provide 20% of the predicted future energy use of each dwelling from on-site renewable sources, shall be submitted to and approved in writing by the local planning authority. These measures must then be implemented before any residential occupation is brought into use, and maintained thereafter.

Reason-

In the interests of delivering a sustainable scheme, reducing carbon emissions and reducing reliance on centralised energy supply, and in accordance with Policy PP37 of the Poole Local Plan 2018.

7. DR040 (Sustainable Urban Drainage)

Prior to the commencement of construction, a scheme for the provision of sustainable urban drainage shall be submitted to, and approved in writing by, the Local Planning Authority. The drainage works shall be implemented in accordance with the approved scheme and thereafter retained.

Reason -

To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal and in accordance with PP38 of the Poole Local Plan 2018.

8. HW080 (First 4.5 Metres Constructed)

Concurrently with the construction of the development hereby permitted, the first 4.5 metres of the access, measured from the near side edge of the carriageway, shall be laid out, constructed, hardened and surfaced, in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority.

Reason -

In the interests of highway safety and in accordance with Policies PP27, PP34, PP35 and PP36 of the Poole Local Plan 2018.

9. HW100 (Parking/Turning Provision)

The development hereby permitted shall not be brought into use until the

access, turning space, garaging / vehicle parking and cycle racks (basement and surface) shown on the approved plan have been constructed, and these shall thereafter be retained and kept available for those purposes at all times.

Reason -

In the interests of highway safety and in accordance with Policies PP27, PP34, PP35 and PP36 of the Poole Local Plan 2018.

10. HW200 (Provision of Visibility Splays)

Before the development hereby permitted is brought into use and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any subsequent re-enactment thereof, the land designated as visibility splays as indicated on the approved plan shall be cleared of all obstructions over 0.6 metres above the level of the adjoining highway, including the reduction in level of the land if necessary, and nothing over that height shall be permitted to remain, be placed, built, planted or grown on the land so designated at any time.

11. AA01 (Non standard Condition)

A scheme to close the existing accesses (which are to be made redundant) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall include provision to raise the existing lowered kerbs, and reinstate the footway to the existing accesses and shall comply with the standards adopted by the Local Highway Authority. All works shall be completed in accordance with the approved scheme prior to first occupation of the new development.

Reason:

In the interests of the integrity of the highway and in accordance with Policy PP35 of the Poole Local Plan 2018

12. AA01 (Non standard Condition)

A scheme for the construction of the access drive across the highway verge shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the construction specification and surface treatment and shall comply with the standards adopted by the Local Highway Authority. The agreed scheme shall then be implemented prior to first residential occupation of any of the residential units hereby approved

Reason.

In the interests of highway safety and in accordance with Policy PP35 of the Poole Local Plan 2018

13. AA01 (Non standard Condition)

Prior to first occupation of any new residential unit hereby approved, details of a proposed scheme of lighting along the access drive and pedestrian access routes within the site, to include details and specification of the type of lighting proposed, shall be submitted to and approved in writing by the Local Planning

Authority. The approved scheme shall then be implemented prior to first occupation of any new residential unit hereby approved and thereafter retained and maintained to ensure the lighting remains in good working order.

Reason.

In the interests of highway safety and amenity and in accordance with Policies PP27 and PP35 of the Poole Local Plan adopted 2018

14. AA01 (Non standard Condition)

The recommendations and findings of the KPecology report dated 15/01/20 shall be implemented and installed/completed prior to first occupation of the development hereby approved and thereafter retained and maintained

Reason.

In the interests of bio-diversity enhancement and in accordance with policy PP33 of the Poole Local Plan 2018

15. LS020 (Landscaping Scheme to be Submitted)

Prior to the occupation of the development hereby approved proposals for the landscaping of the site shall be submitted to, and approved in writing by, the Local Planning Authority. The landscaping scheme shall include provision for landscape planting, including at least 7 trees, boundary treatment, paths and other means of enclosure and any changes in levels.

Upon approval:

- a) the approved scheme shall be fully implemented with new planting carried out in the planting season October to March inclusive following occupation of the building(s) or the completion of the development whichever is the sooner, or in accordance with a timetable to be agreed in writing with the Local Planning Authority;
- b) all planting shall be carried out in accordance with British Standards, including regard for plant storage and ground conditions at the time of planting;
- c) the scheme shall be properly maintained for a period of 5 years and any plants (including those retained as part of the scheme) which die, are removed or become damaged or diseased within this period shall be replaced in the next planting season with others of a similar size and the same species, unless the Local Planning Authority gives written consent to any variation; and
- d) the whole scheme shall be subsequently retained.

Reason -

In the interests of visual amenity, to ensure that the approved landscaping scheme is carried out at the proper times and to ensure the establishment and maintenance of all trees and plants in accordance with Policies PP27 and PP33 of the Poole Local Plan (November 2018).

16. HW230 (Permeable surfacing condition)

All ground hard surfaces shall either be made of porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or

porous area or surface within the site. The hard surface shall thereafter be retained as such.

Reason:

In the interests of delivering development which does not result in unacceptable levels of run-off and in accordance with Policy PP38 of the Poole Local Plan (2018).

**17. AA01 (Non standard Condition)**

The bin store as shown on the approved plans shall be installed and available for use prior to first occupation and shall thereafter be retained and maintained for such purposes.

Reason

In the interests of the appearance of the site and highway safety and in accordance with Policies PP27, PP35 of the Poole Local Plan adopted 2018

## **Informative Notes**

**1. IN72 (Working with applicants: Approval)**

In accordance with the provisions of paragraphs 38 of the NPPF the Local Planning Authority (LPA) takes a positive and creative approach to development proposals focused on solutions. The LPA work with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service, and
- advising applicants of any issues that may arise during the consideration of their application and, where possible, suggesting solutions.

Also:

- in this case the applicant was advised of issues after the initial site visit
- in this case the applicant was provided with pre-application advice and this was reflected in the proposals
- in this case the applicant was afforded an opportunity to submit amendments to the scheme which addressed issues that had been identified

**2. IN74 (Community Infrastructure Levy - Approval)**

Part 11 of the Planning Act 2008 and the Community Infrastructure Levy Regulations

The proposed development referred to in this Planning Permission is a chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act 2008 and the CIL Regulations (amended).

In accordance with CIL Regulation 65, the Local Planning Authority (LPA) will issue a Liability Notice in respect of the chargeable development referred to in this planning permission as soon as practicable after the day on which this Planning Permission first permits development. The Liability Notice will confirm the chargeable amount for the chargeable development referred to in this

Planning Permission and will be calculated by the LPA in accordance with CIL Regulation 40 (amended) and in respect of the relevant CIL rates set out in the adopted charging Schedule. Please note that the chargeable amount payable in respect of the chargeable development referred to in this planning permission is a local land charge.

Please be aware that failure to submit a Commencement Notice and pay CIL in accordance with the CIL Regulations and Council's payment procedure upon commencement of the chargeable development referred to in this Planning Permission will result in the Council imposing surcharges and taking enforcement action. Further details on the Council's CIL process including assuming liability, withdrawing and transferring liability to pay CIL, claiming relief, the payment procedure, consequences of not paying CIL in accordance with the payment procedure and appeals can be found on the Poole website: <http://www.poole.gov.uk/planning-and-buildings/planning/ldf/community-infrastructure-levycommunity-infrastructure-levy/>

### 3. IN81 (SAMM Approval)

The necessary contributions towards SAMM arising from the proposed development have been secured by a S.106 unilateral undertaking.

### 4. IN84 (AA passed)

This application is subject to a project level Appropriate Assessment in accordance with the Conservation of Habitats and Species Regulations 2017, concluding that the likely significant effects arising from the development can be mitigated and have been mitigated ensuring there would not be an adverse effect on the identified designated sites of Nature Conservation Interest.

### 5. IN12 (Kerb Crossing to be Raised)

As a required adjunct of this access closure, the applicant is advised that it will be necessary for the kerb to be raised and the footway (and verge) restored. Normally this work will be undertaken at the expense of the developer by the Highway Authority although, on occasions, there might be instances where the developer, under supervision, can undertake this work.

### 6. IN13 (Kerb Crossing to be Lowered)

The applicant is informed that the Local Highway Authority will require the footway and kerb to be lowered and reconstructed in the position(s) corresponding to the vehicular means of access to the site. This requirement is imposed in order to service the means of access; in order to prevent danger and inconvenience to other road users and to pedestrians; and in order to prevent possible damage to highway surfaces. The work shall conform to a specification to be provided by the Highway Authority (BCP Council), or it may be required to be undertaken by the Authority itself. In either event, the work will be required to be undertaken at the applicant's expense. With regards to such works the applicant should contact BCP Council on Tel: 01202 261700, by

email at [droppedcrossings@bcpcouncil.gov.uk](mailto:droppedcrossings@bcpcouncil.gov.uk), or in writing to BCP Council, Environmental Services, Hatchpond Road Depot, Hatchpond Road, Poole, Dorset, BH17 7LQ. Contact should be made before the commencement of any works on or adjacent to the public highway.