



Application Address	15 Danecourt Road, Poole, BH14 0PG
Proposal	Demolish existing building and erect a new development of 8 flats
Application Number	APP/19/01572/P
Applicant	Ashdrew Ltd
Agent	
Date Application Valid	3 January, 2020
Decision Due Time	28 February, 2020
Extension of Time date (if applicable)	
Ward	Parkstone
Recommendation	Grant in accordance with the recommendation contained in this report and the conditions set out below, which are subject to alterations / additions by the Head of Planning provided any alteration / addition does not go to the core of the decision
Reason for Referral to Planning Committee	This application is brought before committee because of the planning history.
Case Officer	Eleanor Godesar

### Description of Development

1. Planning consent is sought to demolish the existing building and erect a new development of 8 flats.
2. The application has been submitted in outline with the matters of access, appearance, layout and scale to be considered. Landscaping is a reserved matter.
3. The current application has been submitted in response to a previous application which was refused at Planning Committee for the following reason:

The proposal, by virtue of scale of the building and plot coverage, including the layout of car parking, would have a dominant appearance which would be out of keeping with the established pattern of development in the street. The proposal would therefore be contrary to PP27 and PP28 of the Poole Local Plan (November 2018).

4. When compared to the previous refused application, the current application has the following amendments:

- Reduce the number of flats from 9 to 8.
- Change to the overall design of the building to break up the massing of the roof and introduce more articulation.
- The overall height would be slightly lower, ranging from 8.6m to 9.2m, as opposed to 8.9m – 9.5m. The existing dwelling has a height of 9.1m.
- The height of the eaves would be reduced so the roof would be positioned just above the first floor windows.
- Simplified palette of materials.
- The layout of the parking would be orientated across the site to provide more opportunities for landscaping and screening.

## **Key Issues**

5. The main considerations involved with this application are:

- Impact on the setting and character of the site and surrounding area
- Impact on residential amenities
- Parking and access
- Sustainability and biodiversity

## **Planning Policies**

### 6. 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
PP27	Design
PP28	Flats and plot severance
PP32	Poole's Nationally, European and Intern important sites
PP33	Biodiversity and geodiversity
PP34	Transport strategy
PP35	A safe, connected and accessible transport network
PP37	Building sustainable homes and businesses
PP39	Delivering Poole's infrastructure

### 7. Supplementary Planning Document

SPD1	Parking & Highway Layout in Development
SPD3	Dorset Heathlands Planning Framework (2020-2025)
SPD5	Poole Harbour Recreation SPD (2019-2024)
SPD6	Nitrogen Reduction in Poole Harbour (Adopted Feb 2017)

### 8. National Planning Policy Framework (February 2019)

## **Relevant Planning Applications and Appeals**

9. **2019:** Demolish existing building and erect a new development of 9 flats. **Refused and currently at appeal** (APP/19/01003/P).

## **Representations**

10. Representations have been received in which the following concerns are raised:

- The current submission is similar to the refused application
- No flats nearby
- Over development
- Out of keeping with the character of the road
- Pressure on on-street parking
- Increased traffic and increased road safety risks
- Pressure on infrastructure
- Impact on residential amenity including loss of privacy and overshadowing
- Impact on trees and wildlife
- Deterioration of air quality

## **Consultations**

11. BCP Highway Authority – supports the amended application in highway terms

12. Waste Collection Authority – supports the amended application

13. Society for Poole – the proposal disregards the character of the area and the limitations of the associated infrastructure

## **Constraints**

14. None

## **Site and Surroundings**

15. The application site is located on the northern side of Danecourt Road, close to the northern entrance to Bournemouth and Poole College and is occupied by a detached two-storey house. The site rises up from Danecourt Road to the rear. There are no tree preservation orders affecting the site, although there are a number of trees of amenity value.

16. The area is characterised by detached dwellings on sizeable plots. There are some semi-detached dwellings in nearby Fernside Avenue. There is limited flatted development in the area, with the closest being at 9 Danecourt Road.

## **Planning assessment**

17. The proposal proposes eight flats at 15 Danecourt Road. The applicant has also submitted a planning application for eight flats at the adjoining site at 13 Danecourt Road (APP/19/01571/P). Whilst the applicants have submitted a 'Certificate B' in respect of both applications, indicating that they do not own either site, the assessment below has had regard to the possibility that both sites could potentially be re-developed within a similar time scale.

## Broad Location of Development

18. A strategic objective of the Poole Local Plan is to deliver a wide range and mix of homes in the most sustainable locations. PP1 states that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

19. PP2 identifies the amount and broad locations of development. The majority of new housing will be directed to the most accessible locations within Poole, including the town centre; district; and local centres. Outside these areas, higher density housing development will be concentrated along sustainable transport corridors.

20. The preamble to PP2 defines sustainable transport corridors as parts of Poole within 400m walk of locations that are served or capable of being served over the plan period by a frequent bus service (at least 4 buses per hour). The application site is within a sustainable transport corridor and the principle of flats is therefore supported in terms of the location being sustainable.

### Design

21. PP28 enables flatted development where a number of criteria are satisfied. The current proposal has overcome the previous refusal concern regarding scale by breaking up the massing of the building into smaller components than previously. The roof would have more articulation and would, overall, be lower than the roof of the existing dwelling. The western side of the building would have a similar appearance to the adjacent built form of the proposed flats at no. 13 and provide a balanced design between the two sites. The roof would then step down towards the eastern boundary with an individual design when compared to no. 13. The roof design would also have a more comfortable appearance with the eaves positioned slightly above the first floor windows. The majority of the roof form on the front elevation would slope away from the front wall and second floor windows would have a subservient appearance.

22. In terms of scale, the current proposal would also reduce the number of flats from nine to eight. The layout of the floor plans would be very similar to no. 13 with three 2-bedroom flats proposed on ground and first floors and two 2-bedroom flats located on the second floor. Taking into account head height within the second floor, the layout of flats 7 and 8 would not be significantly larger than the flats in the lower floors. All the flats would exceed the minimum floor space recommended in the national space standards. The palette of materials would have a traditional appearance which takes cues from existing dwellings in the streetscene.

23. The proposed flats would remain larger in scale and massing than the existing single dwelling. However, Danecourt Road has a mixed character with a range of dwelling types and scale. No. 11 to the west is a large detached dwelling and No. 9 beyond is purpose built flats. The current proposal would have a similar position from the front boundary as the existing dwelling, with an overall setback from the front boundary of at least 22m. Whilst the proposal would be wider than the existing dwelling, it would have a comfortable appearance in the streetscene which would be in keeping with mixed character of nearby buildings.

24. Compared to the refused proposal, the layout of parking in the front of the site has been amended so it would be orientated across the frontage of the site. There would

be more opportunity for landscaping along the front boundary to assist in dividing the parking area and offering screening. More detail of landscaping would be secured at reserved matters stage. The bin store would be in a position which satisfies the Waste Collection Authority with appropriate dimensions. It would be in a visible location, but would be of a modest scale and height. A significant proportion of the site would be allocated to communal amenity space and would have a layout which would reflect rear gardens of nearby dwellings.

25. The proposal would therefore accommodate a form of development, including plot coverage and car parking which would be in keeping with neighbouring buildings and the established pattern of development in this part of Danecourt Road.

#### Neighbouring Amenity and Privacy

26. The proposal would protrude further into the rear than the existing dwelling. There would be adequate separation from no. 17 to ensure that daylighting and outlook of this neighbour would be preserved. The proposal would be positioned to the east of the proposed flats at no. 13 with adequate separation to ensure future occupants would receive adequate amenity. If the existing dwelling at no. 13 were to remain, there would be some loss of outlook. However, taking into account the expectation that the existing dwelling will be demolished, the loss of outlook would not be materially harmful. As such, the proposal would preserve neighbouring amenity in terms of daylighting, outlook and would not result in a materially harmful overbearing impact.

28. Upper floor windows are proposed on the front and rear elevations. The rear windows would be positioned further into the rear than the existing first floor windows; however views towards the neighbouring gardens at no. 13 and 17 would be oblique and focused towards the rear part of the garden. There would be adequate separation distance to opposite neighbours at the rear. The first floor balcony on the rear would be positioned on western side of the building and may result in overlooking towards neighbours. However, obscured screens on the sides of the balcony could be secured by condition (#5).

29. Windows on the front would have adequate separation distance from opposite neighbours to preserve neighbouring privacy. The balconies proposed on the front elevation would have views into the public realm and towards less private front gardens of nearby dwellings.

30. Upper floor windows are also proposed on the side elevations. On the east elevation, there would be two first floor bedroom windows and three second floor roof windows which would have views towards the side elevation of no. 17 with a separation of approximately 11 metres. However, the windows positioned in the wider, front part of the building would have views towards the front of no. 17. The first and second floor bedrooms to the rear of the building would have views towards the side facing habitable window of no. 17 and rear garden. However, these windows would be secondary and could be reasonably obscure glazed and secured by condition (#6). As a consequence, privacy of the neighbour at no. 17 would be preserved.

31. If the flats at no. 13 were not implemented, there would be first and second floor

side windows which would overlook the rear garden. However, taking into account the expectation that the existing dwelling will be demolished and that the overlooking would be from a bedroom window, stairs and kitchen rather than higher use areas such as a lounge, the level of overlooking would not be materially harmful. Side windows have been designed on both proposals to mitigate against overlooking for future occupants if both schemes were to be built.

### Access and Parking

32. Amended plans show that the existing access along the western boundary would now be utilised, although widened, and would be wide enough to allow two vehicles to pass. The eastern access is proposed to be closed off. Appropriate visibility splays are provided on both sides of the access. This would also provide an increased separation from the proposed vehicle access for the neighbouring site.

33. The parking has been reduced to 8 spaces. However, this still meets the Council's parking standards for unallocated parking and could be secured by condition (#7).

34. Secure cycle parking is provided, which is acceptable and secured by condition (#12).

35. A scheme of lighting within the car park area and along the footways would be required and this can be conditioned (#13).

### Trees

36. The application site is not covered by any Tree Preservation Order, however, there are trees on the application site and the Local Planning Authority has a statutory duty to consider the protection and planting of trees. An Arboricultural Impact Assessment has been submitted which identifies the closest trees to the proposed building as 'Category B' Deodar cedar to the front of the site and 'Category B' Limes to the rear. The footprint of the building would be outside of the root protection areas and the Council's Arboricultural Officer is satisfied that proposal could be constructed without harm to any tree. Amendments to the submitted arboricultural report and tree protection plan to address amendments to the proposals made during the application process could be secured by condition (#15). Supervision by the applicant's Arboriculturalist and submission of a report once the tree protection is in place is also conditioned (#16).

### Energy and Biodiversity

37. An energy and resources statement has been submitted. A condition can ensure the use of technology to reduce the carbon footprint of the development, in accordance with PP37. Biodiversity enhancements could be secured by condition (#17).

## **Section 106 Agreement/CIL compliance**

Contributions Required			Dorset Heathland SAMM	Poole Harbour Recreation SAMM
Flats	Existing	0	@ £269	@ £96
	Proposed	8		
	Net increase	8	£2152	£768
Houses	Existing	1	@ £394	@140
	Proposed	0		
	Net increase	-1	£394	£140
Total Contributions			£1758 (plus admin fee)	£628 (plus admin fee)
CIL	Zone C		@ £115sq m	

38. 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.

39. 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

40. 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.

41. The applicant has submitted a Section 111 form and paid the relevant contributions towards Dorset Heathlands and Poole Harbour Recreation SAMM.

## **Summary**

- The proposal would accommodate a form of development with a scale, height, design and plot coverage which is in keeping with the established pattern of development in Danecourt Road.
- Neighbouring amenity and privacy would not be materially harmed.
- Highway safety would be preserved.

## **Planning balance**

42. The proposal would deliver sustainable patterns of development which would provide the social and economic benefits of eight additional dwellings within the urban area.

## **RECOMMENDATION**

43. It is therefore recommended that this application be Grant subject to the conditions set out below, which are subject to alterations / additions by the Head of Planning provided any alteration / addition does not go to the core of the decision.

## **Conditions:**

### **1. OL010 (Submission of Reserved Matters)**

No development shall commence on site until details of the landscaping in respect of which approval is expressly reserved and are hereinafter called 'the reserved matters' have been submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved details.

### **Reason:**

The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Part 3 of the Town and Country Planning (General Development Procedure) Order 2015.

### **2. OL080 (Submission of Reserved Matters (3 Years))**

Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission and the development hereby permitted shall be begun before the expiration of 2 years from the final approval of reserved matters, or, in the case

of approval on different dates, the final approval of the last such matters to be approved.

Reason -

This condition is required to be imposed by the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51(2) of the Planning and Compulsory Purchase Act 2004

### 3. PL02 (Plans Listing - Outline)

Pursuant of discharging conditions 1 and 2, the outline matters approved (access, appearance, layout and scale) shall be carried out in accordance with the following approved plans:

9306/200 Rev C Site, Block & Location Plan received 2 July 2020

9306/201 Rev A Floor Plans received 2 July 2020

9306/202 Rev A Elevations received 18 May 2020

9306/203 Rev A Streetscene + Bin & Bike Store received 2 July 2020

Reason -

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

### 4. 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 any on-site works commence. The development shall thereafter be carried out in accordance with the approved details.

Reason -

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

### 5. GN080 (Screening to Balcony)

Obscure glazed screens which conform to or exceeds Pilkington Texture Glass Privacy Level 3 and are at least 1.8 metres in height shall be erected along the sides of the first floor balcony associated with Flat 6, as shown on the approved plan. The screens shall be erected prior to the first use of the dwelling, hereby permitted, and shall thereafter be permanently retained as such.

Reason -

In the interests of privacy and amenity of the neighbouring properties and in accordance with Policy PP27 of the Poole Local Plan (November 2018).

### 6. GN090 (Obscure Glazing of Window(s))

Both in the first instance and upon all subsequent occasions, the first floor window associated with bedroom 1 of Flat 6 and the second floor window associated with bedroom 1 of Flat 8 on the approved plan on the east elevation shall be glazed with obscure glass which conforms to or exceeds Pilkington Texture Glass Privacy Level 3 and shall either be a fixed light or hung in such a

way as to prevent the effect of obscure glazing being negated by reason of opening.

Reason -

To protect the amenity and privacy of the adjoining properties and in accordance with Policy PP27 of the Poole Local Plan (November 2018).

#### 7. HW100 (Parking/Turning Provision)

The development hereby permitted shall not be brought into use until the access, turning space, vehicle parking and cycle parking shown on the approved plan have been constructed, and these shall thereafter be retained and kept available for those purposes at all times. The car park spaces on the approved plans shall be available for residents and visitors to the residential units. The parking shall therefore remain as unallocated parking at all times with no parking spaces allocated to any individual resident or residential unit and no parking barriers shall be placed to restrict access to the car parking area or any individual bays.

Reason -

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

#### 9. AA01 (Non standard Condition)

A scheme to close the existing access (which is to be made redundant) shall be submitted to and approved in writing with the Local Planning Authority. The scheme shall include provision to raise the existing lowered kerbs, and reinstate the footway to the existing access 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 highway safety and in accordance with Policies PP27, PP34, PP35 and PP36 of the Poole Local Plan (November 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 plans 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.

Reason -

In the interests of highway safety and in accordance with the approved plans and Policies PP34, PP35 and PP36 of the Poole Local Plan (November 2018).

11. AA01 (Non standard Condition)

Notwithstanding the approved plans or pedestrian visibility splays, the first 1m of the site measured from the back edge of the Danecourt Road footway line, shall be cleared of all obstructions over 0.6 metres above the level of the adjoining highway, and nothing over that height shall be permitted to remain, be placed, built, planted or grown on the land so designated at any time.

Reason -

In the interests of highway safety and in accordance with the approved plans and Policies PP34, PP35 and PP36 of the Poole Local Plan (November 2018).

12. HW110 (Cycle Provision)

Prior first occupation, secure cycle parking will be provided in accordance with the scheme which has been submitted to and approved by the local planning authority, and thereafter retained.

Reason -

In order to secure the provisions of appropriate facilities for cyclists and in accordance with Policies PP27, PP34, PP35 and PP36 of the Poole Local Plan (November 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 footways 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 working order.

Reason -

In the interests of highway safety and in accordance with the approved plans and Policies PP34, PP35 and PP36 of the Poole Local Plan (November 2018).

14. 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 (November 2018).

15. TR010 (Arb Method Statement-Submission Required)

An arboricultural method statement prepared by an arboricultural consultant holding a nationally recognised arboricultural qualification providing comprehensive details of construction works in relation to trees shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of demolition/development. All works shall subsequently be carried out in strict accordance with the approved details. In particular, the method statement must provide the following:-

- a) erect protective fencing to trees during both demolition and construction phases which complies with BS5837:2012 and a plan indicating the alignment of the protective fencing;
- b) erect scaffolding and ground protection within tree protection zones in accordance with BS5837;
- c) ensure an area for storage of materials, concrete mixing and use of fires is provided;
- d) ensure the plans and particulars showing the siting of the service and piping infrastructure is implemented;
- e) ensure the specification for the construction of any arboriculturally sensitive structures and sections through them, including the installation of boundary treatment works, the method of construction of the access driveway including details of the no-dig specification and extent of the areas of the driveway are constructed using a no-dig specification;
- f) ensure the works requiring arboricultural supervision are carried out by the developer's arboricultural consultant, and details of the frequency of supervisory visits and procedure for notifying the Local Planning Authority of the findings of the supervisory visits are recorded; and
- g) details of all other activities which have implications for trees on or adjacent to the site are notified to the Local Planning Authority.

Reason -

In order that the Local Planning Authority may be satisfied that the trees to be retained on-site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice and in accordance with Policy PP27 of the Poole Local Plan (November 2018).

16. TR110 (Arboricultural Supervision)

Site visits shall be carried out by the developer's arboricultural consultant in strict accordance with the supervision schedule contained within the approved arboricultural method statement. Copies of written site notes and/or reports detailing the results of all site supervision visits and any necessary remedial works undertaken or required shall be submitted to and approved in writing by the Local Planning Authority. Variations to the approved supervision schedule must be submitted in writing to the Local Planning Authority and shall not be implemented until written consent has been obtained.

Reason -

In order that the Local Planning Authority may be satisfied that the trees to be retained on-site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice and in accordance with Policy PP27 of the Poole Local Plan (November 2018).

17. AA01 (Non standard Condition)

Prior to the construction of the flats hereby permitted, details of biodiversity enhancement to be delivered on site, prepared by suitably qualified and experienced person/s, shall be submitted to, and approved in writing by, the Local Planning Authority. The agreed enhancements shall be implemented prior to occupation of any of the flats hereby approved. The details could include, but are not restricted to bat and bird boxes and bricks; bee bricks; hedgehog ramps; native plant species.

Reason -

In order to deliver the biodiversity enhancement required by the NPPF and in accordance with Policy PP33 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 (add as appropriate):

- 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 application was acceptable as submitted and no modification or further assistance was required
- in this case the applicant was afforded an opportunity to submit amendments to the scheme which addressed issues that had been identified
- the application was considered and approved without delay

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.111 agreement and have been received.

### 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. IN11 (First 4.5m Access Crossing)

The applicant is informed that the 'first' part of the 4.5 metres of the access crossing in any case falls within the highway and is subject to the direct jurisdiction of the local highway authority. The remaining proportion of the 4.5 metres is also required to be surfaced to ensure free and easy access to and from the highway and to ensure stones, mud, gravel and the like do not result in a hazard on or near the highway. The footway crossing work will involve removal of a control box and the alteration of the on-street parking bay markings and any work associated with the footway crossing work would be at the applicant's expense.

6. 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. The footway crossing work will involve the alteration of the on-street parking bay markings and any work associated with the footway crossing work would be at the applicant's expense.

7. 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. The footway crossing work will involve the alteration of the on-street parking bay markings and any work associated with the footway crossing work would be at the applicant's expense.

Case officer: Eleanor Godesar