



Application Address	20 Upton Way, Broadstone, BH18 9LY
Proposal	Demolish the dwelling and erect a block of 6 self contained flats with surface car parking and vehicular access
Application Number	APP/20/00198/F
Applicant	Real Building Contractors (Wessex) Limited
Agent	Pure Town Planning
Date Application Valid	12 February 2020
Decision Due Time	8 April 2020
Extension of Time date (if applicable)	
Ward	Broadstone
Recommendation	Grant permission subject to the provisions of the completed S.106 Unilateral Undertaking and the conditions set out in the recommendation, 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 at the request of Cllr Brooke because of concerns about harm to the character of the area; increase in density; impact on health and wellbeing of neighbours and occupants; impact on green corridor and biodiversity reduction; loss of planned and existing dwellings appropriate for young families; failure to constitute sustainable development; loss of trees and insufficient space for an enhancing landscaping scheme; that it does not raise the standard of design in the area and does not fit the form and layout of the street; and that the applicants have not engaged with local residents.
Case Officer	Kate Robson

### **Description of Development**

1. Planning permission is sought for the demolition of the existing dwelling and the erection of a block of 6 self-contained flats with surface car parking and vehicular access.

2. The applicant has provided the following information:

	Existing	Proposed
Site Area: (ha) (red line)	0.09	0.09
Use	Residential	Residential
Density	11dph	67dph
Parking Spaces	2	9
No. of Residential Units	1	6
No. of affordable housing units	0	0

### **Key Issues**

3. The main considerations involved with this application are:

- Principle of development
- Impact on the character and appearance of the area
- Impact on residential amenity
- Parking provision and highway safety
- Sustainability
- Biodiversity

### **Planning Policies**

4. Poole Local Plan (Adopted 2018)

PP1	Presumption in favour of sustainable development
PP2	Amount and broad location of development
PP7	Facilitating a step change in housing delivery
PP8	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
PP35	A safe, connected and accessible transport network
PP37	Building sustainable homes and businesses
PP39	Delivering Poole's infrastructure

5. Broadstone Neighbourhood Plan

BP3	Enhancing Biodiversity
BP4	Securing High Quality Sustainable Design
BP5	Balancing the Housing Stock

6. Supplementary Planning Document

SPD1	Parking & Highway Layout in Development
SPD3	Dorset Heathlands Planning Framework (2020-2025)

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

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

8. **2017:** Division of the existing plot and erection of two semi-detached houses with associated access, parking and amenity space. **Approved** (APP/17/00961/F). This consent has been commenced by the applicants having undertaken the required alterations to the existing house.
9. **2018:** Demolish the side extension and make good; divide garden and erect a pair of semi-detached houses and 2 no. detached bungalows with associated vehicular access. **Refused & appeal dismissed** (APP/18/00300/F; PINS ref. Q1255/W18/3208615).
10. **2018:** Variation of Condition 2 of consent APP/ 17/00961/F to relocate front doors on both dwellings. **Approved** (APP/18/00869/F).
11. **2018:** Demolition of an existing side extension and make good, divide garden and erect a pair of semi-detached houses and a detached bungalow with associated vehicular access and parking. **Appealed against non-determination dismissed** (APP/18/01068/F; PINS ref. APP/Q1255/W/19/3217369).
12. **2019:** Outline planning permission to erect a block of 6 self-contained flats with associated car parking and vehicular access. **Approved** (APP/19/00572/P). This application included the retention of the existing house.
13. **2020:** Sever land and erect a block of 6 self contained flats with surface car parking and vehicular access. **Approved** (APP/19/01373/F). This application included the retention of the existing house.

### **Representations**

14. Letters of objection have been received in which the following concerns have been raised:
  - Disrespects established character of the area; overbearing; out of character
  - Fails to maintain natural environment and results in loss of trees; loss of wildlife habitat; loss of biodiversity; loss of green corridor
  - Flats not appropriate for the site or area. Family accommodation is needed and 2-bed flats are inappropriate for families; ample one and two-bed homes are already being built in the Broadstone 'Inner Zone' and, if occupied by older people, will place additional strain on stretched services
  - Access through to the rear and parking in the rear garden is out of character
  - Increase in traffic and parking on Upton Way and danger to pedestrians
  - Precedent
  - Loss of privacy to neighbouring properties; noise and disturbance to neighbouring properties
  - Light pollution
  - Drainage issues

- Excess hardsurfacing across the site with insufficient landscaping and screening proposed
- Overdevelopment of site
- Demolition of a perfectly good building
- Cumulative impact of development across site as a whole
- Lack of affordable housing

## **Consultations**

15. Transport Policy Manager: Supports the scheme, subject to conditions.

## **Constraints**

16. None.

## **Planning assessment**

### Site and Surroundings

17. The application site is on the north side of Upton Way and is occupied by a large, detached, two-storey house positioned towards the eastern side of the plot. The plot is rectangular in shape and approximately 54m deep with ground levels falling from front to rear across the application site.
18. There were a number of trees and shrubs in the garden; however, much of the site has been cleared of vegetation. None of the trees removed were the subject of any Tree Preservation Order.
19. Upton Way is characterised by large, detached houses on large plots. Most have brick or rendered elevations but there are significant variations in the height and design of properties along the road. The street is characterised by the setback of buildings from the road behind mature front gardens, which give the street a spacious and verdant character. Large rear gardens are also a feature of the street.

## **Key issues**

### Principle of development

20. Policy BP5 of the Broadstone Neighbourhood Plan sets out that new residential development will be supported, subject to the following criteria:
- 1 and 2 bed dwellings in the Inner Zone as shown on Fig 3.4
  - 3 bed dwellings and above in the Outer Zone
  - Where proposals depart from the above criteria, they should demonstrate how they would contribute to balancing the housing stock and meet site specific requirements.
21. The site is located within the Broadstone Inner Zone where two-bed dwellings are supported.

22. Policy PP2 of the Poole Local Plan sets out the broad locations considered suitable for residential development. The majority of development will be directed to the most accessible locations, which includes locations within sustainable transport corridors. The application site is located within such a corridor.
23. Therefore, the principle of additional residential development in the form of two-bed units on the application site is acceptable subject to the proposals being tested against other relevant Local Plan policies.

#### Impact on the character and appearance of the area

24. Policies PP27 and PP28 set out the criteria against which all new development and specifically flatted development should be assessed to ensure that the established pattern of development and residential character of the area is preserved or enhanced.
25. The size and scale of the building is very similar to the building for six flats approved on the other half of the site under planning permission APP/19/01373/F. The front elevation presents as a two-storey house with single front door and small dormer window in the front roof slope. It has the overall appearance and scale of a large detached dwelling, of which there are many examples in the immediate vicinity. Sufficient space is retained to all boundaries of the property and the siting of the building would preserve the established pattern of development on the street. The proposed building would not appear overly dominant or intrusive within the street scene and would read appropriately between the approved flatted development and the neighbouring property at No. 18. Overall, the proposed building would preserve the residential character and appearance of the street and the area.
26. In respect of the parking to the front, there is a wide variation of frontage hardstanding along Upton Way. The indicative landscaping would provide an appropriate setting and frontage for the development. The proposed bin store is small and landscaping would partly screen it from the street.
27. A cycle store would be located to the rear of the site and, given that ground levels slope down significantly towards the rear of the site, would not be visible in the streetscene. The central driveway has already been approved under planning permission APP/19/01373/F and would be shared with that development. Whilst indicating that there is car parking provision to the rear, this parking would not be visible in the streetscene. Overall, the on-site infrastructure required to allow the building to accommodate six flats would preserve the existing domestic character of the area. There is ample space on the site for landscaping, which could be secured by condition (#16).

#### Impact on residential amenity

28. The replacement building broadly aligns with the neighbouring property at No. 18, the garage of which is sited adjacent to the common boundary. As such, the proposed building will not have a materially greater impact on the outlook from No.

18, or any other property, than the existing dwelling. Furthermore, any shading would be similar to what is already experienced. Any overlooking from the rear elevation would be to the far ends of neighbouring properties' gardens and would be commensurate with that of the existing dwelling and that normally experienced in residential areas. The lower ground floor would not pose overlooking issues due to its height. The side facing bedroom window orientated towards the approved block of flats has been offset from the bedroom window in that building so that direct overlooking will not occur. The side facing windows in the upper ground floor both serve bathrooms and can reasonably be obscure glazed by condition (#4) to prevent overlooking, as can the side facing bathroom windows in the first floor. In the south-western (side) elevation, the other first floor windows include a secondary window to a bedroom and a kitchen window. The secondary bedroom window will face an obscure glazed window in the approved flats and can therefore remain clear glazed. The kitchen window will face directly on to a clear glazed kitchen window in the approved flats and should therefore be obscure glazed to prevent mutual overlooking. Turning to the second floor, the proposed roof lights are of standard height. In the south-western (side) elevation, the bedroom roof light has been offset from the bedroom roof light in the approved block of flats so that direct overlooking would not occur. The lounge roof light can remain clear since the lounge and bathroom window of Unit 6 of the approved block are required to be obscure glazed. In the north-eastern (side) elevation facing No. 18, the roof lights of the kitchen and bathroom can reasonably be obscure glazed to prevent overlooking of the garden of the neighbouring property (No. 18). The bedroom roof light is set sufficiently far forward in the elevation such that any overlooking of the neighbouring rear garden would not be materially harmful. The rear terraces serving the upper ground floor flats are shown with 1.8 metre high privacy screens to the sides and 1.1 metres high privacy screens to the rear, which can reasonably be secured by condition (#5). The vehicle access runs centrally within the plot with the parking area located over 6m from the nearest neighbouring boundary. This is sufficient to ensure that any noise and disturbance from the parking area will not affect neighbouring properties to a demonstrable degree. Overall, subject to appropriate conditions, the scheme would not materially harm the reasonable residential amenities of any neighbouring residents.

29. The internal layout of the flats is appropriate, providing adequate space and outlook from all habitable rooms. The rear amenity space is adequate to serve the six flats. The amenity provisions for the future occupants are therefore acceptable.

#### Parking provision and highway safety

30. A new access (already approved under APP/19/01373/F) is proposed for the flats, which will require the kerbs and footway being lowered. These works would involve the repositioning of street furniture (lamp column and telegraph pole). The existing vehicle access would be closed and there would be a requirement for the kerbs and footway to be reinstated at the owner's/applicant's expense.
31. Pedestrian visibility splays are incorporated on either side of the proposed access and the access would be wide enough at the entrance for two cars to pass, preventing the need for cars to wait on the highway. A scheme of lighting

(possibly bollard lighting) can be secured by condition (#9) for the access.

32. Nine parking spaces and appropriate manoeuvring space are proposed for the flats, which meets the requirement for allocated parking. The site plan shows that the parking space closest to the front of the proposed building is sufficiently wide to be disabled appropriate. A cycle store is shown to the rear of the parking area, which is large enough to provide secure cycle parking for six bikes, provision of which can be secured by condition (#7). Sufficient parking is proposed for the existing house.
33. As such, the proposal is acceptable from a highway safety and parking perspective.

#### Sustainability

34. The applicant has submitted an Energy and Resources Statement, which indicates that the proposal meets the requirements of Policy PP37 and can provide a minimum of 10% of energy demand through renewable sources. This can be secured by condition (#13).

#### Biodiversity

35. Whilst the proposed parking; access; and cycle store would extend deeper into the rear garden, the proposals allow the connectivity of the green corridor to be maintained. Furthermore, biodiversity enhancement measures in the form of four swift boxes, a bat box and wildflower planting are shown on the submitted plans. These measures would ensure there would be a biodiversity enhancement in accordance with Broadstone Neighbourhood Plan Policy BP3 and Local Plan Policy PP33. The boxes can be secured via condition (#14) whilst further details of the wildflower planting can be provided via the proposed landscaping condition (#16).

#### Other matters

36. The proposed refuse store meets bin requirements and would be located within 10 metres of the highway. A condition can be imposed securing the provision of the bin store (#15).

#### Section 106 Agreement/CIL compliance

37. 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.
38. 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

39. 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.

<b>Contributions Required</b>			<b>Dorset Heathland SAMM</b>	<b>Poole Harbour Recreation SAMM</b>
Flats	Existing	0	@ £269	@ £96
	Proposed	6		
	Net increase	6	£1614	£576
Houses	Existing	1	@ £394	@ £140
	Proposed	1		
	Net increase	0	-£394	-£140
<b>Total Contributions</b>			<b>£1220 (plus admin fee)</b>	<b>£436 (plus admin fee)</b>
CIL	Zone C		@ £115 sq m	

40. The applicant has submitted a completed Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990 agreeing to pay the relevant contributions towards Dorset Heathlands and Poole Harbour Recreation SAMM prior to commencement of development.

### **Summary**

41. The proposal would:

- provide five additional dwellings in a sustainable location;
- provide six two-bed units in the Broadstone Inner Zone;
- provide an acceptable standard of residential amenity for future occupants and



- neighbouring residents;
- provide adequate parking and preserve highway safety;
- secure renewable energy generation and biodiversity enhancements;
- mitigate the impact on heathland and harbour recreation through SAMM contributions; and
- be CIL liable.

### **Planning balance**

42. The proposal would provide the social and economic benefits of five additional residential units without any identified environmental harm.

### **RECOMMENDATION**

**It is therefore recommended that this application be granted 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; and subject to the completed S.106 Unilateral Undertaking securing the following:**

- **£1220 (plus admin fee) in respect of Dorset Heathland SAMM**
- **£436 (plus admin fee) in respect of Poole Harbour Recreational SAMM**

Conditions:

1. GN150 (Time Expiry 3 Years (Standard))
2. PL01 (Plans Listing)
3. GN030 (Sample of Materials)

4. GN090 (Obscure Glazing of Windows)

Both in the first instance and upon all subsequent occasions, the following windows and roof lights shall be glazed in 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:

- upper ground floor bathroom window of Unit 2 in the north-eastern elevation
- first floor bathroom window of Unit 4 in the north-eastern elevation
- second floor kitchen roof light of Unit 6 in the north-eastern elevation
- second floor bathroom roof light of Unit 6 in the north-eastern elevation
- upper ground floor bathroom window of Unit 3 in the south-western elevation
- first floor bathroom window of Unit 5 in the south-western elevation
- first floor kitchen window of Unit 5 in the south-western elevation

Reason -

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

5. GN080 (Screening to Balcony)

The whole of the three 1800mm high 'privacy screens', together with the whole of the two rear balustrade 1100mm high 'privacy screens', all as shown on the approved plans, shall be glazed in glass which conforms to or exceeds Pilkington Texture Glass Privacy Level 3. These shall all be installed prior to the first occupation of the 'upper ground floor' flats and shall thereafter be retained at all times.

Reason -

In the interests of privacy and amenity of the occupiers of the flats hereby permitted and neighbouring residents and in accordance with the provisions of Policies PP27 of the Poole Local Plan and BP4 of the Broadstone Neighbourhood Plan.

6. HW100 (Parking/Turning Provision)

7. HW110 (Cycle Provision)

8. HW200 (Provision of Visibility Splays)

9. AA01 (Non standard Condition)

Details of a proposed scheme of lighting, 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 be implemented prior to first occupation of the residential development hereby permitted, and thereafter retained and maintained to ensure the lighting remains in working order.

Reason -

In the interests of pedestrian safety and in accordance with Policy PP35 of the Poole Local Plan (November 2018).

10. HW060 (Close Other Access by Physical Works)

11. HW080 (First 4.5 Metres Constructed)

12. HW230 (Permeable surfacing condition)

13. GN162 (Renewable Energy - Residential) (10%)

14. AA01 (Non standard Condition)

The four swift boxes and one bat box shown on the approved plans shall be installed prior to first occupation of the building hereby approved and thereafter retained.

Reason-

In the interests of biodiversity enhancement and in accordance with Policy PP33 of the Poole Local Plan (November 2018) and guidance contained within Section 15 - Conserving and enhancing the natural environment of the National Planning Policy Framework (February 2019).

15. AA01 (Non standard Condition)

Prior to the first occupation of the residential development hereby approved, the bin store shown on the approved plans shall be implemented and thereafter retained.

Reason -

In order to secure the provision of appropriate refuse and recycling storage for future residents and in accordance with Policy PP27 of the Poole Local Plan (November 2018).

16. LS020 (Landscaping Scheme to be Submitted)

**Informative Notes**

1. IN72 (Working with applicants: Approval)

2. IN74 (Community Infrastructure Levy - Approval)

3. IN84 (Appropriate Assessment passed)

4. IN81 (SAMM Approval)

5. IN11 (First 4.5m Access Crossing)

6. IN12 (Kerb Crossing to be Raised)

7. IN13 (Kerb Crossing to be Lowered)

8. IN00 (Non Standard Informative)

Formation of the approved access may require the street lighting column at the front of the site to be relocated at the applicant's own expense. The applicant is advised to contact the Council's Transportation Services for further details.

9. IN00 (Non Standard Informative)

Provision of the new access will require a telegraph pole at the front of the site to be relocated. The applicant is therefore advised to contact the telecommunication services company responsible for the equipment for further advice.