

Planning Committee



Application Address	7 Chaddesley Glen, Poole, BH13 7PA
Proposal	Demolish existing building and erect block of 8 flats with basement parking
Application Number	APP/20/00677/F
Applicant	AJ Land Consultancy Ltd
Agent	Anders Roberts & Assoc
Date Application Valid	9 July, 2020
Decision Due Time	3 September, 2020
Extension of Time date (if applicable)	
Ward	Canford Cliffs
Report Status	Public
Meeting Date	26 th November 2020
Recommendation	Grant Subject TO CIL Contribution
Reason for Referral to Planning Committee	This application is brought before committee at the request of Councillor Iyengar due to the impact on neighbours, bulk and forward projection of the building and insufficient provisions for parking and bin storage.
Case Officer	Claire Moir

Description of Development

1. Planning consent is sought to demolish existing building and erect a block of eight flats with basement parking

Key Issues

2. The main considerations involved with this application are:
 - Impact on character and appearance of the street scene and wider shoreline
 - Impact on neighbouring amenities
 - Impact on Highway safety
 - SAMM/CIL/S111/S106

Planning Policies

3. Supplementary Planning Document

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

SPD5 Poole Harbour Recreation SPD (2019-2024)

4. Poole Local Plan (Adopted 2018)

PP01 Presumption in favour of sustainable development
PP02 Amount and broad location of development
PP27 Design
PP28 Flats and plot severance
PP31 Poole's coast and countryside
PP33 Biodiversity and geodiversity
PP34 Transport strategy
PP35 A safe, connected and accessible transport network
PP37 Building sustainable homes and businesses

5. National Planning Policy Framework (February 2019)

Relevant Planning Applications and Appeals:

6. 5-7 Chaddesley Glen

19/04/2017: Demolition of the existing buildings and construction of two blocks of four apartments (eight in total) with associated parking, access and landscaping (APP/16/00799/F). **Grant Subject TO CIL Contribution**

7.5 Chaddesley Glen

July 2018: Non material amendment following approval of 17/00581/F to alter dwelling's footprint, siting, external appearance and boundary treatments to the north west. (APP/18/00782/F). **Grant Subject TO CIL Contribution**

July 2017: Demolish existing dwelling and replace with new dwelling. (APP/17/00581/F). **Grant Subject TO CIL Contribution.**

2015: Householder application for alterations, extensions and additional 2nd floor to existing dwelling. **Approved** (APP/15/01051/F).

2015: Demolition of existing dwelling and erection of pair of semi-detached dwellings with associated parking and access. **Approved** (APP/15/01595/F).

8. 7 Chaddesley Glen

December 2018: Demolition of the existing dwelling and construction of a block of 5 flats with basement car parking. **Approved** (APP/18/01119/F)

July 2017: Demolition of the existing dwelling and construction of a block of 4 flats. (APP/17/00697/F). **Grant Subject TO CIL Contribution**

June 2016: Demolition of existing dwelling and replacement with a pair of semi-detached dwellings. **Approved** (APP/16/00563/F).

Feb. 2016: Demolition of the existing dwelling and the construction of a replacement house. **Approved** (APP/15/01725/F).

2010: T1 Western Red Cedar - Fell. TPO Ref. 43 Ind. 1999 (TP/10/00410/X). **Approved.** Tree was adjacent to garage block of Havenhurst to front of site. Replacement required not within canopy of other trees and 2m from the boundary within 1 year of felling. Notice of replacement planting received March 2014.

2005: Demolish existing and erect a part 3/ part 4 storey block of 5 flats with basement parking (5 storeys in total). Access from Chaddesley Glen. **Refused** (05/04973/009/F). **Dismissed** at appeal on the grounds of scale and mass.

Representations

9. 16 representations have been received, raising objection. The issues raised comprise the following:

- Parking and traffic congestion
- Too large for site and Bulky
- Adverse impact on street scene and harbour
- Loss of privacy and overlooking from balconies adjacent Havenhurst
- Overbearing
- Concern regarding intended use of flats
- No replacement trees secured

Consultations

10. BCP Highway Authority - Defer for amendments to visibility splays. These have subsequently been amended.

11. Waste Authority - Defer for bigger store. This has now been amended.

Planning assessment

Site and Surroundings

12. The application site is on the upper side of Chaddesley Glen with ground levels dropping steeply down towards the Harbour to the south west. The site is occupied by a detached chalet bungalow with a lower ground floor level to the rear. It has an access onto Chaddesley Glen however the main vehicular access is from a private lane to the north east. The lane is shared with five other residential properties (5, 1a, 1b, 3a and 3) to the south east. The grounds of St Ann's Hospital are to the east of the lane. A dense row of mature trees screen the hospital and form a backdrop to the application site which is on the ridge line.

13. This part of Chaddesley Glen is characterised by spacious plots occupied, in the case of 1a-3 which were sub-divided from 1 and 3 Chaddesley Glen, by substantial 3 to 4-storey detached dwellings. These are contemporary in appearance with stepped elevations; cedar cladding; balconies; and a high

proportion of glazing. Two of these have vehicular access and garages off Chaddesley Glen. No.5 is a recently built 3-storey detached replacement dwelling, with a contemporary pitched roof design. 'Havenhurst' is a 1970s' block of seven flats over four storeys and is the highest development along this row. Further north is the Harbour Heights Hotel, including an ancillary staff accommodation block, and a block of 6 flats, Harbour Court.

14. The application site is within Shoreline Character Area No.6 'Sandbanks Peninsula, Luscombe Valley and Evening Hill' and the Coastal Zone.
15. Consent was given to fell a protected tree to the front of the property subject to a replacement. Trees adjacent to the private lane along the boundary with St Ann's hospital are covered by Tree Preservation Orders.

Key issues

16. The application site has had numerous applications culminating in planning approval ref: APP/18/01119/F for the demolition of the existing dwelling and erection of a block of 5 flats with basement car parking. This has not been implemented.
17. The current proposals are to erect a block of 8 flats, within a similar building footprint and massing as that previously approved (ref: APP/18/01119/F).
18. The proposals are to erect a 5-storey building, which would have a sunken lower ground level due to the topography of the site, therefore appearing as 4 storeys to the north. The proposals are contemporary with a flat roof; and have terraces and balconies on all floors to the rear (south) taking advantage of Harbour views.
19. The proposals would contain a lower ground floor flat to the rear (similar to previously approved), 2 flats at upper ground floor level, 2 at first floor, 2 at second floor and 1 at third floor (top floor).
20. In accordance with Policy PP2 higher densities of development should be directed towards Town and Local Centres and Sustainable Transport Corridors. In this instance the site does not fall within these categories, however regard is had to the extant approval for 5 flats and subject to meeting other criteria such as preserving the character and appearance of the area and neighbouring privacy and amenities the proposals are in principle acceptable.
21. The main difference with this current proposal compared to that previously approved (and extant) is the addition of a new floor of accommodation, resulting in a 5-storey building rather than the approved 4 storeys.
22. This part of Chaddesley Glen is primarily characterised by 3-4 storey dwellings. The proposals would be five storey, however they would not be significantly greater in height than that approved at the site. The proposals would be sunk into the ground with a basement car park accessed from Chaddesley Glen (the principle of which was established on the extant approval). The access is

existing, which is not uncommon on this side of Chaddesley Glen, furthermore there is a significant area of boundary screening which would reduce the appearance of this lower ground-floor level. The proposals would sit comfortably between the higher building at Havenhurst (flats) and no. 5, which the proposals would be similar in height to.

23. The highest part of the dwelling, the lift overrun, is set in on all sides and as such its impact has been significantly reduced.
24. The scheme has been amended during the course of the application with respect to its design. Materials have been softened and a horizontal element added to the rear elevation at first floor. This gives the facade a less symmetrical emphasis and seeks to reflect the character of large dwellings to the south east of the site. This allows the building to act as a more sympathetic transition between large dwellings to the south east and flats at Havenhurst to the north west.
25. The proposals have been extended to the south west from that previously approved, with the balconies set beyond the approved rear building line. Of particular concern is the impact to flats at Havenhurst which have bedroom and kitchen windows in the side elevation. These flats currently have views towards the Harbour, in part across the application site. To take account of this neighbour the building has been angled to minimise its impact and the balconies have been amended from the original submission, such that they have been inset from the north west side and obscure glazed screens added.
26. Whilst part of the side elevation to the flats will be visible from the rear part of 5 Chaddesley Glen, most notably its terrace area, the application site lies to the north of this neighbour and its principal aspect is to the south west towards the Harbour. The rear of properties on this ridge take advantage of such views and therefore their rear elevations and gardens have a degree of openness about them and mutual overlooking exists, they are also reasonably large and spacious. The impact of the additional mass would not therefore cause harm to their privacy and amenities.
27. Windows to the proposals are predominately to the front and rear and as such will not materially harm neighbouring privacy and amenities.
28. Additional windows in the side facing no. 5 will not cause harm, this neighbour has a largely blank side elevation with obscure glazed windows only, which are also not the sole windows to these rooms.
29. The window to bedroom 2 of the top floor would face towards Havenhurst, however this is inset from the floors below and would have views across the frontage to this site and would not therefore cause material harm to privacy.
30. The proposals are similar in layout in highway terms to the previously approved scheme (ref: APP/18/01119/F).
31. The proposals would provide a similar access arrangement to the previously

approved scheme and the parking provision would be the same (10 spaces). Whilst this could not achieve the allocated parking requirements of the Council's Parking and Highway Layout in Development Supplementary Planning Document (SPD), it would meet the required parking levels for the parking to be secured as unallocated parking for residents and visitors.

32. The SPD also requires that car parks should be designed in accordance with the Institution of Structural Engineers Publication 'Design Recommendations for Multi-storey and Underground Car Parks' which requires that floor to ceiling height clearance is in excess of 2.1m. Any supporting pillars also need to be set back from the back of the front of the parking bays by 0.8m. Amendments have been made to the scheme and a condition is attached to ensure this is the case.
33. As before the access from Chaddesley Glen is wide enough to allow vehicles to pass each other. The existing kerb crossing from Chaddesley Glen may require widening, which will require amendments to the road markings (on street parking bays and yellow lines), which might therefore also require the Traffic Regulation Order to be amended. Such alterations would be required to be undertaken at the developer's expense.
34. The proposals include the previously approved traffic light system for the basement ramp.
35. As before, there is a dedicated pedestrian path along the access drive and along the basement ramp.
36. 2m x 2m pedestrian visibility splays would be provided on either side of both accesses and these are now satisfactory and can be secured by condition.
37. The proposals include sufficient cycle parking within a surface level cycle store.
38. A replacement tree was previously to be planted to the front of the site. This is shown as tree to be removed and a condition can be attached to ensure that a replacement tree is incorporated into the development with its siting to be agreed.
39. A bin store has been provided to the front (north east) of the site, this has been increased in size to reflect comments made by the Waste Authority and is acceptable.
40. Proposals should make provision for biodiversity enhancements and as such a condition can be attached to require this.

Section 106 Agreement/CIL compliance

Contributions Required	Dorset Heathland SAMM	Poole Harbour Recreation SAMM
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Flats	Existing	0	@ £269	@ £96
	Proposed	8		
	Net increase	8	£2,152	£768
Houses	Existing	1	@ £394	@140
	Proposed	0		
	Net increase	0	-£394	-£140
Total Contributions			£1,758 (plus admin fee)	£628 (plus admin fee)
CIL	Zone A		@ £230sq m	

41. 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.
42. 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
43. 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.

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

Planning balance

45. The proposals by virtue of their siting and massing, relationship to neighbours and conditions, which include securing privacy screens and highway/ parking arrangements, will result in the increase in dwelling numbers at the site in a manner which is acceptable.

RECOMMENDATION

It is therefore recommended that this application be Grant Subject to the following conditions:

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:

Site Location, Block Plan and Proposed Site Plan ref: 9325/100 revision H received 09/10/2020

Proposed Lower Ground, Upper Ground and First Floor Plans ref: 9325/101 revision F received 07/10/2020

Proposed Second and Third Floor Plans and Roof Plans ref: 9325/102 revision D received 07/10/2020

Proposed Elevations ref: 9325/103 revision H received 07/10/2020

Proposed Indicative Street Scene and Bin and Cycle Store Plans and Elevations ref: 9325/104 revision G received 07/10/2020

Proposed Visuals and Plans and Elevations for Bin and Bike Store ref: 9325/106 revision F received 07/10/2020

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 any materials are brought onto site. 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).

4. GN080 (Screening to Balcony)

Prior to the construction of the building hereby approved, details of obscure glazed screens of at least 1.8 metres in height which conform to or exceeds Pilkington Texture Glass Privacy Level 3, to be erected along the north west side of the balconies at upper ground floor, 2nd floor and 3rd floor and the south east side at upper ground floor and 2nd floor shall be submitted to, and approved in writing by, the Local Planning Authority. The screens shall be erected in accordance with the approved details prior to the first occupation of the flats, 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).

5. GN070 (Remove Use as Balcony)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 and the Town and Country Planning Act 1990 or any subsequent re-enactments thereof, the flat roof areas at 3rd floor hereby permitted shall not be used as a balcony, roof garden or similar amenity area.

Reason -

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

6. 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 parking spaces hereby approved shall remain unallocated 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 (November 2018).

7. 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 splay(s) as indicated on the approved plan(s)

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).

8. 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).

9. AA01 (Non standard Condition)

Prior to the completion of construction up to Damp Proof Course level, details of a scheme of lighting along the access drive shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then be implemented and thereafter retained and maintained to ensure the lighting remains in working order.

Reason -

In the interests of the safety of users of the shared surface drive, the amenity of neighbours and in accordance with Policies PP27 and PP35 of the Poole Local Plan (2018).

10. AA01 (Non standard Condition)

Unless otherwise agreed in writing by the Local Planning Authority to any variation, the car park hereby approved shall be designed and constructed having regard to the Institution of Structural Engineers Publication 'Design Recommendations for Multi-storey and Underground Car Parks'.

Reason -

In the interests of highway safety and in accordance with Policy PP35 of the Poole Local Plan (2018), the Parking and Highway Layout in Development SPD (July 2011), and the Institution of Structural Engineers Publication 'Design Recommendations for Multi-storey and Underground Car Parks' (2011).

11. LS020 (Landscaping Scheme to be Submitted)

Prior to 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, the retention and protection of existing trees and other site features, walls, fencing 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).

12. AA01 (Non standard Condition)

Prior to first occupation of the building hereby approved, a scheme of biodiversity enhancements which may include but not be limited to, bat and bird boxes and hedgehog highways/houses shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall thereafter be implemented in accordance with those agreed details and retained.

Reason -

To enhance opportunities for wildlife on site and in accordance with Policy PP33 of the Poole Local Plan adopted 2018.

13. GN162 (Renewable Energy - Residential)

Prior to first occupation of the building(s) hereby permitted, details of measures to provide 10% 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 (November 2018).

14. TR080 (Replanting of Specified Number of Trees)

1 tree(s), of a size and species and in a location to be agreed in writing with the Local Planning Authority, shall be planted in accordance with BS3936, BS4043, BS4428 and BS8545 within 12 months following implementation of this permission. The tree(s) shall be thereafter maintained for a period of five years

including the replacement of any tree(s), or any tree(s) planted in replacement for it, which die, are removed or become damaged or diseased within this period with tree(s) of a similar size and of the same species, unless the Local Planning Authority gives written consent to any variation. The Local Planning Authority shall be notified in writing when the tree(s) have been planted so that compliance with the condition can be confirmed.

Reason -

In order to preserve the visual amenities which at present exist on the site and to ensure that as far as possible the work is carried to current best practice, in accordance with Policy PP27 of the Poole Local Plan (November 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.
- in this case the applicant was advised of issues after the initial site visit
- 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. IN00 (Non Standard Informative)

The applicant is advised that any widening of the existing vehicle access may also require widening of the existing kerb crossing to the site and modification of the existing Traffic Regulation Order, including altering the parking bay markings and yellow lines on the road outside the site. Such works would be required to be undertaken at the applicants own expense. The applicant is advised to contact the Council's Transportation Services for further information.