



## Planning Committee

Application Address	51-55 Commercial Road, Poole, BH14 0JB
Proposal	Demolition of the existing buildings and erection of a 3 storey building containing 14 flats with associated access, car parking, refuse and cycle storage.
Application Number	APP/20/01047/F
Applicant	Amirez Ltd
Agent	Pure Town Planning
Date Application Valid	18 September, 2020
Decision Due Time	18 December, 2020
Extension of Time date (if applicable)	
Ward	Parkstone
Recommendation	Grant Subject TO CIL Contribution
Reason for Referral to Planning Committee	This application is brought before committee at the request of Cllr Mrs Stribley because of concerns about overdevelopment; overlooking; shortage of parking; and being unneighbourly.
Case Officer	James Gilfillan

### Description of Development

1. Planning consent is sought for Demolition of the existing buildings and erection of a 3-storey building containing 14 flats with associated access, car parking, refuse and cycle storage.

### Key Issues

2. The main considerations involved with this application are:
  - The principle of the development
  - Relationship to heritage assets, character and appearance
  - Parking, access and highway safety
3. These points will be discussed as well as other material considerations below.

### Planning Policies

4. National Planning Policy Framework (February 2019)

## 5. 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
- PP12 Housing for an ageing population
- PP27 Design
- PP28 Flats and plot severance
- PP30 Heritage Assets
- 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
- PP39 Delivering Poole's infrastructure

## 6. Supplementary Planning Document

- SPD1 Parking & Highway Layout in Development
- SPD2 Heritage Assets
- SPD3 Dorset Heathlands Planning Framework (2020-2025)
- SPD4 Affordable Housing SPD (Adopted November 2011)
- SPD5 Poole Harbour Recreation SPD (2019-2024)
- SPD6 Nitrogen Reduction in Poole Harbour (Adopted Feb 2017)
- Ashley Cross Conservation Area Character Appraisal

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

- 7. None directly relevant. Historical applications for the erection and use as a tyre depot, associated signage and retail use adjoining.

### **Representations**

- 8. Letters of representation have been received from 13 addresses in which the following concerns are raised
  - The height of the development, inappropriate design
  - The number of flats
  - Lack of parking, impact on highway safety and congestion
  - Impact on heritage assets
  - Loss of privacy and amenity
  - Harm to wildlife
  - Waste nuisance
  - Impact on local services
- 9. One letter supports the scheme for delivering an attractive development that can rely on good transport links and services nearby, as well as supporting those businesses.

## Consultations

10. BCP Highway Authority. Supports the highway safety gains from the closure of the commercial access from Commercial Road and accepts that surrounding roads could accommodate the volumes of traffic generated by the development. Object to the lack of parking. Concludes that the benefits for highway safety arising from the closure of the existing access would not outweigh any harm arising from the shortfall of 4 parking spaces.
11. BCP Environmental Services. Sufficient bin storage is provided but objects to the location of the store more than 10m from the adopted highway. Requests that a contaminated land survey condition is imposed due to the potential of the existing use to have contaminated the ground under the site.
12. BCP Lead Local Flood Risk Authority. Insufficient detail provided, but a scheme could be designed and would be needed to avoid contributing to surface water flood issues locally.

## Constraints

13. The site is in the Ashley Cross Conservation Area.

## Planning assessment

### Site and Surroundings

14. The site is on the north side of Commercial Road, adjacent to Chapel Road, in Ashley Cross. It is at the western corner of the Ashley Cross Conservation Area and is occupied by a single-storey commercial unit covering much of the plot and a 2-storey retail unit in a converted house.
15. The area has a mixed character, with commercial and community uses interspersed with residential properties along Commercial Road, between the Civic Centre to the west and Ashley Cross local centre to the east. As such there is a variety of age of buildings and styles. Chapel Road extending to the north is residential dominated by terraced houses.
16. Commercial Road is a Primary Distributor Road (A35). Chapel Road does not have a junction with Commercial Road, but there is a pedestrian link. Access to both roads from the site of the tyre garage is currently possible, without restriction or barrier. There is space for a single vehicle to park on the forecourt of the retail unit at no.55, but no on site turning.
17. The Church and converted offices at 16 Commercial Road, opposite the site, are identified as heritage assets by the list of locally significant buildings. 45 Commercial Road to the west is statutory listed building (grade II).

18. The site includes a narrow strip of land extending north along the rear of the Chapel Road properties. The land is heavily overgrown and covered in trees. These trees are not subject to any TPO but are protected by being within the Conservation Area.
19. Ground levels rise up to the site from Commercial Road, with the finished floor levels of the buildings elevated above the adjacent pavement by over 1m.

### **Key issues**

20. The scheme proposes to demolish the existing buildings and erect a 3-storey block of 14 1-bed flats, with the top floor largely within the roof space. Both accesses from Commercial Road would be closed and the site would take vehicle access solely from Chapel Road. Eight parking spaces would be provided. Bike and bin stores would be provided within the building.

### **Principles**

21. The site is within a sustainable transport corridor, where additional residential development is supported. It is outside the 400m zones around protected Dorset Heathlands and beyond tidal flood zones. The principle of additional residential development is therefore acceptable.
22. The existing uses have minor economic benefits, however their loss from this site, which is not within any identified commercial centre or industrial estate, would not be resisted and wider strategies in respect of commercial/retail centres and employment areas would not be harmed.
23. The proposed 1-bed flats would all be above the national minimum space standards. This proposal therefore represent an opportunity to deliver small 'starter' homes, in a sustainable location close to a wide variety of services, infrastructure, jobs and public transport opportunities, including public open space and a vibrant night time economy.
24. The scheme would have economic benefits during construction; would result in the loss of on site employment; but would introduce new footfall and spend in local retail and commercial premises. It would have social benefits arising from the provision of 14 residential units at the lower-cost end of the local housing market. It would in addition have the environmental benefits of delivering 14 residential units on a brownfield site within the urban area.

### **Character, design and heritage.**

25. The site falls within the Ashley Cross Conservation Area which is dominated by the architecture of historic buildings and pattern of roads surrounding Ashley Cross Green.
26. The existing buildings extend across the majority of the site, up to the boundary with No.2 Chapel Road. The buildings occupied by the tyre garage are mainly single-storey and flat roofed have very little architectural merit. The 2-storey building occupied by the separate retail unit is more typical of the style of architecture and detailing prevalent throughout the area, but is dominated by the less sympathetic ground floor shop front and the dominance of the adjoining unit.
27. The existing buildings are identified as a 'tradeable' feature of the Conservation Area. As such, demolition of the existing buildings would preserve the significance of the conservation area.
28. The 3-storey building would be positioned towards the front of the site, in part closer to the street frontage than the existing buildings. Its design, and articulation would introduce a strong and attractive frontage to the road, delivering a style of architecture and incorporating design features such as bay windows; barge boards; eaves detailing; chimneys; and roof pitches that would positively contribute to the character and appearance of the conservation area.
29. The scheme includes an entrance to the building on the front elevation, which combined with the internal layout, would form an active frontage to Commercial Road and a high degree of passive surveillance of the street, compared to the existing uses.
30. Being taller and in part, closer to the front of the site than the existing buildings, the proposed scheme would be more dominant in the streetscene than is characteristic at this point of the conservation area and street. That minor negative aspect of the design is outweighed by the positive engagement arising from the appearance of the front elevation and the introduction of a boundary enclosure along the frontage, better defining the site.
31. Due to the position of the site, in respect of Chapel Road and 49 Commercial Road, the side elevation of the building would also be highly visible in views from the west. The scale of that part of the building would not be an intrusive or dominant addition to the streetscene and would include windows and a chimney as attractive complementary features.
32. The larger scale and depth of the east wing would be largely screened from the streetscene by the adjoining landscape and would not be demonstrably different from the existing building.

33. The design of the rear elevation is less detailed, which is appropriate and acceptable. The quality of the design and proportions of the front elevation are not undermined by the plan depth, which is proportionate and respects the character of the conservation area and context.
34. Whilst the plot coverage by buildings into the rear of the site would be reduced, they would be largely replaced by car parking. The Chapel Road streetscene would not appear markedly different to the existing apron of hard surface, but the proposals would allow some landscape setting and views across the site to the landscaping at the rear.
35. The design and layout of the building would enhance the character and appearance of the streetscene and the wider area. By replacing a tradeable feature it would preserve and enhance the character and appearance of the Ashley Cross Conservation Area and better reveal its significance as a heritage asset. The setting of listed and locally listed buildings near the site would be preserved.

#### Transportation

36. The site currently has two access points from Commercial Road and also access from Chapel Road. There is on-site car parking for customers associated with the tyre garage, but no clear hierarchy to the access and egress. Nor are there any physical measures preventing rat-running across the site between Commercial Road and Chapel Road. There is negligible 'pavement' around the Chapel Road turning head and no raised kerb or barrier to limit vehicle manoeuvring on and off the tyre garage site. Subject to parked cars, the access from Commercial Road is unlikely to accommodate cars exiting and entering simultaneously.
37. On site parking for the retail unit is directly from the road and requires reversing manoeuvres across the footway of Commercial Road. It does not provide a safe location for servicing the retail unit.
38. There is a light controlled pedestrian crossing on Commercial Road immediately in front of the site, between the two accesses.
39. The Transportation Officer has recognised the highway benefits of the closure of these accesses on the safety of users of Commercial Road, including pedestrians and cyclists. Furthermore taking access from the lower category road is advocated by the adopted parking SPD. The proposals would reduce manoeuvring across Commercial Road; remove the complication caused by the servicing of the commercial premises; and the potential conflict between vehicles entering and exiting the tyre garage. It would also improve the pedestrian environment at the end of Chapel

Road where there is a pedestrian crossing, indicating an established desire line, and also attracting other pedestrians.

40. The Transportation Officer does recognise that the scheme would not generate a high volume of vehicle movements and Chapel Road can accommodate such movements safely, despite the parking bays along one side reducing the carriageway to single vehicle width at some points
41. The scheme provides 8 parking spaces for 14 flats. At 1 bed each (2 habitable rooms), based on the 2011 adopted parking standards for 3 habitable roomed dwellings, the unallocated parking requirement would be 11.2 spaces. As such there is a 3-4 space shortfall.
42. Secure cycle storage is proposed for 14 bicycles, within the building. Electric vehicle charging points would be installed at 5 of the parking spaces. Car clubs vehicles are already available the nearby Civic Centre and are proposed to be available at the nearby scheme under construction at 1-3 Commercial Road.
43. The Transportation Officer and written representations received have objected to the shortfall of parking spaces, indicating that the 2011 adopted parking standards already accommodate the sustainability of the location and the shortfall would result in cars being crammed on site, compromising pedestrian safety on site or in residents trawling the local roads looking for alternative parking, compromising public amenity and highway safety.
44. An adequately sized bin store is included within the building. This is more than 10m from the public highway, the distance preferred by the local Waste Collection Authority, but within the 20m advocated by the building regulations
45. In this case the benefits of the proposed improvements to highway and pedestrian safety arising from the closure of the existing accesses and the lack of on site parking for staff associated with the existing commercial uses can be set against any potential harm arising from the shortfall in car parking. Taken together with the other identified benefits associated with delivering new housing in a highly sustainable location within a sustainable transport corridors these benefits would outweigh that harm. This scheme delivers positively in respect of PP34 a), d) and e)

#### Amenity.

46. The majority of flats would have south facing outlook. The two rear flats, units 5 and 10 have outlook on three elevations to provide light and outlook. The finished floor level of the ground floor would be elevated

above the pavement at the front of the site, providing an outlook for residents over pedestrians and vehicles and preserving privacy.

47. The communal halls, stairs and landings would extend across much of the rear elevation, minimising residential activity and views out. Five flats would have views at the rear towards 2 Chapel Road. The three in the west wing would be over 16m away from the rear garden, preventing any significant loss of privacy. The two in the east wing would be closer at 12m, but have their lower panes obscure glazed to minimise the range of downward views, without compromising the amenity of occupiers. East facing windows in first floor units 5 and 6 would have views towards the garden of 9 Buckholme Close. The window to unit 6 is equally treated with the lower half obscure glazed and that to unit 5 would look at the side elevation of the neighbour in similar position to a window in the existing building, facing a sole bathroom window in that side elevation.
48. There would be little on-site amenity space, however the 1-bed size of the flats should preclude family occupation and adequate outdoor amenity space to meet the recreational needs of likely occupiers is available in close proximity to the site in Poole Park. All of the flats exceed the national minimum space standards and would have good daylight; sunlight; and outlook to achieve adequate internal amenity to meet their reasonable needs.
49. The potential harm to the amenity of neighbours is minor and has to be balanced against the loss of the existing buildings and uses. Whilst single storey, the tyre garage extends right on to the boundary with 2 Chapel Road, for the full length of their garden. Furthermore the existing use has high potential to cause noise and nuisance, due to the nature of the operation of fitting tyres; air compressors; pneumatic tools; and the running of engines during MOT testing, as well as deliveries and manoeuvring vehicles in and out of the workshop and site, including on Saturday.

#### Trees and ecology.

50. Due to the extent of the existing plot coverage there are no landscape features of significance. The part of the site extending to the north, to the rear of Chapel Road properties, is covered by trees, protected due to being in the conservation area. Only the trees at the southern end of that land, adjacent to the building, have been considered by an arboricultural survey, which considers them low quality and not a constraint to development. A more detailed survey was not undertaken due to the density of undergrowth compromising access.
51. Whilst the proposed building would have no impact on any of those trees, it may prove difficult to demolish the existing building without removing

those trees. Furthermore their removal is advocated to provide parking spaces and surface water drainage soakaways. Ultimately their loss would not be resisted due to their poor quality and the presence of more trees to the north.

52. There is a tree on the adjoining site, 9 Buckholme Close, also protected by reason of being in the Conservation Area. The proposed building is no closer to the tree than the existing, and the boundary treatment would protect it from accidental damage during construction.
53. The layout of the site would give an opportunity for new tree planting close to the access to improve the landscape quality of an area dominated by hard surfaces at present.
54. The site does not accommodate any high value or protected habitats supporting protected species. The area to the north is likely to be attractive to a variety of species due to its extent of enclosure, limiting disturbance by humans. That would remain largely as existing. Features such as bird and bat boxes could be installed in the building and secured by condition.
55. There would be no loss of significant landscape or habitat features as a result of the development and opportunities for enhancement are available.

#### Sustainability.

56. The location of the site in the sustainable transport corridor, with public transport nearby and a wide variety of services, facilities, employment, leisure and recreation close by as well as the restricted car parking, significantly limits the need to rely on the private car for many day to day journeys, reducing the carbon footprint of the development, as well as reducing emissions contributing to poor air quality in the area.
57. Being a new build it would be readily able 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 at least 20% of the schemes energy needs is delivered by on site renewable sources of energy.
58. Sustainable drainage is advocated and indicated by the supporting plans, however the scheme is short in terms of technical details. However a condition could be used to ensure the drainage strategy is fit for the scale of the development and ground conditions. The existing heavily hard surfaced site is highly likely to be contributing to surface water flooding to the east of the site. Such negative contribution would be reduced with new drainage infrastructure.

59. Due to the nature of the existing use, it is likely it has polluted the existing ground. A condition is merited to ensure any contamination is identified and dealt with appropriately.

Affordable Housing.

60. At more than 11 units, the scheme qualifies for assessment of its viability to deliver affordable housing. A financial appraisal has been assessed on behalf of the Council, by the District Valuation Services. Their advice is that the scheme is not sufficiently viable to make a contribution towards affordable housing, either on site or a financial contribution.

61. In accordance with Policy PP12 the scheme also needs to provide, 20% of its flats as compatible with Part M4(2) of the Building Regulations. A condition securing 3 flats being constructed to this standard should be imposed.

**Section 106 Agreement/CIL compliance**

Contributions Required			Dorset Heathland SAMM	Poole Harbour Recreation SAMM
Flats	Existing	0	@ £269	@ £96
	Proposed	14		
	Net increase	14	£3,766	£1,344
Total Contributions			£3,766 (plus admin fee)	£1,344 (plus admin fee)
CIL	Zone C		@ £115sq m	

62. 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.

63. 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

64. 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.

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

## **66 Summary**

- The principle of residential development is acceptable.
- The character and appearance of the site, streetscene and area would be enhanced
- The character and appearance of the Conservation Area would be enhanced and the setting of listed and locally listed buildings preserved.
- Existing vehicle accesses from Commercial Road would be closed
- There would be a 4 space shortfall in on site parking
- Residential amenity and privacy of neighbours and occupiers would be preserved.
- Important protected heathland and harbour habitats and species would be protected
- The scheme could not provide a contribution towards affordable housing.

## **Planning balance**

66. The scheme delivers residential accommodation in the sustainable transport corridor that can support and take advantage of local services,

facilities, public transport and infrastructure. By replacing a tradeable feature, the design of the proposed building would enhance the character and appearance of the conservation area. Concerns regarding the shortfall of parking would be outweighed by the benefits for highway safety from the closure of the existing accesses and closure of the commercial activities, especially given the 1-bed size of the flats proposed. Any perceived overlooking from the proposed flats would be outweighed by the benefits of the loss of disturbance and nuisance caused by the existing tyre garage.

67. The scheme would have minor economic benefits, environmental benefits and minor social benefits, delivering sustainable development.

## **RECOMMENDATION**

68. It is therefore recommended that this application be Granted Subject to the following conditions

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, block, location plans and streetscene plans ref:9363/100 rev G rec'd 30/11/20

Proposed Floor Plans ref:9636/101 rev E rec'd 27/11/20

Proposed Elevations ref:9363/102 rev F rec'd 30/11/20

Proposed Section A-A ref:9636/106 rec'd 27/11/20

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 materials, roofing, windows, doors and rainwater goods, barge boards to be used shall be submitted to, and approved in writing by, the Local Planning Authority before their use on-site. 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 & PP30 of the Poole Local Plan 2018.

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

Both in the first instance and upon all subsequent occasions, the windows shown on the approved plans to be obscure glazed, shall be glazed with obscure glass in a form sufficient to prevent external views 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. For the avoidance of doubt this shall apply to the bottom half of those windows only.

Reason -

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

#### 5. GN120 (Storage of Refuse)

The bin store shown on the approved plans shall be implemented prior to the first occupation and thereafter retained.

Reason -

In the interests of amenity and to ensure that no obstruction is caused on the adjoining highway and in accordance with Policy PP27 & PP35 of the Poole Local Plan 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.

Reason -

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

#### 7. HW060 (Close Other Accesses by Physical Works)

A scheme to close the existing accesses which are 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 development.

Reason-

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

8. 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, 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.

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).

9. 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).

10. DR040 (Sustainable Urban Drainage)

Prior to the commencement of construction, a scheme for the provision of sustainable urban drainage, including calculations of capacity and details of the maintenance strategy 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 localised surface water flooding by ensuring the provision of a satisfactory means of surface water disposal and in accordance with PP38 of the Poole Local Plan 2018.

11. LS020 (Landscaping Scheme to be Submitted)

Prior to the construction of the development hereby approved proposals for the hard and soft 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 a hedgerow along the

Commercial Road frontage and at least 2 trees adjacent to the access, the retention and protection of existing trees, details of boundary enclosure, surface treatment, access steps, external lighting.

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), and hard landscape completed prior to first occupation;
- 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, and highway safety and in accordance with Policies PP27, PP30, PP33 & PP35 of the Poole Local Plan 2018.

#### 12. GN162 (Renewable Energy - Residential)

Prior to first occupation of the building(s) 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.

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

The electric car charging points shown on the approved plans shall be installed prior to first occupation of the scheme hereby approved, and thereafter maintained in accordance with the manufacturer's instructions and retained.

Reason-

In the interests of supporting the benefits of such technology and improvements in air quality and in accordance with Policies PP35 of the Poole Local Plan 2018

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

Details of bio-diversity enhancement to be delivered on site shall be submitted to and approved in writing by the Local Planning Authority and implemented prior to occupation of the dwelling hereby approved. The details could include, but not restricted to bat and bird boxes and bricks, bee bricks, hedgehog routes and native planting.

#### Reason

In order to deliver the biodiversity enhancement required by the NPPF and in accordance with policy PP33 of the Poole Local Plan 2018

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

Development shall not commence until section i has been complied with and a time scale for parts ii - iv have been proposed and agreed in writing:

##### i) Desk Study

A Phase 1 Desk Study report shall be submitted for approval in writing by the Local Planning Authority. The Desk Study report should incorporate a 'conceptual model' of all the potential pollutant linkages on site based on the proposed layout and use of the site.

##### ii) Site Characterisation

An intrusive site investigation, based on i), and risk assessment must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

##### iii) Remediation Scheme

If site characterisation identifies the need for remediation, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and controlled waters must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria. The scheme must ensure that the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation

##### iv) Implementation of approved remediation scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the

remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

v) Reporting unexpected contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of sections i) and ii), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of section iii), which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the local planning authority in accordance with section iv).

Reason-

Due to the historic uses of the site and in order to provide an appropriate environment for residential occupation and to prevent further harm to the wider environment and in accordance with Policy PP27 of the Poole Local Plan 2018

17 (Accessible and Adaptable homes)

In advance of securing Building Regulation Compliance, the developer will identify 3 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 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 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. IN82 (Demolition of Buildings)

Applicants are advised of the need to notify the Council, under Section 80 of The Building Act 1984, of the proposed demolition of a building, which is over 1750 cubic feet, or which is not within the exemption criteria expanded within the Act.

An application form, with a list of required notifications, is available from Building Consultancy Services to assist applicants. Once appropriately notified, the Council will issue a counter notice which authorises the demolition, subject to certain standard conditions relating to health and safety issues and amenity preservation.

#### 6. IN21 (Protection of Bats)

There is potential that bats may be roosting within the site. All bats are fully protected under the Wildlife & Countryside Act 1981. Section 9 of the act makes it an offence to intentionally kill, injure or disturb a bat and to damage, destroy or obstruct access to any structure that is used by bats for roosting.