



PLANNING COMMITTEE

Application Address	263-265 Bournemouth Road, Poole, BH14 9AH
Proposal	Outline planning application for the demolition of nos. 263 & 265 Bournemouth Road, make good the side of no. 267 Bournemouth Road, and erect a 3 storey block of 9no. flats with associated vehicular access and parking. Matters of access, appearance, layout and scale to be determined and only landscaping as a reserved matter.
Application Number	APP/20/00896/P
Applicant	Mrs Morgan
Agent	Pure Town Planning
Date Application Valid	28 August, 2020
Decision Due Time	26 February, 2021
Extension of Time date (if applicable)	26 February, 2021
Ward	Penn Hill
Recommendation	Grant Subject TO CIL Contribution
Reason for Referral to Planning Committee	This application is brought before committee at the request of Councillor Dion due to concerns regarding loss of green space, impact on character, neighbouring privacy and parking issues.

Description of Development

- 1.Outline planning permission is sought for the demolition of nos. 263 & 265 Bournemouth Road, make good the side of no. 267 Bournemouth Road, and erect a 3 storey block of nine flats with associated vehicular access and parking.

Key Issues

2.The main considerations involved with this application are:

- Impact on the character and appearance of the street scene
- Impact on neighbouring privacy and amenities
- Impact on highway safety
- SAMM/CIL/S106/S111

Planning Policies

3. 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
- PP27 Design
- PP28 Flats and plot severance
- PP32 Poole's important sites
- PP33 Biodiversity and geodiversity
- PP34 Transport strategy
- PP35 A safe, connected and accessible transport network
- PP37 Building sustainable homes and businesses
- PP38 Managing flood risk

4. Supplementary Planning Document

- SPD1 Parking Standards Adopted 2021
- SPD3 Dorset Heathlands Planning Framework (2020-2025)
- SPD5 Poole Harbour Recreation SPD (2019-2024)
- SPD6 Nitrogen Reduction in Poole Harbour (Adopted Feb 2017)

5.National Planning Policy Framework (February 2019)

Relevant Planning Applications and Appeals:

Current application at 265-267 Bournemouth Road

- 6.Outline planning permission is sought for the demolition of nos. 265 & 267 Bournemouth Road and erection of a 3 storey block of 9 no. flats with associated vehicular access and parking (ref: APP/20/01044/P).

Representations

- 7.Ten representations have been received, raising objection. The issues raised comprise the following:

- Insufficient parking
- Loss of family homes
- Increased highway dangers
- Loss of Green Corridor
- Impact on biodiversity
- Overcrowding
- Insufficient infrastructure to support more flats
- Does not respect character or design principles
- Uncharacteristic plot coverage
- Parking area will impact on quiet enjoyment of neighbouring amenity areas,
- Inappropriate
- Ineffective landscaping
- Loss of habitat
- Loss of privacy
- Uncharacteristic massing
- Over-subscribed schools

Consultations

8.BCP Highway Authority - Amendments have been made. Support.

9.Waste Authority - Defer for amendments. This has been done.

Planning assessment

Site and Surroundings

10. The application relates to 263 and 265 Bournemouth Road. 263 is occupied by a two storey dwelling with rooms in the roof and a gabled frontage. 265 is one of a pair of two storey semi-detached houses. Both properties sit on the north western side of Bournemouth Road towards its north eastern end.

11. The site frontage to 265 is hard surfaced for parking and there is a driveway and garage to the south west adjacent the boundary with 263. To the front of 263 is a small garden area and a driveway and garage running along the south west side of the house.

12. Due to the topography of the area, with land being elevated from Bournemouth Road to the north west, the dwellings are currently elevated from the road and to the rear the gardens are stepped with a large lawned area owned by no. 267 wrapping along the rear boundary at a much higher ground level.

13. To the north east is 267 Bournemouth Road, the other semi-detached dwelling to 265. To the south west of the application site is 261 Bournemouth Road, a two storey detached dwelling.
14. To the rear of the site is 1 Crescent Road. This sits in an elevated position and side on to the rear gardens at the application site. It is occupied by a two storey house.
15. The character of the area along this part of Bournemouth Road is primarily residential, although there is a car sales place opposite the site. Buildings tend to be detached or semi-detached two storey residential properties, some with rooms in the roof. There are however, flatted developments peppered along the road both to the north and south.

Key issues

16. The proposals are to demolish two existing dwellings, including one part of a pair of semi-detached dwellings. The proposal therefore includes making good the other part of the pair of dwellings (267 Bournemouth Road). The proposed development is to erect a three storey block of 9 flats with access and parking to the rear. The application is outline with matters of access, appearance, layout and scale to be determined and only landscaping as a reserved matter.
17. The application site lies within a sustainable transport corridor where under Policy PP2 higher densities of development are directed, as such the principle of higher density development such as flats is accepted.
18. The character of the area is predominantly residential although there is a car sales place opposite the site and retail units further along Bournemouth Road.
19. The application site is occupied by houses as are many of the surrounding sites, however the wider street scene is characterised by a number of flatted developments which are increasing in frequency.
20. Given the evolving character of the street scene and its highly sustainable location the principle of the proposals is acceptable subject to meeting all other relevant criteria, including design.
21. The Housing Delivery Test for the Poole Local Plan area was published in January 2021. In high level terms, the Housing Delivery Test (HDT) compares the net homes delivered over three years to the homes that should have been built over the same period (the housing requirement). The HDT shows that the total number of homes delivered in Poole compared to those required over a defined 3 year period was 73% which is slightly below the government's threshold of 75% - the number of homes required between

2017 and 2020 was 1,860 whereas the number of homes delivered in that time period was 1,361. This results in a shortfall of 499 Dwellings over the Local Plan target for that period. As a reminder the 5-year residential supply and HDT results continue to relate to each legacy area separately until the existing legacy local plans are superseded by a BCP Local Plan.

Character

22. The proposed flats will be positioned to the south of the site roughly where 263 Bournemouth Road is currently located. The building will be set slightly further forward than the existing dwelling at 2.7 metres, roughly in line with 265 Bournemouth Road. The building will be greater in width and depth than existing however the removal of 265 Bournemouth Road allows space for the access and landscaping whilst also creating a significant gap to 267 Bournemouth Road. The frontage parking to 265 will be removed and the frontage to the development will consist of the new access and small garden area to the front of the flats.
23. Accommodation is arranged across three floors, with the top floor contained within the roof form. The proposals would be higher than the existing dwelling at 263 but would fit in with existing development within the street scene, being no higher than 269 to the north of the site.
24. The massing on site will be greater than that which currently exists, however the siting is such that the site can accommodate this without harm. The height and massing with the gaps proposed to either side, would complement existing development. The pitched roof design and accommodation within the roof form also reduces potential bulkiness. The proposed materials of blue/grey brickwork, part render & part cladding with a slate-type roof tiles would be something of a contrast to the predominant use of red/buff brick and render in the vicinity.
25. Landscaping to the front and side of the driveway will soften the appearance of the proposals and is an improvement on the current hard surface in front of no. 265.
26. Whilst the majority of single residences along Bournemouth Road have gardens to the rear, the proposals intend to have parking to the rear. This has been introduced on other sites within Bournemouth Road, for example at 167-171 Bournemouth Road, where a similar development has been implemented with parking to the rear. Furthermore, taking cars away from the frontage to Bournemouth Road is a highway safety gain on this busy route. This does reduce the availability of amenity space, however flats generally have less amenity space than houses and the scheme does include small garden areas and balconies.

27. The proposals would therefore preserve the character and appearance of the street scene in accordance with the requirements of Policy PP27 which seeks to allow development which reflects or enhances local patterns of development.
28. Policy PP28 seeks to ensure that a plot can accommodate development of a form that respects existing development. Whilst that proposed is different in terms of density, plot coverage and massing it is in a highly sustainable location where increased densities of development can be accommodated and naturally would take on a different layout and form.

Impact on Neighbours

29. The siting of the proposals and limited windows in the side elevations of the neighbours to either side is such that the increased massing on site would preserve neighbouring amenities. Furthermore, the siting and positioning of windows on the proposals would also preserve neighbouring privacy.
30. In respect of the existing dwelling at 267 Bournemouth Road, the proposals would extend beyond the rear building line of this neighbour, however the gap to this neighbour is such that this would alleviate the impact of this. The windows in the rearmost part of the side elevation are to be obscure glazed and are secondary lounge windows, this is therefore reasonable and can be secured by condition. Other windows would only have oblique views.
31. Having regard to the current application at 265 & 267 Bournemouth Road, windows in both schemes have been amended (moved) to improve the neighbourliness and privacy between the two proposed developments.
32. In respect of 261 Bournemouth Road which sits to the south of the proposed flats, windows in the rear most part of the proposals are to be obscure glazed to prevent overlooking of this neighbour's garden. These windows include secondary lounge windows but also part obscure glazing (bottom half) of bedroom windows. Whilst the obscure glazing of bedroom windows would not normally be sought, the obscure glazing of the bottom half of the window is no different to having a roof light. Furthermore, this window is in a side elevation and the remainder of the flat provides good visual amenity for future residents.
33. To the rear of the site is 1 Crescent Road which sits at 90 degrees to the application site. This neighbour also sits at a higher ground level to the application site and therefore whilst the proposals would extend further into the site than existing and have accommodation across three floors, the elevated position of no.1 and the remaining distance between the proposals and rear boundary, is such that no harmful overlooking would occur.

34. With regard to the rear parking area, this is a feature which can be seen elsewhere along Bournemouth Road and in terms of potential noise and disturbance, this would not be significantly greater than the likely ambient noise from Bournemouth Road itself, furthermore traffic movements into and out of the site would not be as significant as traffic on Bournemouth Road.
35. As part of the proposals the side wall to 267 Bournemouth Road, which is currently attached to 265, will need to be made good. A condition is attached to secure this.
36. Again the proposals would comply with Policy PP27 which in this instance seeks to ensure that development is compatible with surrounding uses and would not result in harmful impact upon amenity for both local residents and future occupiers.

Highways

37. A new vehicle access is proposed along Bournemouth Road which will partly utilise a section of the existing dropped kerb. The existing access for number 263 is being closed off and a small section of the existing access for 265 may not be required therefore kerbs and footways will need to be reinstated at the applicants' expense.
38. There would be passing space at the entrance to the site and within the car park. Pedestrian visibility splays would also be provided.
39. A scheme of lighting for the access drive will be secured by condition.
40. 9 parking spaces are provided, which is acceptable subject to them being unallocated, this will be secured by condition.
41. Parking bays have been widened and one disabled appropriate bay is provided. EV charging bays should also be provided and this is secured by condition.
42. Cycle parking is shown, the details of which will be secured by condition.
43. Access gradients for the driveway and pedestrian access have been amended and annotated to show acceptable gradients with plateaus provided at intervals along the pedestrian access.
44. The proposals therefore comply with Policy PP34 of the Poole Local Plan.

Other matters

45. The application site forms part of a 'green corridor' according to a place check carried out in the local area. In terms of impact on this and biodiversity within the site the test is whether there is a reasonable likelihood of wildlife on the site.
46. The site is fairly well secured by fencing to the rear and a large part of the gardens are either hard surfaced, covered by artificial grass or outbuildings, as such whilst wildlife may utilise the area its contribution to the 'green corridor' is not so significant to refuse the application. Furthermore, biodiversity enhancements to the site would improve its value, these will be conditioned and could include bee blocks, bird and bat boxes and hedgehog highways. These enhancements would improve the sites connectivity within the 'green corridor'. The site also currently has no significant tree planting, trees are shown on the proposed plans and although landscaping is not being considered at this stage this could reasonably be considered under the reserved matters application and would also add to the biodiversity enhancement of the site.
47. Sufficient bin storage is provided on site and this is within 10 metres of the highway, acceptable for Local Authority collection.
48. The scheme is for 9 flats and as such does not trigger the requirement for affordable housing. It is noted however that this scheme runs alongside another scheme at 263-265 Bournemouth Road with both schemes totalling 18 flats. The schemes are however both individual schemes, which do not rely on one another. Furthermore if both schemes are approved they could not both be built out in their current form. As such they are treated individually and therefore do not trigger the requirement for affordable housing.

Section 106 Agreement/CIL compliance

Contributions Required			Dorset Heathland SAMM	Poole Harbour Recreation SAMM
Flats	Existing	0	@ £269	@ £96
	Proposed	9		
	Net increase	9	£2421	£864
Houses	Existing	2	@ £394	@ 140
	Proposed	0		
	Net increase	0	£788	£280
Total Contributions			£1633 (plus admin fee)	£584 (plus admin fee)
CIL	Zone C		@ £115sq m	

49. 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.

50. 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

51. 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.

52. The applicant is willing to enter into a S106 agreement to make the relevant contributions towards Dorset Heathlands and Poole Harbour Recreation SAMM.

Planning balance

53. The proposals would result in an increase in dwelling numbers in a sustainable location where increased densities are encouraged. The proposals would reflect an increasing trend for flatted development in the area and by virtue of their massing, siting and design would preserve the character appearance of the street scene and neighbouring privacy and amenities. The proposals make sufficient provision for parking and access and would be a highway benefit by virtue of consolidating existing accesses and providing on-site turning.

RECOMMENDATION

GRANT permission with the following conditions, which are subject to alteration/addition by the Head of Planning Services provided any alteration/addition does not go to the core of the decision and the completion, signing and sealing of a Section 106 agreement.

1. OL010 (Submission of Reserved Matters)

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

Reason:

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

2. OL020 (Timing of Reserved Matters Submission)

Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 2 years from the date of this permission and the development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved whichever is the later.

Reason -

This condition is required to be imposed by the provisions of Article 5 of the Town and Country Planning (Development Management Procedure) Order 2010 and Section 92 of the Town and Country Planning Act 1990.

3. PL02 (Plans Listing - Outline)

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

Survey Site Plan ref: MDS 1404/101 Rev B received 14/08/2020

Proposed Site Plan ref: MDS 1404/102 Rev F received 27/01/2021

Proposed Floor Plans ref: MDS 1404/103 Rev C received 21/12/2020

Proposed Elevations (1 of 2) ref: MDS 1404/104 Rev E received 27/01/2021

Proposed Elevations (2 of 2) ref: MDS 1404/105 Rev E received 27/01/2021

Illustrative Site Sections ref: MDS 1404/107 Rev E received 27/01/2021

Reason -

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

4. GN030 (Sample of Materials)

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

Reason -

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

5. GN090 (Obscure Glazing of Window(s))

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any subsequent re-enactment thereof both in the first instance and upon all subsequent occasions, the living room, bathroom and kitchen windows in the north east side elevation and the bathroom and living room windows and lower half of the bedroom windows in the south west side elevation on the approved plans shall be glazed with obscure glass which conforms to or exceeds Pilkington Texture Glass Privacy Level 3, 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.

Reason -

To protect the amenity and privacy of the adjoining 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 shall be available for residents and visitors to the residential units hereby approved. The parking shall therefore remain as unallocated parking at all times with no parking space allocated to any individual resident or residential unit, and no parking barriers shall be placed to restrict access to the car parking area or individual bays.

Reason -

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

7. HW080 (First 4.5 Metres Constructed)

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

Reason -

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

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) (England) 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).

9. HW110 (Cycle Provision)

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

Reason -

In order to secure the provisions of appropriate facilities for cyclists and in accordance with Policies PP27, PP34, PP35 and PP36 of the Poole Local Plan (November 2018).

10. AA01 (Non standard Condition)

Details of a scheme of lighting along the shared access drive and parking area shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then be fully implemented prior to the first occupation of the first dwelling hereby approved, and thereafter retained and maintained to ensure the lighting remains in working order.

Reason -

In the interests of safety of users of the shared surface and the amenity of neighbours in accordance with the Policies PP27 and PP35 of the Poole Local Plan adopted 2018

11. AA01 (Non standard Condition)

Prior to first occupation of the development hereby approved, the developer shall submit a scheme and program of works to be agreed in writing with the Local Planning Authority, for closing the existing access (which is to be made redundant), including provisions to raise the existing lowered kerbs and reinstate the foot way to the existing access. The agreed scheme shall thereafter be fully implemented, at the developer's expense, in accordance with the agreed programme of works prior to first occupation/use of the development. The scheme shall comply with the standards adopted by the Local Highway Authority.

Reason -

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

12. AA01 (Non standard Condition)

Within 3 months of the commencement of the development details of the provision of Electric Vehicle Charging Points and associated infrastructure shall be submitted to the Local Planning Authority for approval in writing. Those details shall be in accordance with the BCP Council Parking Standards SPD (adopted 5th January 2021). The approved details shall be implemented and brought into operation prior to the occupation of any residential unit hereby approved or any commercial use hereby approved commencing. Thereafter the Electric Vehicle Charging Points shall be permanently retained available for use at all times.

Reason -

In the interests of promoting sustainable development including sustainable forms of transport in accordance with Policy PP35 of the Poole Local Plan (November 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. HW230 (Permeable surfacing condition)

All ground hard surfaces shall either be made of porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the site. The hard surface shall thereafter be retained as such.

Reason:

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

15. AA01 (Non standard Condition)

Prior to occupation of the development hereby approved a scheme of biodiversity enhancements for the site, which may include but not be limited to, Bee blocks, swift and bat houses and hedgehog highways, shall be submitted to an agreed in writing by the Local Planning Authority. The scheme shall

subsequently be implemented in accordance with the agreed details and retained thereafter.

Reason -

To improve biodiversity within the site and in accordance with Policy PP33 of the Poole Local Plan adopted 2018.

16. AA01 (Non standard Condition)

Upon demolition of 265 Bournemouth Road the first operation on site will be to make good the remaining wall to 267 Bournemouth Road.

Reason-

In the interests of neighbouring amenities and in accordance with the Poole Local Plan adopted 2018.

Informative Notes

1. IN72 (Working with applicants: Approval)

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

- offering a pre-application advice service, and
- advising applicants of any issues that may arise during the consideration of their application and, where possible, suggesting solutions.
- 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. IN43 (Section 106 Agreement)

The land and premises referred to in this planning permission are the subject of an Agreement under Section 106 of the Town and Country Planning Act 1990.

4. IN84 (AA passed)

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

5. IN11 (First 4.5m Access Crossing)

The applicant is informed that the "first" part of the 4.5 metres of the access crossing in any case falls within the highway and is subject to the direct jurisdiction of the local highway authority. The remaining proportion of the 4.5 metres is also required to be surfaced to ensure free and easy access to and from the highway and to ensure stones, mud, gravel and the like do not result in a hazard on or near the highway.

6. IN12 (Kerb Crossing to be Raised)

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

7. IN13 (Kerb Crossing to be Lowered)

The applicant is informed that the Local Highway Authority will require the footway and kerb to be lowered and reconstructed in the position(s) corresponding to the vehicular means of access to the site. This requirement is imposed in order to service the means of access; in order to prevent danger and inconvenience to other road users and to pedestrians; and in order to prevent possible damage to highway surfaces. The work shall conform to a specification to be provided by the Highway Authority (BCP Council), or it may be required to be undertaken by the Authority itself. In either event, the work will be required to be undertaken at the applicant's expense. With regards to such works the applicant should contact BCP Council on Tel: 01202 261700, by email at droppedcrossings@bcpcouncil.gov.uk, or in writing to BCP Council, Environmental Services, Hatchpond Road Depot, Hatchpond Road, Poole, Dorset, BH17 7LQ. Contact should be made before the commencement of any works on or adjacent to the public highway.

Case officer: Claire Moir