



Planning Committee

Application Address	10 Crichel Mount Road, Poole, BH14 8LT
Proposal	Demolish the existing dwelling (No.10) and erect 2no blocks of 7 flats (14no flats in total) with associated access and surface and lower level car parking
Application Number	APP/20/00370/P
Applicant	West Coast Developments (Sandbanks) Limited
Agent	Pure Town Planning
Date Application Valid	27 March, 2020
Decision Due Time	30 April, 2021
Extension of Time date (if applicable)	30 April, 2021
Ward	Canford Cliffs
Recommendation	Grant subject to 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.
Reason for Referral to Planning Committee	This application is brought before committee due to the amount of objections generated within the consultation period of the application, in line with the Council's Constitution.
Planning Officer	Monika Kwiatkowska

Description of Development

1. Planning consent is sought for outline permission to demolish the existing dwelling (No.10) and erect 2no blocks of 7 flats (14no flats in total) with associated access and surface and lower level car parking.

Key Issues

2. The main considerations involved with this application are:
 - Principle of development
 - Affordable housing provision

- Impact on the character of the area including the setting of the Evening Hill Conservation Area and longer views from the Shoreline.
- Impact on neighbouring living conditions
- Assessment of the living conditions of the prospective occupiers
- Housing for an ageing population
- Impact on parking and highway safety
- Impact on protected trees
- Biodiversity considerations
- Sustainability considerations
- Waste collection considerations
- Drainage considerations
- Impact on Rights of Way
- Other considerations
- SAMM/CIL Compliance

3. These points will be discussed, as well as other material considerations, below.

Planning Policies

4. 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
- PP31 Poole's coast and countryside
- PP32 Poole's important sites
- PP33 Biodiversity and geodiversity
- PP35 A safe, connected and accessible transport network
- PP37 Building sustainable homes and businesses
- PP38 Managing flood risk
- PP39 Delivering Poole's infrastructure
- PP40 Viability

5. Supplementary Planning Documents

- Parking & Highway Layout in Development (adopted 2011)
- BCP Parking Standards SPD (adopted January 2021)
- Heritage Assets SPD (adopted 2013)
- Dorset Heathlands Planning Framework (2020-2025)
- Poole Harbour Recreation SPD (2019-2024)

Nitrogen Reduction in Poole Harbour (Adopted Feb 2017)
Shoreline Character Areas SPG (Adopted 2004)

- 6. National Planning Policy Framework (February 2019)
 - Chapter 5 - Delivering a sufficient supply of homes
 - Chapter 11 - Making effective use of land
 - Chapter 12 - Achieving well-designed places
 - Chapter 14 - Meeting the challenge of climate change, flooding and coastal change

Relevant Planning Applications and Appeals:

- 7. The site has been the subject of a number of recent planning applications and its history is somewhat complex.
- 8. **2019:** Demolish the existing dwelling (No.10) and erect 4no. dwellings with associated access and parking. (APP/19/00508/F). **currently undetermined.**
- 9. **2019:** Demolish the existing outbuilding and erect 2no. semi-detached dwellings with associated access and parking (APP/19/00396/F). **Refused.**
- 10. **2017:** Demolition of existing dwelling and construction of 4 semi-detached dwellings and 1 detached dwelling with associated access and parking (APP/17/00210/F) at 10 Crichel Mount Road. **Approved.**
- 11. **2015:** Issuing of a Lawful Development Certificate to confirm planning permission APP/11/00207/F was lawfully commenced at 10 Crichel Mount Road (APP/14/01383/J). **Approved.**
- 12. **2011:** Demolition of existing buildings and erection of 4 dwellings with integral garages at 10 Crichel Mount Road (APP/11/00207/F). **Approved.**
- 13. **2010:** Demolition of existing buildings and erection of 4 houses with integral garages (revised scheme) at 10 Crichel Mount Road. (APP/10/00549/F). **Refused.**
- 14. **2010:** Demolition of existing buildings and erection of 4 houses with integral garages at 10 Crichel Mount Road. (APP/10/00548/F). **Refused.**

Representations

- 15. In addition to letters to neighbouring properties a site notice was posted outside the site on 18 May 2020 with an expiry date for consultation of 10 June 2020.

16.32 representations have been received, 29 raised objections to the proposal including comments from the Society for Poole and Dorset Lake Residents Association. The issues raised comprise the following:

- The proposal would be out of keeping with the character of the area,
- The proposal would be an overdevelopment of the site,
- The proposal would be a precedent for other flatted development in the area,
- Crichel Mount Road is already overdeveloped, and it would not absorb the current proposal,
- The proposal would affect the setting of the locally listed buildings along Crichel Mount Road,
- Loss of light to the habitable rooms of No 11 Crichel Mount Road,
- The proposal would impact on privacy of the neighbouring dwelling, namely: 22 Lilliput Road,
- The proposal would give rise to increased noise associated with the car lift,
- The proposed rear amenity area is insufficient for the occupants of 14 flats,
- Lack of information regarding the provision of shared boundaries of the site abutting the adjoining sites,
- There would be insufficient access for the emergency and refuse collection vehicles entering the site,
- The proposed bin store would be insufficient for the scale of the development,
- The proposal does not provide a car park for the construction workers or storage of materials,
- The proposal would exacerbate the traffic issues associated with the junction of Crichel Mount Road and Minterne Road,
- The proposal would have a detrimental impact on the drainage in the area,
- Land stability issues and lack of Construction Method Statement,
- The proposal would result in loss of protected habitat on site,
- The proposal incorporates the public footpath within the red line plan and it would result in the loss of this provision,
- The proposal would result in the damage to the bridleway running off Lilliput Road by construction vehicles,
- The erection of the proposed development would conflict with access for construction traffic for the purposes of erecting the approved dwelling at the bottom of the site,
- Lack of appropriate notification for the residents via letters and site notices.
- Impact on NHS services
- No precedent of flatted development in the area

17. 2 letters of support were received.

Consultations

18. BCP Highways Authority - supports the proposal, subject to conditions.

19. BCP Waste Collection Authority – supports the proposal, subject to conditions.
20. BCP Biodiversity Officer – supports the proposal, subject to conditions.
21. Natural England - no objection, subject to securing appropriate mitigation.
22. Open Spaces Society - objected to the proposal, as the proposal would affect the public right of way.
23. BCP Public Rights of Way Officer – supports the proposal.
24. BCP Flood Risk Engineer - supports the proposal, subject to securing sustainable drainage system solution.
25. BCP Environmental Health Officer – supports the proposal, subject to submission of the noise impact assessment and appropriate attenuation of the proposed car lift.
26. NHS Foundation Trust – objected to the proposal as it would create potentially long term impact on the Trust ability provide services as required, unless a S106 contribution of £19,292.00 is secured towards the gap in the funding created by each potential patient from this development.

Constraints

27. The site has significant changes in levels with the frontage in Crichel Mount Road being significantly higher than the land (within the site) to the north and west. A public right of way (Footpath No.70/Bridleway No. 72) runs along the northern edge of the site and is shown on the location and site plans to be within the boundary of the site.
28. There are a number of protected trees within and along the northern perimeter of the site (Area Order 89/00005). The site is adjacent to the Evening Hill Conservation Area. No 9 Crichel Mount Road (Tinkers Revel) is a locally listed building. There are several other listed (19 Crichel Mount Road) and locally listed buildings (Crichel Place, 23 Crichel Mount Road) in the vicinity of the site.
29. The site is within the Coastal Zone and shoreline protection area.

Planning assessment

30. **Site and Surroundings**

31. The site is located on the western side of Crichel Mount Road, at its northern end. The land levels are such that the houses in this part of Crichel Mount Road sit high on a plateau with outlook to the north and west over the surrounding area and Poole town centre and the harbour in the distance. The change in levels of almost 8m across the site results in a steeply sloping rear garden which is accessed by a series of steps and ramped paths.
32. The existing detached house appears of modest scale when viewed from the narrow entrance at the end of the cul-de-sac. However, it is in fact a substantial property which utilises the changes in levels to the rear, and a projecting terrace, to create accommodation across 3 floors. The building has, however, been vacant for many years. It is traditional in form, built of red brick under a plain clay tiled pitched roof and with gabled ends to the elevations. There is a flat roofed garage which is physically attached to the house on its southern side.
33. Also within the same ownership and part of previous comprehensive development proposals for the site, is a large detached timber clad garage/outbuilding from which there is access along a private track (Footpath No.70/Bridleway No. 72) leading to Lilliput Road. This building and a small amount of land surrounding it does not form part of the current application site and is itself the subject of a separate application for 2 dwellings.
34. The application site does, however, include a public right of way along its northern edge. The route of the path runs through a tree belt which provides a screen to and from the house and garden area. The footpath runs along the rear boundaries of the houses in Lilliput Lane and has access points from Lilliput Lane to the north, a steep and stepped access onto the very northern end of Crichel Mount Road and also onto Bingham Avenue to the east of the application site. From their delineation on the ground, the paths appear well used and provide pedestrian connectivity to a number of roads in the surrounding area.

Key issues

35. This scheme seeks outline consent for the erection of 2 block of 7 flats (14 flats in total), with underground car parking, accessed from Crichel Mount Road. This application seeks approval for access; appearance; layout and scale at the outline stage. Details of 'Landscape' are reserved for future approval (Reserved Matters).

Principle of Development:

36. A strategic objective of the Poole Local Plan is to deliver a wide range and mix of homes in the most sustainable locations as detailed in PP01. There is a presumption in favour of sustainable development within the NPPF. Paragraph

11 of the NPPF states that where policies which are most important for determining the application are out of date, planning permission must be granted unless policies in the Framework provide a clear reason for refusing the development proposals.

37. 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.
38. It is recognised that as the site is not designated or relates to any of the policies as set out in footnote 6 of paragraph 11 of the NPPF (2019), the presumption in favour of sustainable development is engaged and the 'tilted balance' needs to be applied as per the NPPF below;
39. For decision-taking this means:
- (c) approving development proposals that accord with an up-to-date development plan without delay; or
 - (d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
40. Given the shortfall of number of homes delivered in the Local Plan area, the balance is tilted in favour of sustainable development and granting planning permission, except where the benefits are significantly and demonstrably outweighed by the adverse impacts or where specific policies in the NPPF provide a clear reason for refusal. The tilted balance forms a material consideration in this case.
41. In terms of meeting housing needs, a strategic objective of the Poole Local Plan is to deliver a wide range and mix of homes in the most sustainable locations. Policy PP02 identifies the amount and broad locations of development and

states that the majority of new housing will be directed to the most accessible locations within Poole, these being the town centre, district and local centres and locations close to the sustainable transport corridors. The intention of this policy is that within these areas the majority of higher density development will place a greater number of people within close walking distance of public transport and a range of services/facilities as a convenient alternative to use of the car.

42. The application site is located outside of the areas that have been identified as the most accessible locations by Policy PP2 of the Poole Local Plan. This does not however mean that development in the area is not supported in the Local Plan. The Design and Access Statement states that the site is located within convenient walking and cycling distance to local shops and services on Lilliput Road, which would reduce the reliance on car journeys generated by the proposal.

43. The applicant also highlights the recent appeal decision at 109 Lilliput Road (ref: APP/Q1255/W/3199210) for demolition of a dwelling and erection of a block of 3 flats where the Inspector states:

44. *"17. 'Sustainable patterns of development' are not clearly defined in Policy PP2. With reference to the Framework, they could include environmental, social and economic factors. I have found that the development would be compatible with the existing character and appearance of the area and the construction process would provide some benefit to the local economy. Insofar as travel is concerned, whilst some future residents may wish to use a private car, the distances to local shopping facilities resented by the appellant are not so far as to prevent access by walking or cycling. The appellant has confirmed that secure cycle parking facilities would be provided.*

Furthermore, Policy PP2 does not prevent flats outside of defined areas and the Council's submissions on this issue do not appear to indicate an objection to other, non-flatted, forms of development. For these reasons, given the small increase in the number of dwellings at the site, I find that the development would be of a 'sustainable pattern'. Regardless of the Council's ability to demonstrate an adequate supply of housing land, overall, therefore, I find that the development is acceptable with regard to accessibility and does not conflict with LP Policy PP2."

45. It is accepted that the application site is located within walking distance of the local centre at the junction of Sandbanks Road and Lilliput Road via the footpath along the northern. It is noted that the Sandbanks Road local centre is not served by frequent public transport services which would link this location

to the town centre or larger local centres. It is however noted that the area is well served by cycling routes and lanes, which offer good connections to other locations within BCP.

46. Policy PP2 (b), allows for development to come forward outside of the most sustainable areas identified above and to thereby contribute towards meeting housing needs. The Council encourages the redevelopment of brownfield land in these areas so long as the proposed scheme is capable of delivering sustainable patterns of development, in line with the provisions of the relevant adopted policies of the Poole Local Plan, including achieving a policy compliant level of affordable housing. This issue is discussed separately below.

Affordable housing provision

47. Whilst the site is located outside of the areas that have been identified as the most accessible locations by Policy PP2, development will still be permitted in these areas provided that the scheme, inter alia, achieves a policy compliant level of affordable housing, as set out by Policy PP2(2)b.
48. Policy PP11 of the Poole Local Plan states that to meet housing needs the Council will seek to maximise the amount of affordable housing from all housing schemes of 11 or more homes or over 1,000 square metres in floor space. In this instance, the proposed development is for 14 units and the overall floor space exceeds 1,000 square metres. Therefore, the proposed development exceeds both thresholds that would trigger the requirement for the provision of affordable housing. Due to the location of the application site, the affordable housing target that is to be sought in relation to this current proposal is 40% affordable housing.
49. The applicants have provided a Residual Land Value (RLV) assessment, as set out in Policy PP40, to demonstrate that the to the Council that the proposal would not be viable if it were policy compliant. This assessment has been evaluated by the DVS. The DVS concluded that the proposal is only marginally deliverable and is not capable of providing any affordable housing contribution. The proposal therefore meets the requirements of Policies PP11 and PP40 and the acceptability of the principle of the proposed development therefore rests with an assessment of whether it delivers a sustainable pattern of development.

Impact on the character of the area including the setting of the Evening Hill Conservation Area, the heritage assets and longer views from the Shoreline

50. Policies PP27 and PP28 set out the criteria against which flattened development should be assessed to ensure that the established pattern of development and residential character of the area is preserved or enhanced.

51. Policy PP28(1) of the Poole Local Plan states that flats will be permitted in the locations where the plot can accommodate a form of development that ensures:
- a) the scale and massing of the building(s), including the width, height and roof profile and spacing between buildings is in keeping with neighbouring buildings and the established pattern of development in the street or part of the street, where the site is located;
 - b) the resultant plot coverage (including buildings, cycle storage, bin storage, car parking, roads, and any other hard surfacing) respects that which prevails in the street, or part of the street where the site is located;
 - c) car parking and turning areas do not dominate the site, allowing for the retention, or provision, of a boundary between the site and the adjacent streets; and
 - d) car parking, turning areas and vehicle access should avoid harm to the neighbouring residents' privacy and quiet enjoyment of their gardens.
52. The NPPF states that planning decisions should ensure that developments will function well and add to the overall quality of the area over their lifetime; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are welcoming and distinctive places to live and visit; and create places that are safe, inclusive and accessible (para.127).
53. The application site occupies a prominent position near the head of the cul-de-sac of Crichel Mount Road, which is characterised by detached dwellings set within substantial, landscaped grounds. The scale, design and age of properties is mixed and includes bungalows, chalet bungalows, and 2/ 3-storey houses which sit comfortably within a mix of traditional and contemporary design. Many of the houses within the plateau, at the highest part of the road, are within the Evening Hill Conservation Area.
54. In terms of the site layout, it is noted that the siting of the footprint and size of the proposed buildings would be similar to that of the dwellings approved under application APP/17/00210/F (para. 10 above). The block immediately adjacent to No 9 Crichel Mount Road would be notably deeper however, extending further back into the site. The orientation of the buildings has been altered, when compared to the approval ref: APP/17/00210/F to improve the separation distance to each of the neighbouring properties. The increased depth of the buildings would nonetheless result in a large building footprint. However, the existing pattern of development in Crichel Mount Road is varied, with a range of property sizes and positions. Given the varied character of the residential development along Crichel Mount Road, it is therefore considered that the size of the footprint itself would not be harmful to the existing pattern of development in the area.
55. In terms of the proposed scale, the proposals would be of 3 storey height when viewed from Crichel Mount Road. This scale of development has been accepted by the previous approval in 2017 and again, given the varied pattern

of development in the area, it would not be considered harmful to the character and appearance of Crichel Mount Road. The height of the proposed scheme has not been significantly increased to the rear of the buildings, when compared to the 2017 approved scheme, however additional excavations are proposed to insert an extra floor of development.

56. It is accepted that the full extent of the proposed massing would be perceived from the rear of the site only. Whilst the dwellings in the vicinity of the site respond to the sloping topography of the area, the proposal would introduce a more brutal engineered solution in form of large retaining walls. Whilst this solution would not be considered particularly sensitive in responding to the characteristics of the site, the principle of this approach has been accepted by planning permission ref: APP/17/00210/F and the changes proposed through this application is not considered to result in a greater degree of harm.
57. Overall, the proposed blocks of flats would be considerably greater in scale and massing than the existing property, being three storeys to the street (front) elevation and five storeys to the rear elevation with a much stronger vertical emphasis. As such, the proposed buildings would appear more prominent than the existing property, but given their significant set-back of 40m from the road, the narrow access to the site and the screening provided by the adjacent property at No.11 Crichel Mount Road, they would not appear unduly dominant within the street scene of Crichel Mount Road. As such, the proposal would comply with the provision of Policy PP28(1)a.
58. The proposal would have a large area of car parking to the site's frontage and the buildings would over sail the parking area. This arrangement would create a more prominent area of hard standing to the site's frontage than existing, however, the access arrangements and position of the adjoining properties would largely screen the development from Crichel Mount Road, making the proposed parking area difficult to perceive from the public domain. Overall, due to the provision of a considerable amount of soft landscaping on site, it is considered that the proposal would not result in development that would be dominated by hardstanding and built form. As such, the proposal would comply with the provision of Policy PP28(1)b and c.
59. In terms of design and finishing materials, the proposed buildings would be of a contemporary style of architecture and materials and it is evident there are other properties of a similar design within Crichel Mount Road. Therefore, the proposed contemporary design and flat roof form of the scheme would add to the mix of architectural styles and designs that exist within the street scene. As such, the proposed development would integrate into Crichel Mount Road and would contribute to it in an acceptable manner, in line with the provisions of Policy PP28(1)a and PP27 of the Poole Local Plan.

60. The application site is located close to the boundary of the Evening Hill Conservation Area; in close proximity to the locally listed building at 8 Crichel Mount Road and a listed building at 23 Crichel Mount Road. The proposal would be comparable in scale, mass and height to the previously approved scheme (ref: APP/17/00210/F). It has been previously accepted that development of the scale as proposed would not be readily perceived in the streetscene. Due to its set back location and screened position, the proposal would not adversely affect the setting of the heritage assets located nearby. As such, the proposal would not result in harm to the designated and non-designated heritage assets, in accordance with the paragraphs 193-197 of the NPPF.
61. The proposal is considered to have no greater impact on the setting of the Evening Hill Conservation Area, from which it is separated by the garden at No 9 Crichel Mount Road, than the previously approved 2017 scheme. The majority of the site falls steeply away to the north, whilst the Conservation Area lies to the south. Views of the site, which may be visible along the bridleway within the Evening Hill Conservation Area, are generally screened by trees and vegetation along that route. As such, the proposal would preserve the setting of the nearby heritage assets, in line with the provisions of Policy PP30 of the Poole Local Plan.
62. The scheme results in less than substantial harm to these heritage assets. Applying the guidance in paragraph 196 of the National Planning Policy Framework (2019), this impact must be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The scheme will facilitate the provision of additional housing where the Local Planning Authority cannot currently demonstrate compliance with the Housing Delivery Test in the Local Plan area and the public benefits in this case are considered to outweigh any harm to the heritage asset.
63. In terms of longer distance views, glimpses of the existing house and other properties located towards the northern end of Crichel Mount Road can be viewed from Lilliput Road amongst the treed backdrop above the properties fronting that road. At present, the existing house can be glimpsed through the gap between Nos.24a and 24b Lilliput Road but it is not readily visible from Lilliput Road. Whilst the proposed buildings would be more prominent due to their increased scale and massing, it is not considered that they would be significantly more prominent on the hillside above the Lilliput Road properties than other dwellings within Crichel Mount Road, such as those at Nos.12, 12a and 14.
64. The proposed scheme would sit below the height of the mature tree line on the ridge of the hill and it would be viewed as sitting amongst and nestled within the trees rather than appearing as a dominant feature above the tree canopies. As

such, the proposed scheme would not appear unduly prominent on the ridgeline and would not cause substantial harm to the wider character and appearance of the surrounding area in longer distance views, including those along the shoreline. Due to its location and tree screening, the proposal would not have a harmful impact on the protected Shoreline character, and would comply with Policy PP31 of the Poole Local Plan.

65. The proposed scheme would deliver a development of a type, scale, density and layout that would preserve the residential character of the area, the setting of the adjacent Conservation Area and the setting of the nearby listed/locally listed buildings; and therefore it would comply with the provisions of Policies PP27, PP28, PP30 and PP31 of Poole Local Plan (November 2018).

Impact on the living conditions of neighbours:

66. The orientation of the proposed buildings has been altered, when compared to the approval ref: APP/17/00210/F), to improve the separation distance to each of the neighbouring properties. No.11 Crichel Mount Road is located in close proximity to the eastern boundary with the application site and the proposed Block B. The western elevation of No.11 includes windows to a living room and dining room on the ground floor and a bedroom and study at the first floor level. These windows have an outlook across the application site and longer views towards the harbour. There is also a first floor balcony on the western elevation of No.11 that also returns across part of the northern elevation.
67. The proposed development by reason of the scale, depth, height and overall massing of the proposed Block B, would significantly alter the relationship of the application site with No 11 Crichel Mount Road. Nevertheless, in approving the scheme in 2017, it was concluded that the approved scheme would not result in an overbearing or oppressive development in relation to No.11 and would not give rise to a material loss of outlook, overshadowing or loss of sunlight/daylight to that property.
68. With regards to the current proposal, the proposed Block B would be sited further away from the shared boundary, increasing the separation distance to No.11 and retaining the previously approved height. As such, the impact of the proposed scheme (Block B) would not be materially different from that already accepted in 2017. The footprint of the proposed Block B would be angled away from No.11 and the additional depth would be limited to the lower floors well below the outlook from the nearest windows and balcony. Whilst the bulk and massing of that section of the proposed Block B in the closest proximity to No.11 would be considerable when compared to that of the approved scheme, the current proposals are not considered to result in a materially greater impact to living conditions at this neighbouring property than that previously determined to be acceptable.

69. In relation to No.9 Crichel Mount Road, the proposed Block A would be sited further away from the shared boundary than the footprint of the previously approved scheme. The footprint of the proposed Block A would extend further into the site (away from Crichel Mount Road frontage), further beyond the rear elevation of the neighbouring property. However, this projection would be at the lower level only, well below the horizontal line of sight when viewed from the neighbouring terrace.
70. The footprint of Block A would be slightly angled away from the boundary so that the bulk and massing of the southern (side) elevation would recede away from the boundary over the depth of the dwelling both at an angle and due to the change in levels at the rear. As with Block B, the rear building line of Block A would be recessed and staggered back with the increasing floor heights of the property, whilst the overall height of Block A would be as previously approved in 2017. The upper floors would be inset on all elevations along the shared boundary with No 9, so that they would have a subservient appearance.
71. As was the case with the previously approved scheme, the rear corner of the proposed Block A would breach a 45 degree line drawn from the first floor terrace/balcony to the rear elevation of No.9 Crichel Mount Road and the window to a sun lounge at the ground floor level. However, given the recessed rear elevation of the upper floor levels, it is evident that the second floor accommodation and terrace area would not breach this line, whilst only the side screens to the terrace rather than the solid wall of the side elevation would encroach beyond this line at the first floor level.
72. The built form of the side elevations at the lower and upper ground floor levels would encroach beyond this 45 degree line and the proposed development would affect the outlook from the ground floor sun lounge and first floor terrace of this neighbour. This was accepted in the 2017 permissions and given the topography of the site and the higher ground level to the neighbouring site at No.9, the lower and upper ground floor levels of Block A would be set at a lower level than the terrace/balcony to the rear of No.9 and would also be partially screened by the existing hedge to the boundary, particularly when viewed from the ground floor sun lounge. On balance, it is considered that the breach of the 45 degree line, as indicated on the submitted plan, would not result in an overriding harm warranting refusal of the scheme.
73. Block A would alter the outlook and aspect from the rear garden of No.9 Crichel Mount Road towards the application site through the introduction of built form further west into the site. The proposed building would be clearly visible above the existing boundary hedge and projecting approximately 15 metres beyond the rear elevation of this neighbouring property. However, given the change in levels between the application site and No.9, the partial screening provided by

the existing boundary hedge and Block A being angled away from the boundary, reducing its visual prominence to No.9 over the depth of the building, it is considered that the proposed building would not appear so overbearing or oppressive as to warrant refusal of the scheme and an acceptable outlook would be retained at this property.

74. Given the orientation of the site to the north of No.9 Crichel Mount Road, the proposed development would not introduce additional harmful overshadowing or loss of sunlight/daylight to this neighbouring dwelling and its rear garden, when compared to the previously approved scheme. The proposed windows in the lower ground floor and ground floor levels would be positioned in such a way that would preserve the privacy of the occupants of the neighbouring dwelling. The proposed first floor lobby window would allow some views towards No 11 Crichel Mount and it could be obscure glazed, secured by condition, to ensure the privacy of the occupants of No 11 is not affected.
75. Similarly, the position of the first, second and third floor windows would not result in direct overlooking, as the proposed first floor bathroom windows of flats 5 and 6 on the front elevation of Block B would be obscure glazed (as shown on the submitted plans). The secondary window to bedroom 4 at second floor level and the proposed landing window at third floor of flat 7 could be obscure glazed to protect the occupants of No 11 from direct overlooking. The remaining windows of the proposed Block B would be sited away from No 11 and they would allow the views towards the rear garden of the site and long views towards the harbour.
76. The proposed lower ground floor, ground floor and first floor windows of Block A would be angled away from the shared boundary with No 9. They would also be sited behind the tall boundary treatment of No 9 and due to the sloping topography of the site, positioned at the lower level than the dwelling at No 9. As such, they would preserve the privacy of the neighbours. The proposed first floor lobby windows could allow some oblique views towards the side elevation of No 9, and for that reason it could be obscure glazed. The proposed side elevation openings could allow some views towards the rear garden and side elevation of No 9 and would need to be obscure glazed to protect the privacy of the adjoining dwelling.
77. The proposed terraces to the rear are oriented towards the rear of the and they would allow some long views towards the rear of the garden of No 9 which would not be unusual in an urban development and is considered acceptable. The areas of flat roof on the proposed blocks are intended to allow access for maintenance only and a condition to prevent use as an amenity space is proposed.
78. In relation to the properties that front Lilliput Road to the north, whilst the proposed buildings would be set at a higher level there would be a minimum

window to window distance of approximately 40m and window to rear garden separation of 18 metres to the rear boundaries. Similarly, the proposed buildings would be separated from those properties fronting the bridleway/footpath off Lilliput Road by a minimum of 40 metres. Given these separation distances and the intervening landscape/tree screening, the proposal would not result in an overbearing or oppressive development or give rise to any harmful overshadowing, a material loss of outlook, loss of sunlight and daylight, or a loss of privacy due to overlooking to any of those properties.

79. Despite concerns that have been raised in relation to noise nuisance and light pollution, it is not considered that the typical residential use of the site could be demonstrated as harmful in this regard. Concerns were raised with regards to the noise generated by the proposed car lift which would facilitate vehicular access to the underground car park in close proximity of No 11 Crichel Mount Road. A preliminary Acoustic Report has been submitted to provide details of the proposed car lift and assessed by the Council's Environmental Health Officer, who supported the principle of the installation of the car lift on site. They raised concerns with regards to the potential level of noise generated by the proposed car lift and recommended details of suitable attenuation and submission of a detailed Noise Impact Assessment could be reasonably secured by condition, to meet the requirement of Policy PP28(1)d.

80. Overall, subject to securing the abovementioned conditions, the proposed scheme would have acceptable impacts on neighbouring living conditions and would accord with the provisions of Policy PP27 of the Poole Local Plan, which seeks to ensure that development proposals do not result in overbearing or oppressive development; a loss of outlook; loss of sunlight and daylight; or a loss of privacy.

Housing for an ageing population

81. In order to meet the needs of the ageing population Policy PP12 (3) requires at least 20% of a mix of the housing types on sites over 1,000sq.m floor space to comply with Part M4 (2) of the Building Regulations, in order to deliver adaptable and accessible homes. The proposed plans identify 3 flats (Flats 4 and 6 within Block A and Flat 6 within Block B), which would be an equivalent of 20% provision, as required by Policy PP12 and therefore the proposal would be policy compliant. The details of the provision for the accessible homes could be secured by condition.

Impact on parking and highway safety

82. The proposal would utilise the existing vehicular access off Crichel Mount Road to provide a new shared access driveway to serve the proposed flats. The width of the vehicular access at the site entrance would be too for two vehicles to pass. Nevertheless, given the location at the head of a cul-de-sac and the low number of vehicular movements that take place, it would not be detrimental to

highway safety or the free flow of traffic. The traffic generated by the scheme would comply with the test in paragraph 109 of the National Planning Policy Framework as it would not have an unacceptable impact on highway safety, nor would the residual cumulative impacts on the road network be severe.

83. The layout of the shared access driveway has also been amended to provide a vehicle passing bay along its length. The vehicular access has been increased in width to ensure that it has a minimum width of 3.25 metres along its entire length to allow a vehicle and pedestrians/cyclists to pass safely. Pedestrian visibility splays would also be provided to either side of the access. The proposal includes a large forecourt area to the front that would provide space for vehicles to turn within the site. The provision of low level bollard lighting along the driveway to assist with pedestrian safety could also be secured by condition, as requested by the Highways Authority. As such, the proposed scheme has acceptable impacts on highway and pedestrian safety.
84. The proposed scheme would introduce two bike stores on providing 32 cycle parking spaces on site. The recently adopted BCP Parking Standards SPD requires 12 of the 23 parking bays (50%) to have “active” Electric Vehicle Charging points with the rest being “passive”.
85. Overall, the Council’s Transportation Officer supports the proposal, subject to the retention of the proposed parking provision, vehicular access arrangements and visibility splays. These, as well as the low level bollard lighting scheme, bicycle parking and provision of EV charge points, can be reasonably secured by conditions.

Impact on Protected Trees

86. The application site contains a large number of trees that form a woodland area on the northern edge of the site as well as along the eastern boundary of the site. There are also a number of other mature trees that are located on the adjacent sites. The trees within, and adjacent to, the site contribute to the mature landscape setting of the site and surrounding area and are the subject of a Tree Preservation Order (TPO No. 89/00005 – Area Order).
87. The application is supported by an Arboricultural Impact Assessment (AIA). This identifies that the previously approved scheme included the removal of an ornamental Rowan and two small dead or dying trees close to the existing garage structure at the western end of the site, as well as an ornamental Cherry tree along the northern boundary of the site, as they had no amenity value or any likelihood of achieving any. In addition, it also included the removal of a Holly tree (T672) due to its poor condition, a Maritime Pine (T674) that has a significant lean and evidence of a lifting root plate and a Maritime Pine (T677) which has now been reduced to a 3m high stump due to its poor and declining condition.

88. The current application also proposes the removal of these trees to facilitate the development. Their loss continues to be acceptable given the retention of the mature trees to the northern and eastern edge of the site. In addition, replacement tree planting is proposed to be secured by condition. The AIA also identifies the impacts to trees that are to be retained within, and adjacent to, the site during the demolition and construction process.
89. Block B and the access to it would be located within the root protection area (RPA) of a Scots Pine tree (T679). The foundation construction could be designed to avoid any significant harm to tree roots, whilst the proposed block is sited further away from this tree than the previously approved scheme and therefore the extent of incursion into the RPA would be potentially less intrusive. The submitted report also indicates how the access to the proposed Block B could be constructed within the RPA to limit the risk of damage to the tree roots to an acceptable level. In relation to other elements of the proposals that have the potential to affect retained trees, such as the installation of new surfaces, subject to the implementation of appropriate protection and mitigation measures the impacts to those trees to be retained would be acceptable. Subject to a condition for a full Arboricultural Method Statement (AMS) and to secure the implementation of the submitted tree protection measures the Council's Arboricultural Officer does not raise objection to the proposed development.

Impact on Protected Species

90. The application is supported by an Ecology Report, which states that the property is being used as a summer/occasional roost by Common pipistrelle bats. The proposal would result in the demolition of the existing dwelling resulting in the destruction of the bat roost on site. The Ecology Report states there is suitable habitat for nesting birds in some parts of the rear garden of the site, whilst one of the two ponds within the site contains smooth newts. Subject to the imposition of a condition requiring the implementation of the recommended mitigation/compensation and enhancement measures set out in the submitted Ecology Report, both Natural England and the Council's Biodiversity Project Officer have advised that the proposed development would have acceptable ecological impacts.
91. These measures would be proportionate and appropriate to the scale of the proposed scheme. Subject to the above measures being secured by conditions, the Council's Biodiversity Officer supports the proposal. As such, the proposed scheme would comply with the provisions of Policy PP33 of the Poole Local Plan and the NPPF.

Impact on Rights of Way

92. There is a public footpath running through the tree belt at the northern edge of the site, which runs through the application site. It is an offence under separate legislation to obstruct, close, divert or otherwise impede the ability to pass and re-pass along the route of a public right of way without first gaining the necessary orders. The proposals do not propose the diversion or obstruction of the footpath on either a permanent or temporary basis and the scheme is compatible with the retention of this route. The Council's Senior Rights of Way Officer raised no objection to the proposed scheme.

Sustainability considerations

93. The proposal has been supported by Energy and Resources Statement which commits to the provision of renewable energy sources to achieve 20% of the energy needs of the proposed flats, in accordance with Policy PP37 of the Poole Local Plan. Permeable surfacing to ensure there would be no increase in surface water run-off from the site as soft landscaped areas would be replaced with hard standing can be controlled by condition.

Drainage considerations

94. The application site is located within Flood Zone 1 and it is not considered to be at increased risk of surface water flooding. A Sustainable Drainage System should be implemented on site, in accordance with the requirements of Policy PP38 of the Poole Local Plan. The submission of the details of the SUDS scheme can be secured by condition, as agreed with the Council's Flood Risk Engineer.

Waste collection

95. The proposal has been assessed by the Council's Waste Collection Officer. The site could not be accessed by the Council's waste collection lorries and the residents of the proposed dwellings would have to present their bins close to the front of the site on collection days. A collection point, appropriate for the scale of the proposed development suitable for the weekly collections, would be provided towards the frontage of the site. Sufficient bin storage is proposed on site to serve the proposed development. The application is supported by the Council's Waste Collection Authority. The retention of the proposed waste collection arrangements on site can be reasonably secured by condition.

Other considerations

96. The Royal Bournemouth and Christchurch Hospital NHS Trust has made a representation seeking financial contributions in respect of the impacts they contend arise from the proposed development. This representation constitutes material considerations in principle. However, such contributions may only be required if they meet all legal/policy tests relevant to seeking such contributions.

97. In order for the Council to require the applicant to enter into a Section 106 obligation to make such payments, the contributions must meet the requirements of Regulation 122 (2) of the Community Infrastructure Levy Regulations 2010 (as amended) which are also reflected in government policy in the NPPF at paragraph 56 and the NPPG. Regulation 122 (2) provides that: A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is— (a) necessary to make the development acceptable in planning terms; (b) directly related to the development; and (c) fairly and reasonably related in scale and kind to the development.
98. Having carefully reviewed the consultation response provided by the Trust, officers do not consider that information provided demonstrates that the need for the contributions has been clearly justified or evidenced as being directly related to the development or fairly and reasonably related in scale and kind to the development. It cannot be concluded that it is necessary to make the development acceptable in planning terms.
99. The concerns about structural impact are noted but this is a matter for the Building Regs stage.
100. Concerns were raised with regards to lack of appropriate notification. All adjacent landowners were notified in writing of the application as per the adopted Statement of Community Involvement. Additionally, site notices were displayed in front of the site and at rear of it. The publicity process complied with the statutory requirements and the Council's adopted process.

CIL/SAMM compliance

Contributions Required			Dorset Heathland SAMM	Poole Harbour Recreation SAMM
units	Existing	1 dwelling	@ £269	@£96
	Proposed	14 flats		

	Net increase	13	£269	£96
Total Contributions			£3372 (plus admin fee)	£1204 (plus admin fee)
CIL	Zone A		@ £240.85sq m	

101. 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.
102. 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.
103. 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.
104. The applicant has paid the relevant contributions towards Dorset Heathlands and Poole Harbour Recreation SAMM. The proposal therefore accords with the provisions of Poole Local Plan Policies PP32 and PP39, and the Dorset Heathlands SPD.

Summary

105. The proposal would provide 13 additional residential units of accommodation on site, making an efficient use of the site. The application site is not located

within the sustainable transport corridor, as identified by the Policy PP2 of the Poole Local Plan. The application site is however located within the walking distance of the local centre and close to the cycling routes. The proposed scheme is not sufficiently viable to deliver affordable housing provision.

106. Given the variety of plot sizes that are evident within the streetscene and surrounding area, the proposal would have an acceptable impact on the prevailing character and layout of the surrounding development in the area. The scale, massing and design of the proposed development, together with their material finishes, would be appropriate, enabling them to integrate in an acceptable manner within the streetscene. The proposal would have an acceptable impact on the shoreline views. The proposed development would preserve the setting of the adjacent Evening Hill Conservation Area and listed and locally listed buildings nearby.
107. In reaching this decision the Council has had due regard to the statutory duty in Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which states that *"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority... shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."*
108. In reaching this decision the Council has had due regard to the statutory duty in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which states that *"with respect to any buildings or other land in a conservation area, ... special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."*
109. The proposed development would have acceptable impacts on the living conditions of the occupants of the neighbouring and nearby properties, subject to conditions outlined in the report. The proposed access and parking arrangements are acceptable and would have acceptable impacts on highway and pedestrian safety. The proposed development is capable of delivering the required amount of cycle parking and electric vehicle charging points, as required by the newly adopted BCP Parking Standards SPD.
110. The proposed waste collection arrangements on site are acceptable. The proposed development has acceptable impacts on the important and protected trees within and adjacent to the site. In addition, the provision of additional tree planting and the implementation of a landscape scheme can also be secured by condition.
111. The proposal would have acceptable impacts on the ecological interests of the site, whilst biodiversity enhancement measures can be secured by condition.

The provision of 20% of the predicted energy consumption of the proposed development through the use of renewable energy sources complies with policy. Acceptable drainage details can be provided. The proposed scheme would provide the required 20% of accessible homes on site, compliant with policy.

112. The proposal would mitigate the impact on heathland and harbour recreation through agreed contributions.

Planning balance

113. Given the shortfall of number of homes delivered in Poole, the balance is tilted in favour of sustainable development and granting planning permission except where the benefits are significantly and demonstrably outweighed by the adverse impacts or where specific policies in the NPPF provide a clear reason for refusal. The Council encourages sustainable development. This seeks to strike a balance between the economic benefits of new housing with any potential environmental impacts that result from the residential redevelopment and the social benefits derived by the creation of much needed housing.

114. The proposed scheme would contribute to the Council's demand for new housing, delivering 13 additional residential units of accommodation on site, in a manner that would preserve the area's residential character, the setting of the adjacent Conservation Area and other heritage assets.

115. The proposed scheme would have an impact on the protected habitat of the site and the current amenities enjoyed by the neighbours. However, regard should be had to all material planning considerations, the compliance of the proposed scheme with the provisions of all relevant policies of the Local Plan, as mentioned in the report, and taking into account the ability to mitigate any identified impact on the neighbouring amenity and protected habitat through conditions.

116. There are economic benefits to the scheme and social benefits from the provision of additional housing. The assessment of the environmental impacts concludes this to have a neutral impact.

117. In conclusion, having regard to the above considerations and having the tilted balance in mind, it is concluded that the proposed scheme would achieve the economic, social and environmental objectives of sustainable development, in line with the adopted local policies and the provisions of the NPPF, and is therefore recommended for approval.

RECOMMENDATION

Grant subject to 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.

1. 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 3 years from the date of this permission and the development hereby permitted shall be begun either before the expiration of 2 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.

2. 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.

3. PL02 (Plans Listing - Outline)

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

Location & Block Plan, Drg. no: 1519 01, received 27/03/20

Extended Site Plan, Drg. no: 1519 02E, received 26/01/21

Site Plan, Drg. no: 1519 03E, received 28/01/21

Proposed Basement Plan, Drg. no: 1519 04C, received 28/01/21

Proposed LGF and GF Plan, Block A, Drg. no: 1519 05A, received 18/03/21

Proposed FF and SF Plan, Block A, Drg. no: 1519 06A, received 18/03/21

Proposed TF and Roof Plan, Block A, Drg. no: 1519 07, received 27/03/20

Proposed Elevations, Block A, Drg. no: 1519 08, received 27/03/20

Proposed Elevations, Block A, Drg. no: 1519 09, received 27/03/20

Proposed Elevations, Block A, Drg. no: 1519 10, received 27/03/20
Proposed Elevations, Block A, Drg. no: 1519 11, received 27/03/20
Proposed LGF and GF Plan, Block B, Drg. no: 1519 12, received 27/03/20
Proposed FF and SF Plan, Block B, Drg. no: 1519 13A, received 18/03/21
Proposed TF and Roof Plan, Block B, Drg. no: 1519 14, received 27/03/20
Proposed Elevations, Block B, Drg. no: 1519 15, received 27/03/20
Proposed Elevations, Block B, Drg. no: 1519 16, received 27/03/20
Proposed Elevations, Block B, Drg. no: 1519 17, received 27/03/20
Proposed Elevations, Block B, Drg. no: 1519 18, received 27/03/20
Proposed Elevations, Block A and B, Drg. no: 1519 19, received 27/03/20
Proposed Site Section A-A, Drg. no: 1519 20, received 27/03/20
Proposed Site Section B-B, Drg. no: 1519 21, received 27/03/20
Proposed Site Section C-C, Drg. no: 1519 22, received 27/03/20
Proposed Site Section D-D, Drg. no: 1519 23, received 27/03/20
Proposed Site Section E-E, Drg. no: 1519 24, received 27/03/20
Proposed Bin and Bike Store, Drg. no: 1519 25, received 27/03/20
Comparison Visual 1, Drg. no: 1519 26, received 27/03/20
Comparison Visual 2, Drg. no: 1519 27, received 27/03/20
Comparison Visual 3, Drg. no: 1519 28, received 27/03/20

Ecology Report, Version 3, prepared by KP Ecology on 08/02/21, received 09/02/21

Arboricultural Method Statement, ref: D2023A1Aa, prepared by Alderwood Consulting Ltd on 24/02/21, received 25/02/21

Reason -

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

4. AA01 (Non standard Condition)

The materials to be used for the external faces of the development shall be as specified on the approved plans.

Reason -

To ensure a satisfactory visual relationship of the new development and that existing and in accordance with Policy PP27 of the Poole Local Plan (November 2018).

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

Both in the first instance and upon all subsequent occasions, the below listed windows shall be glazed in glass which conforms to or exceeds Pilkington Texture Glass Privacy Level 3 and shall either be a fixed light or hung in such a way as to prevent the effect of obscure glazing being negated by reason of opening. These shall all be installed prior to the first occupation of the dwellings hereby permitted and shall thereafter be retained at all times.

Block A

proposed first floor lobby window in the front elevation
proposed side elevation first floor bathroom window of flat 5
proposed side elevation second floor utility/wet kitchen window of flat 7
proposed second floor secondary window to bedroom 3 of flat 7
proposed third floor en-suite 1 window of flat 7
proposed second floor secondary bedroom 4 window of flat 7.

Block B

proposed first floor lobby window in the front elevation
proposed first floor bathroom window to flat 5 and bathroom window to flat 6 on the front elevation
proposed second floor secondary bedroom window of flat 7
proposed third floor landing window of flat 7

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. 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 above first and second floor accommodation, as well as the flat roofs of both blocks of flats hereby permitted, shall not be used as balconies, roof gardens or similar amenity areas.

Reason -

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

7. AA01 (Non standard Condition)

A Noise Impact Assessment, prepared by a consultant holding a nationally recognised qualification in the field of acoustics, noise and vibration control, providing comprehensive details and specifications of the car lift serving the development, hereby approved, including operational noise levels and details of any planned attenuation, shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of works associated with the installation of the car lift. All works shall subsequently be carried out in strict accordance with the approved details.

Reason:

In order to ensure that noise from the operation of lift during day or night-time hours will not have an adverse impact at the neighbouring residential premises and in accordance with Policy PP27 of the Poole Local Plan (November 2018).

8. GN180 (Accessible and adaptable dwellings)

3 flats (Flats 4 and 6 within Block A and Flat 6 within Block B), as indicated on the approved plans, shall be built in accordance with the requirements of Approved Document Part M4(2) Category 2 of the Building Regulations (2015) (as amended) and retained available as accessible and adaptable dwellings thereafter.

Reason -

In the interests of meeting the needs of the ageing population and in accordance with PP12 of the Poole Local Plan (November 2018)

9. HW100 (Parking/Turning Provision)

The access, turning space, car lift, basement parking and the surface level vehicle parking shown on the approved plan shall be constructed prior to the first residential occupation of any of the flats hereby permitted, 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 and PP36 of the Poole Local Plan (November 2018).

10. HW110 (Cycle Provision)

Prior to the first residential occupation of any of the flats hereby permitted, secure cycle parking to accommodate space for 32 bicycles, shall be provided on site. Details of the cycle parking shall be submitted to and approved by the local planning authority prior to their implementation, 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).

11. HW200 (Provision of Visibility Splays)

Before the development hereby permitted is brought into use and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any subsequent re-enactment thereof, the land designated as visibility splays as indicated on the approved plans shall be cleared of all obstructions over 0.6 metres above the level of the adjoining highway, including the reduction in level of the land if necessary, and nothing over that height shall be permitted to remain, be placed, built, planted or grown on the land so designated at any time.

Reason -

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

12. AA01 (Non standard Condition)

Unless otherwise agreed in writing by the Local Planning Authority to any variation, the basement and undercroft parking areas hereby approved shall be designed and constructed having regard to the Institute of Structural Engineers 'Design Recommendations for Multi-Storey and Underground Car Parks' (2011) or any future update.

Reason: In the interests of highway safety and in accordance with Policy PP35 of the Poole Local Plan (2018), the Parking Standards SPD (January 2021), and the Institute of Structural Engineers 'Design Recommendations for Multi-Storey and Underground Car Parks' (2011) or any future update.

13. AA01 (Non standard Condition)

Prior to the first occupation of any of the flats hereby approved, details of a scheme of lighting along the shared access drive and surface parking area to provide sufficient illumination (but to prevent glare to the surrounding properties), 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 any of the dwellings hereby approved, and thereafter retained in full working order at all times.

Reason: In the interests of the safety of users of the shared access and parking area, and the amenity of neighbours and in accordance with Policies PP27 and PP35 of the Poole Local Plan (2018).

14. AA01 (Non standard Condition)

Construction traffic in relation to the development shall only access the site from Crichel Mount Road and shall not use Bridleway 72 to access the site.

Reason: To prevent harm to the amenities of pedestrians, cyclists and horse riders through obstruction and to maintain highway safety in accordance with Policy PP35 of The Poole Local Plan (2018).

15. HW240 (Electric Vehicle Charging Points)

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. 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).

16. TR010 (Arb Method Statement-Submission Required)

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

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

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

17. TR040 (Pre-commencement Meeting)

Prior to the commencement of any ground clearance, tree works, demolition or development, a pre-commencement site meeting shall be held and attended by the developer's arboricultural consultant, the designated site foreman and a representative from the Local Authority to discuss details of the working

procedures and agree that all tree protection measures have been installed in accordance with the approved tree protection plan. Any approved remedial works shall subsequently be carried out under strict supervision by the arboricultural consultant immediately following that approval.

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

18. AA01 (Non standard Condition)

No development including site clearance, demolition, ground preparation, temporary access construction/widening, material storage or construction works shall commence on site until a plan showing the location of all existing and proposed utility services has been submitted to and approved in writing by the Local Planning Authority. This shall include gas, electricity, communications, water and drainage. No development or other operations shall take place other than in complete accordance with the utility services plan.

Reason: To ensure that reasonable measures are taken to safeguard trees in the interests of local amenity and the enhancement of the development itself, in accordance with the National Planning Policy Framework (Feb 2019) and Policy PP27 of the Poole Local Plan (November 2018).

19. AA01 (Non standard Condition)

The development, hereby approved, shall be carried out in accordance with details of the approved Ecological Report (prepared by KP Ecology Ltd, v3, dated 08/02/21 and received 09/02/21), and shall be supervised by an appropriate ecologist holding a nationally recognised licence.

Reason - In the interest of providing necessary biodiversity gain as set out in the National Planning Policy Framework (NPPF) 2019 paragraph 170 'minimising impacts on and providing net gains for biodiversity' and BSI 42020:2013 'Biodiversity - code of practice for planning and development' and in accordance with Policy PP33 of the Poole Local Plan (November 2018).

20. AA01 (Non standard Condition)

Prior to the first occupation of any of the flats hereby permitted, biodiversity mitigation and enhancement measures, as specified in sections 6 and 7 and Appendix 1 of the approved Ecological Report (prepared by KP Ecology Ltd, v3, dated 08/02/21 and received 09/02/21) shall be carried out and installed on site in compliance with the requirements of the Bat Conservation Trust http://www.bats.org.uk/pages/bat_boxes.html and shall thereafter be retained.

Reason - In the interest of providing necessary biodiversity gain as set out in the National Planning Policy Framework (NPPF) 2019 paragraph 170 'minimising impacts on and providing net gains for biodiversity' and BSI 42020:2013 'Biodiversity - code of practice for planning and development' and in accordance with Policy PP33 of the Poole Local Plan (November 2018).

21. GN162 (Renewable Energy - Residential)

Prior to first occupation of the flats hereby permitted, details of measures to provide 20% of the predicted future energy use of each flat 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).

22. 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).

23. DR040 (Sustainable Urban Drainage)

Prior to the commencement of development, a scheme for the provision of sustainable urban drainage 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, prior to the first residential occupation of any flats hereby permitted, and thereafter retained.

Reason - To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal and in accordance with PP38 of the Poole Local Plan (November 2018).

24. GN120 (Storage of Refuse)

Prior to the first residential occupation of any of the flats hereby permitted, the bin store and the presentation point, as shown on the approved plans, shall be implemented and made available for the prospective occupiers 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 of the Poole Local Plan (November 2018).

25. TR120 (Demolition/Construction Method Statement)

A construction method statement detailing all construction activities that will be undertaken with implications for the ground stability of the site and the adjacent area shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of any excavation works on site. All excavation works shall subsequently be carried out in strict accordance with the approved details. In particular, the construction method statement must provide the following:-

- a) details of the full extent of all necessary excavations and any remediation works
- b) means of retention of ground surrounding any excavations together with details of method of installation including proposed locations of all necessary equipment and working space required to construct foundations and walls
- c) areas for the loading and unloading of plant and materials
- d) location of storage compound for materials and mixing areas
- e) means of transporting materials, plant and equipment around the site
- f) location of all temporary site buildings, storage containers and welfare facilities
- g) location and details of cranes, piling rigs and plant required to undertake all demolition and construction activities.

Reason – In order that the Local Planning Authority may be satisfied that the works on site are undertaken with care and to ensure that as far as possible the work is carried out in accordance with current best practice and in accordance with Policy PP27 of the Poole Local Plan (November 2018).

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.

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. 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.

4. 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.

5. IN06 (No Authority to Affect Public Right of Way)

The grant of this planning permission does not entitle developers to obstruct a public right of way. The applicant is advised that a public right of way passes through/adjacent to the application site: this planning permission does not convey any rights to obstruct, divert or stop-up that right of way and the Local Planning Authority will, if necessary, take legal action to maintain the right of way.

6. IN00 (Non Standard Informative)

The applicant is advised that a European Protected Species (EPS) Licence will be required from Natural England prior to the commencement of any demolition works of the existing buildings on the site.

7. IN21 (Protection of Bats)

There is evidence 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. Under the provisions of the Wildlife & Countryside Act 1981 you must consult Natural England, Dorset Hampshire & Isle of Wight Team, Rivers House, Sunrise Business Park,, Higher Shaftesbury Rd, Blandford Forum DT11 8ST before proceeding with the development authorised by this notice.

8. IN16 (Reminder of Tree Preservation Order)

This site is covered by a Tree Preservation Order and separate consent(s) will therefore be required to do works to any trees not shown for removal, crown lifting or other operations on the planning application documents. Outline planning permission does not convey any approval for tree works.

9. 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.