



Application Address	13 Danecourt Road, Poole, BH14 0PG
Proposal	Demolish house and replace with a new development of 8no flats with associated parking
Application Number	APP/21/00345/F
Applicant	Paul Bloomfield
Agent	Ashdrew Homes
Ward and Ward Member(s)	Park Stone
Meeting Date	22/07/2021
Recommendation	Grant subject to CIL
Reason for Referral to Planning Committee	Referral by Cllr Stribley concerns over traffic and no provision for affordable homes
Case Officer	Emma McCreedy

### Description of Development

1. Consent is sought for the demolition of the existing dwellinghouse for the erection of a replacement development providing no.8 flats with associated parking.
2. A previous outline application, ref: APP/19/01571/P, for a similar proposal gained planning permission on the 27<sup>th</sup> of July 2020, all matters were reserved as part of this application.
3. Previous to the above, an application for a similar scheme, ref: APP/19/00920/P was refused at Planning Committee for the following reason:

*The proposal, by virtue of scale of the building and plot coverage, including the layout of car parking, would have a dominant appearance which would be out of keeping with the established pattern of development in the street. The proposal would therefore be contrary to PP27 and PP28 of the Poole Local Plan (November 2018).*

### Key Issues

4. The main considerations involved with this application are: -
  - Broad Location of Development
  - Design
  - Neighbouring Amenity and Privacy
  - Access and Parking

- Trees
- Energy and Biodiversity and Drainage
- Other Considerations

### **Planning Policies**

#### 5. Poole Local Plan (Adopted 2018)

- PP01 Presumption in favour of sustainable development
- PP02 Amount and broad location of development
- PP07 Facilitating a step change in housing delivery
- PP08 Type and mix of housing
- PP27 Design
- PP28 Flats and plot severance
- PP32 Poole's Nationally, European and Intern important sites
- PP33 Biodiversity and geodiversity
- PP34 Transport strategy
- PP35 A safe, connected and accessible transport network
- PP37 Building sustainable homes and businesses
- PP39 Delivering Poole's infrastructure

#### 6. Supplementary Planning Document

- SPD1 Parking & Highway Layout in Development
- SPD3 Dorset Heathlands Planning Framework (2015-2020) Poole Harbour Recreation Interim Scheme Nitrogen Reduction in Poole Harbour

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

- Chapter 2 – Achieving Sustainable Development
- 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**

#### 8. 2019:

- Demolish existing building and erect a new development of 9no flats with associated parking. Refused. (APP/19/00920/P).
- Demolish existing building and erect a new development of 8 flats with associated parking. Approved. (APP/19/01571/P).

### **Representations**

9. Letters have been sent to neighbouring properties to notify them of the application. Three representations have been received, raising objection. The issues raised comprise the following:
  - Loss of characteristic properties
  - Additional traffic, increasing congestion
  - Change the dynamic of the streetscene
  - Strain on local services

- Overdevelopment of the site
- Loss of family homes

### **Consultations**

10. BCP Highways Authority – Supports the amended application in highway terms.

Waste Collection Authority – No comments have been made.

The Society for Poole – Failure to respect the character of the area and the associated limitations of the relevant infrastructure services and facilities.

### **Constraints**

11. TPO on site.

### **Site and Surroundings**

12. The application site is located on the northern side of Danecourt Road, close to the entrance to Bournemouth and Poole College. The application site is occupied by a detached two-storey house which appears to be unoccupied. Landscaping within the site has been substantially cleared. The site rises up from Danecourt Road to the rear. The trees to the rear of the property within the site, are covered by the Tree Preservation Orders.

13. The area is characterised by detached dwellings on large plots.

### **Planning Assessment**

14. The proposal proposes eight flats at 13 Danecourt Road. They have outline consent for a similar proposal and currently have one application pending, a full application for a similar proposal at number 15 Danescourt Road (Ref: APP/21/00127/F). Recently two applications for number 11 Danescourt Road (Ref: APP/21/00320 and APP/20/01261/P) for a similar proposal again but with the addition of 2 dwellings to the rear of the site have been refused. The assessment below has had regard to the previously approved outline application (APP/19/01571/P), in that the principle of flatted housing on this site has already been approved.

### Broad Location of Development

15. A strategic objective of the Poole Local Plan is to deliver a wide range and mix of homes in the most sustainable locations. PP1 states that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

16. PP2 identifies the amount and broad locations of development. The majority of new housing will be directed to the most accessible locations within Poole, including the town centre; district; and local centres. Outside these areas, higher density housing development will be concentrated along sustainable transport corridors as these enable residents to access key facilities and services without needing to travel by car.

17. Part 3, Housing Density seeks to optimise housing density within Sustainable Transport Corridors, district and local centres in order to meet or exceed the minimum indicative density of 36% of supply. The preamble to PP2, states that within these areas the majority of higher density development will be encouraged.

18. PP2 defines sustainable transport corridors as parts of Poole within 400m walk of locations that are served or capable of being served over the plan period by a frequent bus service (at least 4 buses per hour). The application site is within

a sustainable transport corridor and therefore the principle of flats is supported in terms of the location being sustainable and contributing to housing density within Sustainable Transport Corridors. The proposal is compliant with Policy PP2 of the Adopted Poole Local Plan (2018).

### Design

19. PP28 enables flatted development where a number of criteria are satisfied. Policy PP28 is reinforced by Policy PP27 of the Poole Local Plan, which also seeks to ensure that development exhibits a high standard of design that will complement or enhance Poole's character and local distinctiveness by respecting the setting and character of the site, surrounding area and adjoining buildings by virtue of function, siting, landscaping and amenity space, scale, massing, height, design details, materials and appearance.
20. 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).
21. The proposed flats would be significantly larger in scale and massing than the existing single dwelling. However, Danecourt Road has a mixed character with a range of dwelling types and scale. No. 11 to the west is a large detached dwelling and No. 9 beyond is purpose-built flats. Although the roof style is similar to that of the previously refused application from the front elevation, to the rear, the roof has been stepped down to break up the massing of the building, in line with that of the previously approved scheme and the comments made during previous committees. The existing height of the property is 9.6m, with this raising by 1.2m to the front and 0.355m to the rear in the current application. Previously under the approved application APP/19/01571/P, the height was raised by 0.8m from the existing. The difference of 0.4m in maximum height between the previously approved scheme and the current proposal is considered to be minor and would not significantly alter the overall appearance of the property or create a development which is overbearing or out of place with the neighbouring properties. It is acknowledged that the plans approved under APP/19/01571/P, had all matters reserved, however, a full set of indicative plans were submitted alongside the application and considered as part of the committee's decision. The above has been assessed against these indicative plans. The height of the property is below that of 11 Danescourt road, in line with the topography of the street.
22. The design of the proposed development would be more contemporary than was previous approved at this site, and whilst dwellings along Danecourt Road are predominantly traditional in design and finishing materials, there are also examples of modern style architecture nearby and so this contemporary design would not be out of keeping with the wider area or look out of place within the streetscene. The proposed footprint would align with no. 11 and the separation from adjoining buildings would be similar to the established pattern of development in this part of Danecourt Road.
23. The proposal would have a similar building line to other dwellings and would be set back from the front boundary by approximately 21m. The frontage of the site would accommodate a driveway entrance to the west next to the bin storage, with car parking east and north of this. The bin store would be in a position which satisfies the Waste Collection Authority with appropriate dimensions as it would be in a visible location but would be of a modest scale and height. The amount of hardstanding to the front would not be dissimilar to other nearby sites. The proposed boundary treatments, most particular along the front boundary, could be secured by condition. Sufficient bin storage is provided on site and this is within 10 metres of the highway, acceptable for Local Authority collection.
24. The proposal would accommodate a form of development, including plot coverage and car parking which would be in keeping with neighbouring buildings and the established pattern of development in this part of Danecourt Road. The proposal is therefore considered to be compliant with Policy PP27 and PP28 of the Adopted Poole Local Plan (2018) and the aims of the NPPF, as it would not be detrimental to the character or appearance of the surrounding area.

### Neighbouring Amenity and Privacy

25. PP27 states that development will be permitted where it is compatible with surrounding uses and would not result in a harmful impact on amenity for local residents and future occupiers in terms of sunlight, daylight, privacy, noise and whether it would be overbearing/ oppressive; and provides satisfactory external and internal amenity space for existing and future occupants. The NPPF states that planning decisions should provide attractive, welcoming and distinctive places to live and visit; create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users (para.127).
26. Whilst the proposal would protrude further into the rear than the existing dwelling, its footprint would have a similar alignment with no. 11 to preserve their daylighting and outlook. There is sufficient separation distance from the existing dwelling at no. 15 to prevent any overlooking or privacy concerns to this neighbour. As such, the proposal would preserve neighbouring amenity in terms of daylighting, outlook and would not result in an overbearing impact to either adjoining neighbour.
27. Windows are proposed on all elevations. Windows on the front and rear would have adequate separation distance from neighbours to preserve neighbouring privacy. The rear windows would be positioned deeper into the rear curtilage than the existing first-floor windows, however, views towards the neighbouring garden would be oblique and focused towards the rear end of the garden, rather than higher activity areas directly to the rear of the neighbouring dwelling. A condition will be placed on the application to ensure that privacy screens are proposed on the first-floor and second-floor rear balconies which would provide additional screening.
28. Upper floor windows are proposed on the side elevations. On the west elevation, these windows would be centrally positioned on the building and would therefore have views towards the side wall of no. 11 which does not have any upper floor side windows. On the east elevation, a bedroom window would have views towards the existing dwelling at no. 15, due to the distance between these properties, the level of overlooking created by these windows is not considered to be sufficient.
29. For the reasons set out above, the proposed development is not considered to be detrimental to either of the neighbouring properties amenity or the amenity of the future occupiers to the development, and therefore is compliant with PP27 of the Adopted Poole Local Plan (2018).

### Access and Parking

30. The proposal includes the relocation of the vehicle access to the west of the site, with 2m x 2m pedestrian visibility splays on both sides and a 5m width. This would require the formation of a new dropped kerb; the raising of the existing redundant dropped kerb and the relocation of the existing on-street parking bays. In addition, a condition would ensure the front boundary treatment and any planting within 1m of the highway footway would be kept below 600mm in height, in the interest of maintaining vehicle visibility from the site entrance. Whilst there is a utilities control box located at the back of the footway adjacent to the proposed access, this is not high or large enough to significantly obscure safe visibility for either pedestrians or for vehicles exiting or entering the site.
31. The proposals would provide sufficient parking to meet guidelines, provided the parking remains unallocated which will be secured by condition. Two appropriate disabled parking spaces have been provided. The parking layout provides sufficient space for on-site turning. An appropriate lighting scheme will be secured by condition to further enhance pedestrian safety within the parking forecourt.
32. Objections relating to increase in traffic to and from the site have been raised and the additional traffic a set of flats in this location would bring to the wider Danescourt Road. The Council's Highways Team have been consulted on the application and have not raised this as a potential issue with the application. Therefore, it is considered that the

proposed flats in this location would not give rise to a significant amount of traffic that would be detrimental to the greater Danescourt Road.

Trees

33. The trees on the application site have recently been assigned a Tree Preservation Order, this has been assigned to protect the trees to the rear of the site as they are considered to provide amenity value and character to both the site and the wider area. An Arboricultural Impact Assessment has been submitted which identifies the closest trees to the proposed building as 'Category B' Limes. The footprint of the building would be outside of the root protection areas. Although the Council's Arboricultural Officer has not commented on this application, it is similar to the previous scheme which they were satisfied that a proposed path could be constructed without harm to any tree. The proposal is therefore not considered to be detrimental to the protected trees on site. An arboricultural method statement will be secured by condition.

Energy and Biodiversity and Drainage

- 34. An energy and resources statement has been submitted. A condition can ensure the use of technology to reduce the carbon footprint of the development, in accordance with PP37.
- 35. Biodiversity enhancements will be secured by condition.
- 36. The application site is at low risk of surface water flooding. However, the flood and drainage team have concerns over the run-off due to the existing topography of the site, impacting on North Road which already suffers from flooding issues. These concerns will be addressed via a condition.

Other Considerations

- 37. The Council's community enforcement officer has been contacted regarding the three empty properties now residing in a row along Danescourt Road, one of which is the proposed property. There has been increased anti-social behaviour and criminal damage with multiple calls to the police concerning negative activity, worrying nearby residents. The proposed development is considered to provide an acceptable use for this site which would provide much needed homes within the borough, without compromising on the character and appearance of the surrounding area or be detrimental to neighbouring amenity.
- 38. The scheme is for 8 flats and as such does not trigger the requirement for affordable housing. It is noted however that this scheme runs alongside another scheme at 15 Danecourt Road with both schemes totalling 16 flats. The schemes are however both individual schemes, which do not rely on one another to come forward. As such they are treated individually and therefore do not trigger the requirement for affordable housing. It should be noted that affordable housing was not raised at either of the previous outline applications.

**Section 106 Agreement/CIL compliance**

<b>Contributions Required</b>			<b>Dorset Heathland SAMM</b>	<b>Poole Harbour Recreation SAMM</b>
<b>Flats</b>	<b>Existing</b>	<b>0</b>	<b>@ £269</b>	<b>@ £96</b>

			@ £271 wef 1/4/21	@ £97 wef 1/4/21
	Proposed	8		
	Net increase	8	£2152	£768
Houses	Existing	1	@ £394	@ £140
	Proposed	0	@ £397 wef 1/4/21	@ £141 wef 1/4/21
	Net increase	-1	£394	£140
Total Contributions			£1758 (plus admin fee)	£628 (plus admin fee)
CIL	Zone C		@ £120.42sq m	

39. 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.
40. 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
41. 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.
42. The applicant has paid the relevant contributions towards Dorset Heathlands and Poole Harbour Recreation SAMM. As such, the proposed scheme complies with Policies PP32 and PP39 of the Poole Local Plan.

## Summary

- The proposal would accommodate a form of development with a scale, height, design and plot coverage which is in keeping with the established pattern of development in Danecourt Road.
- Neighbouring amenity and privacy would not be materially harmed.
- Highway safety would be preserved.

## Planning balance

43. Having regard to the NPPF there is a presumption in favour of sustainable development. 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.
44. 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.
45. Given the shortfall of number of homes delivered in the Local Plan area, the proposal needs to be considered against paragraph 11 d) ii. Therefore, 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.
46. The tilted balance approach forms a material consideration in this case as there will be an impact on habitat, however, the potential harm to habitats can be addressed through conditions and contributions as discussed above. The proposed development is in accordance with the Poole Local Plan 2018 and would contribute to the Council's demand for new housing and deliver sustainable patterns of development within the sustainable transport corridor, while providing the social and economic benefits of seven additional dwellings within the urban area. As the impact on habitats can be addressed, the benefits of the proposed scheme are considered acceptable.

## Recommendation

47. **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.

## Background Documents:

Case File ref APP/21/00345/F

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.

The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.

## Conditions

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

### Reason -

This condition is required to be imposed by the provisions of Section 91 of the Town and Country Planning Act 1990 and amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

2030 51E

2030 52E

2030 53

2030 54

2030 55B

2030 56

2030 57A

2030 58A

2030 59C

received 11/06/2021

### Reason -

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

3. 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 post sub-structure works. The development shall thereafter be carried out in accordance with the approved details.

### Reason -

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

4. Obscure glazed screens which conform to or exceeds Pilkington Texture Glass Privacy Level 3 and are at least 1.8 metres in height shall be erected along the sides of the first and second floor balconies associated with Flats 4, 5 and 6, 7 and 8 as shown on the approved plan. The screens shall be erected prior to the first use of the dwelling, hereby permitted, and shall thereafter be permanently retained as such.

Reason -

In the interests of privacy and amenity of the neighbouring properties and in accordance with Policy PP27 of the Poole Local Plan (November 2018).

5. The development hereby permitted shall not be brought into use until the access, turning space, garaging,/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 car 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 areas or any individual parking 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).

6. Prior first occupation, 16 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).

7. 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 plan(s) shall be cleared of all obstructions over 0.6 metres above the level of the adjoining highway, including the reduction in level of the land if necessary, and nothing over that height shall be permitted to remain, be placed, built, planted or grown on the land so designated at any time.

Reason -

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

8. Notwithstanding the approved plans or pedestrian visibility splays, the first 1m of the site measured from the back edge of the Danecourt Road footway line, shall be cleared of all obstructions over 0.6 metres above the level of the adjoining highway, 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. 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 no part of the development hereby permitted shall be occupied until details of the provision of Electric Vehicle Charging Points have been approved, implemented and the Electric Vehicle Charging Points brought into operation. 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).

10. Prior to the commencement of development details of a scheme of lighting within the parking forecourt, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then be implemented prior to the first occupation of the development hereby approved, and thereafter retained and maintained to ensure the lighting remains in working order.

Reason:

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

11. Prior to the commencement of the development hereby approved, there shall be submitted to and approved in writing by the Local Planning Authority a scheme for the alteration of the road markings outside the site, including the parking bay markings and any relevant signage, corresponding with the new access hereby approved. The approved scheme shall thereafter be fully implemented prior to the first occupation of any of the approved residential units.

Reason -

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

12. 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).

13. 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 any demolition or development hereby permitted. 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.

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).

14. Site visits shall be carried out by the developer's arboricultural consultant in strict accordance with the supervision schedule contained within the approved arboricultural method statement (required under condition 13). 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 and approved in writing by the Local Planning Authority, before implemented. Any variations to the approved supervision schedule must be submitted in writing to the Local Planning Authority and shall not be implemented until written consent has been obtained.

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).

15. Prior to the construction of the flats hereby permitted, details of biodiversity enhancement to be delivered on site, prepared by suitably qualified and experienced person/s, shall be submitted to, and approved in writing by, the Local Planning Authority. The agreed enhancements shall be implemented prior to occupation of any of the flats hereby approved. The details could include but are not restricted to bat and bird boxes and bricks; bee bricks; hedgehog ramps; the provision of native plant species.

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

16. 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).

17. No surface water drainage works shall take place until a detailed and finalised surface water management scheme for the site, based upon the hydrological and hydrogeological context of the development, has been submitted to, and approved in writing by the Council. The surface water scheme shall be implemented in accordance with the submitted details before the development is used for the first time.

Reason: To prevent increased risk of flooding and to improve and protect water quality, in accordance with Policy PP38 of the Poole Local Plan (November 2018).

18. No surface water drainage works shall take place until details of maintenance and management of the surface water sustainable drainage scheme (as detailed in condition 17) have been submitted to and approved in writing by the Council. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. These should include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

Reason: To ensure future maintenance of the surface water drainage system and to prevent increased risk of flooding, in accordance with Policy PP38 of the Poole Local Plan (November 2018).

19. Prior to the construction of the development hereby approved proposals for the landscaping of the site shall be submitted to, and approved in writing by, the Local Planning Authority. The landscaping scheme shall include provision for landscape planting, the retention and protection of existing trees and other site features, walls, fencing and other means of enclosure and any changes in levels.

Upon approval:

a) the approved scheme shall be fully implemented with new planting carried out in the planting season October to March inclusive following occupation of the building(s) or the completion of the development whichever is the sooner, or in accordance with a timetable to be agreed in writing with the Local Planning Authority;

b) all planting shall be carried out in accordance with British Standards, including regard for plant storage and ground conditions at the time of planting;

c) the scheme shall be properly maintained for a period of 5 years and any plants (including those retained as part of the scheme) which die, are removed or become damaged or diseased within this period shall be replaced in the next planting season with others of a similar size and the same species, unless the Local Planning Authority gives written consent to any variation; and

d) the whole scheme shall be subsequently retained.

Reason - In the interests of visual amenity, to ensure that the approved landscaping scheme is carried out at the proper times and to ensure the establishment and maintenance of all trees and plants in accordance with Policies PP27 and PP33 of the Poole Local Plan (November 2018).

Informative

1. 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 provided with pre-application advice and this was reflected in the proposals
- in this case the applicant was afforded an opportunity to submit amendments to the scheme which addressed issues that had been identified.

## 2. 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 website:

<https://www.bcpCouncil.gov.uk/Planning-and-building-control/Planning-policy/Community-Infrastructure-Levy/Community-Infrastructure-Levy.aspx>

3. The necessary contributions towards SAMM arising from the proposed development have been secured by a S.111 agreement and have been received.

4. 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. 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. 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](mailto: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.

The footway crossing work will involve the alteration of the on-street parking bay markings and any work associated with the footway crossing work would be at the applicant's expense.

7. 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.