

Planning Committee



Application Address	Land adj 147 Lower Blandford Road, Broadstone, BH18 8NT
Proposal	Erect a 15 bed House in Multiple Occupation with associated parking and vehicular access.
Application Number	APP/20/00517/F
Applicant	Royanne Limited
Agent	Pure Town Planning
Ward and Ward Member(s)	Broadstone Councillor Mike Brooke and Councillor Vikki Slade
Status	Public Report
Meeting Date	20 January 2022
Summary of Recommendation	Grant with Conditions
Reason for Referral to Planning Committee	This application is brought before committee at the request of Councillor Mrs. Slade due to residents' concerns relating to parking and road safety, and the impact on wider amenity for residents.
Case Officer	Steve Llewellyn

Executive Summary

Summary of Key Issues

1. The key planning issues for Members to consider are set out below. Members will have to balance all of the planning issues and objectives when making a decision on the application, against policy and other material considerations.

Representations Received

2. 13 representations have been received from 12 different addresses in objection to the proposed development as it was originally submitted. A further 4 letters of objection have been received in response to a further period of consultation following the receipt of amended plans. A summary of the objections has been provided within the representations section of the report below.

Principle of Development

3. The proposal would result in the creation of a large-scale HMO, that represents a form of high density development, within the sustainable transport corridor and easy walking and cycling distance of the Broadstone District centre. It is therefore supported by Policy PP2 of the Poole Local Plan in terms of its sustainable location.
4. The proposed HMO would provide 15 smaller units of residential accommodation that are likely to be a more affordable type of housing that would provide greater choice and meet the needs of those people who might otherwise be unable to afford to rent or purchase a flat or house, whilst making an efficient use of the site.
5. The proposal would also contribute towards the Council's housing delivery targets, as well as contributing towards the provision of a flexible and balanced housing stock and achieving a sustainable community with a balanced demographic in accordance with the objectives of the Broadstone Neighbourhood Plan. Overall, there is no objection to the principle of the proposed development.

Impact on Street Scene

6. The proposed building would be of a scale and massing and size of footprint that would be proportionate to the size of the plot that in turn would be comparable to other sites in its immediate context. The proposed building would therefore sit comfortably within the site and would retain an acceptable balance between the trees/landscape planting and the built form in order to preserve the sylvan character of the site and this part of the street scene of Lower Blandford Road and respect the prevailing character and layout of the surrounding development in the area.
7. The proposed building would be of a traditional style of architecture and finishing materials that would be in keeping with and appropriate to the context of the surrounding built form. It has been designed with considerable articulation, that together with the range of materials, would break up the building mass. The overall design approach is of a high standard and enable the building to assimilate into the street scene and surrounding area in an acceptable manner.

Impact on Character of Area

8. The proposal would introduce an alternative and more intensive form of residential accommodation and use to the site compared to that which currently exists in the surrounding area which is predominantly characterised by single dwellings. However, having regard to the extant permission for the erection of a block of 5 flats, it is evident that a more intensive residential use on this site has been previously approved. In addition, the proposal would not result in an over-concentration of HMO properties in the vicinity of the application site that would adversely affect the balance of the local housing supply or the demographic in Broadstone.
9. Concerns have been raised that HMO's can lead to issues with regards to waste, noise and disturbance, a perception of crime and anti-social behaviour. However, these

concerns could arise from any development and there is no substantive evidence that a development of this nature would automatically give rise to such issues or that it would lead to an over-intensive use of the site that would be harmful to the character and appearance of the surrounding area. In addition, the proposal would not be of a scale that by itself would cause any undue pressure on local community facilities.

Impact on Residential Amenity

10. The proposed development would inevitably alter the relationship of the application site to the neighbouring properties by introducing built form and activity where there currently is none. Nevertheless, the impact of the proposal on neighbouring amenity has been assessed and given the siting of the proposed HMO and the separation distances that would be retained to the boundaries of the site and the neighbouring properties it is concluded that the proposal would not appear overbearing or give rise to any material loss of outlook or sunlight/daylight or cause harmful shading to any of the neighbouring properties and their gardens.
11. In terms of privacy, it is accepted that bedrooms in an HMO are likely to be used more intensively than those in a dwelling or compared to those in the extant scheme for the erection of a block of 5 flats due to the lack of other sizeable rooms for day-to-day activities and the lack of privacy that shared spaces would provide. Nevertheless, due to the separation distances between the proposed HMO and the neighbouring properties, together with the intervening tree and landscape planting that would partially screen and filter any views, no material loss of privacy would occur subject to a condition relating to obscure glazing as outlined in the report.
12. Despite concerns from local residents, there is no compelling evidence that the proposed HMO and associated level of occupancy and intensity of use of the site would cause materially greater harm to neighbouring residents in terms of noise and disturbance, including at anti-social hours, or fear of crime in comparison to the previously approved development for a block of 5 flats on the site.

Living Conditions for Future Occupiers

13. The bedrooms within the proposed HMO would all have en-suite shower rooms with communal living, kitchen and dining facilities on each floor. In addition, all of the bedrooms and communal areas would benefit from acceptable levels of natural sunlight/daylight and allow for a natural outlook. The proposal would also provide external amenity space that would be large enough to be used for some casual sitting out if desired and is considered to be sufficient given the proximity of the site to nearby public open space at Pocket Park and Broadstone Recreation Ground.

Highway and Parking Issues

14. The proposed access arrangements would be the same as those for the extant planning permission for a block of 5 flats with the formation of a new vehicular access off Lower Blandford Road that would be of sufficient width to allow two-way traffic flow. These access arrangements would be acceptable and would not be detrimental to highway and pedestrian safety. A total of 6 on-site parking spaces is proposed which is in excess of the parking standards set out in both the new Parking Standards SPD (adopted January 2021) and the now superseded Parking and Highway Layout in Development SPD and the provision of electric vehicle charging points can be secured by condition. The proposed development would also provide an acceptable level of on-site cycle parking

spaces in accordance with the required standards of both the current and now superseded Parking Standards SPDs.

Impact on Protected Trees

15. The proposed development would necessitate the removal of 6 trees. However, the loss of these trees has previously been accepted by the approval of earlier planning permissions for the development of this site and can be compensated for by replacement tree planting that can be secured by condition. The AMS that has been submitted in support of this application also demonstrates that subject to the implementation of the identified mitigation and tree protection measures that the proposed development can be achieved without causing any detrimental impact to the long-term health of the important and protected trees that are to be retained within, and adjacent to, the site and therefore local character. An appropriate condition has been recommended to this effect.

Flood Risk and Surface Water Drainage

16. The site is located within Flood Zone 1 (low risk of flooding) and is not identified as being at risk of surface water flooding. The proposal has been supported by a Drainage Strategy that proposes the discharge of surface water run-off from the internal access road and parking areas to the ground via permeable paving, whilst surface water run-off from the roof of the proposed building would be discharged to the public surface water sewer along Lower Blandford Road via an attenuation tank. Whilst the latter means of surface water disposal is a lower preference on the SuDS hierarchy, the surface water drainage proposals have been assessed by the Council's Drainage Engineer and are considered to represent an appropriate solution having regard to the constraints of the site. A condition is recommended to secure the implementation and maintenance of the proposed surface water drainage scheme.

Refuse and Recycling Provision

17. The proposal would provide an adequately sized enclosed bin store to accommodate the proposed number and sized of bins. Whilst the proposed refuse and recycling provision would require the provision of a private/commercial waste collection contract to be put in place this can be secured by condition. The Council's Environmental Services (Waste Management) has confirmed that the refuse and recycle arrangements to serve the proposed development are acceptable and that there is no objection to this application.

Ecological and Biodiversity Issues

18. The application has been supported by an Ecology Report which identifies that the proposal would not cause any adverse harm to the ecological interests of the site subject to the implementation of precautionary mitigation measures which can be secured by condition. However, it is identified that a reptile survey would need to be undertaken to establish if slow worms are present on the site and, if so, a scheme of mitigation would be needed that could include their translocation to a receptor site. An appropriate condition is recommended to secure this. The submitted report also identifies that there are opportunities for the provision of biodiversity enhancement measures to achieve net gain on site and again a condition is recommended to secure the implementation of these measures.

Sustainability Issues

19. The provision of 10% of the predicted energy consumption of the proposed development through the use of renewable energy sources can be secured by condition. In addition, as a multi-occupancy domestic building the proposal also constitutes a commercial

development in accordance with Policy PP37 of the Poole Local Plan and as such is expected to meet a 'Very Good' BREEAM rating. An appropriate condition is recommended to secure this.

SAMM's Contributions

20. The proposal would mitigate the impact on heathland and harbour recreation through SAMM's contributions which have already been secured.

Summary

21. In summary, having recognised the collective benefits of the proposed scheme and having regard to the tilted balance and presumption in favour of sustainable development, it is concluded that the proposals would achieve the economic, environmental and social objectives of sustainable development, in compliance with the adopted policies of the Development Plan as a whole and the relevant provisions of the NPPF, and should therefore be recommended for approval.

Description of Proposed Development

22. Planning consent is sought for the erection of a 15-bed House in Multiple Occupation (HMO) (sui generis) with associated parking and vehicular access. The proposal includes the provision of 6 on-site parking spaces, a bike store containing 15 cycle parking spaces and an enclosed bin store.

Description of Site and Surroundings

23. The site is located on the south western side of Lower Blandford Road that previously formed part of the curtilage of the parent property at No.147 Lower Blandford Road that has been severed from it. The parent property at No.147 Lower Blandford Road is a large Victorian house that occupies an elevated position and is separated from the application site by a retaining wall with an approximately 1.8 metre high close boarded fence above to the boundary.
24. The site is set back from Lower Blandford Road behind a grassed/landscape verge with a close boarded fence positioned above a small, raised embankment. The boundary of the site to Lower Blandford Road is well screened by landscape and tree cover with limited visibility into the site. Access to the site is achieved from a narrow, unmade access track that runs adjacent to the north western boundary that provides vehicular access to the original parent property at No.147 Lower Blandford Road and is also shared by Nos.149, 151 and 153 Lower Blandford Road. The north western boundary is largely demarcated by a laurel hedge.
25. The application site is undulating in level and includes a raised island towards the centre of the site at its north western end. The site slopes downwards from the north western boundary towards the south eastern boundary, although this becomes a steeper gradient towards the south eastern end of the site. The site is well treed, particularly towards the edges of the site and is largely overgrown. The site is covered by a Tree Preservation Order (TPO No. 7/2000 (G7)) and the variation order dated 15/11/2000.
26. To the south of the site is "The Copse", a development of three large, two-storey detached houses with garages that are accessed directly from Lower Blandford Road. These

properties have previously been severed from the parent property at No.147 Lower Blandford Road and are set at a lower level than the application site.

Relevant Planning History

27. **2020:** Erection of a block of 5 apartments with surface car parking. **Approved** (APP/18/01375/F).
28. **2018:** Erection of a block of 5 apartments and surface car parking. **Refused** (APP/18/00224/F). This application was refused for the following reasons:

“1. The proposed development would significantly intensify vehicle and pedestrian use of the existing unmade access road, which is of a substandard width, especially at its entrance with Lower Blandford Road where there is insufficient vehicle passing width. This is likely to result in conflicting vehicle movements, with vehicles consequently having to carry out dangerous reversing manoeuvres onto Lower Blandford Road, which is a busy classified road, or having to wait on the carriageway whilst vehicles exit the site or neighbouring properties via the unmade driveway. This would interrupt the free flow of traffic along Lower Blandford Road and would be detrimental to highway and pedestrian safety.

Furthermore, the unmade surface, lack of a clear footway or provision of lighting makes the access unsuitable and potentially dangerous for pedestrians, especially those with impaired vision or mobility. Therefore, the proposal that would utilise the existing substandard access as its sole access for pedestrians and vehicles, would fail to promote a safe and suitable access for all users and as a consequence the intensification of use of this access would result in increased highway and pedestrian safety dangers. The proposed development is therefore contrary to Policies PCS15 and PCS26 of the Poole Core Strategy (February 2009) and Policies DM7 and DM8 of the Poole Site Specific Allocations and Development Management Policies DPD (April 2012).

2. Due to the unmade nature of the access road, the surface treatment is unsuitable to manoeuvre the communal refuse and recycle bins to and from the collection vehicle and therefore the Council's refuse vehicles would not be able to take delivery of refuse or recycling from the proposed flats. In the absence of the provision by the applicant of an alternative refuse/recycling collection service; the proposal fails to secure adequate provision for refuse or recycling collection which is a reasonable expectation of any household. As such, the proposal would fail to meet the basic needs of the future occupants of the proposed development contrary to the provisions of Policy PCS23 of the Poole Core Strategy (February 2009) and Policy DM1 of the Poole Site Specific Allocations and Development Management Policies DPD (April 2012)”.

The application was also refused due to the failure of the applicant to make the necessary arrangements to secure the financial contributions towards the Strategic Access Management and Monitoring (SAMM) in relation to Dorset Heathlands.

29. **2017:** Erection of a single dwelling and garage. **Approved** (APP/17/00566/F).
30. **2015:** Erect a split level detached house and detached double garage. **Approved** (APP/15/00781/F).

31. **2013:** Erect a split level detached dwelling with detached double garage. **Withdrawn** (APP/13/00295/F).
32. **2010:** Erect a split level detached dwelling and detached double garage. **Approved** (APP/10/00584/F).
33. **2009:** Erection of a four bedroom house with associated double garage and parking. **Approved** (APP/09/00404/F).
34. **2008:** Sever land and erect a two storey house with integral garage. **Refused** (APP/07/18710/008/F).
35. **2006:** Outline application to sever land and erect a detached house and garage to be accessed from Lower Blandford Road. **Approved** (APP/06/18710/007/P).
36. **2006:** Outline application to sever land and erect a detached house and garage. **Refused** (APP/05/18710/006/P).
37. **2006:** Sever land and erect a detached house with integral garage. **Refused** (APP/05/18710/005/F).
38. **November 2001:** Outline application to sever land and erect a detached 2-storey house with detached garage. **Refused** (APP/01/18710/004/P) but subsequently **allowed on appeal**.

Constraints

39. The site contains a large number of mature trees of mixed species that are protected by a Tree Preservation Order (TPO No. 7/2000 (G7)) and the variation order dated 15/11/2000.
40. The site is located within the Broadstone Neighbourhood Plan area. It is also located within the designated Inner Zone (within 5 mins walk of the central shopping area) as designated by the Broadstone Neighbourhood Plan.

Public Sector Equalities Duty

41. In accordance with section 149 Equality Act 2010, in considering this proposal due regard has been had to the need to —
 - eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Other Relevant Duties

42. In accordance with section 40 Natural Environment and Rural Communities Act 2006, in considering this application, regard has been had, so far as is consistent with the proper exercise of this function, to the purpose of conserving biodiversity.

43. For the purposes of this application, in accordance with section 2 Self-build and Custom Housebuilding Act 2015, regard has been had to the register that the Council maintains of individuals and associations of individuals who are seeking to acquire serviced plots in the Council's area for their own self-build and custom housebuilding.
44. For the purposes of this application, in accordance with section 17 Crime and Disorder Act 1998, due regard has been had to, including the need to do all that can reasonably be done to prevent, (a) crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment); (b) the misuse of drugs, alcohol and other substances in its area; and (c) re-offending in its area.

Consultations

45. BCP Arboricultural Officer: Support the proposals subject to the imposition of conditions.
46. BCP Environmental Services (Biodiversity): Support the proposals subject to the implementation of the mitigation and biodiversity enhancement measures set out in the submitted Ecology report.
47. BCP Environmental Services (Waste Management): Support the proposals subject to the imposition of a condition requiring a contract for a private commercial waste collection service to be in place prior to the first occupation of the HMO.

It is advised that the proposed bin store is of a suitable size for the number of containers proposed and that as part of a commercial waste collection service the crews would wheel the bins from the bin store to the stopping point of the vehicle.

48. BCP Highway Authority: Support the proposal subject to the imposition of conditions requiring the provision of the access, turning and parking within the site with the parking spaces to be provided on an unallocated basis; the provision of pedestrian visibility splays to the vehicular access; prohibiting the formation of any other vehicular or pedestrian access to the site other than that proposed; the provision of electric vehicle charging points; and the submission of a scheme of lighting along the internal access and parking areas prior to the first occupation of the proposed HMO.
49. BCP Urban Design and Conservation: Acknowledged the consultation on the application but had no comments to make in response to the proposed development.
50. Lead Local Flood Risk Authority: Support the proposal. It is advised that the proposed means of surface water disposal is acceptable. The attenuation tank has also been designed for a 1 in 100 year storm event plus 40% for climate change which is acceptable.
51. Wessex Water: No objection to the proposed development.

It is advised that the planning application indicates that foul sewerage will be disposed of via the main sewer and that surface water will be disposed of via the main sewer.

According to Wessex Water records there are no recorded public sewers or water mains within the red line boundary of the application site.

In terms of surface water drainage, it is advised that one of the main priorities in considering a surface water strategy is to ensure that surface water flows, generated by new impermeable areas, are not connected to the foul water network which will increase the risk of sewer flooding and pollution.

Surface water must be disposed of via the SuDS hierarchy. A connection to the public surface water sewer will only be considered where infiltration methods are proven unviable. There must be no surface water connections into the foul sewer network.

Representations

52. In addition to letters to neighbouring properties a site notice was posted outside the site on 8 July 2020 with an expiry date for consultation of 01 August 2020.
53. 13 representations have been received from 12 different addresses, all of which raise objections to the proposed development. The issues raised comprise the following:
 - The provision of a HMO in this location would be out of keeping with the character of the local area and nature of other residential properties. There are no existing HMOs in the post code area of the application site and Broadstone is not the typical place where a HMO is expected to be found. They need to be located close to facilities and places of work and accepting a HMO in this location would mean that the occupiers would have to commute for work and recreation;
 - There is no policy relating to Broadstone or HMO's across the rest of Poole (other than Policy PP14 that relates to Talbot Woods). The NPPF promotes a mix and range of houses to meet the need in a particular area. The applicant has not produced a compelling argument for the need for the proposed HMO in Broadstone;
 - HMO's can lead to issues with regard to waste and clutter, anti-social behaviour and a perception of crime;
 - Increased noise and disturbance from the level of occupation and activities within the site and associated noise from vehicle movements;
 - Overlooking of neighbouring properties;
 - A covenant exists which precludes the development of the site for 5no flats as previously approved (APP/18/01375/F) which extinguishes any reliance by the applicant on this previous permission as a legitimate fall-back position;
 - Inadequate parking provision to serve the proposed development that could result in on-street parking and exacerbating congestion in the surrounding roads restricting access to residents and emergency and refuse vehicles;
 - The site cannot accommodate the volume of traffic associated with 15 residents, their visitors, trades people and deliveries;
 - The proposed access onto Lower Blandford Road and intensification of use of it in comparison to the approved scheme for 5no flats would be detrimental to highway and pedestrian safety and could lead to the potential for accidents. Lower Blandford Road is a busy road and the proposed access would require vehicles crossing the pavement and cycle path where there are already numerous vehicular accesses, whilst children walk and cycle along Lower Blandford Road going to and from school;
 - If approved, then speed bumps or a speed camera should be installed in the area to reduce vehicle speeds along Lower Blandford Road;

- It is proposed to be student let but there is no direct local transport route to Bournemouth University;
- The proposal would result in the direct loss of trees that are the subject of a Tree Preservation Order, as well as increased pressure to prune them due to concerns of shading and loss of light as the occupiers will not be able to move around from one room to another at different times of the day as you would be able to do in a house;
- The proposed loss of trees could result in the loss of habitat for wildlife species and increased rainwater runoff onto Lower Blandford Road and neighbouring properties;
- This area is prone to flash flooding during periods of heavy rainfall and the proposed development would exacerbate this problem;
- The application refers to the proposal being “C3”, but it does not meet the criteria of a C3 use. The proposal is effectively, in substance, for a block of flats and should be assessed as such and not as a single house;
- The proposal could lead to a future change of use to Bed and Breakfast accommodation; and
- The site plan suggests that there is space left for further possible development of the site.

54. Councillor Mrs Slade – It is noted that the proposed development would not be served by the Local Authority domestic refuse service but by a commercial waste contractor. It is not clear whether the turning area within the development would be sufficient to allow a refuse vehicle to enter the site and turn as this would otherwise cause potential delay on the highway including the blockage of a cycle lane.

If the proposal was a residential dwelling, then the occupiers would bring their bins to the kerbside which minimises the delay but to retrieve the bins 17 metres from the kerbside would effectively bring the vehicle to a standstill and so a refuse vehicle should exit the highway and turn within the development. Clarification that there is space to do this should therefore be provided.

55. Further consultation was carried out on 14 December 2021 following the submission of amended plans with an expiry date for consultation of 24 December 2021. 4 further representations have been received all of which raise objections to the proposed development. The issues raised comprise the following:
- The style and density of the proposed property as an HMO is not in keeping with the surrounding properties;
 - Access in and out of Sharlands Close is also dangerous due to parking by carers, delivery drivers and visitors to existing houses surrounding the proposed development and the proposal would exacerbate the existing parking congestion due to the inadequate provision of on-site parking spaces.
 - In the short term, there would be similar parking issues within the surrounding vicinity causing access restrictions from construction vehicles and contractors working on site;
 - The Broadstone Neighbourhood Plan has identified a demand for “flats and mews-style properties” for the younger age group and/or down-sizers. An HMO will not satisfy that need and is out of keeping with the character of the area.
 - Broadstone is not a preferred location for young professionals as it is not close to work or social life and both would be costly to get to using public transport.

- The area is prone to flash flooding along Lower Blandford Road and Sharlands Close during periods of heavy rain and the proposal will exacerbate this problem.
- It is questioned whether the provision of a HMO during the Covid pandemic is an appropriate form of accommodation due to the living and eating spaces being shared and facilities for “home working” limited to either the occupants’ bedrooms or the shared areas.
- Comments relating to the length of the consultation period and documents not being available to view.

Key Issues

56. The main considerations involved with this application are:

- Housing Delivery Test
- Principle of the Development
- Impact on Street Scene and the Character of the Area
- Impact on Residential Amenity
- Highway and Parking Issues
- Impact on Protected Trees
- Flood Risk and Surface Water Drainage
- Refuse and Recycling Provision
- Ecological and Biodiversity Issues
- Sustainability Issues
- CIL Compliance

57. These points will be discussed as well as other material considerations in the paragraphs below.

Policy Context

LOCAL CONTEXT

58. The following policies are listed as applying to this application.

Poole Local Plan (Adopted November 2018)

- PP1 Presumption in Favour of Sustainable Development
- PP2 Amount and Broad Location of Development
- PP7 Facilitating a Step Change in Housing Delivery
- PP8 Type and Mix of Housing
- PP27 Design
- PP32 Poole’s Nationally, European and Internationally 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

Broadstone Neighbourhood Plan (Approved June 2018)

- BP3 Enhancing Biodiversity
- BP4 Securing High Quality Design and Sustainability
- BP5 Balancing the Housing Stock

Supplementary Planning Document (SPD)

- Parking and Highway Layout in Development (Adopted July 2011)
- Parking Standards (Adopted January 2021)
- The Dorset Heathlands Planning Framework 2020-2025 (Adopted March 2020)
- Poole Harbour Recreation 2019-2024 (Adopted February 2020)
- Nitrogen Reduction in Poole Harbour (Adopted February 2017)
- Dorset Heathlands Interim Air Quality Strategy 2020-2025 (Adopted February 2021)

STRATEGIC CONTEXT

59. National Planning Policy Framework (“NPPF” / “Framework”) (July 2021)

The guidance contained in the NPPF is a material consideration.

Paragraph 11 sets out the presumption in favour of sustainable development.
“Plans and decisions should apply a presumption in favour of sustainable development.

.....

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 of this Framework taken as a whole”.

Paragraph 12 –

“The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making”.

The following chapters of the NPPF are also relevant to the determination of the proposed development:

- Section 2 – Achieving Sustainable Development
- Section 4 – Decision-Making
- Section 5 – Delivering a Sufficient Supply of Homes
- Section 8 – Promoting Healthy and Safe Communities
- Section 9 – Promoting Sustainable Transport
- Section 11 – Making Effective Use of Land
- Section 12 – Achieving Well-Designed Places
- Section 14 – Meeting the Challenge of Climate Change, Flooding and Coastal Change
- Section 15 – Conserving and Enhancing the Natural Environment

60. National Planning Practice Guidance (NPPG)

Planning Assessment

Key Issues

61. This application is the latest in a series of planning applications for the development of the application site which have included various planning permissions for the erection of a single, detached dwelling as well as the most recent approval of planning permission for a block of 5 flats (see planning history above).
62. This current application seeks planning permission for the erection of a detached building of an identical scale and almost identical design as the previously approved block of flats, which it is proposed would be used as a 15-bedroom HMO. The only difference in the design of the building from that previously approved would be the repositioning of two rooflight windows and the addition of a dormer window to the south west (rear) elevation and the enlargement of the second floor window to the gabled element of the south east (side) elevation.
63. The internal layout of the ground and first floors of the proposed HMO would be substantially the same as each other and would comprise of 6 bedrooms with en-suite shower rooms as well as a communal open plan living, dining and kitchen areas and communal bathroom on each floor. A further 3 bedrooms with en-suite shower rooms, together with a communal living and dining area and separate kitchen, would be accommodated within the roof space at the second floor level.
64. The proposal includes the formation of a new vehicular access to the north eastern boundary of the site directly off Lower Blandford Road. This would provide vehicular and pedestrian access into the site and lead to an internal access driveway that would run almost the full length of the site adjacent to the north eastern boundary. This would provide access to a total of 6 on-site parking spaces, 5 of which would be located at the north western end of the site with the other parking space sited to the front of the proposed building. The proposal also includes the provision of a bin store and a cycle store that would accommodate 15 cycle parking spaces that would be located towards the south eastern end of the site. Two further cycle parking spaces would be located to the front of the proposed building adjacent to the entrance door.

Housing Delivery Test

65. 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 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.

66. In accordance with NPPF para 11 (footnote 7) there are 2 ways of dropping into the para 11(d) requirements of the presumption in favour of sustainable development where the tilted balance applies, namely lack of a 5 year housing supply or the failure to meet 75% of a local plan housing target over a defined 3 year period. So, regardless of whether Poole can demonstrate a 5 year land supply, the tilted balance is engaged in decision-making.
67. Given the shortfall in the number of homes that have been delivered, the balance is tilted in favour of sustainable development and granting planning permission, except when 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 approach forms a material consideration in this case.

Principle - Broad Location of Development

68. The Poole Local Plan sets out a spatial planning framework to meet objectively assessed needs to 2033. In accordance with Policy PP1, the Council will take a positive approach when considering development proposals that reflect the presumption in favour of sustainable development contained at paragraph 11 of the NPPF.
69. 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 PP2 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. A sustainable transport corridor is defined by the Poole Local Plan as being 400 metres either side of a road capable of extending service provision by the end of the plan period to four buses per hour (each way) or within 500 metres radius of a railway station. 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 and to reduce the need to travel.
70. This approach is reinforced by Policy PP34 which also states that new development will be directed to the most accessible locations which are capable of meeting a range of local needs and will help to reduce the need for travel, reduce emissions and benefit air quality, whilst PP35 also states that proposals for new development will be required to maximise the use of sustainable forms of travel. Significant weight therefore has to be applied to the provision of additional residential accommodation which meets these policy objectives.
71. The proposed development would result in the creation of a large scale HMO that would constitute a form of high density residential development, whilst the application site is located within the sustainable transport corridor as identified by Policy PP2 of the Poole Local Plan and as indicated on the Proposals Map. As such, the principle of the proposed development is supported by policy in terms of its sustainable location.
72. The Broadstone Neighbourhood Plan (June 2018) also seeks to address the need to deliver not only housing, but also the right type of housing over the lifetime of the plan, to ensure the provision of a flexible and balanced housing stock. This identifies that the greatest need is for smaller dwellings of 1 and 2 bed units, such as apartments and mews style housing, to meet the demand from young singles or newly married couples as well as older residents wishing to downsize, although there also remains a significant need for

additional larger 3 and 4 bed properties. The Broadstone Neighbourhood Plan states that “A flexible and balanced housing stock is essential if a sustainable community with a balanced demographic is to be achieved”. To manage increasing density, meet the demand for differing housing sites and ensure any new development is appropriately located two distinct zones have been identified by the Broadstone Neighbourhood Plan. The Inner Zone, which lies within 400m walking distance from the main commercial centre, has been identified as offering the most sustainable location for higher density development including the development of 1 and 2 bed dwellings, whilst the Outer Zone would be appropriate for residential development to meet the demand for 3 and 4 bed properties.

73. The application site is located within the Inner Zone area where the Broadstone Neighbourhood Plan identifies that higher density development should be directed due to the accessibility to the Broadstone District Local (within 400 metres walking distance) and the full range of services that it offers and access to public transport stops that it provides. Whilst concern has been raised that there is no identified need for a HMO in Broadstone, the applicant is not required to demonstrate that such a need exists. This is a matter for the market forces to dictate. However, the proposed HMO would provide smaller units of accommodation that the Neighbourhood Plan identifies as being appropriate in this location, whilst it would also provide a more affordable type of accommodation to meet the needs of those people who might otherwise be struggling to gain a foothold on the housing market. This might include young professionals or single people that are unable to afford to rent or purchase a flat or house. The provision of the proposed form of accommodation would also contribute to meeting the objective of the Broadstone Neighbourhood Plan of providing a flexible and balanced housing stock to achieve a sustainable community with a balanced demographic.
74. As such, the principle of the proposed use of the property as a large scale HMO is therefore acceptable in this sustainable location where higher density development is supported in accordance with the provisions of Policies PP2, PP34 and PP35 of the Poole Local Plan, Policy BP5 of the Broadstone Neighbourhood Plan and the provisions of the NPPF. Also, having regard to section 2 of the Self-build and Custom Housebuilding Act 2015, it is considered that the proposed development is not suitable for self-build/custom housebuilding as it is for a large-scale HMO and is likely to be rented as single rooms within the building.

Impact on Street Scene and the Character of the Area

75. The site is located on the south western side of Lower Blandford Road, which in the immediate vicinity of the site is characterised by large, detached dwellings set within spacious and wooded plots, whilst the development on the north eastern side of the road is more tightly knit with dwellings set within narrow, linear plots. The boundary of the site to Lower Blandford Road is well screened by landscape planting and tree cover with limited visibility into the site which gives the site a wooded appearance and contributes to the sylvan character of the surrounding area.
76. As stated, the current proposal seeks planning permission for the development of the site by the erection of a 15-bedroom HMO. However, the proposed building would be of an identical footprint, scale, bulk and massing as the block of flats that has previously been approved by planning permission APP/18/01375/F, whilst the external appearance would also be almost identical to the approved scheme with only some minor alterations to the

fenestration arrangements to the south west (rear) and south east (side) elevations. In addition, the layout of the proposed development within the site would also be substantially the same as that previously approved with this flatted development. In this regard, the position of the vehicular access into the site and the siting of the proposed building, internal access road and parking within the site would all remain unaltered from planning permission APP/18/01375/F. The only exception would be the provision of an enlarged cycle store that would replace two parking spaces towards the south eastern end of the site.

77. Policy PP27 of the Poole Local Plan seeks to ensure that all new development achieves a good standard of design which for the purposes of the Plan is defined as development that functions well, fits in with and enhances an area's character within its context. In this regard, development will be expected to demonstrate how the scale, form, massing, appearance and use of materials come together to create a cohesive development for the site but also one that integrates positively within its surroundings. In accordance with Policy PP27, proposals will therefore be permitted provided that, inter alia, the development reflects or enhances local patterns of development and neighbouring buildings in terms of layout and siting, including building line and built site coverage; height and scale; bulk and massing, including that of the roof; materials and detailing; landscaping; and visual impact.
78. This stance is reinforced by Policy PP28 (1) of the Poole Local Plan. Whilst this policy relates specifically to flatted development and therefore is not directly relevant to this application given that it proposes a 15-bedroom HMO, it sets out criteria against which development proposals should be assessed to ensure that the established pattern of development and residential character of the area is preserved. In this regard, the policy states that development will be permitted where the plot can accommodate a form of development that ensures the scale and massing of the building(s), including the width, height and roof profile and spacing between buildings, as well as the resultant plot coverage, is in keeping with neighbouring buildings the established pattern of development in the street, or part of the street, where the site is located. It also requires that car parking and turning areas do not dominate the site and allow for the retention, or provision, of a boundary between the site and adjacent streets and that, together with the vehicle access they avoid harm to the privacy and amenity of the occupants of neighbouring properties. In the absence of an alternative policy relating specifically to HMO's and given that they constitute a form of high-density residential development in a similar manner to flatted development, it is considered that the principles set out in Policy PP28 (1) provide a useful set of additional criteria against which to assess the current proposal.
79. Policies PP27 and PP28 complement the design requirements set out in section 12 of the NPPF that seeks to ensure that development is compatible with or enhance its' surroundings. Paragraph 30 of the NPPF states:
"Planning policies and decisions should ensure that developments:
 - (a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - (b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

- (d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- (e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- (f) 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; and where crime and disorder, and fear of crime, do not undermine the quality of life or community cohesion and resilience”.

Design, Form and Layout

80. Since the previous approval of planning permission for the erection of a block of 5 apartments in January 2020 (APP/18/01375/F), it is evident that the site circumstances remain substantially unaltered. However, the NPPF (July 2021) has been updated since that previous approval of planning permission and places a greater emphasis on the need for development to achieve a high quality of design. In this respect, paragraph 126 of the NPPF states “The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities...”.
81. In assessing the previous approval of planning permission for the erection of a block of 5 flats, it was determined that the application site would be comparable to the plot size of other properties in the immediate vicinity and considerably larger than the vast majority of plots in the surrounding area. It was also judged that the proposed building footprint would be proportionate to, and sit comfortably within, the size of the plot. The proposed building, that is the subject of this current application, would be of the same scale, bulk and massing; of the same size of footprint; and would be positioned on the same siting as that previously approved by planning permission APP/18/01375/F. In this regard, it would be positioned fairly centrally within an opening within the trees and their canopies on the south eastern half of the site and sufficiently distanced from the site boundaries that it would respect the pattern of development that is characteristic of the immediately surrounding properties which it would be viewed in the immediate context of. This would also enable the vast majority of the trees within, and adjacent to, the site to be retained that would preserve the contribution that they make to the wooded setting of the site and the sylvan character of the area. As such, there is no justifiable reason to now reach a different conclusion.
82. The retention of the mature tree and vegetation screening along the frontage of the site to Lower Blandford Road would continue to minimise views into the site, particularly during the summer months, so that the proposed building and associated parking and internal access would not have an unduly prominent appearance to the street scene as was previously determined. The current proposal, however, includes the formation of a vehicular access opening off Lower Blandford Road that would require the removal of the existing embankment and low-level vegetation to that section of the site frontage which in turn would allow greater views into site. Nevertheless, the proposed vehicular access would be sited in the same location to the site frontage as that previously accepted by planning permission APP/18/01375/F to serve the proposed block of flats permitted by that approval. In approving that earlier planning permission, it was determined that the

vehicular access opening would be restricted to a limited section of the site frontage to Lower Blandford Road with the existing trees and vegetation being retained to either side of the proposed access opening, whilst the building would also be set back into the site from the site frontage by between approximately 7-11 metres, and as such it would not lead to the proposed flats having a dominant or harmful presence to the street scene. This remains the case with regards to the current proposal.

83. As stated, the layout of the proposed development within the site would also remain substantially the same as that of the previously approved scheme for the proposed block of flats, with the only exception being the provision of an enlarged cycle store that would replace two parking spaces towards the south eastern end of the site. Whilst some views of this enlarged cycle store would be visible from Lower Blandford Road, given its' set back into the site and single storey height, it would not appear as an unduly prominent or harmful feature within the street scene. In addition, although the proposal would introduce built form and hard surfacing into the site, this would not be any greater than previously approved and the extent of site coverage would remain substantially below 50% of the overall site area. For the majority of the site frontage to Lower Blandford Road, the under-storey vegetation, embankment and boundary fence would also provide some screening of the internal access road and parking areas so that any views of vehicles within the site would be limited.
84. The design of the proposed building would also be of a traditional style of architecture and would be finished in traditional materials that would be in keeping with the general characteristics of the built form of the other properties in the immediate vicinity of the site and surrounding area. In this regard, the proposed building would have a predominantly hipped roof form with some gabled and cat-slide elements, traditionally proportioned window openings and traditional detailing such as exposed rafter feet, window cills and brick headers and contrast brick banding. The proposed finishing materials include a mix of brick, render and tile hanging to the external elevations with clay roof tiles. Whilst there is a greater emphasis in the revised NPPF (July 2021) on the need for development to achieve a high quality of design, it is nevertheless considered that the proposed building would be of a high quality of design and would meet this objective.
85. In addition, as previously concluded the proposed building would be of a comparable overall scale and massing as other properties in the immediate vicinity, whilst it has been purposely designed with a good degree of articulation that would serve to break up and reduce its' visual bulk and massing. In approving the previous scheme (APP/18/01375/F), it was concluded that the overall scale, bulk and massing of the proposed building would sit comfortably within the site and retain an acceptable visual balance between the trees and landscaping and the built form within the site so that it would appear nestled within the plot and preserve the sylvan characteristics of the site and this part of the street scene of Lower Blandford Road. Given that the proposed building, that is the subject of this current application, would be of an almost identical design to that previously approved this assessment remains equally applicable and there is no reason to now reach a different conclusion.
86. Whilst the proposed development would inevitably alter the character and appearance of the site by introducing built form where none currently exists, it would do so in a manner that would enable it to assimilate into the street scene of this part of Lower Blandford Road and the wider surrounding area in an acceptable manner. In this regard, it would preserve the prevailing pattern of development and verdant character of this part of the

street scene that is largely derived from detached buildings set within spacious and well-established treed and landscaped plots. The proposed development is also of a good quality of design and therefore would not be harmful to the character and appearance of the area and would accord with the aims of Policies PP27 and the principles of Policy PP28 (1) of the Poole Local Plan, the objectives of Policy BP4 of the Broadstone Neighbourhood Plan and the criterion set out at paragraph 130 of the NPPF.

Proposed Use of the Site

87. Turning to the potential impacts of the proposed use of the site to provide a 15-bedroom HMO on the character of the area, it is evident that there are no specific planning policies relating to HMO's across the Plan area generally. However, Policy PP14 of the Poole Local Plan deals specifically with proposals for a change of use to an HMO within the area of Talbot Village where planning permission is required for such a change of use as a consequence of the removal of permitted development rights through an Article 4 Direction to avoid a concentration of student HMO's near Bournemouth University. The supporting paragraphs to this policy acknowledge that the proliferation of HMO's can result in an imbalance in the demographic profile of the local community and can have an adverse effect on the character and amenity of an area through problems such as increased noise, additional waste requirements, on-street parking and anti-social behaviour.
88. In this instance, concerns have been raised that the provision of an HMO would be out of keeping with the character of the local area and that there is no compelling argument for the need for an HMO in Broadstone. It is acknowledged that the proposed development would introduce a use with a different character to a single dwelling and that would result in a more intensive residential use of the site. However, a more intensive use of the site than as a single dwelling has previously been permitted by the planning permission for the erection of a block of 5 flats (APP/18/01375/F), whilst the applicant is not required to demonstrate that there is a need for the provision of an HMO in Broadstone. In addition, it is also evident that the development of the site to provide a large scale HMO would not result in an over-concentration of HMO properties in the vicinity of the application site that would adversely affect the balance of the demographic in Broadstone.
89. Concerns have also been raised to the proposal that HMO's can lead to issues with regards to waste, noise and disturbance, a perception of crime and anti-social behaviour and that HMO's have caused problems in other parts of the Council area. However, these concerns could arise from any development and there is no substantive evidence that a development of this nature would automatically give rise to such issues or that it would lead to an over-intensive use of the site that would be harmful to the character and appearance of the surrounding area. As such, the proposed development has been assessed having regard to section 17 of the Crime and Disorder Act 1998. In addition, the proposal would not be of a scale that by itself would cause any undue pressure on local community facilities. As such, the proposal would provide for a form of residential use of the site that would be compatible with the residential use of the surrounding properties, whilst it would not undermine the availability of single dwellings for owner occupation but instead would provide greater choice and more affordable accommodation in the rental market. The proposed development would therefore make a positive contribution towards local housing supply in a sustainable location on a currently vacant and unused site. This would accord with the objectives of section 5 of the NPPF that addresses the need to deliver a sufficient supply of homes and paragraph 124 of the NPPF which states

“Planning policies and decisions should support development that makes efficient use of land...”.

90. Having regard to all of the above factors, it is therefore considered that the proposal would not cause any material harm to the character and appearance of Lower Blandford Road and the surrounding area and would accord with the provisions of Policies PP2 and PP27 and the principles of Policy PP28 of the Poole Local Plan, Policies BP4 and BP5 of the Broadstone Neighbourhood Plan and the relevant sections of the NPPF.

Impact on Residential Amenity

91. With regards to residential amenity, PP27 (1) (c) and (d) 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 considering levels of sunlight and daylight, privacy, noise and vibration, emissions, artificial light intrusion and whether the development is overbearing/oppressive; and where it provides satisfactory external and internal amenity space for both existing and future occupants. This is repeated in Policy BP4 of the Broadstone Neighbourhood Plan which states that to be supported proposals for new development should demonstrate that they will not result in an adverse impact on residential amenity. The NPPF states that planning policies and decisions should ensure that developments “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 130 (f)).
92. It is inevitable that the proposed development would alter the relationship of the application site to the existing neighbouring properties by introducing built form to the site where there currently is none. The two closest properties to the proposed new building would be Nos.147 and 147c Lower Blandford Road that immediately adjoin the site to the south west and south east respectively, whilst Nos.151 and 153 Lower Blandford Road would be further distanced from the proposed building to the north west of the site and separated from it by the shared private access road that serves Nos.147-153 Lower Blandford Road (odd nos. only). In approving planning permissions APP/17/00566/F for the erection of a single dwelling and APP/18/01375/F for the erection of a block of 5 flats, due to the separation distances that would be retained between the proposed building and the boundaries of the site and also to the neighbouring properties it was concluded that the proposal would not appear overbearing or give rise to any material loss of outlook or sunlight/daylight or cause harmful shading to any of the neighbouring properties. Given that the scale, bulk and massing of the proposed building, its’ size of footprint and its’ siting within the plot would remain identical to that of the previously approved schemes, then it can also be concluded that this assessment equally applies to the current proposal and that it would not result in any greater impact than that previously determined to be acceptable.
93. In terms of privacy, in approving planning permissions APP/17/00566/F and APP/18/01375/F, it was determined that due to the separation distances between the new building and the neighbouring properties, together with the intervening tree and landscape planting that would partially screen and filter any views, no material loss of privacy would occur. The external design and fenestration arrangements of the proposed HMO would remain almost identical to those previously approved schemes and as such would retain the same number, size and position of window openings in all elevations, with the exception that the proposal now includes the insertion of two rooflight windows lower

down the roof slope and the addition of a dormer window to the south west (rear) elevation and an enlarged second floor window to south east (side) elevation albeit that it would still be obscure glazed.

94. It is accepted that the lower cill height of the rooflight windows that would serve a communal kitchen and the introduction of the dormer to a shared living/dining area at the second floor level to the south west (rear) elevation would allow some views towards the neighbouring property at No.147 Lower Blandford Road. However, any overlooking that may occur would not be materially greater than that which has been previously accepted and due to the retained separation distance of approximately 25 metres and the partial tree screening it cannot be concluded that this would give rise to a material loss of privacy to the occupants of that neighbouring property. Whilst the current proposal also includes the enlargement of the second floor window to the communal kitchen on the south east (side) elevation in comparison to that of the previously approved schemes, given that it is proposed to be obscure glazed it would not lead to any material harmful overlooking towards the neighbouring property at No.147c Lower Blandford Road. The obscure glazing of this window can be reasonably secured by condition (#4).
95. In addition to the alterations to the fenestration arrangements compared to the previously approved schemes, discussed above, consideration should also be given to the fact that the current proposal seeks planning permission for a 15-bed HMO and therefore the internal layout and nature of use of some of the habitable rooms is now different and may give rise to a different relationship to the neighbouring properties than previously approved. In this regard, it is evident that windows to open plan living, kitchen and dining areas at the ground and first floor levels to the north west (side) and south west (rear) elevations to the scheme for the approved block of flats would now serve Bedrooms 3 and 9 (and their en-suite shower rooms) to the north west elevation and Bedrooms 4 and 10 to the south west elevation respectively as part of the current proposal.
96. It is accepted that bedrooms in an HMO are likely to be used more intensively than those in a dwelling due to the lack of other sizeable rooms for day-to-day activities and the lack of privacy that those shared spaces would provide. However, despite this, given that the windows referred to above would previously have served principal habitable accommodation in the form of open plan living, kitchen and dining rooms as part of the approved block of flats, it is not considered that the change in the nature of use of the rooms served by those windows as part of the current proposal would give rise to a materially more intensive level of use that in turn would give rise to materially greater levels of overlooking towards the neighbouring properties.
97. It is also acknowledged that a number of rooms that were proposed to be used as bedrooms within the approved block of flats are still proposed to be used as bedrooms within this current proposal for an HMO. However, in determining an appeal at 67 Kingland Road for alterations, extensions and the change of use of the property from a dwelling to an 11 bedroom HMO (LPA Ref: APP/19/00714/F), the Planning Inspector whilst accepting that bedrooms in an HMO are likely to be used more intensively than those in a dwelling stated in response to the issue of overlooking that "Whilst it would not be possible to control the internal arrangement of a room in an HMO and occupants may place their sitting areas close to the window, there is equally no control over the way that rooms in a conventionally occupied dwelling are used". As such, he concluded that there was no substantive evidence, therefore, that the use of the property as an HMO would result in significantly less privacy to the neighbouring properties. This line of argument is

equally applicable to this current proposal and in conjunction with the separation distances that would be retained to the neighbouring properties it is considered that the current proposal would be acceptable in terms of the effect on the privacy and living conditions of the occupants of the neighbouring properties. The windows to the front (north east) elevation of the proposed flats would simply allow views overlooking the public realm of Lower Blandford Road, albeit that these views would be filtered by the adjacent trees, and would be sufficiently distanced from those properties on the opposite side of the road that they would not cause any material harm due to overlooking.

98. As stated above, concerns have also been raised to the proposal that HMO's can lead to issues with regards to noise and disturbance, anti-social behaviour and a perception of crime. However, these concerns could arise from any development and there is no substantive evidence that the level of occupancy and intensity of use of the site proposed by this application would cause materially greater harm to neighbouring residents in terms of noise and disturbance, including at anti-social hours, when compared to the previously approved development for a block of 5 flats.
99. With regards to the living conditions of the potential future residents of the proposed HMO, all of the proposed 15 rooms would have their own en-suite shower rooms with generous sized communal living, kitchen and dining facilities on each floor. This arrangement and level of accommodation can be considered towards the higher end of specification that is typical for an HMO and would provide an acceptable level of amenity. Whilst it is accepted that the communal areas would not afford the future occupants of the proposed HMO the same degree of privacy as a living, kitchen and dining area would do within a dwelling and may therefore be used for more transitory periods, the provision of these communal facilities is nevertheless considered to be particularly beneficial as it would afford the future occupants with some additional internal amenity space and opportunity for social interaction that is important for mental well-being. In addition, it is also evident that all of the bedrooms and the communal living, kitchen and dining areas would benefit from natural sunlight/daylight and provide a natural outlook. The proposal would also provide external amenity space that would be large enough to be used for some casual sitting out if desired and given the close proximity of nearby public open space at Pocket Park and Broadstone Recreation Ground there is no reason to conclude that it would not meet the needs of future occupants. The proposed development would therefore provide acceptable internal and external living standards for future occupants.
100. Having regard to the above, it is therefore considered that the proposal is acceptable in terms of its effects on the living conditions of both the existing residents of the neighbouring properties and the future occupiers of the proposed development and site. Therefore, there would be no conflict with Policy PP27 of the Poole Local Plan, Policy BP4 of the Broadstone Neighbourhood Plan or those parts of the NPPF that seek to ensure that a good standard of amenity is provided for existing and future residents.

Highway and Parking Issues

101. With regards to highway and parking issues, the previously approved scheme for the erection of a block of flats (APP/18/01375/F) included the formation of a new vehicular access to the site that would be positioned towards the south eastern end of the site frontage to Lower Blandford Road. This current proposal also includes the formation of a new vehicular access in that same position. The proposed vehicular access would be of a sufficient width at the site entrance to allow two-way traffic flows, which importantly would

enable a vehicle to enter the site and to safely pass an oncoming vehicle exiting the site without having to wait or reverse back on to the carriageway of Lower Blandford Road given that it is a busy classified road. The internal access road within the site would also be of a minimum width of 3.25 metres along its length to allow vehicles and pedestrians to pass safely, whilst a passing bay is also proposed midway along its length to allow vehicles to pass each other safely. A scheme of lighting, such as low-level bollard lighting, along the access driveway and to the parking areas would be required to aid pedestrian movements, particularly to and from the parking spaces located at the north western end of the site. The provision of such a lighting scheme can be secured by condition (#12).

102. The proposal also includes the provision of adequate pedestrian visibility splays at the site entrance which can be secured by condition (#11). Whilst concerns have been raised that the proposed vehicular access would require vehicles entering and exiting the site crossing the pavement and cycle path in a location where there are already numerous vehicular accesses there is no substantive evidence to suggest that the proposed vehicular access would create greater risk to highway and pedestrian safety than these existing vehicular accesses. In addition, it is clear that additional visibility could be achieved across the adjacent area of highway verge (which it is in the Council's powers to maintain) and footway along Lower Blandford Road which is also a straight road. As such, the proposal would include adequate access arrangements at the site entrance and along the length of the internal access driveway and would ensure that adequate vehicular and pedestrian visibility is achieved at the site entrance so that the proposal would not result in detriment to highway and pedestrian safety.
103. Objection has also been received to the proposed development on the basis that it would create an additional vehicular access and generate additional traffic movements onto Lower Blandford Road that is already busy and where there are already a number of access points over a short distance which could lead to the potential for increased accidents. In response to the previous application, the Council's Transportation Officer advised that despite the fact that there are numerous vehicular accesses along Lower Blandford Road, there have not been a significant number or disproportionate number of incidents along Lower Blandford Road between its' junctions with Ridgeway and Barn Road. The biggest concentrations of incidents being located along Broadstone High Street and at the junction with Ridgeway where there are greater concentrations of vehicle and pedestrian movements, vehicle queueing and pedestrians crossing the road. As a result, the Transportation Officer previously advised that the accident data does not show that the proposed vehicular access would result in severe highway safety dangers in the immediate vicinity of the site to warrant refusal of the application. This remains the case and the Council's Transportation Officer has not raised any concerns regarding the number of traffic movements onto and off Lower Blandford Road that would be generated by this current proposal in terms of their impact on highway and pedestrian safety.
104. In terms of parking provision, the proposal includes the provision of a total of 6 on-site parking spaces with 5 of those parking spaces located towards the north western end of the site and a further space sited immediately to the front of the building that could constitute a disabled appropriate parking space. Despite objections to the proposal on the grounds that there is inadequate parking provision to serve the development that could result in on-street parking that in turn would exacerbate congestion in the surrounding roads, this level of on-site parking provision would far exceed the requirements of the current parking standards set out in the Parking Standards SPD (adopted January 2021) that has come into force since the submission of this application. In this regard, in

accordance with the current adopted parking standards, the proposed development would require the provision of only 1 on-site parking space. Having regard to the more stringent parking standards set out in the now superseded Parking and Highway Layout in Development SPD that was in force at the time of submission of this application, it is also evident that the provision of 6 on-site parking would also accord with that standard (a total of 4 parking spaces – 1 car parking space per 4 occupants). However, to ensure that the parking spaces are available for all residents and visitors of the proposed HMO, it has been advised that they should be provided on an unallocated basis at all times with no parking spaces allocated to any individual resident or residential unit and no parking barriers erected to restrict access to the car parking areas or individual parking bays. This can be secured by condition (#9).

105. Whilst some of the gradients within the parking areas and along the access driveway are steeper than is ideal, this would be no different than previously approved by planning permission APP/18/01375/F. In approving that application, the Transportation Officer advised that residents would become familiar with the gradients and that they would not be so significant as to cause any severe highway safety issues or to render the parking spaces unusable. There is no justifiable reason to now reach a different conclusion in this respect. In addition, vehicles would be able to turn within the site so that they could enter and exit the site in a forward gear. As such, the vehicular access arrangements and parking layout are considered to be acceptable and the Council's Transportation Officer supports the proposed development.
106. The Council's Parking Standards SPD (January 2021) also sets out the requirement for the provision of charging points for electric vehicles in all new developments in order to future proof development ahead of the expected transition to electric vehicles. In accordance with the Council's Parking Standards SPD (January 2021) the provision of at least 2 "active" EV charging point would be required with the remaining parking spaces having passive charging facilities. "Active" and "passive" provision of EV charging points is defined within the Parking Standards SPD (page 23). The required provision of the EV charging points can be secured by condition (#10).
107. With regards to cycle parking provision, the Council's new Parking Standards SPD (January 2021) requires that cycle parking and cycle access should be a component of all new development and in respect of large-scale HMO's (more than 6 people) the required level of provision would be 1 secure and covered cycle space per bedroom and 0.1 cycle space per unit for visitor cycle parking provision. In accordance with the standards set out in the now superseded Parking and Highway Layout in Development SPD there would have been a requirement for the provision of 1 secure and sheltered cycle space per occupant. In this instance, the proposed development includes the provision of a secure cycle store that would accommodate a total of 15 cycle parking spaces whilst a further Sheffield cycle stand located adjacent to the entrance of the proposed building would provide a further 2 cycle parking spaces for visitors. This level of on-site cycle parking provision would therefore be sufficient to meet the needs of the proposed development in accordance with the requirements of both the former and current Parking Standard SPDs and can be secured by condition (#13).
108. In so far as travel is concerned, the application site is located within easy walking and cycling distance of the Broadstone District Centre that provides convenience stores, retail shops, cafes, restaurants, leisure and entertainment uses, employment uses and other services to meet daily needs and is directly linked by lit pavements and roads to it. The

site is also located within close proximity to bus stops with services running in both directions along Lower Blandford Road and connecting to both Poole Town Centre and Wimborne. The proposal also includes the provision of cycle storage within the site that would help to enable the potential future occupiers of the proposed HMO to travel by a more sustainable mode of transport than the private car. Given these factors, it is considered that the proposed development is acceptable with regards to accessibility.

109. Given the above considerations, the transport/highway needs of the proposed development would therefore be met in accordance with Policies PP27, PP34 and PP35 of the Poole Local Plan.

Impact on Protected Trees

110. The application site contains a large number of mature trees of mixed species that are protected by a Tree Preservation Order (TPO No. 7/2000 (G7) – group order) and the variation order dated 15/11/2000. These trees provide a high level of amenity value and contribute significantly towards the sylvan character of the site and to this part of the street scene of Lower Blandford Road and the wider surrounding area.
111. Policy PP27 (c) of the Poole Local Plan seeks to ensure that development responds to natural features on the site and does not result in the loss of trees that make a significant contribution to the local character and local climate of the area. This policy is in line with the NPPF, which has been updated since the previous approval of planning permission, and now states at paragraph 131 that “Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure...that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible”.
112. The application has been supported by an Arboricultural Method Statement which identifies that 6 trees (T8 and T16-T20 inclusive) would need to be removed to facilitate the proposed development and/or due to their condition. However, with the exception of T8 (Horse Chestnut), it has previously been determined that the trees to be removed are not sufficiently important in terms of their individual quality or amenity value and no objection has been raised to their removal in relation to previous schemes. There is no justifiable reason to now reach a different conclusion in the assessment of this current application.
113. In addition, as was the case in the determination of previous applications, there is no arboricultural objection to the proposal to also remove T8 (Horse Chestnut) to accommodate the parking and turning area at the north western end of the site as its loss would not result in a significant loss of amenity value given the extent of tree cover that exists in the northern corner of the site. The planting of replacement trees of suitable species to compensate for the loss of those trees to be removed that would supplement the retained trees within the site and provide future tree cover and amenity contribution to the proposed development and the wider surrounding area can be secured by condition (#19). As a result, the loss of the trees that are proposed to be removed would not be detrimental to the wooded character and appearance of the site and the contribution that it makes to the street scene of Lower Blandford Road and wider surrounding area.
114. As with the previously approved schemes (APP/17/00566/F and APP/18/01357/F), the

current proposal also requires the reduction of the canopies of T25 (Sweet Chestnut) and T34 (Oak) to provide a reasonable separation distance and clearance to the proposed building and to allow space for scaffold access during the construction works. However, the extent of pruning work that is proposed would be the same as that previously consented by those previous approvals and which it was concluded would not unduly harm the long-term health, form and condition of those trees. Therefore, there is no arboricultural objection to these proposed works.

115. The submitted Arboricultural Method Statement also identifies potential tree sensitive operations that could have an adverse impact on those trees that are to be retained and sets out the mitigation and tree protection measures that would need to be implemented to ensure that there would not be any unacceptable harm arising from the construction works. In this regard, the submitted report identifies that special foundations would need to be used to ensure that any potential impact on retained trees is kept to an acceptable minimum. Whilst no specific details of the proposed foundation design have been submitted, in principle, it is accepted that a suitable foundation design can be achieved. For example, the use of a pile foundation and voided slab system has previously been agreed in relation to earlier permissions. The details of the foundation design and implementation can therefore be reasonably secured by condition (#16).
116. In addition, the submitted Arboricultural Method Statement identifies that following exploratory investigations that were undertaken in accordance with an agreed protocol it has been established that there are no significant roots in the location of the proposed new vehicular access to the depth of excavation that would be required and therefore the construction of the access would not result in any unacceptable harm to the retained trees. The report also highlights that the internal access road and parking spaces would need to be constructed using an elevated 'no-dig' specification, with permeable surfacing, to avoid causing damage to the root systems of those trees that are to be retained.
117. The proposed bin and cycle stores would also be located within the root protection areas (RPA's) of T21, T22, T35 and T36, however they would be low impact timber framed structures that would not require conventional strip foundations but would comprise an above ground construction with wooden supporting posts set in holes dug by hand using hand tools. A void underneath the above ground construction surfacing that the cycle store would be sat on would allow rainwater to be diverted underneath the void for the purposes of soil amelioration and promotion of rooting activity. Whilst the proposed attenuation tank for the surface water run-off from the proposed building would be located in close proximity to the RPA's of a number of important trees that are to be retained it would nevertheless be located outside of their RPA and is proposed to link into the existing public storm water sewer. The submitted AMS identifies that any surface water drainage infrastructure connecting from the proposed building to the attenuation tank and then from it to the existing public storm water sewer, as well as any foul drainage infrastructure, gas, water and electrical services, that is required to be sited within the RPA's of retained trees would be carried out in accordance with accepted principles for the installation or management of such services (as recommended in NJUG Publication: Volume 4: Issue 2: 16/11/2007: Guidelines for the planning, installation and maintenance of utility apparatus in proximity to trees (National Joint Utilities Group 2007)) which includes hand digging and auger boring.
118. Subject to the implementation of the identified mitigation and tree protection measures, which can be secured by condition (#15), the submitted Arboricultural Method Statement

adequately demonstrates that the proposed development can be achieved without detriment to the important trees that are to be retained within, and adjacent to, the site. The Council's Arboricultural Officer has therefore advised that the proposed development can be implemented without causing any long-term detrimental impact on tree health and therefore local character.

119. With regards to the future tree-building relationship, as previously stated, the proposed HMO that is the subject of this current application would be of the same scale, bulk and massing; of the same size of footprint; and would be positioned on the same siting as the block of flats previously approved by planning permission APP/18/01375/F. As a result, the physical relationship of the proposed building to the adjacent trees that are to be retained would not be altered from that previous scheme. In approving that previous scheme, it was concluded that it would not give rise to unacceptable indirect impacts due to associated pressures from the future tree-building relationship and living in close proximity to trees on the site that would warrant refusal.
120. The current proposal, however, is now for the erection of a 15-bed HMO rather than a block of 5 flats and as identified above it is accepted that bedrooms in an HMO are likely to be used more intensively than those in a dwelling/flat (see residential amenity section above). It is therefore appropriate to consider whether this change in the nature and use of the proposed residential accommodation would give rise to greater potential pressure for the pruning and/or felling of the trees to be retained. In considering this issue, the Council's Arboricultural Officer has advised that the introduction of residential accommodation into this site could foreseeably create pressures to prune or fell some of the existing trees that are to be retained, but having regard to the current proposals they do not represent any additional potential pressures on the existing trees for pruning works and/or felling than previously determined to be acceptable and that could not be reasonably resisted where they are unacceptable in the event of a future tree works application being submitted.
121. The proposed development would therefore accord with the provisions of Policy PP27 (c) of the Poole Local Plan and the NPPF that seek to ensure that development responds to natural features on the site and does not result in the loss of trees that make a significant contribution to the local character and local climate of the area.

Flood Risk and Surface Water Drainage

122. With regards to surface water drainage, in relation to small scale developments, such as that proposed by this current application, Policy PP38 of the Poole Local Plan simply states that advice for Sustainable Drainage Systems in relation to such developments will be provided by a Supplementary Planning Document. However, this has not currently been produced. Nevertheless, the supporting text to Policy PP38 states at paragraph 11.22 that "SuDS are used to reduce the risk of flooding from surface water run-off resulting from heavy or sustained rainfall and can take numerous forms. In an urban area like Poole the majority of SuDS, particularly on smaller developments, will take the form of soakaways or permeable paving". This is reflective of the Government's guidance set out in the NPPG which states that "Local authorities and developers should seek opportunities to reduce the overall level of flood risk in the area and beyond. This can be achieved for instance through...the appropriate application of sustainable drainage systems" which are "designed to control surface water run off close to where it falls and mimic natural drainage as closely as possible".

123. In this instance, the site is located within Flood Zone 1 (low risk of flooding) and despite concerns being raised by residents that the area is prone to flash flooding during periods of heavy rainfall which could be exacerbated by the proposed development the site is not identified as being at risk of surface water flooding. However, the site is identified as being located within an area where soakaways are only potentially viable given that the soil and ground conditions in this area are very variable.
124. In support of the proposed development, and in line with current best practice and the Government's planning policy and guidance set out in the NPPF and the NPPG, the applicant has sought to prioritise the use of sustainable drainage systems in accordance with the SuDS hierarchy to dispose of surface water run-off within the site. In this regard, the submitted Drainage Strategy and Maintenance Report and Drainage Layout Plan identify that surface water run-off from the internal access road and parking areas within the site will be discharged into the ground via permeable paving that will include water quality mitigation measures. In this regard, given that the access road and parking areas would need to be constructed using a "no-dig" specification, it is proposed that the use of a cellweb geotextile product with perforated walls when combined with the infill of clean angular stone would enable the free movement of water. This would also allow the movement of oxygen and would ensure that nutrient supplies to the rooting systems of the adjacent trees are maintained. As identified above, the implementation of a "no-dig" specification construction to the access road and parking areas can be secured by condition requiring the implementation of the identified mitigation and tree protection measures as set out in the submitted Arboricultural Method Statement (#15).
125. The disposal of surface water (rainwater) run-off from the roof of the proposed building through the use of sustainable drainage systems, however, has proven to be more problematic to achieve due to the constraints of the site. In line with the SuDS hierarchy, the applicant has considered the use of on-site soakaways as the primary source of dealing with the surface water run-off generated by the proposed development. However, due to the number of existing trees that are to be retained within the site and the extent of their RPA's, the use of large scale soakaways has had to be discounted primarily due to the potential detrimental impact on the retained trees and their root systems associated with the required excavation to install them. In addition, whilst there is an area to the south eastern side of the proposed building where a large scale soakaway could be sited outside of the RPA's of the trees that are to be retained, given the topography of the site and the fact that it is sat at a higher level than the adjacent residential property at No.147c Lower Blandford Road it is considered that the installation of a soakaway and introduction of a concentrated surface water source to the ground in that location could cause potential flooding/waterlogging issues to the residential curtilage of that neighbouring property.
126. The applicant has also considered the disposal of surface water run-off from the proposed building via swales within the rear garden area that would provide a drainage path to a shallow SuDS infiltration system located to the south western side of the building. Whilst the use of this form of SuDS would allow the surface water to infiltrate into the ground and dissipate over a large area (i.e. the length of the swales) so that it is not concentrated in one area like a soakaway, there were still concerns that the location of the infiltration system adjacent to the boundary with No.147c Lower Blandford Road could adversely affect that neighbouring property in terms of flooding/waterlogging. Of further concern, however, was the fact that the proposed swales would require excavation to take place within the RPA's of the trees to be retained in order to form the swales in the first instance.

127. As a result of the concerns relating to these surface water drainage proposals due to the constraints of the site, it is not considered that the discharge of surface water via to the ground (infiltration) or to a surface water body is feasible. The submitted Drainage Strategy and Drainage Layout Plan therefore proposes that the surface water run-off from the roof of the proposed building would be directed to a shallow attenuation tank that would be located to the south western side of the proposed building and that has been designed for a 1 in 100 year event plus 40% for climate change. In turn, surface water would be discharged at a controlled rate (1.4 litres per second) from the attenuation tank to the public surface water sewer that is located adjacent to the site along Lower Blandford Road. Whilst this means of surface water disposal is a lower preference on the SuDS hierarchy, having regard to the constraints of the site, it is nevertheless considered that it represents an acceptable solution in this instance. The surface water drainage proposals have been assessed by the Council's Drainage Engineer who has also advised that given the site circumstances this represents an appropriate solution. The surface water drainage scheme and maintenance/monitoring requirements, in accordance with the details set out in the submitted Drainage Strategy and Maintenance Report and as shown on the Drainage Layout Plan can be secured by condition (#20).

Refuse and Recycling Provision

128. With regards to refuse and recycling provision, Policy PP27 (g) of the Poole Local Plan states that, amongst other criteria, development must provide convenient waste and recycling arrangements in accordance with the relevant standards.
129. The Council's Environmental Services (Waste Management) have advised that in respect of small-scale HMO's the standard arrangement is to offer a standard allocation of household bins (1x240 litre for recycling and 1x180 litre for refuse) but where the HMO has 6 or more permanent residents then an additional recycling and refuse bin would be offered. However, it is recognised that where there are more residents that level of allocation may not be sufficient but any further capacity would have to be provided via a commercial waste arrangement/contract which could be provided through BCP Council's commercial waste team or a private waste collection company.
130. In this instance, the application proposes to provide 2x1100 litre bins (one for recycling and one for refuse) that will ensure significantly greater refuse and recycling capacity to meet the needs of the future occupants of the proposed HMO than would be provided through the standard allocation. However, as stated, this would require the provision of a commercial waste arrangement/contract to be put in place. A condition requiring the submission of a Refuse/Recycling Management Plan to include details of the commercial waste arrangement/contract to be submitted prior to the first occupation of any of the bedrooms of the proposed HMO can be secured (#22).
131. The proposal includes the provision of an enclosed bin store that would be of a sufficient size to accommodate the proposed number and size of bins (i.e. 2x1100 litre bins). Whilst the bin store is located back into the site from its frontage to Lower Blandford Road, due to the constraints posed the trees that are to be retained and to minimise its visual impact to the street scene, as part of a commercial waste arrangement/contract the collection crew would wheel the bins from the bin store to the stopping point of the refuse vehicle which is most likely to be on Lower Blandford Road. Concern has been raised that a refuse vehicle waiting on Lower Blandford Road whilst the property is being serviced would cause

potential delays on the highway and the blockage of a cycle lane. However, the time associated with the collection of the refuse and recycle bins, that is likely to be limited to once or twice a week, would not lead to such significant congestion or highway safety issues as to warrant refusal of the proposal. Furthermore, such an arrangement would have no significantly greater impact than the weekly refuse/recollection service which operates for the existing residential properties along Lower Blandford Road where the refuse collection vehicle waits on the highway at various intervals whilst the bins are emptied.

132. Subject to the imposition of an appropriate condition to secure that a commercial waste collection arrangement/contract is put in place, the Council's Environmental Services (Waste Management) has confirmed that the refuse and recycle arrangements and provision to serve the proposed development are acceptable and that there is no objection to this application. The proposal would therefore comply with the relevant provisions of Policy PP27 of the Poole Local Plan.

Ecological and Biodiversity Issues

133. The presence of a protected species is a material consideration when determining a planning application that, if carried out, would be likely to result in harm to a protected species or its habitat. Government Circular 06/2005 'Biodiversity and Geological Conservation' states at paragraph 99 that "It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision".
134. National Planning Practice Guidance (Natural Environment - para 10 – 35) outlines the LPA's responsibilities regarding protected and priority species and habitats; the need for the 'proportionate' information and assessment required on biodiversity impacts at all stages of development; regard to local ecology networks and nature recovery networks; application of mitigation hierarchy, net gain metrics, and promotion of woodlands.
135. Furthermore, Policy PP33 of the Poole Local Plan clearly advises that proposals that affect biodiversity, and any sites containing species and habitats of local importance, must
 - (a) demonstrate how any features of nature conservation and biodiversity interest are to be protected and managed to prevent any adverse impact;
 - (b) incorporate measures to avoid, reduce or mitigate disturbance of sensitive wildlife habitats throughout the lifetime of the development; and
 - (c) seek opportunities to enhance biodiversity through the restoration, improvement or creation of habitats and/or ecological networks.
136. Policy PP33 further goes on to state that new development should seek to incorporate ecologically sensitive design features to secure a net gain in biodiversity as appropriate. This policy is in line with the approach set out in paragraphs 179 and 180 of the NPPF.
137. The application has been supported by an Ecology Report that sets out the results of site surveys that have been undertaken to establish whether there is a presence of protected species on the site. This report identifies that whilst there are holes present in the bank adjacent to Lower Blandford Road, following a badger survey of the site using camera traps, no signs of badgers using the site (i.e. no latrines, badger hairs on fences or bushes, signs of digging for food, large spoil heaps outside sett entrances etc) were

found, whilst the camera traps showed that the holes were being used by foxes and not badgers. The submitted report also highlights that the site is used by four species of bats at night to forage although none of the trees on site had characteristic features that offer suitable opportunities for bats to roost, whilst it also highlights that there is scrub on the site that provides suitable habitat for nesting birds. In addition, it also states that the site is considered likely to have slow worms present.

138. Given the findings from the site surveys, the report sets out mitigation and enhancement measures that would need to be implemented in order to ensure that the proposed development would not result in any adverse impacts and secures a net gain for biodiversity. In particular, this identifies that the existing fox holes on the site would need to be closed up humanely prior to the commencement of any development to encourage the foxes to move off the site. In addition, the report also states that a reptile survey would need to be undertaken to identify if slow worms are present on the site and, if so, to provide a scheme of mitigation that would include their translocation to a receptor site. It is not clear whether such a survey has been undertaken, although no details have been submitted in support of the application if this is the case, and therefore it would be necessary to impose a condition (#24) requiring such a survey to be undertaken and the submission of a report of the findings. In the event that they are found to be present on the site, this must also incorporate a suitable scheme of mitigation to include the methodology for the capture, protection and relocation of slow worms; the details of the proposed receptor site and agreement with the landowner and details of the proposed future management and maintenance of the site. Furthermore, the submitted Ecology Report identifies mitigation measures relating to the clearance of vegetation and the provision of lighting within the site that would need to be implemented to ensure that nesting birds are not harmed and to allow bats to continue foraging without light spillage affecting them.
139. In terms of biodiversity enhancement, in accordance with the requirements of the NPPF for development to deliver a biodiversity net gain on site, the submitted Ecology report identifies that there are opportunities for the provision of enhancement measures including the provision of:
- 3 bat tubes built into the south eastern elevation of the building;
 - 2 Schwegler 1FF bat boxes installed in two of the trees on the boundary of the site;
 - 2 swift boxes built into the north eastern elevation of the building;
 - 4 Schwegler bird boxes installed around the site; and
 - 5 insect houses built into the north eastern elevation of the building to provide a range of new suitable habitats for a variety of insects/invertebrates.
140. The implementation of the mitigation and biodiversity enhancement measures outlined in the submitted Ecology Report can be secured by condition (#23) and the Council's Biodiversity Officer supports the proposal subject to such a condition. It is therefore considered that the proposal would not cause any adverse harm to protected species or their habitat and would deliver biodiversity enhancement in accordance with the provisions of Policy PP33 of the Poole Local Plan, Policy BP3 of the Broadstone Neighbourhood Plan and the provisions of section 15 of the NPPF that relates to conserving and enhancing the natural environment.

Sustainability Issues

141. Being a new build development, it would be readily possible to deliver an energy efficient

and sustainable development in accordance with the requirements of the latest Building Regulations. The applicant has acknowledged the requirement for the proposed development to incorporate a proportion of future energy use from renewable energy sources in the submitted Energy and Resources Statement, but no details have been provided as to how it is anticipated that 10% of the predicted energy usage of the proposed development could be achieved through the use of renewable energy sources in accordance with Policy PP37 of the Poole Local Plan.

142. In the absence of any firm commitment to the provision of renewable energy sources to meet this requirement, it is appropriate to impose a condition (#5) to secure details of the measures that are to be implemented to achieve 10% of the energy needs of the proposed development through renewable energy sources to ensure compliance with the requirements of Policy PP37 of the Poole Local Plan.
143. In addition to the above, as a multi-occupancy domestic building which includes uses such as care homes and student halls of residence as well as HMO's, the proposed development also constitutes a commercial development in accordance with Policy PP37 of the Poole Local Plan. As such, it is also expected that the proposed development would meet a 'Very Good' BREEAM rating. Again, no details have been provided in support of the application as to how the proposed development would meet this requirement and therefore it is appropriate to impose a condition (#6) stipulating that the proposal must achieve a BREEAM 'Very Good' rating.

Other Considerations

144. All adjacent landowners were notified in writing of the application as originally submitted and also as part of a re-consultation process following the receipt of amended plans and were invited to comment on the merits of the proposal. No impediments known to the Local Planning Authority were in place to prevent the neighbours or members of the public from the consultation process. This is wholly in accordance with the Council's adopted notification procedure.

Section 106 Agreement/CIL Compliance

Contributions Required			Dorset Heathland SAMM	Poole Harbour Recreation SAMM
Flats	Existing	0	@ £271	@ £97
	Proposed	15		
	Net Increase	15	£4,065	£1,455
Total Contributions			£4,065	£1,455

		(plus admin fee of £203)	(plus admin fee of £73)
CIL	Zone C	@ £115m ²	

145. 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.
146. 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
147. 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.
148. The applicant has already entered into the necessary arrangements with the Council and paid the relevant contributions towards Dorset Heathlands and Poole Harbour Recreation SAMM.

Planning Balance

149. Given the shortfall of number of homes delivered in the former Borough of Poole 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.
150. It is recognised that as the site is not designated and does not engage any of the policies relating to protected areas and assets as set out in footnote 7 of paragraph 11 of the NPPF that provide a clear reason for the refusal of this application, the presumption in favour of sustainable development is engaged and the 'tilted balance' needs to be applied. The tilted balance approach therefore forms a material consideration in this case.
151. The Council encourages sustainable development. This seeks to strike a balance between the economic and social benefits derived from the delivering of much needed new housing with any potential environmental impacts that result from the residential development of the application site and potential impact on residential amenities.
152. The proposed development would contribute towards the Council's delivery target for the supply of new housing during the Plan period, delivering social benefits through the

provision of 15 additional units of residential accommodation on site that are likely to provide a more affordable type of housing and provide greater choice to meet the needs of those people who might otherwise be unable to afford to rent or purchase a flat or house. The proposal would also contribute towards the provision of a flexible and balanced housing stock and achieving a sustainable community with a balanced demographic in accordance with the objectives of the Broadstone Neighbourhood Plan.

153. In addition, the proposal would also deliver environmental benefits of making an efficient use of the site in a sustainable urban area and within easy walking and cycling distance to the services and facilities within the Broadstone District Centre and public transport routes that would reduce reliance on the private car in accordance with the objectives of Policies PP2, PP34 and PP35. Furthermore, it would also provide minor economic benefits both during construction and in the future. These factors carry weight in favour of the proposed development.
154. The proposal would inevitably alter the character and appearance of the site and its' relationship to the neighbouring properties, however the design approach is of a high quality and therefore it does so in a manner that respects the context and characteristics of the surrounding built form and the prevailing character and layout of the surrounding development in the area, whilst also preserving neighbouring amenity and privacy.
155. Despite concerns from local residents that the proposed HMO could lead to issues of noise and disturbance, a perception of crime and anti-social behaviour, there is no substantive evidence that a development of this nature and associated level of occupancy would automatically give rise to such issues or that it would lead to an over-intensive use of the site that would be harmful to the character of the area or neighbouring amenity.
156. The proposed bedrooms within the HMO would all have their own en-suite shower rooms and benefit from acceptable levels of natural sunlight/daylight and allow a natural outlook, whilst generous sized shared communal living, kitchen and dining areas would be provided on each floor level. This arrangement and level of accommodation can be considered towards the higher end of specification that is typical for an HMO, whilst sufficient external amenity space would also be provided to meet the needs of the future occupants. As such, the proposal would provide acceptable living conditions for the future occupants.
157. The proposed development would also provide acceptable levels of on-site vehicle and cycle parking in accordance with the Council's adopted parking standards; suitable on-site refuse and recycling waste storage and the acceptable provision of waste collection arrangements (subject to condition); an appropriate solution for the disposal of surface water run-off from the building and areas of hard surfacing to ensure that there would be no risk of flooding elsewhere as a result of the proposal (subject to condition); and would also deliver the provision of renewable energy sources to meet an appropriate proportion of the predicted energy consumption of the proposed development that would contribute to tackling climate change (subject to condition).
158. Whilst the proposal would result in the loss of 6 trees to facilitate the proposed development, the loss of these trees has previously been accepted by earlier approvals of planning permission and can be overcome by the provision of replacement tree planting (Condition 19). Whilst the proposal could potentially have an adverse impact on those trees that are to be retained, subject to the implementation of the identified mitigation and

tree protection measures, that can be secured by condition, it has been demonstrated that the proposed development can be achieved without causing any detrimental impact to the long-term health of the important and protected trees.

159. In addition, the proposal would have an impact on the protected habitat and ecological features of the site but, having regard to all material planning considerations, including the previous approvals for the development of the site, and taking into account the ability to mitigate any impact through appropriate conditions, on balance, it is not considered that this impact would be materially harmful.
160. In summary, having recognised the collective benefits of the proposed scheme and having regard to the tilted balance and presumption in favour of sustainable development, it is concluded that the proposals would achieve the economic, environmental and social objectives of sustainable development, in compliance with the adopted policies of the Development Plan as a whole and the relevant provisions of the NPPF, and should therefore be recommended for approval.

Background Documents:

161. Case File ref: APP/17/00566/F and APP/18/01375/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.

RECOMMENDATION

162. It is therefore recommended that this application be **Grant With Conditions**

1. GN150 (Time Expiry 3 Years (Standard))

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

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

2. PL01 (Plans Listing)

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

Location Plan (Drawing No. 1640 50) – Received 15 May 2020;
Proposed Block Plan (Drawing No. 1640 51) – Received 15 May 2020;
Proposed Site Plan (Drawing No. 1640 52D) – Received 07 September 2021;
Proposed Ground Floor Plan (Drawing No. 1640 53) – Received 05 January 2022;
Proposed First Floor Plan (Drawing No. 1640 54) – Received 15 May 2020;
Proposed Second Floor Plan (Drawing No. 1640 55C) – Received 13 December 2021;
Proposed Front (North East) Elevation (Drawing No. 1640 56) – Received 15 May 2020;
Proposed Side (South East) Elevation (Drawing No. 1640 57C) – Received 04 January 2022;
Proposed Side (North West) Elevation (Drawing No. 1640 58B) – Received 10 December 2021;
Proposed Rear (South West) Elevation (Drawing No. 1640 59C) – Received 13 December 2021;

Proposed Parking Sections A-A and B-B (Drawing No. 1640 60) – Received 15 May 2020;
Proposed Parking Sections C-C and D-D (Drawing No. 1640 62) – Received 15 May 2020;
Proposed Parking Sections E-E and F-F (Drawing No. 1640 62) – Received 15 May 2020;
Proposed Bike and Bin Store Elevations and Plan (Drawing No. 1640 63C) – Received 06 September 2021;
Tree Protection Plan for Arboricultural Method Statement (Drawing No. Plan AC01) – Received 05 January 2022;
Arboricultural Method Statement (Ref: D2034AMSB) dated 27 August 2021 and amended 9 December 2021 and prepared by Alderwood Consulting Limited – Received 05 January 2022;
Drainage Strategy Statement (Ref: 1680w0001/OG_P2) dated 19 August 2021 and prepared by JRC Consulting Engineers Ltd – Received 06 September 2021;
Drainage Layout (Drawing No. 0500 Rev P3) – Received 06 September 2021;
Impermeable Area Plan (Drawing No. 0120 Rev P1) – Received 18 May 2021; and
Ecology Report Version No.5 dated 6 July 2020 and prepared by KP Ecology – Received 06 July 2020.

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

3. GN030 (Samples of Materials)

The materials and finishes to be employed on the external faces of the house in multiple occupation, hereby approved, shall be as per those specified on the approved plans and as stated on the application form.

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

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

Both in the first instance and upon all subsequent occasions, the second floor window to the communal kitchen on the south east (side) elevation of the house in multiple occupation hereby approved and annotated as 'OG' on the approved plans shall be glazed with obscure 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. The obscure glazing shall be installed prior to the first occupation of any of the bedrooms of the house in multiple occupation, hereby permitted, and shall thereafter be retained as such at all times.

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

5. GN162 (Renewable Energy - Residential)

Prior to the commencement of any construction works above the ground floor slab level of the house in multiple occupation, hereby approved, details of the measures to be implemented to meet a minimum of 10% of the predicted future energy use of the development from the use of on-site renewable energy sources, shall be submitted to, and approved in writing by, the Local Planning Authority. These measures must subsequently be implemented in accordance with the approved details and made available for use prior to the first occupation of any of the bedrooms of the house in multiple occupation, hereby permitted, and shall thereafter be maintained in full working condition at all times and retained.

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).

6. AA001 (Non-Standard Condition)

The house in multiple occupation, hereby permitted, shall achieve a minimum BREEAM 'Very Good' rating (or equivalent standard). Prior to first occupation of any of the bedrooms of the house in multiple occupation, hereby permitted, the Post-Construction Review Certificate shall be submitted to, and approved in writing by, the Local Planning Authority verifying that the required BREEAM rating has been met.

Reason: In the interests of delivering a sustainable and energy efficient scheme and in accordance with Policy PP37 of the Poole Local Plan (November 2018).

7. HW010 (No Other Access Except That Shown)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any Order revoking and re-enacting that Order with or without modification, no access, vehicular or pedestrian, other than that shown on the approved plan, shall be formed to the site.

Reason: In the interests of highway and pedestrian safety and to prevent trees that are to be retained on, and adjacent to, the site from being damaged in accordance with Policies PP27 and PP35 of the Poole Local Plan (November 2018).

8. AA001 (Non-Standard Condition)

Prior to the first occupation of any of the bedrooms of the house in multiple occupation, hereby approved, a scheme to close the existing vehicular access (which is to be made redundant) to the north western boundary of the site shall be submitted to, and approved in writing by, the Local Planning Authority. All works shall subsequently be completed in their entirety in accordance with the approved scheme, at the developer's expense, prior to the first occupation of any of the bedrooms of the approved house in multiple occupation.

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

9. HW100 (Parking/Turning Provision)

Prior to the first occupation of any of the bedrooms of the house in multiple occupation, hereby approved, the access, vehicle parking and turning space shown on the approved plans shall be constructed, laid out and made available for use 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 house in multiple occupation 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 and PP35 of the Poole Local Plan (November 2018).

10. HW240 (Electric Vehicle Charging Points)

Prior to the commencement of any construction works above the ground floor slab level of the house in multiple occupation, hereby approved, details of the provision of Electric Vehicle

Charging Points and associated infrastructure shall be submitted to, and approved in writing by, the Local Planning Authority. Those details shall be in accordance with the BCP Council Parking Standards SPD (adopted 05 January 2021). The Electric Vehicle Charging Points and associated infrastructure shall be installed in accordance with the approved details and brought into operation prior to the first occupation of any of the bedrooms of the house in multiple occupation, hereby approved, and shall thereafter be permanently retained and 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).

11. HW200 (Provision of Visibility Splays)

Prior to the first occupation of any of the bedrooms of the house in multiple occupation, hereby approved, and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any Order revoking and re-enacting that Order with or without modification, the land designated as visibility splays as shown 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 Policy PP35 of the Poole Local Plan (November 2018).

12. AA001 (Non-Standard Condition)

Prior to the first occupation of any of the bedrooms of the house in multiple occupation, hereby approved, a scheme for the provision of lighting along the internal access drive and to the parking/turning areas shall be submitted to, and approved in writing by, the Local Planning Authority. The lighting shall thereafter be implemented in accordance with the approved scheme prior to the first occupation of any of the bedrooms of the house in multiple occupation, hereby approved, and shall thereafter be maintained and retained in full working order at all times.

Reason: In the interests of the safety of the users of the internal access drive and parking/turning areas, the amenity of the occupants of the neighbouring properties and in accordance with Policies PP27 and PP35 of the Poole Local Plan (November 2018).

13. AA001 (Non-Standard Condition)

Prior to the first occupation of any of the bedrooms of the house in multiple occupation, hereby approved, the bike store and cycle stands (Sheffield stand or similar) within it and the separate external cycle stand (Sheffield stand or similar) shall be constructed/provided and made available for use as shown on the approved plans and shall thereafter be maintained, retained and kept available for use as such at all times.

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

14. HW230 (Permeable surfacing condition)

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

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

15. TR030 (Implementation of Details of Arb M Stmt)

All works relating to the ground clearance, tree works and development with implications for trees shall be carried out as specified in the approved Arboricultural Method Statement (Ref: D2034AMSB) dated 27 August 2021 and amended 9 December 2021 and prepared by Alderwood Consulting Limited and in accordance with the details shown on the approved Tree Protection Plan and shall be supervised by an arboricultural consultant holding a nationally recognised arboricultural qualification.

Reason: To prevent trees within, and adjacent to, the site from being damaged during construction works and in accordance with Policy PP27 of the Poole Local Plan (November 2018).

16. AA001 (Non-Standard Condition)

Notwithstanding the submitted Arboricultural Method Statement, prior to the commencement of any construction works of the house in multiple occupation, hereby approved, details of the design and specification of the foundations of the building shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved foundation details.

Reason: To prevent trees within, and adjacent to, the site from being damaged during construction works 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, or construction works (excluding the installation of tree protection measures), 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 to the tree protection measures 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. TR110 (Arboricultural Supervision)

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. 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. 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).

19. TR080 (Replanting of Specified Number of Trees)

6 trees of a size and species and in a location to be agreed in writing with the Local Planning Authority, shall be planted in accordance with BS3936, BS4043, BS4428 and BS8545 within 9 months following the implementation of this permission or prior to the completion of the development whichever is the earliest. The trees shall be thereafter maintained for a period of five years including the replacement of any tree(s), or any tree(s) planted in replacement for it, which die, are removed or become damaged or diseased within this period with tree(s) of a similar size and of the same species, unless the Local Planning Authority gives written consent to any variation. The Local Planning Authority shall be notified in writing when the trees have been planted so that compliance with the condition can be confirmed.

Reason: In order to preserve the visual amenities which at present exist on the site and to ensure that as far as possible the work is carried to current best practice and in accordance with Policy PP27 of the Poole Local Plan (November 2018).

20. AA001 (Non-Standard Condition)

The development, hereby approved, shall be carried out in accordance with the details for surface water drainage contained in the approved Drainage Strategy Statement (Ref: 1680w0001/OG_P2) dated 19 August 2021 and prepared by JRC Consulting Engineers Ltd and as shown on the approved Drainage Layout Plan (Drawing No. 0500 Rev P3). The surface water drainage scheme shall be fully implemented and made operational and available for use prior to the first occupation of any of the bedrooms of the house in multiple occupation, hereby approved, and shall thereafter be operated and maintained in accordance with the manufacturer's specification and the maintenance, remedial actions and monitoring requirements and schedule set out in the approved Drainage Strategy Statement (Ref: 1680w0001/OG_P2) dated 19 August 2021 and prepared by JRC Consulting Engineers Ltd and retained in full working order at all times.

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).

21. AA001 (Non-Standard Condition)

Prior to the first occupation of any of the bedrooms of the house in multiple occupation, hereby approved, the bin store shall be constructed in accordance with the details shown on the approved plans and made available for use, together with the provision of the refuse and recycle bins, and shall thereafter be maintained, retained and kept available for use as such at all times.

Reason: In the interests of the visual amenities of the site and to ensure that the development is provided with adequate refuse and recycle storage in the interests of the amenities of the future occupants of the approved development in accordance with Policy PP27 of the Poole Local Plan (November 2018).

22. AA001 (Non-Standard Condition)

Prior to the first occupation of any of the bedrooms of the house in multiple occupation, hereby approved, a scheme for the private collection of refuse and recycle waste generated by the occupants of the house in multiple occupation shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include, but not be limited to, details of the person(s)/management company responsible for administering the waste collection service on behalf of the residents of the house in multiple occupation, details of the commercial waste provider contracted to provide the refuse and recycling collection service, the type of refuse vehicles to be used, the frequency of collections and day(s) of collection. The collection of refuse and recycling waste from the site shall thereafter be implemented and carried out in accordance with the details of the approved scheme. Any variation to the approved scheme must be submitted in writing to the Local Planning Authority and shall not be implemented until written consent has been obtained.

Reason: In the interests of preserving visual amenities and to ensure that appropriate waste and recycling collection occurs at the site to meet the needs and amenities of the future occupants of the approved development and in accordance with Policy PP27 of the Poole Local Plan (November 2018).

23. AA001 (Non-Standard Condition)

The development, hereby approved, shall be carried out in accordance with the ecological and biodiversity mitigation and enhancement measures set out in Section 6.0 and Section 7.0 respectively, and in accordance with the details contained at Section 8.0, of the Ecology Report Version No.5 dated 6 July 2020 and prepared by KP Ecology. The ecological and biodiversity enhancement measures set out in Section 7.0 of the approved Ecology Report shall be implemented in their entirety in locations agreed with the applicant's ecologist and made available for use prior to the first occupation of any of the bedrooms of the house in multiple occupation, hereby approved, and shall thereafter be maintained and retained. Following completion of the enhancement measures detailed in Section 7.0 of the Ecology Report Version No.5 dated 6 July 2020 and prepared by KP Ecology, a verification report that demonstrates the implementation of the measures in the locations agreed with the applicant's ecologist must be submitted to, and approved in writing by, the Local Planning Authority.

Reason: In the interests of preserving and enhancing biodiversity and ecological features and interests on the site and in accordance with Policy PP33 of the Poole Local Plan (November 2018) and section 15 of the National Planning Policy Framework.

24. WL030 (Clearance of Protected Species)

No development shall take place, including any site and/or vegetation clearance works, until such time that a survey of the site has been undertaken by a qualified professional ecologist holding a suitable professional accreditation / licence to establish whether slow worms are present on the site in accordance with the recommendation at Section 4.4 of the Ecology Report Version No.5 dated 6 July 2020 and prepared by KP Ecology and a report of the findings has been submitted to, and approved in writing by, the Local Planning Authority. In the event of a positive survey, the site shall be cleared of all slow worms and, if necessary, elements of their support habitat, in accordance with a scheme for the timing and method of proposed rescue/capture, protection, relocation and monitoring that shall have been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include details of any proposed receptor site including its location and condition and details of the agreement with the landowner(s) for it to be used as a suitable receptor site for the protected species to be translocated from the application site, as well as details of the proposed future maintenance and management of the proposed receptor site. Such works shall subsequently be carried out in

accordance with the approved scheme and following completion of the rescue and relocation of the protected species a verification report shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason: To ensure, before any potential disturbance occurs, the protection and rescue of protected species present within the site under the Wildlife and Countryside Act 1981, the Habitats Regulations and the Berne Convention and in accordance with Policy PP33 of the Poole Local Plan (November 2018) and section 15 of the National Planning Policy Framework.

Informative Notes:

1. IN72 (Working with applicants: Approval)

2. IN74 (Community Infrastructure Levy - Approval)

3. IN81 (SAMM contribution)

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

4. IN84 (AA Passed)

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

5. IN11 (First 4.5m Access Crossing)

The applicant is informed that the "first" part of the 4.5 metres of the access crossing 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. IN13 (Kerb Crossing to be Lowered)

7. IN00 (Non-Standard Informative)

In conjunction with Condition No.12 above, the applicant is advised that the lighting scheme to the internal access drive and parking/turning areas within the site must have regard to the lighting requirements set out in Section 6.3 of the Ecology Report Version No.5 dated 6 July 20209 and prepared by KP Ecology that must be complied with in accordance with Condition No.23 above.

8. IN00 (Non-Standard Informative)

The applicant should note and inform future residents of the house in multiple occupation, hereby approved, that they may be excluded by the Council from being able to purchase on-street residents' parking permits or visitors' parking permits in the locality of the site. This is to reduce the transport impacts from the development due to the levels of car parking provision proposed.

9. IN00 (Non-Standard Informative)

In conjunction with Condition No.16 above, the applicant is advised that in accordance with the requirements set out in Section 2.6.1 and 2.7.1 of the Arboricultural Method Statement (Ref: D2034AMSB) dated 27 August 2021 and amended 9 December 2021 and prepared by Alderwood Consulting Limited, the proposed foundation design for the house in multiple occupation, hereby approved, must include the implementation of special foundations at least to those sections of the building footprint of the building that encroach within the root protection areas of those trees to be retained within, and adjacent to, the site in order to minimise any potential impact on their root protection areas.