



Planning Committee Report

Application Address	Broadstone Middle School, Dunyeats Road, Broadstone, BH18 8AE
Proposal	Major application for the formation of an outdoor learning resource centre.
Application Number	APP/22/00343/F
Applicant	Castleman Academy Trust
Agent	Coomber Associates Limited
Date Application Valid	14 March, 2022
Decision Due Time	13 June, 2022
Extension of Time date (if applicable)	29 July 2022
Ward	Broadstone
Recommendation	Grant with conditions
Reason for Referral to Planning Committee	This application is brought before committee as the proposed development is of major category and situated on Council's land.
Case Officer	Monika Kwiatkowska

Executive Summary

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. 1 letter was received from the occupant of the adjoining property. The summary of the concerns has been provided within the consultation section of this report.

Key issues

Principle of development

3. The principle of the erecting the proposed outdoor learning resource centre can be supported, as the proposal would comply with the provisions of Policy PP20 of the Poole Local Plan, Policy BP10 of the Broadstone Neighbourhood Plan and the relevant paragraphs of the NPPF.

Impact on the character and appearance of the area:

4. The proposal would not affect the setting of the nearby Ridgeway and Broadstone Park Conservation, the Tudor and Golf Links Road Conservation Area or the setting of any heritage assets within it. As such, the proposal would comply with the provisions of the Policy PP30 of the Poole Local Plan and Policy BP4 of the Broadstone Neighbourhood Plan.
5. The proposal would have no impact on the character and appearance of the area, as it would not be visible from the adjacent dwellings, due to the dense vegetation along the shared boundaries.
6. Given the siting of the proposed building, the proposed development would have no impact on the openness of the Green Belt, despite the overall school site being sited partially within the Green Belt itself. The proposed development is not within the Green Belt.

Impact on the neighbouring amenity:

7. As the proposed development would be of a single storey scale and well screened by the dense tree and under-storey vegetation to the western boundary of the school grounds, it would not appear overbearing and overtly dominant to the neighbours.
8. Similarly, the proposal would not give rise to any loss of light, excessive shading or loss of privacy to the occupants of the adjacent dwellings.
9. Whilst the proposal would be sited closer to the shared boundary with residential dwellings than other school classrooms on site, it is not considered that the noise that would be generated by the proposed use of the building would be considered detrimental to the amenities of the adjoining properties.
10. The proposal would therefore accord with the provisions of Policy PP27 of the Poole Local Plan and Policy BP4 of the Broadstone Neighbourhood Plan.

Impact on parking and highway safety:

11. The proposal has been assessed by the Council's Transportation Officer who advised that the proposal would result in no impact on the existing parking and access arrangements on site. As such, the Council's Transportation Officer supported the proposal.

Impact on trees:

12. The proposal would result in the loss of the sycamore tree (T1), which is a low quality tree to facilitate the proposed development. Its proposed loss is therefore accepted.

13. The submitted arboricultural information adequately demonstrates that the construction can be undertaken without unduly impacting on trees, subject to the adherence to the submitted AMS and TPP.
14. The proposed scheme would not result in any material harm to the long-term wellbeing of the retained trees.
15. The proposal is supported by the Council's Arboricultural Officer, subject to the compliance with the submitted arboricultural information, which can be conditioned accordingly.

Sustainability considerations:

16. The proposal is capable of achieving 10% of the predicted energy needs from the renewable energy sources. This has been secured by a condition.
17. The proposal would be expected to achieve BREEAM 'Good' rating, which is below the rating required by Policy PP37, however the requirement to meet BREEAM 'Very Good'. This signifies a departure from the policy, however in view of the scale, nature and intended use of the proposed development this departure is justified, as the obvious benefits of delivering an improved educational provision for the local community would outweigh the limited compliance with the provisions of Policy PP37 in any case.

Biodiversity considerations:

18. The application is supported by a Preliminary Ecological Appraisal Report. The site was found to have negligible potential for bird nesting and reptile habitat. The proposed tree and vegetation removal would have no impact on the potential for roosting bats, and, in any case, none were found in the vicinity of the proposal.
19. Biodiversity enhancement measures can be secured by condition, as advised by the Council's Biodiversity Officer, who supports the proposed scheme.
20. The site is located within 400m of Canford Heath and Delph Woods and Arrowsmith Coppice Site of Nature Conservation Interest (SNCI, SSSI SPA and SAC), however the proposed structure, would be sufficiently distanced from the protected habitats so that it would not have any direct and indirect impact on them. In addition, the proposal is unlikely to result in any increase in recreation based access to the nearby heathland and does not pose any likely risk to the interest features of the adjacent protected heathland, due to its scale and nature of use.
21. The proposed scheme complies with Policies PP32 and PP33 of the Poole Local Plan and the NPPF.

Drainage considerations:

22. The application site is located within Flood Zone 1 however the Council's Drainage Engineer has advised that there are issues with regards to the lack of capacity in the surface water drainage due to the existing known site conditions (very badly draining ground).
23. The proposed scheme of drainage solutions would address the issue on site and meet the requirements of Policy PP38 of the Poole Local Plan.
24. The proposal is supported by the Council's Flood Risk Engineer.

Waste collection considerations:

25. The proposal has been assessed and supported by the Council's Waste Collection Authority who advised that the proposal would result in no impact on the existing waste collection arrangements on site.

SAMM/CIL compliance:

26. The proposed scheme is not CIL or SAMM liable as no residential units would be created. The site is within proximity of Poole Harbour SPA and Ramsar site; however, the proposed scheme, due to its small scale, would not be likely to cause additional detrimental impacts on features of nature conservation interest requiring avoidance/mitigation contribution under the Nitrogen Reduction in Poole Harbour SPD.

Description of Proposal

27. Planning consent is sought for the formation of an outdoor learning resource centre

Description of Site and Surroundings

28. The site is occupied by Broadstone Middle School and is located on the northern side of Dunyeats Road. The school buildings are set back into the site from Dunyeats Road which is elevated in relation to the school buildings with a belt of trees located to the front of the buildings. The school buildings comprise of single storey buildings towards their southern end with two-storey buildings towards the northern end of the group of buildings and set further back into the site from the Dunyeats Road frontage.
29. Vehicular access to the overall school site is gained from Dunyeats Road and leads to a car parking area that is located to the western side of the school buildings. There is a caretaker's property (No.71 Dunyeats Road) that is also located to the western side of the school buildings, as well as an area of hardstand. To the eastern and northern sides of the school buildings are hard surfaced playground areas. The proposed structure that is the subject of this application would be sited on the playground area that is located immediately to the eastern side of the school buildings, beyond which there is a densely

treed embankment that rises towards the access driveway to Broadstone Cemetery. The trees on this embankment, however, are not protected.

30. The school buildings occupy the southern section of the overall school site. To the north of the school buildings and the external playground area that is located immediately to the northern side of them, are hard surfaced sports courts (marked out as tennis courts and football pitches) that are enclosed by fencing. Beyond these is a grassed playing field that provides sports pitches and a running track. The majority of this area to the north of the school buildings, including part of the playground area immediately to the north of them, is sited within the designated Canford Magna Green Belt. However, the school buildings and the playground area to their eastern side where the structure that is the subject of this application is proposed to be sited are located outside of this designation.
31. To the eastern and western sides of the overall school is dense woodland whilst to the north is heathland, all of which is designated as a SSSI. The area of heathland to the north of the site forms part of the Dorset Heathlands Special Protection Area (SPA) and Ramsar site and Dorset Heaths Special Area of Conservation (SAC). The site is also located within 400 metres of Canford Heath.
32. Dunyeats Road to either side of the application site and on the opposite side of the road is characterised by large, detached dwellings that are set within substantial sized plots with well-established landscape planting and mature trees that provides a verdant character and appearance to the street scene.
33. The site is located a short distance to the east of the Ridgeway and Broadstone Park Conservation Area, whilst the Tudor and Golf Links Road Conservation Area is located further to the west of the site.

Relevant Planning History:

34. Application site:

2021 – Planning permission was granted to erect a 2.4m high metal mesh fencing, and access gates at various points, around the perimeter of the school site, and within the car park, to provide a safer environment for the attendees of the school. –Ref: **APP/21/00480/F**

2020 - Planning permission was granted for the erection of a freestanding temporary structure for a period of 5 years. – Ref: **APP/20/01520/F** (temporary marquee type)

structure used as an external undercover space that can provide shelter from seasonal weather and that this need has been borne out of the ongoing Covid pandemic)

35. There have been a number of historic planning applications for the siting of mobile/temporary classrooms, permanent extensions to enlarge the school, and various alterations and works to the school buildings and within the site. None of these previous applications are of any direct relevance to this current proposal.

Constraints

36. The northern section of the overall school site, that includes the playing pitches and hard surfaced sports courts, is located within the Green Belt. However, this does not include the school buildings and the area to their western side, where the outdoor learning centre is proposed to be sited.
37. The site lies within 400 metres of Canford Heath and the overall school site is immediately adjoined on its' eastern, northern and western boundaries by heathland that is designated as a Site of Special Scientific Interest (SSSI) and forms part of the Dorset Heathlands Special Protection Area (SPA) and Ramsar site and Dorset Heaths Special Area of Conservation (SAC).
38. The site is also located a relatively short distance to the south of the Delph Woods and Arrowsmith Coppice Site of Nature Conservation Interest (SNCI).
39. The site is located in fairly close proximity to, but outside of, the Ridgeway and Broadstone Park Conservation Area and the Tudor and Golf Links Road Conservation Area.
40. The site is also within the area covered by the Broadstone Neighbourhood Plan policies.

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.

Consultations

43. BCP Highway Services – supports the proposal
44. BCP Urban Design and Conservation Officer – acknowledged the application, no comments were offered
45. BCP Planning Policy Officer – comments with regards to the BREEAM compliance were received
46. Natural England – consultation request was sent out, no comments were offered
47. BCP Waste Collection Authority – supports the proposal
48. BCP Arboricultural Officer – supports the proposal, subject to condition
49. BCP Biodiversity Officer – supports the proposal, subject to conditions
50. Dorset Police – comments received encouraging the applicant to consider improved security of the site and the proposed building to avoid antisocial behaviour issues
51. Wessex Water – comments regarding drainage and water supply were received, no objection was raised
52. BCP Flood Risk Authority – supports the proposal, subject to condition

Representations

53. Site notices were posted outside the site on 25 March 2022 with an expiry date for consultation of 18 April 2022.
54. 1 letter of representation has been received. The issues raised comprise the following:

- The submitted ecological survey is not correct as it does not reflect the presence of badgers in the garden of No 69 Dunyeats Road.

55. The Society for Poole - supports the proposal, subject to ensuring the protected habitat is protected.

Key Issues

56. The key issues involved with this proposal are:

- Principle of development
- Impact on the character and appearance of the area
- Impact on the neighbouring amenity
- Impact on parking and highway safety
- Impact on trees
- Implications of the proposal in the future flood zone
- Sustainability considerations
- Biodiversity considerations
- Drainage considerations
- Waste collection considerations
- SAMM/CIL compliance

57. These issues will be considered along with other matters relevant to this proposal below.

Policy context

58. Local documents:

Poole Local Plan (Adopted November 2018)

PP01	Presumption in favour of sustainable development
PP02	Amount and Broad Location of Development
PP20	Investment in Education
PP27	Design
PP30	Heritage assets
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
PP38	Managing Flood Risk
PP39	Delivering Poole's Infrastructure

Supplementary Planning Documents:

BCP Parking Standards SPD (adopted January 2021)

National Planning Policy Framework (July 2021)

Broadstone Neighbourhood Plan (Adopted June 2018):

BP3 Enhancing Biodiversity

BP4 Securing High Quality Sustainable Design

BP10 Protecting Community Facilities

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

Section 2 – Achieving Sustainable Development

Paragraph 11 – “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.”

Section 8 – Promoting Healthy and Safe Communities

Paragraph 95 – “It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and
- b) work with school promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted”.

Paragraph 96 – “To ensure faster delivery of other public service infrastructure such as further education colleges, hospitals and criminal justice accommodation, local planning authorities should also work proactively and positively with promoters, delivery partners and statutory bodies to plan for required facilities and resolve key planning issues before applications are submitted”.

Section 11 - Making effective use of the land

Paragraph 123 – “Local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular, they should support proposals to:

- a) use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework; and
- b) make more effective use of sites that provide community services such as schools and hospitals, provided this maintains or improves the quality of service provision and access to open space.

Section 12 – Achieving Well-Designed Places

Paragraph 130 - 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 the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Section 13 – Protecting Green Belt Land

Paragraph 147 – “Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances”.

Paragraph 148 – “When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green

Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations”.

Section 15 – Preserving and Enhancing the Natural Environment

Paragraph 180 – “When determining planning applications, local planning authorities should apply the following principles:

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons⁶³ and a suitable compensation strategy exists; and
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate”.

Paragraph 182 – “The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site”.

Section 16 – Conserving and Enhancing the Historic Environment

Paragraph 199 – “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be)”.

Paragraph 200 – “Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification”.

Planning Assessment

Principle of development:

60. The proposal is to erect an outdoor SEND learning centre on site, which would provide an additional educational facility for the existing school students with SEND needs. The NPPF 2021 in relation to promoting healthy and safe communities states at paragraph 95 that *"it is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive approach, positive and collaborative approach to meeting this requirement and to development that will widen the choice in education. They should (a) give great weight to the need to create, expand or alter schools through.... decisions on applications."*
61. In accordance with the NPPF, Policy PP20 of the Poole Local Plan states that the Council will continue to work with its partners, including schools, academies, colleges and universities to upgrade and improve educational facilities, to ensure there are sufficient places to meet needs and to ensure that the courses provide students with the skills needed by local businesses. The Poole Local Plan also sets out 7 strategic objectives that contribute to achieving the strategy/vision for Poole to 2033 and amongst these Objective 3 aims to support high quality, successful education facilities offering opportunities for all, whilst a corporate policy of the Council is to also ensure that all children and young people have the chance to achieve their full potential.
62. This stance is also supported by the Broadstone Neighbourhood Plan Policy BP10, which seeks to protect the existing community facilities in Broadstone.
63. The application is supported by the Design and Access Statement which advises: *"There is growing need for special educational needs and disability (SEND) capacity in Bournemouth, Christchurch and Poole and subsequent demand for places for young people with autistic spectrum disorder (ASD). It is important that all children and young people, whatever their background, are able to attend a good school that helps them thrive and gives them the building blocks they need to go on to fulfil their potential. It is especially important that the right facilities and support are in place at the school they attend, so they can learn in a modern, adaptable environment. This proposal will help the Local Authority provide targeted support to level up outcomes for some of the most vulnerable pupils. The current buildings on site cannot deliver this requirement using the existing floor space without impacting on education for all pupils"*.
64. The applicant has also advised that the proposed outdoor SEND learning resource centre would not create capacity to facilitate any additional pupil places within the school or increase staff requirements. In addition, the proposal

would not result in a reduction to the capacity of the outdoor playground provision of the school but instead it would utilise the underused space to the west of the school buildings, without affecting the existing car parking, playing fields or the playground areas on site. The proposal would therefore expand the educational facilities of the school, enhance the usability of that part of the site and it would be consistent with the established use of the site.

65. Having regard to the above considerations, the principle of the proposed outdoor learning resource centre can be supported, as the proposal would comply with the provisions of Policy PP20 of the Poole Local Plan, Policy BP10 of the Broadstone Neighbourhood Plan and the NPPF.

Impact on the character and appearance of the area:

66. The overall site of the school is located in fairly close proximity to, but outside of, the Ridgeway and Broadstone Park Conservation Area and the Tudor and Golf Links Road Conservation Area.
67. In terms of the visual impact of the proposed development would be a single storey structure with an area of decking, located to the rear of the existing office building and storeroom, to the west of the school buildings and the music room.
68. Due to its location and the single storey nature, the proposal would not be readily visible from the public domain or any part of the adjacent Conservation Areas. As such, it would not affect the setting of the nearby Ridgeway and Broadstone Park Conservation, the setting of the Tudor and Golf Links Road Conservation Area or the setting of any heritage assets within them. As such, the proposal would comply with the provisions of the Policy PP30 of the Poole Local Plan and Policy BP4 of the Broadstone Neighbourhood Plan.
69. For the same reasons, the proposal would have no impact on the character and appearance of the area, as it would not be visible from the adjacent dwellings, due to the dense vegetation along the shared boundaries.
70. The proposed design and finishing materials would complement the appearance of other school buildings on site and they would allow the proposed building to blend well with the surrounding vegetation without looking at odds in its setting, in line with the provisions of Policy PP27 of the Poole Local Plan.
71. Given the siting of the proposed building, which is not within the Green Belt, the proposed development would have no impact on the openness of the Green Belt, despite the overall school site being sited partially within the Green Belt itself.

Impact on the neighbouring amenity:

72. Policy PP27 (1) (c) of the Poole Local Plan states that development will be permitted where it would not result in a harmful impact upon amenity for both 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 or oppressive.
73. The proposed development would be located near the western side of the existing school buildings and therefore would be sited close to the residential properties to the west of the overall school site (Nos.69 and 69a) and also the caretaker's property (No.71 Dunyeats Road) that is sited within the school grounds.
74. As the proposed development would be of a single storey scale and well screened by the dense tree and under-storey vegetation to the western boundary of the school grounds, it would not appear overbearing and overtly dominant to the neighbours.
75. Similarly, the proposal would not give rise to any loss of light, excessive shading or loss of privacy to the occupants of the adjacent dwellings.
76. Whilst the proposal would be sited closer to the shared boundary with residential dwellings than other school classrooms on site, it is not considered that the noise that would be generated by the proposed use of the building would be considered detrimental to the amenities of the adjoining properties. These properties are already exposed to the usual noise generated by the school activities and the additional provision of the learning centre would not make this arrangement materially harmful to the amenities of the neighbours.
77. The proposal would therefore accord with the provisions of Policy PP27 of the Poole Local Plan and Policy BP4 of the Broadstone Neighbourhood Plan.

Impact on parking and highway safety:

78. The proposal has been assessed by the Council's Transportation Officer who advised that the proposal would result in no impact on the existing parking and access arrangements on site. As such, the Council's Transportation Officer supported the proposal.

Impact on trees:

79. The proposal would be sited close to the trees on site (The trees on site are not protected) and it would result in the loss of the sycamore tree (T1), which is a low quality tree to facilitate the proposed development. Its proposed loss is therefore accepted. The Arboricultural Impact Assessment (AIA,) Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) submitted by Treecall

Consulting, adequately demonstrates that the construction can be undertaken without unduly impacting on trees, subject to the adherence to the AMS and TPP.

80. The proposal would also result in a minor incursion into the root protection areas of the group of silver birches (T2 and T3g), however this would not result in any material harm to the long-term wellbeing of these trees and it is accepted by the Council's Arboricultural Officer.
81. Overall, the proposal is supported by the Council's Arboricultural Officer, subject to the compliance with the submitted arboricultural information, which can be conditioned accordingly.

Sustainability considerations:

82. Being a new build development, it would be required to meet the latest Building Regulations, therefore achieving a high level of energy efficiency and sustainability. The Energy and Resources statement submitted as part of this application sets out how the proposed development could comply with the requirements of Policy PP37 of the Poole Local Plan to achieve 10% of the predicted energy needs. This has been secured by a condition.
83. Furthermore, in accordance with Policy PP37 the proposed development is expected to be built to meet BREEAM 'Very good' rating. The applicant has presented the initial assessment of BREEAM credits advising the proposed development is only capable of meeting BREEAM 'Pass' rating. This assessment has been reviewed by the Council's Planning Policy Officer who advised that, based on the provided calculations, there is a possibility of the proposed scheme to achieve BREEAM 'Good' rating. This can be secured by condition accordingly.
84. Whilst the proposed scheme is not capable of achieving the Policy required BREEAM rating, it is noted that such a requirement would be difficult to achieve in view of the presented evidence and the reduced rating would be acceptable and in proportion to the scale of the development. This stance is supported by the Council's Policy Officer. The obvious benefits of delivering an improved educational provision for the local community would outweigh the limited compliance of the proposed scheme with the provisions of Policy PP37 in any case.

Biodiversity considerations:

85. The application is supported by a Preliminary Ecological Appraisal Report. The site was found to have negligible potential for bird nesting and reptile habitat. The proposed tree and vegetation removal would have no impact on the potential for roosting bats, and, in any case, none were found in the vicinity of the proposal.

86. Concerns regarding presence of badgers in the rear garden of No 69 Dunyeats Road were raised by the local resident. These concerns were shared with the Council's Biodiversity Officer, who advised that whilst badgers could be seen in the area, the key issues associated with their habitats are the latrines, feeding scrapes and setts. The evidence of these were not found on site. The overall findings of the Ecological Appraisal are considered to be acceptable to the Council's Biodiversity Officer.
87. The proposed scheme includes provision of bat tubes and sparrow terraces as biodiversity enhancement. The Council's Biodiversity Officer supports the proposed scheme, subject to securing the proposed biodiversity enhancement. This can be secured by condition. As such, the proposed scheme complies with Policy PP33 of the Poole Local Plan and the NPPF.
88. The application site lies within 400 metres of Canford Heath and the overall school site is immediately adjoined on its' eastern, northern and western boundaries by heathland that is designated as a Site of Special Scientific Interest (SSSI), which form part of the Dorset Heathlands Special Protection Area (SPA) and Ramsar site and Dorset Heaths Special Area of Conservation (SAC). The site is also located to the south of the Delph Woods and Arrowsmith Coppice Site of Nature Conservation Interest (SNCI) but is also sufficiently distanced from these designation areas that it would not have any direct or indirect impact on them.
89. The proposal has been brought to Natural England's attention who offered no comments with regards to it. The Council's Biodiversity Officer has also not identified that the proposal would be likely to have a significant effect on the protected European sites.
90. The proposed structure would be sufficiently distanced from the protected habitats so that it would not have any direct or indirect impacts on the adjacent heathland. In addition, the proposal is unlikely to result in any increase in recreation based access to the nearby heathland and does not pose any likely risk to the interest features of the adjacent protected heathland, due to its scale and nature of use, in accordance with Policy PP32 of the Poole Local Plan.

Drainage considerations:

91. The application site is located within Flood Zone 1 however the Council's Drainage Engineer has advised that there are issues with regards to the lack of capacity in the surface water drainage due to the existing known site conditions (very badly draining ground). For that reason, effective infiltration of the site is not possible. Notwithstanding this, the proposal is accompanied by a scheme of small scale measures that can help reduce run off to address this issue. This has been considered acceptable and addressing the requirements of Policy

PP38 of the Poole Local Plan. The proposed drainage solutions could be secured by condition, as required by the Council's Flood Risk Engineer.

92. Furthermore, permeable surfacing could be secured by condition to ensure there would be no increase in surface water run-off from the site as soft landscaped areas would be replaced with hard standing.

Waste collection considerations:

93. The proposal has been assessed by the Council's Waste Collection Authority who advised that the proposal would result in no impact on the existing waste collection arrangements on site. As such, the Council's Waste Collection Authority supported the proposal.

SAMM/CIL compliance:

94. The proposed scheme is not CIL or SAMM liable as no residential units would be created. The site is within proximity of Poole Harbour SPA and Ramsar site; however, the proposed scheme, due to its small scale, would not be likely to cause additional detrimental impacts on features of nature conservation interest requiring avoidance/mitigation contribution under the Nitrogen Reduction in Poole Harbour SPD.

Planning balance/Conclusion:

95. The proposed scheme would enhance the existing educational provision in the local area whilst complying with the relevant adopted local policies and the national guidance.
96. Whilst the proposed scheme would only partially comply with the provisions of Policy PP37 of the Poole Local Plan in terms of the required BREEAM rating, this limited compliance would be justified due to the scale, nature and use of the proposed development. The obvious benefits arising from the development would therefore outweigh the proposed reduced BREEAM rating.
97. In view of the above assessment, the proposal is recommended for approval, subject to conditions outlined in the report.

Background Documents:

98. Documents uploaded to that part of the Council's website that is publicly accessible and specifically relates to the application the subject of this report including all related consultation responses, representations and documents submitted by the applicant in respect of the application.

Notes. This excludes all documents which are considered to contain exempt information for the purposes of Schedule 12A Local Government Act 1972. Reference to published works is not included.

RECOMMENDATION

It is therefore recommended that this application be Grant with Conditions subject to the following:

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. AA01 (Non standard Condition)

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

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

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

The proposal hereby approved, shall be carried out in accordance with the submitted Arboricultural Method Statement and Tree Protection Plan, Ref DS/26722/AC, dated 7.3.2022 by Treecall Consulting.

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

4. GN163 (Renewable Energy - Non Residential)

Prior to first use of the building hereby permitted, details of the measures to provide on-site renewable energy sources to meet a minimum of 10% of the predicted energy use of the development, shall be submitted to and approved in writing by the Local Planning Authority. These measures must then be implemented before the development is brought into use and maintained thereafter. Documents required by the Local Authority include:

The 'as built' SBEM/BRUKL assessment documents. These should be the same documents issued to Building Control to address the Building Regulations Part L,

The corresponding EPC (Energy Performance Certificate), and

A statement, summary or covering letter outlining how the data given in the above documents demonstrates that a minimum of 10% of energy use is provided by the renewable technology.

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(2) of the Poole Local Plan (November 2018).

5. GN161 (BREEAM)

The development hereby permitted shall achieve a minimum BREEAM 'Good' rating (or equivalent standard). Prior to first use of the building, the Post-Construction Review Certificate shall be submitted to the Local Planning Authority verifying that the BREEAM rating has been met.

Reason: In the interests of delivering a sustainable and energy efficient scheme and in accordance with Policy PP37(3) of the Poole Local Plan (November 2018).

6. AA01 (Non standard Condition)

The development, hereby approved, shall be carried out in accordance with details of the approved Preliminary Ecological Appraisal (prepared by David Leach Ecology Ltd, dated March 2022 and received 14/03/22), and shall be supervised by an appropriate ecologist holding a nationally recognised licence.

Prior to the first use of the development hereby permitted, biodiversity mitigation and enhancement measures, as specified in sections 5.3 and 5.4 6 and Appendix E of the approved Preliminary Ecological Appraisal (prepared by David Leach Ecology Ltd, dated March 2022 and received 14/03/22), shall be carried out, installed on site and thereafter retained in good working order.

Reason: In the interest of providing necessary biodiversity gain as set out in the National Planning Policy Framework (NPPF) 2021 (Section 15) and BSI 42020:2013 'Biodiversity - code of practice for planning and development' and in accordance with Policy PP33 of the Poole Local Plan (November 2018).

7. DR020 (Drainage)

The development, hereby approved, shall not be used until drainage works have been carried out in accordance with the approved details.

Reason: To ensure there is adequate provision of drainage facilities and in accordance with Policy PP38 of the Poole Local Plan (November 2018).

8. PL01 (Plans Listing)

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

Block Plan, Drg. no: 508-P-02, received 14/03/22

Site, Location Plan, Drg, no: 508-P-01, received 14/03/22

Proposed Site Layout and Floor Plan, Drg, no: 508-P-04, received 14/03/22

Proposed Elevations, Drg, no: 508-P-05, rev. B, received 30/03/22

Elevation in Front of Retaining Wall, Drg, no: 508-P-06, received 30/03/22

External Works 1, Drg, no: 508-T-11, received 10/05/22

Tree Protection Plan and Arboricultural Method Statement, Drg. no: DS/26722/AC, received 14/03/22

Arboricultural Impact Assessment and Method Statement, ref: DS/26722/AC, received 14/03/22

Preliminary Ecological Appraisal (prepared by David Leach Ecology Ltd), dated March 2022 and received 14/03/22

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

Informative Notes

1. IN72 (Working with applicants: Approval)

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

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

Also:

- in this case the applicant was advised of issues after the initial site visit
- in this case the applicant was afforded an opportunity to submit amendments to the scheme which addressed issues that had been identified

2. IN22 (Protection of Badgers)

The attention of the applicant is drawn to the fact that if badgers are found to be present on the site, they are subject to protection under the Badgers Act 1992. Under this Act, no works which may cause disturbance to badgers may be carried out without a License issued by English Nature. A License will also be

required if works are to be carried out which involve destruction of a badger sett and this will normally involve arrangements for badger translocation. There is a closed season for works involving setts from December to June. You are advised to contact English Nature as soon as possible if badgers are found to be present. Necessary arrangement can take a considerable time to conclude and delays are likely if sufficient time is not allowed. The applicant is advised to contact Natural England, Dorset Hampshire & Isle of Wight Team, Rivers House, Sunrise Business Park,, Higher Shaftesbury Rd, Blandford Forum DT11 8ST for further advice.

Case officer: Monika Kwiatkowska