

Planning Committee



Application Address	13 – 15 High Street, Poole, BH15 1AB
Proposal	Redevelopment of the site to form 40 apartments and 424sqm of commercial space, following partial demolition of existing buildings
Application Number	APP/21/01199/F
Applicant	Shore Holdings
Agent	Mr Giles Moir, Chapman Lily Planning
Ward and Ward Member(s)	Poole Town Councillors L-J Evans, Andy Hadley and Mark Howell
Report status	Public Report
Meeting Date	4 October 2022
Recommendation	Grant subject to S106 and Conditions
Reason for Referral to Planning Committee	Due to the number of objections (52 objections)
Case Officer	Hannah Wild

Executive Summary

The site is located within Poole Town Centre and within the Town Centre Heritage Conservation Area. The site has two frontages, one which runs along High Street along its north-western boundary, and the other which is situated to the south which borders Strand Street.

The site is currently occupied by a three-storey townhouse building and a single storey shop unit that front onto the High Street; both buildings are locally listed. In the centre of the site is a two-storey former warehouse building, which is positioned horizontally across the plot and parallel with the High Street. Along High Street frontage, there is a gap within the street scene at No. 15 where the building was demolished.

The High Street is largely commercial in character comprising shops and other business type uses. In contrast, Strand Street is largely residential with apartments located directly south of the proposed development.

Impact on character and appearance of the area

The application was originally submitted in 2021 and included a larger development in terms of units and overall scale. The application has been revised through the process to reduce the overall scale of development to that now subject of this report. The height of the development now ranges between 3 and 4 storeys (reduced from up to 6 storeys when first submitted), which is considered to be at appropriate scale to assimilate successfully with its surrounds and overall character of the area.

The scheme proposes to retain and reuse the majority of the locally listed buildings on the development. Internally, the buildings are proposed to be modified to be able to be used in a modern setting for larger retail units. The applicant has used materials which link to the conservation area and elements of neighbouring units throughout the design of the development. Along the High Street, the shop fronts will display a traditional timber design with timber doors and windows in keeping with what can be seen in the conservation area at present.

Poole Town Centre Strategy

The scheme incorporates retail and residential uses to the local area, creating a sustainable location for mixed use development, whilst enhancing Poole Town Centre Heritage Conservation area. The development also provides an active frontage to High Street.

Residential and Neighbouring Amenities

The apartments include 29 x 1-bedroom apartments, and 11 x 2-bedroom apartments. There will be outdoor landscaped space which will be subject to a landscaping plan via condition to fully implement the design.

Parking and highway safety

Vehicle access for servicing will be taken from the High Street. The site offers no parking spaces (in accordance with the Parking SPD), however, offers two bike store areas across the development with the capacity to store over 100 bikes.

Heritage

The proposal seeks to inject new life into the locally listed buildings on the site alongside the new development. The design approach proposed is considered to take a sensitive approach to the site representative of its location in the Old Town of Poole within the Conservation Area. PP30 requires development to protect and enhance heritage assets such as Conservation Areas. It is recognised that the design approach will have positive heritage benefits arising from the re-instatement of the historic form of the High Street (by filling in the gap from the former No.15 High Street) along with an overall sensitive design approach. It is acknowledged that the Council's Conservation Officer objects to the proposal as it would give rise in their view to less than substantial harm. As required by the NPPF, consideration should be given to whether there are public benefits that exist that would override less than substantial harm. In this case, the public benefits of delivering residential development in a context where there is a housing land supply shortage in Poole, and the inclusion of new retail floorspace in a key shopping part of the town are considered to outweigh any less than substantial harm identified.

Flood Risk

The Environment Agency (EA) originally objected to the proposals as the Flood Risk Assessment had not adequately demonstrated the development would be safe from flood risk for its lifetime as required by development plan and national planning policy. However, revised plans have been submitted that demonstrate that the finished floor levels of the development will be no lower than 3.1m no lower than 3.1m AOD with flood resiliency up to 3.7m AOD. This accords with the requirements of the EA, who subsequently removed their objection in a further consultation response dated 9th September 2022. Suitable conditions related to flooding and drainage are proposed in this report.

Infrastructure and developer contributions

The contributions required from this scheme are stated below:

- Heathlands SAMM - £11,508 incl admin
- Harbour SAMM - £4,099.20 incl admin
- CIL - £144,385.55

Accessibility

The proposals for this development incorporate a lift into the plans and the building would be accessible for all.

Description of Proposal

1. Planning permission is sought for the redevelopment of the site to form 40 apartments and 424sqm of commercial space, following partial demolition of existing buildings.
2. The proposals will develop the site from an existing commercial yard and retail to a mixed use of residential and commercial uses. The proposed flats will be located above the commercial spaces, in two residential buildings. One of the buildings will secure the partial restoration of the warehouse building in the centre of the site, and the other would be a new purpose build residential building.

Description of Site and Surroundings

3. The site is located within Poole Town Centre and within the Town Centre Heritage Conservation Area. The site has two frontages, one which runs along High Street along its north-western boundary, and the other which is situated to the south which borders Strand Street.
4. The site is currently occupied by a three-storey townhouse building and a single storey shop unit that front onto the High Street; both buildings are locally listed. In the centre of the site is a two-storey former warehouse building, which is positioned horizontally across the plot and parallel with the High Street. Along High Street frontage, there is a gap within the street scene at No. 15 where the building was demolished.
5. The High Street is largely commercial in character comprising shops and other business type uses. The architectural style of this area differs from traditional units to units where a more contemporary design can be seen. The majority of units do not exceed three-storeys in height. To the west of the site are cafes and retail units, with

Poole Museum being located across the street. A similar architectural style can be seen here as the north west. In contrast, Strand Street is largely residential with apartments located directly south of the proposed development.

6. The Quay has a range of mixed use buildings generally at 4 storeys in height. Along The Quay, units are largely restaurants, with few retail units scattered in between.
7. Finally, to the east of the site, the units are largely residential, and office uses, with retail units continuing in a north easternly direction up High Street. These buildings differ from the traditional architectural style used along High Street and show a more modern and contemporary style, however blend well into the area.
8. The site is located within the town centre, which the most sustainable part of the Poole area.

Relevant Planning History

9. **APP/17/00245/P** - Outline application for the redevelopment of 13-15 High Street, retaining the facades to No. 13 High Street and providing 38 flats in two blocks (A and B) with a restaurant on the ground floor of Block A fronting High Street.

Application withdrawn 30th April 2020.

10. **APP/19/00581/F** - Demolition of existing building and erection of a building retaining an A1/A2 retail unit on the ground floor and 4 residential flats above with associated access and parking. 17 High Street, Poole, BH15 1AB

Application approved 4th July 2019.

Constraints

11. The site is located within the Poole Town Centre Heritage Conservation area. This area is currently on Historic England's 'Heritage at Risk' register and is classed as being in 'very bad condition', however it is seen as currently improving due to recent investment including from Historic England's Heritage Action Zone programme.
12. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

Public Sector Equalities Duty

13. 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

14. 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.
15. 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.
16. Local planning authorities have a statutory duty to consider the Self Build and Custom Housebuilding Act (2015) when carrying out planning functions. Whilst acknowledging there are individuals on the Council's self-build and custom housebuilding register, the site is not considered suitable to provide such plots due to needing to deliver higher density development in order to achieve a deliverable scheme.

Consultations

17. BCP Environmental Health – No objections to the proposal however has asked for conditions regarding land contamination information and air quality to be attached to the decision.
18. Environmental Agency – The EA objected to the application when originally submitted due to concerns that it had not been demonstrated that the proposed finished floor levels were high enough to enable a development safe from future flood levels. Following amended plans that secured the required finished floor levels, the EA have removed their objection to the scheme and proposed appropriate conditions to be attached to a grant of planning permission.
19. BCP Lead Local Flood Authority – All objections to this scheme have been addressed through the amended Flood Risk Assessment. Condition attached for the maintenance of flood defence equipment.
20. BCP Highways Authority – All objections to this scheme have been addressed through vehicle tracking plans and servicing plans.
21. Natural England – No objections however have asked for conditions such as Construction Environmental Management Plan (CEMP) to be implemented as well as bat checks.
22. BCP Recycling and Waste – No objections to the application.
23. Dorset Council Archaeologist – Conditions attached to provide trial trenching evaluation information.
24. BCP Conservation Officer – The Conservation Officer has objected to the application. The Conservation Officer considers that the scheme doesn't respond to the site or the context and doesn't meet the test to preserve the conservation area.

The Conservation Officer's concerns are considered in more detail in the relevant section of this report.

25. Historic England – No objections subject to conditions

Representations

26. 56 letters of representation have been received, of which 52 letters raise objections to the proposal. The issues raised comprise the following:

- Lack of parking;
- Building design should reflect historic area of the quay;
- Further destruction of the historic nature of Poole;
- No Affordable housing;
- Not in keeping with the conservation area;
- Height of the development;
- Too many flats in the area.

Key Issue(s)

27. The key issue(s) involved with this proposal are:

- Proposed Development;
- Housing Delivery Test;
- Principle of Development;
- Poole Town Centre Strategy;
- Character and appearance of the area;
- Residential and Neighbouring Amenities;
- Servicing, Parking and Highways Safety;
- Heritage;
- Flood Risk;
- Infrastructure and Developer Contributions;
- Open Space;
- Accessibility;
- Nationally Described Space Standards;
- Affordable Housing;
- Biodiversity;
- Planning Balance / Conclusion

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

Policy Context

29. **Poole Local Plan (Adopted 2018)**

- PP01 Presumption in favour of sustainable development
- PP02 Amount and broad location of development
- PP03 Poole Town Centre Strategy
- PP06 High Street, Quay and Old Town
- PP08 Type and Mix of Housing
- PP11 Affordable housing
- PP22 Retail and Main Town Centre Uses

- PP27 Design
- PP28 Flats and Plot Severance
- PP30 Heritage
- PP32 Poole's Nationally, Internationally and European Protected Sites
- PP34 Transport Strategy
- PP37 Building sustainable homes and businesses
- PP38 Managing Flood Risk
- PP40 Viability

30. **Poole Quays Neighbourhood Plan**

- PQF1 Public realm
- PQF3 High quality design
- PQF4 Transport network and sustainable travel choices
- PQF5 Walking, cycling and public transport improvements
- PQF9 The layout and appearance of Poole High Street

31. **Supplementary Planning Documents**

- BCP Parking Standards SPD (adopted January 2021)
- Poole Town Centre SPD (adopted 2015)
- Dorset Heathlands Planning Framework (adopted 2020)
- Poole Harbour Recreation SPD (adopted 2020)
- Nitrogen Neutrality in Poole Harbour SPD (2020)
- Heritage Assets SPD (2013)

32. **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 16 – Conserving and enhancing the historic environment

Paragraph 195 –

“Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and

any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal."

Paragraph 197 –

In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

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). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

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. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

Paragraph 203 –

The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Planning Assessment

Proposed Development

- 33. This application is for the redevelopment of the site to form 40 apartments and 424sqm of commercial space, following partial demolition of existing buildings between 13 and 15 High Street.
- 34. The site is currently occupied by three buildings, with two fronting onto High Street and one in the centre of the proposed development site being a two-storey former

warehouse building. Other than the buildings, the site has concrete outdoor space which is currently used for car parking associated with the existing use..

35. The application seeks to redevelop the site and form 40 apartments, 424sqm of commercial space, following partial demolition of existing buildings. As can be seen on the drawing titled 'Proposed site structures to retain', the redevelopment seeks to retain a large proportion of the buildings on site, therefore managing to retain elements of the architectural style throughout the build and more importantly retain the important heritage features these buildings provide for the conservation area.
36. The site will be accessed via an existing vehicular access to the north of the site off High Street, however this will purely be for servicing.
37. To the front of the development, proposals would seek to retain parts of the façades to No. 13 and No. 17 High Street. Both facades will be enhanced with key features of their design retained in keeping with the street scene currently seen on High Street. No. 15 High Street was demolished in the 1970's, therefore a new building here will form a solid frontage for the scheme. The style of No. 15 is in keeping with other design elements that can be seen within the conservation area, however with a modern twist.
38. No. 13 High Street comprises a single storey warehouse building at present that extends back into the site. This building will be retained along with an addition two storeys added in order to provide residential accommodation. The overall height of the High Street frontage will not exceed 3.5 storeys.
39. The rear of the proposed development borders Strand Street and keeps design elements seen on High Street such as window features and materials in mind throughout the development. The buildings fronting Strand Street are 3 to 4 storeys in height, which is in keeping with that of the local area and down from the initially proposed 7 storeys in height for this location.

Housing Delivery Test

40. At the heart of the NPPF as set out in paragraph 11 is the presumption in favour of sustainable development, reiterated in Policy PP01 of the Poole Local Plan.
41. NPPF Paragraph 11 states that in the case of decision making, the presumption in favour of sustainable development means that where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, planning permission should be granted unless policies in the Framework that protect areas or assets of particular importance provide a clear reason for refusing the development proposals or any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.
42. Footnote 8 of paragraph 11 provides that in the case of applications involving the provision of housing, relevant policies are out of date if the local planning authority is (i) unable to demonstrate a five-year supply of deliverable housing sites or (ii) where the Housing Delivery Test (HDT) result is less than 75% of the housing requirement over the previous three years.
43. The 5-year housing supply and HDT results continue to be applied to each local plan area separately until replaced by a BCP Local Plan. In the Poole area, there is a 4.1 year housing land supply with a 20% buffer (a shortfall of 423 homes) and a 2021 HDT result of 78%. For the purposes of paragraph 11 of the NPPF, it is therefore

appropriate to regard relevant policies as out of date as the local planning authority is unable to demonstrate a five-year supply of homes. The implication of the Poole area failing to have a 5 year housing land supply is that the NPPF's presumption in favour of sustainable development is therefore engaged (unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (see NPPF Footnote 7), or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

44. For this planning application the benefits provided from the supply of new homes are considered to carry significant weight in the planning balance.

Principle of development

45. The principle of development is acceptable for this location. The Poole Local Plan stated that *'The principle of high-density development (e.g. flats) anywhere within the sustainable transport corridors is accepted, subject to the other policies of the plan (eg. PP27: Design and PP35: A safe, connected and accessible transport network).'* Poole Town Centre within which the site is location, is part of the sustainable transport corridor network.
46. Given the shortfall of the number of homes delivered in the Local Plan area, the balance is tilted in favour of sustainable development and granting planning permission except where the benefits are significantly and demonstrably outweighed by the adverse impacts or where specific policies in the NPPF provide a clear reason for refusal. The tilted balance approach forms a material consideration in this case that is considered in the planning balance / conclusion section of this report.
47. Notwithstanding this, the principle of development is clearly acceptable in view of its town centre location and accords with Policies PP01, PP02 and PP34.

Poole Town Centre Strategy

48. Policy PP03 aims to generate the highest levels of activity within the most locally sustainable locations within Poole Town Centre. PP06 sets out policy for the High Street and seeks to enhance the commercial vitality of the area alongside an improvement in overall townscape quality.
49. The scheme incorporates retail and residential uses that will enhance the local area, creating a sustainable location for mixed use development, whilst enhancing the high street through new commercial use. The proposals are considered to not result in substantial harm to the Poole Town Centre Heritage Conservation area and will result in the rejuvenation and re-use of non-designated heritage assets injecting life into the area, which is recognised as being on Historic England's 'Heritage at Risk' register.
50. The development also provides an enhanced active frontage to High Street, one that has not seen full activity since the demolition of No. 15 High Street. Completing this street scene will help establish active ground floor frontages along High Street, retain traditionally styled shop fronts and support improvements to the public realm. This represents a significant benefit of the scheme. As discussed in more detail in the next section, the design response will successfully integrate into the character and appearance of the area incorporating features that respond positively to the heritage context.

51. In summary the development is considered to have a positive impact on Poole Town Centre in accordance with Policies PP03 and PP06 of the Poole Local Plan and PQF 9 of the Poole Quays Neighbourhood Plan.

Character and appearance of the area

52. The height of the overall development ranges between 3 and 4 storeys. Locally, neighbouring buildings do not exceed that of 4 storeys in height, meaning the proposal accords with the prevailing scale within the vicinity of the site. The height of the proposal has also been reduced considerably throughout the application process to make sure it is in keeping to the characteristics and appearance of the surrounding area.
53. The scheme aims to retain and reuse a large percentage of the locally listed buildings on the development. The retained buildings have been a key feature throughout the development of the scheme and have been incorporated into the overall design of the development. Internally, the buildings have been modified to be able to be used in a modern setting for the larger retail units. However, the external design of the buildings has been retained, which is a key positive aspects of the scheme.
54. In order to respond to its setting, the applicant has used materials which link to the conservation area and elements of neighbouring units throughout the design of the development. A red/brown brick is to be used on new elements of the build, which links back to what can be seen within the vicinity of the site at present.
55. Along the High Street, the shop fronts will display a traditional timber design with timber doors and windows in keeping with what can be seen in the conservation area at present.
56. The new elements of the build and the residential units propose standing seam zinc cladding which flows into a brick finish to the taller aspect of the building. The metal and brick finish help tie the scheme into the characteristics of the traditional conservation area however supply a modern twist to this design.
57. The development is considered to have an acceptable impact on the character and appearance of the area in accordance with Policy PP27 (height and scale, and materials and detailing) of the Poole Local Plan and PQ3 and PQ9 of the Poole Quays Forum Neighbourhood Plan.

Residential and Neighbouring Amenities

58. Policy PP27 outlines that development should not result in a harmful impact upon amenity for local residents or future occupiers in terms of overshadowing, loss of light, loss of privacy and whether the development is overbearing or oppressive.
59. As mentioned previously, the application is between 3 and 4 storeys in height, which is considered acceptable for the site and surrounding area. The surrounding area is largely residential flats and commercial. For this reason, the proposals fit in with the current neighbouring amenities and would not have an impact on overshadowing, loss of privacy or light to any neighbouring buildings.
60. The apartments include range from 29 x 1 bedroom apartments, and 11 x 2 bedroom apartments. The proposed housing mix is acceptable in terms of Policy PP8 within

the Poole Local Plan. There will be outdoor landscaped space which will be subject to a landscaping plan via condition to fully implement the design, which will help to provide amenity space for future residents.

61. Given the height of the building and separation distances from neighbouring properties, it is unlikely to result in any overshadowing or appear overbearing to any neighbouring residential properties. The design approach proposed will secure a successful development in terms of impacts on residential amenity for both existing and future residents in accordance with Policy PP27 of the Poole Local Plan and PQ3 of the Poole Quays Neighbourhood Plan.

Servicing, Parking and highway safety

62. Vehicle access for servicing will be taken from High Street. The site offers no parking spaces however offers two bike store areas across the development with the capacity to store over 100 bikes for residential use. The site is also located within the sustainable transport corridor.
63. The servicing access will be used for waste collection vehicles, for both residential and commercial units. This has been accepted by the council's waste officer following previous meetings.
64. Objections received make note of the lack of parking facilities for residents, however the location of the development is well connected and in a sustainable location, therefore residents should be able to access all amenities on foot, bike or public transport. BCP Highways Authority has been consulted on the proposal and offered no objection subject to the attachment of conditions.
65. These proposed provisions accord with the adopted BCP Parking SPD. This is supported by Policies PP34 and PP35.

Heritage

66. Policy PP30 (Heritage Assets) expects new development to preserve or enhance the historic, architectural and archaeological significance of heritage assets. This requirement also forms part of Policies PP03 and PP06 relating to Poole Town Centre Strategy and the High Street respectively. The NPPF is clear as to the importance of the conservation of heritage assets.
67. Through these policies and the NPPF, it is important to describe the significance of heritage assets, and then assess the impact of a development on designated and non-designated heritage assets and justify any harm or loss affecting the asset early in the application process.

The significance of relevant heritage assets

68. The development site is within the Poole Town Centre Heritage Conservation Area, which is a designated heritage asset. The wider Conservation Area includes numerous Listed Buildings, which are also designated heritage assets. The site itself contains locally listed buildings, which are non-designated heritage assets. In particular, along its north boundary, which borders High Street, all buildings apart from No. 17 and part of No. 21-25 fall within the Listed Buildings or Locally Listed Buildings category. Within the site, No. 13 High Street forms the northern boundary of the scheme and is a Locally Listed Building.

69. These designated and non-designated heritage assets exist as a direct result of Poole Town Centre's history and evolution over time that dates back to medieval times. The history of Poole is therefore exemplified throughout the town centre townscape and its collection of heritage assets, many of which remain in good condition and collectively contribute positively to the character of the Conservation Area. Accordingly, the overall significance of the heritage assets affecting the site is considered to be high and in accordance with Paragraph 199 of the NPPF, great weight must be applied to their conservation.
70. The conservation area is largely commercial at present day, however the location of the development falls in the 'Pre 1700' zone of the conservation area whilst also falling into the Old Town Conservation Study Area. The conservation area benefits from a richness of detail, materials and style, creating a sense of cohesiveness and pleasing character and appearance to the area.
71. The application site occupies a sensitive position given its location within the conservation area. While the existing building (13 High Street) is part of the historic development of the area, its character has been significantly eroded by neglect and unsympathetic alterations over the years.
72. In terms of the site itself, the locally listed buildings are not considered significant on their own, albeit when being considered with the wider conservation area, the site becomes key on the street scene for High Street. The buildings fronting the High Street therefore are importance in terms of their positive contribution to the character of this part of the High Street within the Conservation Area.
73. Internally on the site, the buildings lack the same key features that can be seen on the frontage of the site. The original buildings do remain on the site, however, do not offer the same key fenestrations as the frontage does.
74. In view of the relative importance of the site within its Conservation Area context (and in particular, its prominent setting along the High Street), the applicant has sought to respond to comments from the Council's Conservation Officer. There have been a number of revisions to the plans since the application was submitted that have been subject to consultation by the Conservation Officer. The applicant has sought to work with the Conservation Officer (as well as Urban Design Officer) to address issues and present a sympathetic form of development.
75. Following detailed comments from both the Conservation Officer and Urban Design Officer, the applicant significantly changed the original scheme to reflect and respond positively to these comments. Particular changes over the course of the application include a significant reduction in scale and height as well as changes in materials to be used.
76. However, notwithstanding the changes made by the applicant the Conservation Officer continues to have some concerns and the objection remains in place. The issues raised by the Conservation Officer that remain are as follows:
- The use of the historic warehouse for housing and the links made to it to the new blocks of flats will be detrimental to the unique character and integrity of the

building and result in overdevelopment due to the servicing required for housing. Retaining it wholly for commercial would be preferred;

- Heights of the new warehouse style buildings are beyond the 3.5 storeys recommended for this sensitive location to avoid overshadowing the 2.5 storey High Street buildings;
- Box dormers are too large and out of proportion with the scale needed. Dormers in the area generally have pitched roofs;
- The gate to the High Street needs to be retained and repaired;
- The boundary wall to Strand Street is too high and impermeable;
- The use of black renders and mortars, grey sash windows, emerald green tiles do not form part of the local building palette;
- Proposed shopfronts will not assimilate positively with the prevailing style along the High Street.

77. Overall, the Conservation Officer considers the proposals do not sufficiently respond to the site and surrounding area context and would lead to harm to heritage assets. It is concluded that this harm would be less than substantial harm as opposed to substantial harm. Whilst the Conservation Officer's concerns are acknowledged, Paragraph 202 of the NPPF states that public benefits need to be weighed against less than substantial harm to designated heritage assets. Paragraph 203 of the NPPF states that a balanced judgement should be made to harm to non-designated heritage assets. These tests will be considered following a detailed assessment of the heritage impacts to consider the extent of any harm.

78. It is also my duty as a Planning Officer to balance consultee comments before reaching a recommendation. The next section of this report thereby assesses the impact on the development on heritage assets in more detail including review of the design response being proposed to conclude on the level of harm that exists from the application that would need to be balanced against any benefits arising from the scheme.

Assessment of Heritage Impacts

79. The street scene to the north of the development which borders High Street will change from what is there currently. Amendments are proposed to the facades at No. 13 and No. 17 High Street as well as filling in the gap of the former No.15 High Street. The scale will be increased along the High Street frontage from the existing 1.5 to 3.5 storeys to a more consistent 3 to 3.5 storeys. The increase in height is required in order to provide the proposed residential development. However, the approach proposed is considered to be acceptable overall as it will result in a development that accords with the prevailing scale along the High Street rather than breach it. The end result will evidentially be different to the existing situation, but the approach proposed will create a sympathetic approach to re-instating a consistent frontage to the High Street. The use of materials that seen throughout the surrounding area such as timber frames for doors/windows, is considered to be a positive design response to ensure the development will largely preserve and enhance the character of the High Street frontage.

80. The application aims to retain, where possible, the majority of buildings on the site, with only a small proportion of walls to be demolished through the build. The

demolition of locally listed buildings is noted as leading to some harm although it is relatively small overall given that the majority of the structure will be renovated and brought back into an active use. The demolition of a small section of the structure will also enable the creation of an internal courtyard for the development, that will enhance the overall form and function of the development as well as be of benefit to future residents.

81. The part of the development fronting Strand Street has been reduced considerably from the first submission where it reached 7 storeys in height. The development on this part of the site now ranges between 3 and 4 storeys, which is considered to be appropriate to its site and context as well as matching heights already around the site. The design incorporates warehouse style vernacular, which seeks to draw inspiration on the traditional form of development in and around the quay. There remain a number of warehouse buildings within the Conservation Area and replicating this feature is considered to be an appropriate design approach to take for this site. Concerns have been raised about the scale of the development along Strand Street and resulting impact on the High Street. These concerns have been significantly improved upon by the reduction of scale through the application. In view of the reduction of scale any glimpses of the 4 storey elements along the High Street are not considered to give rise to harmful impacts over and above what is already a feature of the surrounding townscape.
82. With regard to the changing physical scale and form of the development through revised plans and reports, it is considered that the revised proposal seeks to work within what can be considered acceptable development in this sensitive area. It is recognised the design is a modern take on design features throughout the conservation area. It is considered though that the approach is sympathetic to the existing conservation area, as can be seen with the materials proposed for the elevations of the High Street street scene.
83. As has previously been pointed out through this report, the site is currently listed upon Heritage England's 'At Risk' Register. The Heritage at Risk (HAR) programme helps to understand the overall state of England's historic sites. The programme identifies those sites that are most at risk of being lost as a result of neglect, decay or inappropriate development. As mentioned previously, materials, architecture styles and fenestrations have all been taken into account through this application and are sympathetic to those of the conservation area, and due to this, the level of development is not considered inappropriate for the area.
84. Taking into consideration other heritage assets in the vicinity of the site, the following assessment has been undertaken. This assessment takes into consideration the listed buildings within the immediate vicinity of the site, looks into the reason for their listings and any potential impacts the proposed development may have on the site.

Table 1: Review of Listed Buildings within the vicinity of the site

Address	Listed Grade	Reason for listing	Development impacts	Level of impact from the proposed scheme
The Kings Head Hotel, 6 High Street	II	Roof and ceiling	The development is likely to have no impacts on the	Not affected

			internal features of this building	
1 – 7 High Street	II	Architectural Features (internal and external)	The development is likely to have no impacts on any of these internal or external features	Not affected
The Antelope Hotel, 8 High Street	II	Architectural Features	The development is likely to have no impacts on the architecture of this building. The proposals are sympathetic to architecture styles within the conservation area	Not affected
10 High Street	II	Architectural Features and roofing style	The development is likely to have no impacts on any of these internal or external features	Not affected
12 – 14 High Street	II*	Very fine late 16 th century plasterwork	The development is likely to have no impacts on these internal features	Not affected
19 and 19A High Street	II	Architectural Features	The development is likely to have no impacts on the architecture of this building. The proposals are sympathetic to architecture styles within the conservation area	Not affected
20 High Street	II	Architectural Features	The development is likely to have no impacts on the architecture of this building. The proposals are sympathetic to architecture styles within the conservation area	Not affected
22 High Street	II	Architectural Features	The development is likely to have no impacts on the architecture of this building. The proposals are sympathetic to architecture styles	Not affected

			within the conservation area	
24 – 26 High Street	II	Architectural Features (internal and external)	The development is likely to have no impacts on any of these internal or external features	Not affected
25 – 27 High Street	II	Architectural Features	The development is likely to have no impacts on the architecture of this building. The proposals are sympathetic to architecture styles within the conservation area	Not affected

85. The above assessment provides evidence that the surrounding listed buildings are listed either based on their architectural style or the key internal features they house. Due to this, it is understood that that development will have little to no impact on these features.
86. As previously mentioned, the design of the proposed units bordering High Street are sympathetic to key features seen within the street scene, and use materials that can be seen throughout the street and listen units, fitting well into the conservation area and building upon a derelict unit.
87. Satisfactory materials proposals along High Street include timber windows and doors for the retail units, black aluminium critter windows, a mixture of red and brown bricks with solider courses where appropriate, white render on 13 High Street façade, clay and slate roof tiles and the repair and restoration of the existing chimney as well as the pillars at the service entry point to the site. All elements of this design can be seen within the conservation area.
88. Within the development, standing seam zinc cladding will be used with a brown multistock brick finish with a natural stale tile used for the roofing for the two southern buildings. The adjoining retail unit will use materials such as timber sash windows, burnt copper effect cladding and plain clay tiles. All of the materials listed above are deemed acceptable. The materials are conditioned and should be submitted and approved prior to commencement on the site.
89. Through further consultation with Historic England regarding the development, they have stated that overall they are happy with the proposed development, the aspects of the historic site which are being retained as well as the modern elements to the scheme. HE have asked for conditions to be attached to the approval to clarify the extent of demolition, the structural capability of the stable to support a rooftop extension, to guarantee pedestrian access through the site and to guarantee the quality of architectural detail and materials, all of which the applicant is happy to agree to.
90. As the site is within a conservation area, Dorset Council Archaeologist team have been consulted. As it is not possible for the applicant to undertake trail trenching at

this stage in the application process, the requirement for this has been conditioned to make sure the site is surveyed before any major development takes place.

91. Whilst it is acknowledged that the Conservation Officer continues to object to the scheme it is important to acknowledge that the scheme will result in enhancement to what is currently on site and injects life into a heritage asset which is currently on the Heritage England 'At Risk' register. Although the area will change due to the development's progression, the scheme aims to conserve major aspects of the heritage on site through retentions of buildings and materials used throughout the scheme.
92. The overall design of the scheme is considered to be successful and will have positive impacts in heritage terms. However, given that the Conservation Officer considers there will still be less than substantial harm overall, it is necessary to consider the public benefits that arise from the scheme. The public benefits are considered to be the provision of 40 homes in the most sustainable part of the town. The shortfall of housing delivery places further emphasis on the benefits from the proposal. The reinstatement of the historic high street form with the filling in of the gap and addition of revitalised commercial space are also considered to be of significant public benefit. These benefits also outweigh any identified harm to the non-designated heritage assets. The proposals bring an area of Poole Town centre back into beneficial public use and outweigh any harm of the loss of the fabric of buildings and considered to be acceptable in planning terms.

Flood Risk

93. The EA originally objected to this application and maintained their objection through the revisions of the scheme. The applicant has since responded to these objections with a revised FRA, which meets all the points raised by the EA.
94. In their consultation response dated 11th March 2022, the EA advised against the provision of single storey ground floor dwellings in present day or future flood risk areas due to increased vulnerability of occupants to flood risk, because of lack of internal first floor safe haven. The EA go on to state the following should be demonstrated in the FRA:
 - Ground floor finished floor levels shall be set no lower than 2.9m (AOD); and
 - Flood resiliency up to 3.51m AOD.
95. Revised plans show the proposed FFL of each ground floor dwelling and commercial unit will be set no lower than 3.1m AOD with flood resiliency up to 3.7m AOD. This accords with what has been asked for by the EA and has been confirmed by themselves in a further consultation response dated 9th August 2022.
96. This will provide future residents of the ground floor flats with an internal safe haven, above the anticipated future flood level. The scheme will include flood doors at each ground floor entry point which will create a watertight seal to prevent flood water from entering the units. Automatically closing air bricks will be provided to create a further seal against floodwater.
97. The Poole Flood Risk Management Strategy (PFRMS) states that developments should be safe in terms of flood risk for their entire lifetime. To be safe, the FFLs

should be above the 1 in 200-year flood level, plus freeboard allowance of up to 600mm.

98. As mentioned above, further correspondence was received 9th September 2022, which asked for confirmation over FFL n existing buildings be set at or above LFRSA level of 2.6mAOD, or provide a betterment to what is currently existing on site.
99. All buildings on site have a LFRSA level of 2.6mAOD or above, and information has been confirmed as acceptable by the EA. In addition, the following resilience measures will be incorporated up to 3.7m AOD:
 - Waterproof plaster.
 - Solid concrete floors.
 - Raised electrical sockets.
100. The EA have now withdrawn any objections they had on the application and recommended conditions be attached to the grant of planning permission.

Infrastructure and developer contributions

101. Mitigation of the impact of the proposed development on recreational facilities; Dorset Heathlands and Poole Harbour Special Protection Areas; and strategic transport infrastructure is provided for by the Community Infrastructure Levy (CIL) Charging Schedule adopted by the Council in February 2019.
102. The site is within 5km (but not within 400m) of Heathland SSSI and the proposed net increase in dwellings would not be acceptable without appropriate mitigation of their impact upon the Heathland. As part of the Dorset Heathland Planning Framework a contribution is required from all qualifying residential development to fund Strategic Access Management and Monitoring (SAMM) in respect of the internationally important Dorset Heathlands. This proposal requires such a contribution, without which it would not satisfy the appropriate assessment required by the Habitat Regulations.
103. In addition, the proposed net increase in dwellings would not be acceptable without appropriate mitigation of their recreational impact upon the Poole Harbour SPA and Ramsar site. A contribution is required from all qualifying residential development in Poole to fund Strategic Access Management and Monitoring (SAMM) in respect of the internationally important Poole Harbour. This proposal requires such a contribution, without which it would not satisfy the appropriate assessment required by the Habitat Regulations.
104. The NHS through its Clinical Commissioning have identified that there would be a impact on local doctor provision that would require a proportionate contribution of £3,360 that can be secured by the S106 agreement.
105. The contributions required from this scheme are stated below:
 - Heathlands SAMM - £11,508 incl admin
 - Harbour SAMM - £4,099.20 incl admin
 - CIL - £144,385.55
 - NHS Contribution - £3,360

Open Space

106. In accordance with Policy PP25, strategic sites (i.e. those that include 40 or more dwellings as defined by the Poole Local Plan) should provide open space on-site having regard to the standards set out in the Council's Open Space Needs Assessment or, where this cannot be achieved, provide off-site provision in lieu of on-site provision. The proposal includes courtyard areas that will provide for a form of open space on site. However, it needs to be recognised that this is a town centre site where care needs to be taken to address the heritage context as well as arrive at a deliverable development. The site is also within close proximity of Baiter Park, Poole Park and Harbourside Park, which provide substantial play and open space facilities. A financial contribution will be made from CIL, which the Council can use to provide open space infrastructure. Overall, the proposal is considered to not give rise to harmful impacts in respect of open space sufficient to refuse planning permission.

Accessibility

107. The proposals for this development do incorporate a lift into the plans and the building would be accessible for all.

Nationally Described Space Standards

108. As shown on plan 122.1 GA 02f, all apartments are compliant with Nationally Described Space Standards.

Affordable Housing

109. Submitted with the application was a viability assessment. This report has been reviewed independently and the District Valuation report states the following:

Following the above testing work, it is my considered conclusion that the proposed development with policy compliant Affordable Housing provision would achieve a residual land value below the Benchmark Land Value. I also highlight through sensitivity testing that although the residual land value is higher for an all-Private scheme, this is still below the Benchmark Land Value. Therefore, I conclude that Affordable Housing cannot be viably provided.

The applicant intends to proceed with the development even though the all-Private scheme does not appear to be viable. I would therefore recommend the Council to consider a review mechanism at agreed project milestones with the applicant to assess the actual costs and values for the proposed scheme in order to evaluate whether the scheme could be viable enough to support the provision of Affordable Housing at a later stage.

110. Due to this, it is not considered viable for the scheme to provide any affordable housing.

Biodiversity

111. Policy PP31 of the Poole Local Plan requires that development will only be permitted where the Council are certain it won't lead to a likely significant effect on protected sites. For Poole protected sites comprise areas of Dorset Heathlands and Poole Harbour. The Council has long operated a mitigation approach to Dorset Heathlands and impacts arising from nitrogen and recreation pressures on Poole Harbour. These impacts are mitigated through use of CIL monies as well as securing of Strategic

Access Maintenance and Management (SAMM) monies. The SAMM monies will be secured through the proposed Section 106 with the relevant Heads of Terms agreed.

112. More recently Natural England have identified a possible issue with regard to phosphorous has been identified as potentially having an impact on Poole Harbour. The Government intend to resolve any such issues through legislation. In the meantime it is expected that the approach to nitrogen mitigation will also be appropriate to phosphorous as required. Further work is underway to confirm this and it is proposed in this report that this issue will need to be confirmed before a decision notice to approve is issued. An appropriate delegation is proposed in the recommendation to address this issue.

Planning Balance/Conclusion

113. The proposals will introduce new residential and retail use classes to the site. The applicant has stated that an end user for the retail units has already been established and is keen to commence business from the location. Therefore, there are significant economic benefits arising from the scheme which considerable weight is attached in the balancing exercise.
114. There are also social benefits in supporting local employment and the provision of employment space in a highly accessible location.
115. Given the shortfall of the number of homes delivered in the Local Plan area, the balance is tilted in favour of sustainable development and granting planning permission except where the benefits are significantly and demonstrably outweighed by the adverse impacts or where specific policies in the NPPF provide a clear reason for refusal. The tilted balance approach forms a material consideration in this case. The proposed development will result in a greater density of dwellings on the site within a Sustainable Transport Corridor.
116. The additional height of the development is considered appropriate for the area. The development reaches 3.5 storeys in height and is considered to fit in with the height within the conservation area. The design of the building is considered to be acceptable and an improvement over the existing appearance of the site. The materials of the scheme preserve and enhance the conservation area and the retention of a high percentage of the existing buildings aids the preservation of the area.
117. The NPPF places 'great weight' on the conservation of heritage assets but the proposal would have less than substantial harm on the conservation area. The harm would be less than substantial having regard to the provisions of the NPPF. The benefits of renovating and retaining (where possible) the heritage asset with a mixed use development, along with the social and economic benefits are considered sufficient mitigators to outweigh the less than substantial harm to the setting of the conservation area (the heritage asset). As such, having regard to paragraph 11d)i, the tilted balance is triggered there are insufficient grounds for refusing permission. Subject to suitable conditions, the proposal would satisfy the provisions of policy PP30.
118. The proposal will not cause material harm to the amenities and privacy of the occupants of neighbouring properties.

119. The environmental factors are therefore considered to be neutral. There are positive economic and social factors and overall the scheme represents sustainable development. The scheme is considered to comply with development plan as a whole and is recommended for approval.

Recommendation

Grant Planning Permission subject to the following provisions:

- (a) the following conditions (with the power delegated to the Head of Planning or other relevant officer to make any necessary amendments as long as they don't go to the heart of the decision); together with
- (b) a deed pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) securing the following terms with the power delegated to the Head of Planning (or officer nominated by them for such a purpose) to agree specific wording in the opinion of the Head of Planning (or other relevant nominated officer) does not result in a reduction in the terms identified as required:
 - Heathlands SAMM - £11,508 incl admin
 - Harbour SAMM - £4,099.20 incl admin
 - NHS contribution for doctor provision - £3,360
- (c) And subject to the subject to Head of Planning (or any other officer exercising management responsibilities within the Planning Unit) in their opinion being satisfied that arrangements are in place as are necessary to appropriately address any adverse affect on the integrity of any relevant protected European sites associated with the recent identified concerns relating to phosphates together with delegated power to agree those arrangements.

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:
 - Proposed Site Plan Ref: 122.1 GA.02f (received 10th June 2022)
 - Proposed Street Scene Ref: 122.1 GA.06c (received 6th May 2022)

- Proposed Ground Floor Plan Ref: 122.1 GA.05.01f (received 10th June 2022)
- Proposed First Floor Plan Ref: 122.1 GA.05.02d (received 6th May 2022)
- Proposed Second Floor Plan Ref: 122.1 GA.05.03d (received 6th May 2022)
- Proposed Third Floor Plan Ref: 122.1 GA.05.04d (received 6th May 2022)
- Proposed Roof Floor Plan Ref: 122.1 GA.05.05d (received 6th May 2022)
- Proposed Elevations 1 of 4 Plan Ref: 122.1 GA.06.01c (received 6th May 2022)
- Proposed Elevations 2 of 4 Plan Ref: 122.1 GA.06.02c (received 6th May 2022)
- Proposed Elevations 3 of 4 Plan Ref: 122.1 GA.06.03c (received 6th May 2022)
- Proposed Elevations 4 of 4 Plan Ref: 122.1 GA.06.04c (received 6th May 2022)
- Proposed Servicing Plan Ref: 122.1 GA.02.01c (received 10th June 2022)
- Proposed Structures to be retained Plan Ref 122.1 GA.01a (received 9th March 2022)

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

3. GN030 (Sample of Materials) Details and samples of all external facing and roofing materials to be used shall be submitted to, and approved in writing by, the Local Planning Authority before any materials are brought onto the site. The development shall thereafter be carried out in accordance with the approved details.

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

4. Prior to first occupation of the building(s) hereby permitted, details of measures to provide 20% of the predicted future energy use of each dwelling from on-site renewable sources, shall be submitted to and approved in writing by the local planning authority. These measures must then be implemented before any residential occupation is brought into use, and maintained thereafter. Documents required by the Local Authority include:
 - The 'as built' SAP 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 20% 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 of the Poole Local Plan (November 2018).

5. No development shall take place until a programme of archaeological work has been secured and implemented by an approved archaeological contractor in accordance with a written scheme of investigation to be submitted to, and approved in writing by, the Local Planning Authority.

Reason -

The archaeological site is known to be an area of archaeological importance and the archaeology should be preserved by record and in accordance with Policy PP30 of the Poole Local Plan (November 2018).

6. Prior to the commencement of development, including demolition, a Demolition and Construction Environmental Management Plan (DCEMP) shall be submitted to and approved in writing by the Local Planning Authority. The DCEMP shall identify the steps and procedures that will be implemented to minimise the creation and impact of noise, vibration, dust and other air emissions (including from asbestos removal) and to prevent pollution impacts to sensitive receptors resulting from the site preparation, demolition, and groundwork and construction phases of the development. The development shall be implemented in accordance with the approved scheme, unless previously agreed in writing by the Local Planning Authority.

Reason- To ensure the development does not create local environment impacts and pollution.

7. All of the structure of the existing buildings indicated as Proposed Structures to be retained Plan Ref 122.1 GA.01a (received 9th March 2022) shall at all times be retained.

Reason:

For the avoidance of doubt and to define the extent of the works permitted by this consent.

8. In the event that unexpected contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority and all development ceased. An investigation and risk assessment must be undertaken in accordance with the Environment Agency "Land contamination risk management (LCRM)" procedures and where remediation is necessary a remediation scheme must be prepared and approved in writing by the Local Planning Authority in advance of the scheme recommencing.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority prior to development commencing other than that required to be carried out as part of an approved scheme of remediation.

Reason To ensure that the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecosystems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

9. The development hereby permitted shall not be occupied until a means of access for pedestrians/cyclists and vehicular access (as shown on Proposed Ground Floor Plan Ref: 122.1 GA.05.01f (received 10th June 2022) has been constructed in accordance with the approved plans for both residential and commercial uses.

Reason -

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

10. No building hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with details that shall first have been submitted to and approved in writing by the local planning authority; such details to include a timetable for implementation. Before any details are submitted to the local planning authority an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system, having regard to Defra's non-statutory technical standards for sustainable drainage systems (or any subsequent version) and the results of the assessment provided to the local planning authority.

Where a sustainable drainage scheme is to be provided:

- (a) the submitted details shall also provide:
 - (i) information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; and
 - (ii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime; and
- (b) once implemented the works shall thereafter at all times be managed and maintained in accordance with the approved details.

Reason: In the interests of ensuring adequate drainage from the site.

11. No part of the development hereby permitted shall be occupied until a Commercial Refuse Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Commercial Refuse Management Plan shall in particular include details:

- (a) of a private contractor to collect the refuse and the type of refuse vehicles to be used,
- (b) measures to be taken if no private contractor is available at any time in the future (such as the employment of a person or persons to ensure bins are wheeled to the collection point); and
- (c) to ensure that no bins will be stored in the open or at the collection point apart from on the day of collection.

The approved Commercial Refuse Management Plan shall be accorded with at all times.

Reason: To ensure the safe collection of refuse from the site so as not to impact the efficiency of the local highway network nor the safety of its users and in the interests of preserving visual amenities, meeting the needs of intended occupiers and highway safety and in accordance with Policy PP27 of the Poole Local Plan (2018).

12. The development hereby permitted shall not be occupied until a Refuse Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include: details of the management company to be set up; a maintenance and cleaning contract that complies with the manufacturers recommended intervals for the URS. The employment of a caretaker to maintain the bin store areas keeping them clean and clear of side waste, to arrange the collection and disposal of bulky goods arising from vacating or new residents, by a licensed waste carrier so that unimpeded access is always available for collection staff and residents.

The URS installation is required to carry the BCP waste stream information on the deposit columns, it will require a key access panel giving collection crews the means to raise and lower the electrohydraulic platform to service the bins and resident fob access and fill level/deposit monitoring software.

Reason: To ensure that the proposed development includes a long-term management plan for the safe collection of refuse from the site so as not to impact on the efficiency of the local highway network nor the safety of its users and in the interests of preserving the visual amenities, meeting the needs of intended occupiers in accordance with Policies PP27 of Poole Local Plan (November 2018).

13. The development hereby permitted shall not be occupied until a Commercial Refuse Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include, details of a commercial waste agreement to collect the types refuse generated by the business activity. The refuse management plan shall be carried out in accordance with the approved details, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that each business meets its duty under Environmental Protection Act 1990 (section34) to have suitable commercial waste agreement in place, guidance relating to capacity is based on Waste management in buildings — Code of practice BS 5906:2005, also the safe collection of refuse from the site so as not to impact the efficiency of the local highway network nor the safety of its users and in the interests of preserving visual amenities, meeting the needs of intended occupiers in accordance with Policy PP27 of the Poole Local Plan (2018).

14. The development hereby permitted shall achieve a minimum BREEAM Very Good rating (or equivalent standard). Prior to first occupation 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 of the Poole Local Plan (November 2018).

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

Upon approval:

- a) the approved scheme shall be fully implemented with new planting carried out in the planting season October to March inclusive following occupation of the building(s) or the completion of the development whichever is the sooner, or in accordance with a timetable to be agreed in writing with the Local Planning Authority;
- b) all planting shall be carried out in accordance with British Standards, including regard for plant storage and ground conditions at the time of planting;
- c) the scheme shall be properly maintained for a period of 5 years and any plants (including those retained as part of the scheme) which die, are removed or become damaged or diseased within this period shall be replaced in the next planting season with others of a similar size and the same species, unless the Local Planning Authority gives written consent to any variation; and
- d) the whole scheme shall be subsequently retained.

Reason -

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

16. The development, hereby approved, shall not commence until an Air Quality Assessment has been submitted and approved by the council. The AQA should include impacts of the demolition, construction and operational phases of the development on air quality. Any proposed mitigation options should also be included. Any proposed methodologies and/or monitoring should be agreed with the LPA. Further guidance can be found at the Institute of Air Quality Management (IAQM) (<https://iaqm.co.uk/guidance/>).

Reason - To ensure there is adequate provision of sewage facilities and in accordance with Policy PP39 of the Poole Local Plan (November 2018).

17. All flood defence equipment should be stored in an accessible and suitable location, checked annually, and that appropriate people (residents or site staff) are properly trained in its use.

Reason – to ensure the safety of the occupants.

18. Prior to the commencement of any part of the development hereby permitted including any work of demolition or ground work and notwithstanding anything contained in any documents submitted in connection with this permission details shall be submitted to and approved in writing by the local planning authority that in particular include:

- (a) evidence that demonstrates the structural capability of the stables to support the rooftop extension hereby permitted including any measures necessary to ensure that its structural integrity is secured;
- (b) measures to secure the safety, stability and retention of:
 - (i) the house situate at 13 High Street;
 - (ii) the stables; and
 - (iii) the gatepiers,all as shown marked on approved plan 122.1 GA.01a Proposed Structures to be retained dated [yy] ("the Protected Structures") during and after the construction of the development hereby permitted including a timetable for the initial provision and retention of such measures;
- (c) [details of any proposed works to the Protected Structures in order to secure their retention]; and
- (d) information that clearly identifies which parts of the remaining existing structures other than the Protected Structures and/or their interiors are to be demolished

The development shall only be carried in accordance with the approved details.

If at any time during the carrying out of the development hereby permitted there is identified any issue that might bring into question the structural integrity of the Protected Structures or might adversely impact upon their future retention then all works on site other than any necessary to secure the Protected Structures shall immediately cease and no work shall recommence until details of remedial works to secure the structural integrity and retention of the Protected Structures have been submitted to and approved in writing by the local planning authority ("the Remedial Works"). No other work shall recommence on site until both the approved Remedial Works have been fully carried out and a survey submitted to and approved in writing by the local planning authority that demonstrates that the structural integrity of the Protected Structures has been secured.

Notwithstanding the provisions of Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), there shall be no whole or partial demolition of the Protected Structures.

19. Prior to the commencement of any part of the development hereby permitted and notwithstanding anything contained in any documents submitted in connection with this permission a scheme identifying the architectural detailing and samples of all external and internal facing materials shall have been submitted to and approved in writing by the local planning authority. The development shall only be carried out in accordance with the approved scheme.
20. Prior to the commencement of any other part of the development hereby permitted a programme of archaeological work shall have been carried out in accordance with a scheme that shall have first been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site in accordance with Poole Local Plan (November 2018) and the National Planning Policy Framework.

21. The development shall be carried out in accordance with the submitted flood risk assessment (reference MT/5583/FRA.7 dated August 2022 and associated plans) including the following mitigation measures: - Minimum finished floor levels of the commercial units will be set 2.6mAOD and 3.1mAOD for the residential elements. - Above the height of the finished floor levels, the development will include flood resistance / resilience to the design flood level. These mitigation measures shall be fully implemented prior to occupation and subsequently maintained thereafter throughout the lifetime of the development.

Reasons: To reduce the risk of flooding to the proposed development and future occupants

22. No development approved by this permission shall commence until a scheme for water efficiency has been submitted to and approved in writing by the Local Planning Authority. The scheme demonstrate a standard of a maximum of 110 litres per person per day is applied for all residential development. The scheme shall be implemented in accordance with the agreed details.

Reason: This condition contributes to sustainable development and meeting the demands of climate change. Increased water efficiency for all new developments also enables more growth with the same water resources.

Informative Notes:

- 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.

Case Officer Report Completed

Officer: Hannah Wild

Date:12/09/2022:

Agreed by:

Date:

Comment: