

Planning Committee



Application Address	19A Rozelle Road, Poole, BH14 0BX
Proposal	Demolish existing house and erect 3 detached houses with parking
Application Number	APP/22/01585/F
Applicant	Crestland Homes
Agent	Mr Chris Shipperley
Ward and Ward Member(s)	Penn Hill Councillor Bryan Dion and Councillor Tony O'Neill
Report status	Public Report
Meeting date	20 April 2023
Summary of Recommendation	Delegate powers to the Head of Planning to Grant subject to completion of Section 106 to secure mitigation
Reason for Referral to Planning Committee	<p>Call in by Councillor Bryan Dion for below reasons: (verbatim)</p> <p>Adverse impact on neighbourhood with 3 homes in a confined space previously filled by 1 bungalow. PP 27 Design – Mass and scale too great for the site. The proposed design significantly and unreasonably compromises the privacy to be expected by neighbour. The upstairs windows of 3 separate houses will have a direct line of sight into core living space and garden number 9 Earlham Dr. in violation of PP29 – tall buildings, overlooking concerns; PP24 - Green infrastructure, removal of trees and mature plants.</p> <p>(previous refusal APP/15/00607/F - 2015) (approval for 2 houses granted and extended APP/18/01514/F – APP/22/00401/F – 2022)</p> <p>3 two story detached houses is too many</p> <p>Councillor Tony O'Neill has highlighted that his name was inadvertently put on the call-in form. He has not called-in the application and will review all of the circumstances surrounding this application when it appears on the Planning Committee agenda.</p>
Case Officer	Sophie Burch

Description of Proposal

1. The proposal seeks to demolish the existing bungalow and erect three detached dwellings with parking.
2. The dwellings comprise two storeys with a hipped roof and small front projecting gable. Each dwelling has an open plan kitchen/living room on the ground floor and three bedrooms on the first floor. Amenity space is provided to the rear.

Description of Site and Surroundings

3. The application site comprises a detached bungalow at the end of a cul-de-sac. The site slopes gently towards the west, with the properties on Mansfield Road being elevated relative to the application site.
4. Rozelle Road is wholly residential in character and comprises a mix of single storey and two storey dwellings in a variety of styles.

Relevant Planning History

5. APP/22/00401/F- 19A Rozelle Road, Poole, BH14 0BX - Renewal of expired Permission APP/18/01514/F to demolish existing dwelling and replace with 2 No Detached 4 Bed dwellings - **APPROVED**
6. APP/18/01514/F- 19A Rozelle Road, Poole, BH14 0BX- Demolish existing, construct 2 x two storey detached dwellings - **APPROVED**
7. APP/15/00607/F- 19A Rozelle Road, Poole, BH14 0BX- Additional single storey dwelling at grounds of existing dwelling at 19a Rozelle Road - **REFUSED, DISMISSED AT APPEAL**

Constraints

8. None.

Public Sector Equalities Duty

9. 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

10. 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.
11. For the purposes of this application, in accordance with section 2 Self-build and Custom Housebuilding Act 2015, regard has been had to the register that the Council

maintains of individuals and associations of individuals who are seeking to acquire serviced plots in the Council's area for their own self-build and custom housebuilding.

12. For the purposes of this application, in accordance with section 17 Crime and Disorder Act 1998, due regard has been had to, including the need to do all that can reasonably be done to prevent, (a) crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment); (b) the misuse of drugs, alcohol and other substances in its area; and (c) re-offending in its area.

Consultations

13. BCP Highways Authority - No objection subject to the attachment of conditions
14. Waste Collection Authority - No comments received
15. Dorset & Wiltshire Fire Services - No comments received

Representations

16. 11 letters of representation have been received, commenting on the following:
 - Query over how two dwellings were approved
 - Overdevelopment
 - Parking issues in area
 - Road safety
 - Emergency vehicle access
 - Waste collection often not carried out for end properties
 - Insufficient parking provided
 - No Equality Impact Assessment carried out
 - Noise disruption associated with construction
 - Impact on privacy
 - Harm outweighs benefits

Key Issue(s)

17. The key issue(s) involved with this proposal are:
 - Principle of development
 - Presumption in favour of sustainable development and housing land supply
 - Impact on character and appearance of area
 - Impact on amenities of future occupiers and neighbouring residents
 - Impact on highways and parking
 - Sustainability
 - Biodiversity
 - Other Matters
 - SAMM/CIL Compliance.

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

Policy Context

19. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications must be determined in accordance with the development plan for an area, except where material considerations indicate otherwise. The development plan in this case comprises the Poole Local Plan (2018).
20. Local documents:
- PP1 Presumption in Favour of Sustainable Development
 - PP2 Amount and Broad Location of Development
 - PP7 Facilitating a Step Change in Housing Delivery
 - PP8 Type and Mix of Housing
 - PP27 Design
 - PP28 Flats and Plot Severance
 - PP32 Poole's Nationally, European and Internationally Important Sites
 - PP33 Biodiversity and Geodiversity
 - PP34 Transport Strategy
 - PP35 A Safe, Connected and Accessible Transport Network
 - PP39 Delivering Poole's Infrastructure
 - SPD3 Dorset Heathlands Planning Framework 2020-2025 (Adopted March 2020)
 - SPD 5 Poole Harbour Recreation 2019-2024 (Adopted February 2020)
 - SPD7 Parking Standards SPD (Adopted January 2021)
21. National Planning Policy Framework ("NPPF"/"Framework")
- The policies in the Framework are material considerations which should be taken into account in dealing with applications.

Planning Assessment

Principle of development

22. The Poole Local Plan sets out a spatial planning framework to meet objectively assessed needs to 2033. In accordance with Policy PP01, the Council will take a positive approach when considering development proposals that reflects the presumption in favour of sustainable development contained in the NPPF. In terms of meeting housing needs, a strategic objective of the Poole Local Plan is to deliver a wide range and mix of homes in the most sustainable locations.
23. Policy PP02 identifies the amount and broad locations of development and states that the majority of new housing will be directed to the most accessible locations within Poole, these being the town centre, district and local centres and locations close to the sustainable transport corridors. The Local Plan identifies a minimum of 5,000 homes will need to be delivered in the sustainable transport corridors over the plan period.

24. A sustainable transport corridor is defined as 400 metres either side of a road capable of extending service provision by the end of the plan period to four buses per hour (each way) or within 500 metres radius of a railway station. The intention of this policy is that within these areas the majority of higher density development will place a greater number of people within close walking distance of public transport and a range of services/facilities as a convenient alternative to use of the car.
25. This approach is reinforced by Policy PP34 which also states that new development will be directed to the most accessible locations which are capable of meeting a range of local needs and will help to reduce the need for travel, reduce emissions and benefit air quality, whilst PP35 also states that proposals for new development will be required to maximise the use of sustainable forms of travel. Significant weight therefore has to be applied to the provision of additional residential accommodation which meets these policy objectives.
26. The application site falls within the sustainable transport corridor location, as identified by the Policies Map and therefore the principle of the residential development on site is acceptable in accordance with Policy PP2, subject to its compliance with other adopted policies.

Presumption in favour of sustainable development

27. At the heart of the NPPF as set out in paragraph 11 is the presumption in favour of sustainable development, reiterated in Poole Local Plan Policy PP01.
28. 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.
29. 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.
30. 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, the tilted balance is potentially engaged. However it also lies within 5 km of a European Habitat site and Poole Harbour. The sections below will assess the proposal including in the context of footnote 7 of the Framework and impacts on relevant habitats sites.

Impact on character and appearance of area

31. Policy PP27 of the Poole Local Plan (2018) states that development will be permitted where it reflects or enhances local patterns of development in terms of layout, height, scale, massing, materials, landscaping and visual impact. Policy PP28 relating to plot severance states that severances will only be permitted where there is sufficient land to enable a type, scale and layout of development including parking and usable

amenity space to be accommodated in a manner which would preserve or enhance the area's residential character.

32. The existing dwelling would be demolished, and the site split into three plots, with parking and turning areas to the front of each dwelling. Each plot would measure approx. 8 metres in width, and 23 metres in length taken from the front of each parking space, to the rear of the site. This does not include the turning space to the front of the site, which adds additional length to the site as a whole. The proposed front and rear building lines would generally be in line with that of No.19 Rozelle Road, ensuring continuity.
33. It is noted that the existing site is larger than the majority of sites along Rozelle Road. The sites immediately adjacent to the application site, to the east and north are of a similar size to the proposed plots, as are those along the northern and southern sides of Rozelle Road. Due to the layout of Rozelle Road and the variety of dwellings within the street, there is not a consistent pattern of development
34. In addition, APP/19/01540/F granted permission for the subdivision of the existing property at No.18 Rozelle Road to form a pair of semi detached properties. This resulted in the creation of a narrower plot, measuring 6 metres in width at No.18a.
35. Whilst the proposed development would result in gardens of a reduced depth to many of the dwellings to the north and south size of Rozelle Road, the existing garden serving the bungalow is of a reduced depth. In addition, the proposed gardens will be of a similar depth and size to that of No.19 Rozelle Road. They would also be of a similar depth to No.20 and 20a Rozelle Road. As such, this is considered acceptable.
36. It is therefore considered that the proposed plot severance is in keeping with the pattern of development in the area, which mainly comprises of narrower plots in comparison to the existing plot. With regards to the overall design and appearance of the proposed dwellings, the three dwellings would extend across almost the entire width of their plots. However, this is common in the area and the proposed development would result in plot coverage which is in keeping with the surrounding pattern of development.
37. Each dwelling would be two storeys in height, with a hipped roof and small front gable. There is a variety of house types in the street which comprises bungalows, detached two storey dwellings and semi-detached properties. In addition, APP/22/00401/F granted permission for two, two storey dwellings on the site, albeit on larger plots.
38. Proposed materials include white render with dark grey brick and timber boarding. Although this is slightly more contemporary than surrounding development, given the lack of consistency in materials seen within the area, this is acceptable. In addition, APP/22/00401/F comprises more contemporary materials such as cladding.
39. It has been suggested that the proposals are contrary to the Tall Buildings Policy PP29. The preamble to PP29 Poole advises
“tall buildings are considered to be those over six storeys (approximately 16 metres) or those which are substantially taller than their neighbours, for example in an area of single storey bungalows, a four or five storey building can be considered a tall building.”

As the proposed properties are 2-storey and there are a number of 2-storey dwellings in Rozelle Road, PP29 is not considered to apply.

40. It is therefore considered that the proposal allows for an appropriate increase in density which would contribute an additional 2 dwellings to the housing need in a sustainable location in Poole. The proposed scheme would be in keeping with the surrounding pattern of development and would have an acceptable impact on the character and appearance of the area, in accordance with PP27 and PP28 of the Poole Local Plan 2018.

Impact on amenities of future occupiers and neighbouring residents

41. Policy PP27 of the Poole Local Plan states that development will be permitted where it is compatible with surrounding uses and would not result in a harmful impact on amenity for local residents and future occupiers in terms of sunlight, daylight, privacy, noise and whether it would be overbearing/oppressive; and provides satisfactory external and internal amenity space for existing and future occupants.
42. The NPPF states that planning decisions should provide attractive, welcoming and distinctive places to live and visit; create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users (para.130).
43. With regards to the impact on future occupiers, each dwelling is stated as 103m². This complies with Nationally Described Space Standards for a 3-bed 5-person dwelling minimum standard of 93m². The kitchen/diner and all bedrooms provide an acceptable standard of natural light and outlook. It is however noted that all living rooms are served by a large window which would face onto a car parking space. This would somewhat detrimentally impact the amount of natural light and the standard of outlook from this window. However, it is recognised that the kitchen/diner to the rear provides a good standard of light and outlook, particularly given the large sliding doors and the orientation of the property, with this room facing south. Furthermore, there is a small window on the side elevation of each living room, providing some light and outlook. As such, given all other rooms provide a good standard of amenity, it is not considered that this would result in significant material harm to the living conditions of future occupiers.
44. As previously discussed, each dwelling benefits from an acceptable amount of rear amenity space. Given the gardens are south facing they will benefit from a good standard of natural light. Details of all boundary treatments can be conditioned to any approval to ensure privacy within and from these rear gardens.
45. The recent approval (APP/22/00301/F), grants a 2-storey dwelling on a slight stagger between approximately 1m – 3m from the boundary with No. 19. The current proposal would site a smaller dwelling between 1.3m – 1m from the boundary with No. 19. On the approved scheme, the approved dwelling sits forward of the front elevation of No. 19, on the current proposal, the proposed dwelling would be approx. 1m beyond the rear elevation of No.19. In the circumstances, the impacts of the current proposals on the outlook from No.19 are not considered to be significantly different from the extant approval. As such, it is therefore not considered that the proposed development would appear oppressive or overbearing to neighbouring residents.
46. The proposed dwellings will also have a similar front and rear building line to No.19, and as such are unlikely to result in any unacceptable levels of overshadowing. Given sufficient separation distances the dwellings are unlikely to result in any significant overshadowing to other neighbouring dwellings.

47. With regards to overlooking, details of boundary treatment can be secured via condition to ensure no unacceptable overlooking from ground floor windows on the side and rear elevations. The windows on the front elevation, at both ground floor and first floor level will look onto the parking space and turning area. Separation distances of approx. 14 metres will ensure there is no unacceptable overlooking from these windows to the side elevation of No.21 Rozelle Road. In addition, units 1 and 2 face onto the front amenity space of No.21, which is already within public view.
48. All dwellings benefit from a first floor window serving the stairwell on the eastern elevation. To ensure no unacceptable levels of overlooking arise from these windows these can be conditioned ensure obscure glazing. With regards to the first floor windows on the rear elevation, these will face No.9 and No.10 Earlham Drive. The windows sit approximately 8 metres from the rear boundary of the site which backs onto these dwellings on Earlham Drive, and approx. 25 metres from the living room window of the development approved at No.9 Earlham Drive (APP/18/01200/F). The previous approval APP/22/00301/F grants 2-storey dwellings with rear-facing 1st floor bedroom windows approximately 10m from the boundary with 9 & 10 Earlham Drive.
49. It is recognized that the development will likely result in some loss of privacy to these dwellings, however some levels of overlooking are not uncommon within relatively built up urban areas with a tight urban grain. Similar relationships can be seen within the immediate surrounding area. Examples include properties location on Earlham Drive which overlook private amenity space along Bournemouth Road and dwellings along Richmond Road which overlooking dwellings to the rear along Marlborough Road. As such, such overlooking would fall short of substantiating grounds for refusal.
50. The impact on the residential amenities of the surrounding properties has been carefully considered and the representations referring to these issues are recognised and acknowledged. However, it is considered that the scheme is acceptable and compliant with Policy PP27 of the Poole Local Plan 2018.

Impact on highways and parking

51. Each dwelling would benefit from one parking space and turning area to the front. A cycle store would also provided for each dwelling. This would meet the amount of spaces required for such dwellings within this location, as outlined in the Parking Standards SPD. The existing access would be widened and shared by the proposed dwellings.
52. The Parking Standards SPD requires all new development to include Electric Vehicle charging points and as such, proposals for new houses with at least one designated parking space must ensure the provision of at least one active EV charging point. Therefore the proposed houses would need one active charging point each. Details of this could be conditioned to any approval.
53. BCP Highways Authority were consulted on the initial plans and advised that plans should be amended to widen the parking bays to 2.6 metres and to amend the cycle stores to a design that allows cycles to be accessed independently. Such amendments were forthcoming. BCP Highways Authority's were consulted on these amendments and have no objection to the scheme subject to conditions to ensure the parking and turning space is brought into use prior to first occupation and details of Electric Vehicle Charging provided.
54. It is noted that a number of objections make reference to issues associated with access for emergency services. BCP Highways Authority's have however not raised

any such issues relating to issues with access for emergency services. The amount of traffic generated by three additional units would have acceptable impacts on the capacity of the wider highway network and no evidence has been demonstrated that any increase cannot be accommodated within the highway network.

55. The scheme complies with adopted BCP Parking Standards Supplementary Planning Document (2021) and Policy PP35.

Sustainability

56. Being a new build development, it would be readily possible to deliver an energy efficient and sustainable development in accordance with the requirements of the latest Building Regulations. It is appropriate and reasonable to impose a condition to secure details of the measures that are to be implemented to achieve 10% of the energy needs of the proposed dwellings through renewable energy sources, in accordance with Policy PP37 of the Poole Local Plan.

Biodiversity

57. The proposal does not include any biodiversity enhancements, however a condition could be added to secure biodiversity enhancements in the form of bat tubes and bird boxes, to satisfy the provisions of Policy PP33 of the Poole Local Plan and the NPPF. It is considered this can reasonably be achieved within the scheme and would thereby comply with Policy PP33.

Other Matters

58. The site is not identified at being at risk from surface water flooding and is not within a flood zone. It is recognised that the scheme will introduce an increased level of hard surfacing across the site. The application form states that soakaways will be used for surface water drainage which could be acceptable; however, there is minimal information on this aspect. Therefore, to ensure there is adequate surface water drainage infrastructure on the site it is considered reasonable to condition further details to be submitted. This will ensure the scheme is compliant with Policy PP38 of the Poole Local Plan 2018 which seeks to ensure post-development surface water run-off does not exceed pre-development levels.
59. It is noted an objection makes reference to noise disturbance associated during construction. A condition to ensure no construction work is undertaken during anti-social hours could be attached to any permission to protect neighbouring amenity.
60. It is noted that the submitted call in form makes reference to the loss of vegetation. The site is however not covered by a TPO, therefore there is no control over the clearance of such vegetation. It is noted that the proposal includes some planting to help mitigate the loss of this.
61. An objection makes reference of the lack of Equality Impact Assessment. The proposed does not raise issues of discrimination or impact on individuals or groups with protected characteristics. On this basis a full assessment have not been undertaken
62. Bin storage areas are annotated towards the front of each dwelling. An area to the front of the site is also annotated as bin storage for collection day- this is considered acceptable. The Waste team were consulted however no comments were received.

SAMM/CIL Compliance

Flats	Existing	0	N/A	N/A
	Proposed	0		
	Net increase	0	N/A	N/A
Houses	Existing	1	@ £856	@ £584
	Proposed	3		
	Net increase	2	£856	£584
Total Contributions			£856 plus admin fee	£584 plus admin fee
CIL	Zone C		@ £120.06 per sqm	

63. 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.
64. 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.
65. 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.
66. The applicant has demonstrated a willingness to pay the relevant contributions towards Dorset Heathlands and Poole Harbour Recreation SAMM subject to a positive resolution. As such, the proposed scheme can be made to comply with Policies PP32 and PP39 of the Poole Local Plan. To address this, the recommendation seeks powers to be delegated to officers to grant permission only after the appropriate contributions have been secured.

67. The application falls into CIL Zone C which has CIL chargeable rate of £120.06 per square metre.

Planning Balance/Conclusion

68. The Council encourages sustainable development. This seeks to strike a balance between the economic benefit of the development, the environmental impacts and the social benefits derived by the creation of much needed housing. The proposal would provide for 3 dwellings, a net increase of 2 homes within a sustainable area. It is considered that the principle of three properties on this plot is acceptable and the layout, scale, appearance and access arrangements are compliant with Local Plan policies. The potential impacts on the living conditions of neighbouring residents have been carefully considered but it is considered that any impacts associated with overlooking is not uncommon in such an area and the benefits of the scheme outweighs the level of identified harm.
69. Given the shortfall of the number of homes delivered in the Local Plan area and as the scheme can satisfactorily mitigate its impacts on protected sites, 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 is relevant because the report does not identify adverse impacts, when assessed against the Framework taken as a whole.
70. Having recognised the collective benefits of the proposed scheme and the tilted balance approach, it is concluded that the scheme would achieve the economic, social and environmental objectives of sustainable development, in line with the adopted local policies and the provisions of the NPPF.
71. The scheme is therefore recommended for approval, subject to the competition of a Section 106 agreement.

Recommendation

It is therefore recommended that this application be delegated to the Head of Planning to Grant permission subject to:

- a) the completion of a Section 106 agreement to secure the required contributions towards Dorset Heathlands and Poole Harbour Recreation SAMM; and
- b) the conditions as set out below (and any amendments to those conditions as deemed necessary).

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:

Site, Block & Location plan, Drg No. 9654/100 C received 5th January 2023
Unit 1: Proposed floor plans & elevations, Drg No. 9654/101 B received 16th November 2022
Unit 2: Proposed floor plans & elevations, Drg No. 9654/102 B received 16th November 2022
Unit 3: Proposed floor plans & elevations, Drg No. 9654/103 B received 16th November 2022
Typical cycle store, Drg No. 9654/106 received 5th January 2023

3) GN050 (Matching Materials)

The materials to be used shall match those 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).

4) HW100 (Parking/Turning Provision)

The development hereby permitted shall not be brought into use until the access, turning space, vehicle parking and cycle parking shown on the approved plan have been constructed, and these shall thereafter be retained and kept available for those purposes at all times.

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

5) HW240 (Electric Vehicle Charging Points)

Within 3 months of the commencement of the development details of the provision of Electric Vehicle Charging Points and associated infrastructure shall be submitted to the Local Planning Authority for approval in writing. Those details shall be in accordance with the BCP Council Parking Standards SPD (adopted 5th January 2021). The approved details shall be implemented and brought into operation prior to the occupation of any residential unit hereby approved. Thereafter, the Electric Vehicle Charging Points shall be permanently retained available for use at all times.

Reason: In the interests of promoting sustainable development including sustainable forms of transport in accordance with Policy PP35 of the Poole Local Plan - November 2018.

6) GN090 (Obscure glazing of windows)

Both in the first instance and upon all subsequent occasions, the first floor windows serving the stairwell on each dwelling, on the eastern elevation shall be glazed with obscured glazing which conforms with or exceeds Pilkington Texture Glass Privacy Level 3 (or an equivalent level in any replacement standard) and every such window is either a fixed light or hung in such a way as to ensure that the full benefit of the obscured glazing in inhibiting overlooking is maintained. Every obscured glazed window shall thereafter at all times be retained in accordance with this condition.

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

7) AA01 (Non standard condition)

The details for boundary treatment along the south, east and west boundaries of all rear gardens, and the north, south, east and west boundaries of the site in its entirety shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development. The agreed boundary treatments shall be completed prior to first occupation of any dwelling and retained thereafter.

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

- 8) HW230 (Permeable surfacing condition)
All ground hard surfaces shall either be made of porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the site. The hard surface shall thereafter be retained as such.

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

- 9) AA01 (Non standard condition)
Prior to commencement of development details of drainage to serve the development shall be submitted to, and approved in writing by, the Local Planning Authority. No part of the development shall be occupied until the drainage details approved have been completed.

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

- 10) GN162 (Renewable Energy - Residential)
Prior to first occupation of the building(s) hereby permitted, details of measures to provide 10% of the predicted future energy use of each dwelling from on-site renewable sources, shall be submitted to and approved in writing by the local planning authority. These measures must then be implemented before any residential occupation is brought into use, and maintained thereafter. 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 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 of the Poole Local Plan (November 2018).

- 11) AA01 (Non standard Condition)
Prior to the first occupation of the dwellings hereby permitted 1 no. integral bat brick shall be installed within the southern elevation of each dwelling hereby permitted, away from direct effect of man-made lighting and on aspects and heights as recommended by Bat Conservation Trust - http://www.bats.org.uk/pages/bat_boxes.html. The installed biodiversity enhancement measures shall thereafter be retained on site.

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).

- 12) RC080 (Restriction on Hours of Use of Machinery)
During construction, no machinery shall be operated and no process shall be carried out at the site otherwise than between 8am and 6pm on Mondays to Fridays inclusive, 8am and 4pm on Saturdays, and not any time on Sundays, Bank or Public Holidays.

Reason - To protect the amenities of nearby residential properties and in accordance with Policy PP27 of the Poole Local Plan (November 2018).

Informatives

- 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
 - the application was considered and approved without delay
- 2) IN74 (Community Infrastructure Levy - Approval)
Part 11 of the Planning Act 2008 and the Community Infrastructure Levy Regulations.

The proposed development referred to in this Planning Permission is a chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act 2008 and the CIL Regulations (amended).

In accordance with CIL Regulation 65, the Local Planning Authority (LPA) will issue a Liability Notice in respect of the chargeable development referred to in this planning permission as soon as practicable after the day on which this Planning Permission first permits development. The Liability Notice will confirm the chargeable amount for the chargeable development referred to in this Planning Permission and will be calculated by the LPA in accordance with CIL Regulation 40 (amended) and in respect of the relevant CIL rates set out in the adopted charging Schedule. Please note that the chargeable amount payable in respect of the chargeable development referred to in this planning permission is a local land charge.

Please be aware that failure to submit a Commencement Notice and pay CIL in accordance with the CIL Regulations and Council's payment procedure upon commencement of the chargeable development referred to in this Planning Permission will result in the Council imposing surcharges and taking enforcement action. Further details on the Council's CIL process including assuming liability, withdrawing and transferring liability to pay CIL, claiming relief, the payment procedure, consequences of not paying CIL in accordance with the payment procedure and appeals can be found on the website:

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

Background Documents

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 formal consultation response and representations submitted by the applicant in respect of the application.