



Planning Committee

Application Address	141 Blandford Road, Poole, BH15 4AT
Proposal	Variation of Condition 13 of APP/23/01476/F for demolition of existing building and construction of a single-storey building for use within Class E, with associated parking, landscape and alterations to the front boundary wall, to amend operational hours.
Application Number	APP/24/00937/F
Applicant	Ms Evans
Agent	Terrance O'Rourke
Ward and Ward Member(s)	Hamworthy Cllrs Julie Bagwell, Peter Cooper and Brian Hitchcock
Report Status	Public
Meeting Date	7 November 2024
Summary of Recommendation	Grant in accordance with the details set out below for the reasons as set out in the report
Reason for Referral to Planning Committee	Called in to Planning Committee by Councillor Cooper due to a concern of negative impacts on local residents and businesses in the vicinity due to traffic noise late at night, anti-social behaviour due to alcohol consumption from the store (loitering in the alleyway at night), noise from deliveries at anti-social hours. Unacceptable noise, light pollution, traffic and anti-social behaviour are going to be a real issue.
Case Officer	Frances Summers
Is the proposal EIA Development?	No

Description of Proposal

1. This application seeks planning permission for a variation of condition 13 of planning permission APP/23/01476/F to increase the opening hours from 8:00am and 10:00pm Mondays to Saturdays and 9:00am and 6:00pm on Sundays, and at no time on Bank Holidays, to 07:00-23:00 7 days a week and Bank Holidays.
2. As this is an application to which section 73 of the Town and Country Planning Act 1990 (as amended) applies, it requires consideration only of the conditions subject to which planning permission should be granted. However, in doing this, wider issues affecting the grant of permission need to be taken into account and the assessment made in the context of the development plan and other material considerations as the application results in a fresh planning permission. In this particular case, one

material consideration is that fact that there exists a recently granted planning permission which represents a fallback position. Accordingly, the focus of this report will be on the proposed changes arising from the current application to that previously granted.

3. This S73 application seeks to amend Condition 13 of planning permission APP/23/01476/F. The development permitted under APP/23/01476/F has commenced by way of the demolition of the commercial unit.
4. As the development has commenced, Condition 1 (3-year time condition) of the original planning consent ref: APP/23/01476/F, has been omitted from the condition list attached to this report.

Description of Site and Surroundings

5. The site is located on the southern side of Blandford Road in Hamworthy, Poole. The previous two storey brick building with corrugated metal lean-to that occupied the site has been demolished and the previous planning permission (APP/23/01476/F) has commenced. Prior to this, the site has been used for light industrial purposes within what is now Use Class E for over 40 years. The building took up the entire width of the site and was set well back into the site behind a hard surfaced parking area to the front of the building with a rear section that was overgrown. To the front there is a pumping station in the north-east corner that is an Edwardian building with historical value and the site is overgrown and uncared for.
6. The site is adjacent to a locally listed wall. This wall was placed on the local list in 2013 for both its architectural interest and historic social interest. It is therefore a non-designated heritage asset.
7. A group of mature trees are located directly north-west of the site entrance on Blandford Road and are protected by a group Tree Preservation Order (TPO). A single mature tree is located to the south-east of the site and is also protected by a TPO.
8. Vehicular access is from Blandford Road to the north.
9. The surrounding area is characterised by residential properties, which include a combination of terraced and semi-detached properties on Blandford Road to the north, east and west, townhouses and apartments in Broomhill Way to the south and single storey sheltered accommodation in The Old Rope Walk to the west.

Relevant Planning History

10. APP/23/00976/J – Certificate of lawfulness for existing use or operation to confirm the authorised use of 141 Blandford Road as light industrial within Class E. **Approved 4/12/2023.**
11. APP/23/01476/F – Demolition of existing building and construction of single-storey building for use within Class E, with associated parking, landscape and alterations to the front boundary wall. **Approved 25/06/2024.**

Constraints

12. The trees on site are covered by a Tree Preservation Order (TPO Ref: 31/2006). The trees just outside of the south-eastern corner of the site are also protected and are covered by TPO Ref: 74/2003.
13. Old Roman Road runs through the site. The wall at Old Ropewalk on Blandford Road is locally listed and there is an Edwardian building of historical value abutting the boundary of the site.

Public Sector Equalities Duty

14. 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

15. For the purposes of this report regard has been had to the Human Rights Act 1998, the Human Rights Convention and relevant related issues of proportionality.
16. 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

17. BCP Highways Authority – No objection to the revised scheme.
18. BCP Arboricultural Officer – No objection to the revised scheme
19. BCP Environmental Health (Noise) – No objection provided deliveries take place during the following hours 08:00-22:00 7 days a week and Bank Holidays.

Representations

20. Site notices was posted outside the site on 11 September 2024 with an expiry date of 7 October 2024. 18 representations were received raising the following issues:
 - Original hours are reasonable, the extra evening hours are unsociable – ‘not when most people are up and about’. The extra hour will result in traffic noise and light flashes from cars manoeuvring in the car park;
 - Potential for late night antisocial behaviour already going to be an issue;
 - Litter from take outs;
 - Unnecessary level of commercial activity incongruous residential area;
 - Quality of life impacted;
 - Impacts on elderly people living in Old Rope Walk;
 - No need for extra hours;
 - The Coop, about 500m to the north of the site is open until 11pm. It has a much larger car park and better access from the main road;
 - Another shop 110yards away is open later and earlier so no requirement for another shop;
 - Objects to opening times with convenience store down the road open 7.30-9.30pm. Opening hours for Sundays and bank holidays are unacceptable;
 - Deliveries should be done during already approved hours;
 - Car Park should not be allowed to be used outside of operating hours;
 - Site notices were blown away in the wind;
 - Site notice is dated 11/09/24 and deadline is 15/09/2024;
 - Concerns about highway safety;
 - Right hand manoeuvre into new car park means near lights will backwash through and bring the junction to a stand still;
 - Issues of environmental contamination during demolition; and
 - Supports store but questions whether it is necessary given developments at Sydenhams and Carters quay with retail allocations.

Key Issues

21. The key issues involved with this proposal are:
- Principle of development
 - Neighbouring amenity
 - Highways safety
 - Other considerations
22. These issues will be considered along with other matters relevant to this proposal below.

Policy Context

23. 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 (November 2018) and The Poole Quays Neighbourhood Plan (February 2017).
24. Poole Local Plan (November 2018)
- PP01: Presumption in favour of sustainable development
 - PP02: Amount and Broad Location of Development
 - PP16: Employment area
 - PP22: Retail and main town centre uses
 - PP27: Design
 - PP34: Transport strategy
 - PP35: A Safe, Connected and Accessible Transport Network
25. Poole Quays Forum Neighbourhood Plan (February 2018)
- PQF 1: Public realm
 - PQF 3: High quality design
 - PQF 4: Transport network investment and sustainable travel choice
 - PQF 5: Walking, cycling and public transport improvements
 - PQF 6: Hamworthy centre and Blandford Road
26. The Local Planning Authority as part of Bournemouth Christchurch and Poole Council submitted the draft BCP Local Plan to the Secretary of State on 27 June 2024 for examination. The examination is expected to take around 12 months. If approved by the Inspectors, the BCP Local Plan will replace the current Local Plans around mid-2025. Given the high level of uncertainty that future revisions of the draft BCP Local Plan will echo the version submitted for examination, the emerging policies are given very limited weight in the consideration of this application.
27. National Planning Policy Framework (“NPPF” / “Framework”) December 2023

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 12 - Achieving well-designed and beautiful places

Paragraph 131 –

“The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”.

Paragraph 135 -

“Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; ...
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; ...
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁵²; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience”.

Section 15 - Conserving and enhancing the natural environment

Paragraph 191 -

“Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions ...In doing so they should:

- a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;
- b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason...”.

28. On 30 July 2024, the Government launched a consultation, which is still ongoing, on proposed reforms to the Framework and other changes to the planning system. Given the high level of uncertainty that future revisions of the Framework will echo the consultation version, the potential changes are given very limited weight in the consideration of this application.

Planning Assessment

Principle of Development

29. A previous application (Ref: APP/23/01476/F) was submitted for ‘Demolition of existing building and construction of single-storey building for use within Class E, with associated parking, landscape and alterations to the front boundary wall’. This application was approved under delegated powers in June 2024.
30. The principle of the proposed development of the site has been established by the earlier approval of planning permission APP/23/01476/F. The case officer’s report details the assessment that was considered in coming to that decision. Taking into account the early stages of the national and local policy context (documents being at early stages of consideration) it is therefore considered that the principle of the development on site remains acceptable, in accordance with Policies PP16 and PP22 of the Poole Local Plan and Policy PQF6 of the Poole Quays Forum Neighbourhood Plan, subject to the compliance of the revised scheme with other relevant adopted policies. This is discussed below.

Impact on neighbours

31. Paragraph 96(b) of the National Planning Policy Framework (December 2023) requires decisions to be made that create places that are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of beautiful, well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas. Section 12 aims to achieve high quality place making and paragraph 135 (f) again reiterates inter alia the creation of places that are safe.

32. Policy PP27 of the Poole Local Plan (November 2018) encourages ‘a good standard of design...in all new developments, including extensions and external alterations to existing buildings.’ The policy sets out a range of criteria to assess new development to ensure good design.
33. Policies PQF 1 and PQF 3 of the Poole Quays Forum Neighbourhood Plan (February 2017) seek to encourage good design in all new developments and reduce crime and the fear of crime.
34. The proposal seeks to vary condition 13 of the parent planning permission APP/23/01476/F that restricts the opening hours of the approved shop, given that the proposal lies close to residential properties. This application seeks to extend the hours of operation from 8:00am to 10:00pm on Mondays to Saturdays and 9:00am to 6:00pm on Sundays, and at no time on Bank Holidays, to 07:00-23:00 for 7 days a week and on Bank Holidays.
35. It seems reasonable to compare the opening times with other retail uses in the locality of the application site and this is outlined below:
- 30 Blandford Road - The Blandford Road Convenience Store is open between 7.30am and 9.30pm 7 days a week. 265m away from 141 Blandford Road.
 - 51 Blandford Road - New Capital Pizza and Kebab is open 3pm until 1am Sunday to Thursday and 3pm until 2am Friday and Saturday. 213m away from 141 Blandford Road.
 - 172 Blandford Road - Masson's Supermarket is open 6am-8pm Monday to Sat and 7am to 7.30pm Sunday. 431m away from 141 Blandford Road.
 - 193 Blandford Road - Jade Garden is open from 5pm until 9.45 Tuesday – Sunday. 251m away from 141 Blandford Road.
 - 204 Blandford Road - The Cooperative Store is open between 7am and 11pm everyday. 664m away from 141 Blandford Road.
36. It is clear that operating hours from early in the morning, i.e. 6am or 7am, are common in the vicinity of the site. Additionally, the operating hours late into the evening are also common. However, given this is a retail shop and not a takeaway, it is not considered that very late hours would be acceptable, given this type of use could attract more footfall than takeaways, but it would be comparable with the Cooperative Store, Masson's and The Blandford Road Convenience Store. These stores close at 11pm, 8pm (in general) and 9.30pm respectively. It is therefore considered that 11pm closing time at this location is also suitable. Furthermore, there would be no cumulative impact as the other stores are far enough away from 141 Blandford Road (the nearest being 213m away) and therefore a culmination of uses and the noise/disturbance associated with the proposed extended hours would not occur.
37. The Council's Environmental Health Officer considered this proposal and has no objections to it with regards to noise pollution; however, this is on the condition that deliveries operate within the hours of 8am and 10pm. This restriction seems appropriate at this location and can be secured by condition.
38. In relation to the parent application (APP/23/01476/F), Dorset Police were consulted, and they were satisfied with the introduction of CCTV and the layout of the site from a safety point of view.
39. As such, subject to the revised condition 12, which also proposes to control the time of deliveries to the site, the proposal would not result in a materially harmful impact on the amenities of the nearby residential dwellings. The proposal would therefore be compliant with Policy PP27 of the Poole Local Plan and Policy PQF 3 of the Poole Quay Forum Neighbourhood Plan and Paragraphs 96 and 135 of the NPPF.

Highways Impacts

40. Policy PP34 of the Poole Local Plan (November 2018) sets out the Council's overall approach to encouraging sustainable forms of development, with appropriate infrastructure and access to transport services. The policy seeks to encourage provision for pedestrians and cyclists, ensure access to public transport and manage car trips.
41. Policy PP35 of the Poole Local Plan (November 2018) requires new development to mitigate its transport impacts and encourage sustainable modes of transport.

42. Policy PQF 4 of the Poole Quay Forum Neighbourhood Plan seeks to ensure that new development promotes sustainable modes of transport and provides a positive contribution to the wider transport network.
43. Given that the proposal only seeks to increase the hours by one hour in the morning, one hour in the evening and to allow for opening longer hours on Sundays and at Bank Holidays, the impacts would be only slightly more apparent than during the opening hours already approved.
44. The Local Highway Authority were consulted and have advised that the proposed extended hours would have no adverse impact on highway safety and as such the Local Highways Authority support the proposal.
45. As such, the proposal is in accordance with Policies PP34 and PP35 of the Poole Local Plan (November 2018) and Policy PQF4 of the Poole Quay Forum Neighbourhood Plan (February 2017).

Other Considerations

46. The proposal remains policy compliant with regards to the assessment of its impacts on the visual amenity of the area, biodiversity, trees, sustainability, flooding, waste collection, contaminated land and heritage assets, all of which were considered in the original application APP/23/01476/F. Previously imposed conditions remain relevant in respect of these matters and can be re-imposed.

Planning Balance / Conclusion

47. Taking into account the considerations discussed above, the proposal would continue to achieve the economic, social and environmental objectives of sustainable development, as set out in Local Plan and Neighbourhood Plan policies and the provisions of the NPPF and is recommended for approval.
48. This report considers additional impacts that may arise from the extension of operating hours, and not the original principle of this proposal nor its detailed design.
49. The extended hours are akin to other similar uses and their operating hours in the vicinity, and it is not considered that noise would result in a detrimental impact on the nearby residential properties as advised by the Councils Environmental Health Officer, subject to revised Condition 12.

Recommendation

50. Taking into account the above planning considerations, the proposed scheme is therefore recommended for approval, subject to the following conditions.

Conditions

1. PL01 (Plans Listing)

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

Location Plan, Drawing No: 420-A-LP-00, received 19 August 2024

Site Plan Proposed - Drg No. 420-A-SP-00 Rev E, received 30 January 2024

Floor and Roof Plans Proposed - Drg No. 420-A-P-00, received 27 December 2023

Proposed North East and South East Elevations - Drg No. 420-A-E-00 Rev A, received 27 December 2023

Proposed North West and South West Elevations - Drg No. 420-A-E-01 Rev A, received 27 December 2023

Covered Cycle Store Proposed - Drg No. 420-A-D_00 received 30 January 2024

Topographical survey - Drg No. 7971-1 Rev A received 27 December 2023

Tree Protection Plan, Ref: 23103-3 received 26 February 2024

Arboricultural Impact Assessment and Arboricultural Method Statement - Ref: 23103-AA3-CA received 26 February 2024
Biodiversity net gain assessment by LC Ecological Services dated December 2023, received 27 December 2023
Ecological Appraisal and Phase 1 Bat Survey by LC Ecological Services received 27 December 2023
Drainage strategy, by Calcinotto, Ref: 114717 Rev 3, received 27 December 2023
Retail Statement by Reeves Retail Planning Consultancy Ltd, received 27 December 2023
Transport Statement Rev 3.0, by Calcinotto, received 27 December 2023
Contaminated Land Preliminary Risk Assessment Rev 2.0 by Calcinotto, received 9 January 2024
3848R Detailed UXO Risk Assessment by Fellow International Group, received 19 March 2024

Reason -

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

2. HW110 (Cycle Provision)

Prior to the first use of the commercial building, the secure cycle store shown on drawing nos. 420-A-SP-00_Site Plan Proposed Rev E and 420-A-D_00_Covered Cycle Store Proposed will be installed and thereafter retained.

Reason -

In order to secure the provisions of appropriate facilities for cyclists and in accordance with Policies PP27, PP34, PP35 and PP36 of the Poole Local Plan (November 2018) and PQF1, PQF4 of the Poole Quay Forum Neighbourhood Plan.

3. 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 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.

4. AA01 (Non-standard Condition)

The materials and finishes to be employed on the external faces of the development hereby permitted shall be as specified in the application form and shown on the approved plans. Materials used for the western boundary wall should be sympathetic to the locally listed wall at The Old Rope Walk and demolition of the front boundary walls should ensure the assets of the locally listed wall and the pumping station are protected.

Reason -

To ensure that the external appearance of the building is satisfactory and in accordance with Policy PP27 of the Poole Local Plan (November 2018) and to protect the heritage assets in accordance with Policy PP30 of the Poole Local Plan (November 2018) and paragraph 212 of the National Planning Policy Framework (December 2023)

5. AA01 (Non-standard Condition)

Prior to the first use of the commercial building, the service area for bin collection and storage as shown on drawing no. 420-A-SP-00_Site Plan Rev E shall be constructed, retained and kept free

from obstruction and made available for continuous use by the occupiers of the commercial building.

Reason -

In the interests of visual amenity and the amenities of the future occupants of the dwellings, hereby approved, and in accordance with Policy PP27 of the Poole Local Plan (November 2018), PQF3 of the Poole Quay Forum Neighbourhood Plan and Section 12 of the NPPF (September 2023).

6. AA01 (Non-standard Condition)

Prior to the first use of the commercial building at least two swift (*Apus apus*) nest boxes, two integrated bat boxes and at least three bee bricks shall be integrated into the new building on a south or south-western aspect with no obstruction from vegetation. These facilities shall be provided and maintained in perpetuity.

The development shall be implemented in accordance with the approved recommendation and mitigation within the Ecological Appraisal and Phase 1 Bat Survey undertaken by Lindsay Carrington Ecological Services and the Biodiversity Net Gain report.

Reason -

To enhance the natural environment and to provide biodiversity, in accordance with paragraphs 8, 174 and 180 of the NPPF and Poole Plan Policy PP24 (2)b and PP33.

7. LS090 (Landscape Management Plan)

To ensure the viability of the planting in the new landscape areas, due to the inhospitable below ground growing conditions, a Landscape plan and maintenance schedule shall be submitted prior to occupation, and approved in writing by, the Local Planning Authority. It should link with the BNG Plan, and include the following to ensure survival of the proposed planting:

- Tree species and size e.g. Silver Birch (*Betula pendula*), Field Maple (*Acer campestre*) Standard size.
- Planting methodology and specifications.
- Soil improvement specification and methodology to ensure sufficient rooting availability/volume.
- Maintenance schedule – weeding, watering etc

The development shall be implemented in accordance with approved details and maintained thereafter.

Reason -

To secure the proper development of the site and in the interests of the establishment and long-term management of the landscaped areas in accordance with Policies PP27 and PP33 of the Poole Local Plan (November 2018) and PQF1 of the Poole Quay Forum Neighbourhood Plan.

8. GN163 (Renewable Energy - Non Residential)

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

- The 'as built' SBEM/BRUKL assessment documents. These should be the same documents issued to Building Control to address the Building Regulations Part L,
- The corresponding EPC (Energy Performance Certificate), and

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

Reason -

In the interests of delivering a sustainable scheme, reducing carbon emissions, and reducing reliance on centralised energy supply, and in accordance with Policy PP37(2) of the Poole Local Plan (November 2018).

9. GN161 (BREEAM)

The commercial building 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(3) of the Poole Local Plan (November 2018).

10. DR040 (Sustainable Urban Drainage)

Prior to the first occupation of the commercial building, a scheme for the provision of sustainable urban drainage shall be submitted to, and approved in writing by, the Local Planning Authority. The drainage works shall be fully implemented prior to the first use of the commercial building and thereafter retained.

Reason -

To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal and in accordance with PP38 of the Poole Local Plan (November 2018).

11. HW100 (Parking/Turning Provision)

The development hereby permitted shall not be brought into use until the amended access onto Blandford Road as shown on drawing no. 420-A-SP-00_Site Plan Rev E has been constructed and laid out. The new access shall thereafter be retained and kept available at all times. The development hereby permitted shall not be brought into use until the amended access onto Blandford Road as shown on drawing no. 420-A-SP-00_Site Plan Rev E has been constructed and laid out. The new access shall thereafter be retained and kept available 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) and PQF1, PQF4 of the Poole Quay Forum Neighbourhood Plan.

12. AA01 (Non-standard Condition)

The use hereby permitted shall operate only between the hours of 7:00am and 11:00pm Monday to Sunday inclusive and including Bank Holidays. The deliveries to the site shall be only taken between the hours of 8:00am and 10:00pm.

Reason -

To protect the amenity of the neighbouring residents from unacceptable noise and movements outside of working hours and in accordance with Policy PP27 of the Poole Local Plan November 2018 and PQF3 of the Poole Quay Forum Neighbourhood Plan

13. AA01 (Non-standard Condition)

Prior to first use of the development hereby permitted, details of CCTV to present view of the bicycle stands, the footpath and both side accesses to the development shall be submitted to and approved in writing by the Local Planning Authority. Once approved the CCTV shall be installed and be operational at all times.

Reason -

To ensure the safety of users and reduce the opportunity for crime in accordance with Policy PP27 of the Poole Local Plan November 2018, PQF1 of the Poole Quay Forum Neighbourhood Plan and paragraph 96b and 135f of the National Planning Policy Framework (December 2023)

14. AA01 (Non-standard Condition)

Prior to first occupation, details of lighting to be used within the development shall be submitted to and approved in writing by the Local Planning Authority. Once approved the lighting shall be installed and in use in line with the approved details.

Reason –

To protect neighbouring amenity and provide safe spaces in accordance with Policy PP27 of the Poole Local Plan adopted 2018, PQF1 of the Poole Quay Forum Neighbourhood Plan and paragraphs 96 and 135 of the National Planning Policy Framework (December 2023)

15. AA01 (Non-standard Condition)

Notwithstanding the provisions of the Town and Country Planning Use (Use Class) Order 1987 (or any re-enactment of thereof), the development hereby permitted shall not allow such uses within Use Class E that have higher requirements for car parking namely: Clinics, health centres, doctors, dentists, vets (Use Class E(e)),

These uses are not permitted and would require further planning permission from the Local Planning Authority.

Reason –

To ensure highway safety is retained in accordance with PP35 of the Poole Local Plan adopted 2018

16. AA01 (Non-standard Condition)

Details and samples of the materials and finishes to be used for the western boundary wall shall be submitted to, and approved in writing by, the Local Planning Authority prior to the demolition of the front boundary wall. The development shall thereafter be carried out in accordance with the approved details.

Reason -

To ensure that the external appearance of the wall is sympathetic to the locally listed wall at The Old Rope Walk and demolition of the front boundary walls should ensure the assets of the locally listed wall and the pumping station are protected and in accordance with Policy PP27 of the Poole Local Plan (November 2018) and to protect the heritage assets in accordance with Policy PP30 of the Poole Local Plan (November 2018) and paragraph 212 of the National Planning Policy Framework (December 2023)

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 application was acceptable as submitted and no modification or further assistance was required

2. IN13 (Kerb Crossing to be Lowered)

The applicant is informed that the Local Highway Authority will require the footway and kerb to be lowered and reconstructed in the positions corresponding to the vehicular means of access to the site. This requirement is imposed in order to service the means of access; in order to prevent danger and inconvenience to other road users and to pedestrians; and in order to prevent possible damage to highway surfaces. The work shall conform to a specification to be provided by the Highway Authority (BCP Council), or it may be required to be undertaken by the Authority itself. In either event, the work will be required to be undertaken at the applicant's expense. With regards to such works the applicant should contact BCP Council and complete an online application form at: <https://www.bcpCouncil.gov.uk/Roads-and-transport/Dropped-kerbs/Apply-for-a-dropped-kerb.aspx>

Background Documents: APP/23/01476/F and APP/24/00937/F

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

Notes: This excludes all documents which are considered to contain exempt information for the purposes of Schedule 12A Local Government Act 1972.

Reference to published works is not included.