



Planning Committee

Application Address	Siemens plc, Sopers Lane, Poole, BH17 7ER
Proposal	Demolition of existing buildings and structures and the redevelopment of land for flexible Class E (g) (ii & iii), B2, B8 Use Classes, ancillary office space, associated parking & servicing, landscaping, means of access & ancillary infrastructure.
Application Number	APP/24/00811/F
Applicant	Sopers Lane Development LLP
Agent	tor&co Ltd
Ward and Ward Member(s)	Creekmoor Cllr Judes Butt Cllr Paul Slade
Report Status	Public
Meeting Date	16 January 2025
Summary of Recommendation	Grant in accordance with the details set out below for the reasons as set out in the report, subject to a s106 being secured with power delegated to the HOPO to agree the final wording and amount of BNG contribution of the s106
Reason for Referral to Planning Committee	The proposal is an application that the Head of Planning considers are potentially contentious and raise material planning issues, or would affect the wider public interest (Paragraph 2.3.3. (f) of Part 3 of BCP's Constitution)
Case Officer	Frances Summers
Is the proposal EIA Development?	No. The development is part of an industrial estate and therefore the definitions explained in Schedule 2.10 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 apply. The definition at part a states the area of such development is EIA when it exceeds 5ha. This scheme is 4.31ha and therefore is outside of the scope of EIA development.

1 DESCRIPTION OF PROPOSAL

1.1.1 Full planning permission is sought for the following description of development:

Demolition of existing buildings and structures and the redevelopment of land for flexible Class E (g) (ii & iii), B2, B8 Use Classes, ancillary office space, associated parking & servicing, landscaping, means of access & ancillary infrastructure.

1.1.2 The proposed application would comprise 10 new units, with Unit 1 being the largest unit within the centre of the Site. The proposed use classes are defined on the Planning Portal as follows:

- B2 General industrial - Use for industrial process other than one falling within class E(g) (previously class B1) (excluding incineration purposes, chemical treatment or landfill or hazardous waste)
- B8 Storage or distribution - This class includes open air storage.
- E(g)(ii) Research and development of products or processes
- E(g)(iii) Industrial processes

1.1.3 The proposal includes the following key elements:

- Demolition of existing buildings onsite (two and three storeys) which are in office use (Land Use E(g)(i), existing c. 11,740sqm of floorspace).
- Construction of 10 industrial units (land use provided above).
- Removal of existing car park which serves the existing onsite buildings. Re-provision of car parking spaces within the new proposed hard landscaped elements of the Site, to serve the proposed units.
- Removal of 26 trees, including seven trees within the TPO Group located within the west of the Site, adjacent to the existing main vehicle access. Planting of 149 new trees onsite.
- Associated landscaping on the Site.
- Provision of 10% Biodiversity Net Gain through a mixture of retention of habitats, creation of habitats onsite and provision of offsite biodiversity units/statutory credits depending on availability.
- Creation of a pedestrian footpath access connecting the north of the Site with Soper's Lane.

1.1.4 Whilst the proposal does not include phasing in the description, the applicant has advised that the existing building in the north of the Site and the existing car park are subject to an ongoing lease which necessitates their retention beyond the time at which the applicant is seeking to commence development on the Site. As such, to provide clarity on the progression of the development and to tie recommended planning conditions to the required stage of construction, this committee report will refer to the development as being brought forward in two phases. Phase 1 comprises the main Unit 1, access and associated parking, to be implemented while the existing office building in the north of the Site and the car parking are

retained and operational. Phase 2 demolishes the remainder of the buildings on the Site and comprises the construction of the remaining nine proposed industrial units.

1.2 Revised Plans

- 1.2.1 Revised plans (in relation to the proposed materials) and further information were received. The scale of the changes are minor and the proposed uses were not amended in the revisions. The description of development was not amended. A public re-consultation is not required.

2 DESCRIPTION OF SITE AND SURROUNDINGS

2.1 The Application Site (the “Site”)

- 2.1.1 The application site (hereon referred to as “the Site”) is a parcel of land located within the Creekmoor ward. The land is bounded by Soper’s Lane to the north, Technology Road to the south, and two existing sites of a similar industrial nature to the east and west. A new industrial facility was approved on the eastern site under permission reference APP/21/00497/F (and subsequently amended under s73 applications) for 17,119sqm of floorspace.
- 2.1.2 The Site is designated as an ‘Existing Employment Area’ within the Poole Local Plan. It contains two main buildings which appear to be in lawful use as office space. The main buildings were part of the Siemens development and are:
- Existing building in the north has a main flat roof height of 25.55m with a smaller fourth floor element rising to 27.88m.
 - Existing building in the west has a flat roof three-storey height of 27.52m.
- 2.1.3 There is a large grass area within the centre of the Site. A group Tree Preservation Order (TPO) was recently designated on the northwestern part of the Site (TPO reference 24/00002) to help screen the site along the western boundary.
- 2.1.4 The southern area of the Site is predominantly car parking, which is used by the existing onsite office buildings.
- 2.1.5 The Site previously had several smaller buildings, which were granted permission to be demolished under prior approval app ref APP/17/01435/PA and were subsequently demolished.

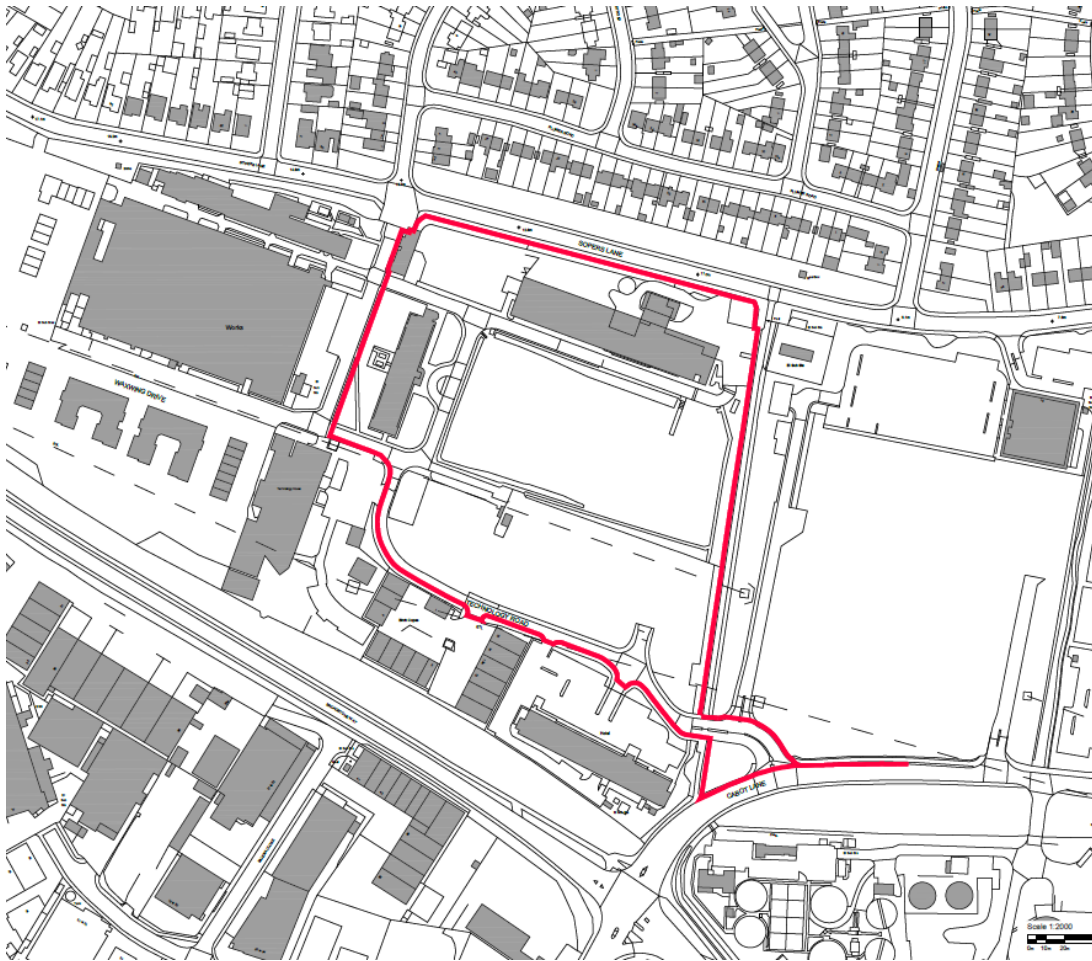


Figure 1: - Application Site and surroundings

2.1.6 The Site is subject to the following constraints and designations:

- Existing Employment Area
- Surface water flood risk in parts
- 5km Heathland Area
- Poole Harbour Recreation Zone
- Poole Harbour catchment
- BCP Parking Zone C
- Tree Protection Orders

2.1.7 There are three local listing to the south of the Site; however two have been removed. This is discussed in detail within the Heritage Impact section of this committee report.

2.2 Draft Site Allocation

2.2.1 The draft Bournemouth, Christchurch and Poole Local Plan (BCPLP) is still undergoing examination. It is not yet an adopted local plan and officers have given it minimal weight in considerations, for the reasons given within the Policy Context section.

- 2.2.2 The draft BCPLP proposes to allocate the Site as an Employment Site under draft policy E2 (see Figure 9.1 of the draft plan). The draft allocation projects the Site for 17,200sqm of E(g), B2 and B8 floorspace.

2.3 Surrounding Area

- 2.3.1 The nearest residential area is to the north of Soper's Lane, which is low density housing.
- 2.3.2 There is a nearby offsite Public Right of Way (PRoW) to the east of the Parvalux site (directly to the east) which provides north-south cycle and pedestrian access between Soper's Lane and Cabot Lane.
- 2.3.3 Broadstone Way, further to the south of the Site (separated from the Site by existing buildings and Cabot Lane) is part of the "Poole town centre to Oakley via Castleman Trailway" primary cycle network. Soper's Lane and Cabot Lane are all on the secondary cycle network.
- 2.3.4 A recent permission (application ref APP/20/00010/F, amended by S73 permissions APP/20/00621/F and APP/21/00497/F) was granted for a Parvalux B1/B2/B8 facility at 81 Soper's Lane, directly to the east of the Site. The building is comparable to the scale of Unit 1 within the current proposal. The site uses the same vehicle entrance off Cabot Lane; however, splits with the Parvalux site on Technology Road.
- 2.3.5 A group of six warehouse buildings to the south of the Site were approved under application reference 02/08826/049/F, on 08/05/2002, and were varied under application reference APP/17/01434/F. The warehouses have been implemented and are operational.

3 RELEVANT PLANNING HISTORY

3.1 Relevant Planning Applications

- 3.1.1 The Site has an extensive planning history, including many alterations to the existing onsite buildings or previous facilities. Much of the planning history is historic and documents are not readily available. The key planning history of the application Site has been listed below:

8826/4 - Granted Permission 18/11/1965

Convert existing buildings to offices and laboratories at premises.

8826/6 - Granted Permission 03/03/1966

Erect 3-storey office block with penthouse at premises.

8826/7 - Granted Permission 03/03/1966

Convert Production Buildings to offices and laboratories at premises.

8826/27 - Granted Permission 21/02/1991

Erect three-storey office building

8826/28 - Granted Permission 03/10/1991

Erect three-storey office building

8826/29 - Granted Permission 03/01/1992

Relief of conditions 3 and 4 of permission 5/91/8826/28 granted on 3 October 1991 in order to allow construction traffic access and parking during construction of the office block, and amended car parking

8826/35 - Granted Permission 19/04/1996

Outline - Rationalisation of site and buildings (including demolition of existing outbuildings and erect new offices/canteen and car parking)

99/08826/042/F - Granted Permission 10/07/2000

Extend and carry out alterations to existing staff car park

APP/17/01435/PA - Prior Approval granted 02/10/2017

Prior Notification of Proposed Demolition of Building U and F and ancillary structures.

4 PUBLIC SECTOR EQUALITIES DUTY

4.1.1 In accordance with Section 149 of the 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.

5 OTHER RELEVANT DUTIES

- 5.1.1 In accordance with regulation 9(3) of the Conservation of Habitats and Species Regulations 2017 (as amended) (“the Habitat Regulations”), for the purposes of this application, appropriate regard has been had to the relevant Directives (as defined in the Habitats Regulations) in so far as they may be affected by the determination.
- 5.1.2 For the purposes of section 40 Natural Environment and Rural Communities Act 2006, in assessing this application, consideration has been given as to any appropriate action to further the “general biodiversity objective”.
- 5.1.3 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.
- 5.1.4 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.

6 CONSULTATIONS

- 6.1.1 The following consultation responses were received in relation to the proposal. It should be noted that responses are summarised within this section unless indicated with quotations. The full comments of consultees are available on the LPA website. Consultee comments have been considered in full, within the relevant parts of this committee report.

Arboricultural Team (BCP)

01/08/2024 - Objection

- *“An objection is raised to the proposed felling of the TPO’d trees to facilitate the development. The TPO is currently still provisional and following its proposed confirmation a detailed response will be sent. The detailed comments will include comments on the trees and landscaping issues for the whole development.”*

28/11/2024 - Objection

- Objection due to the loss of TPO trees.
- If planning permission is granted, the following conditions should be placed on the permission:

Conditions

- Arboricultural Method Statement
- Details of arboriculturally sensitive operations
- Details of a cellular confinement system to be used adjacent to parking
- Landscape Plan
- Arboricultural supervision details

Bournemouth Airport

14/08/2024 - No Objection

- No objection to the proposal.

18/08/2024 - Holding Objection

- *“Bournemouth Airport submit a holding objection until the landowners/installers demonstrate there are no glint & glare safeguarding issues from the PV being installed on the roof.”*

09/12/2024 - No Objection

- No objection subject to a condition securing a Glint and Glare Assessment demonstrating and acceptable impact on airport safeguarding.

Dorset and Wiltshire Fire and Rescue

05/08/2024 - Comments

- Comments on what fire safety measures should be implemented. Dorset and Wiltshire Fire and Rescue note that where relevant, some fire related aspects will be assessed through building regulations requirements.

Dorset Police

16/08/2024 - Comments

- *No objection; however, Dorset Police have highlighted the following concerns:*
 - The proposed footpath linking the site to Soper's Lane is a dog leg and would likely encourage crime and dangerous space. If the footpath is kept, it should be for the sole use of the employees of the site only, with a lockable gate.
 - Cycle stores should be facing natural surveillance from units/roadside.
 - A CCTV system should be in place throughout the development.
 - *“The 'Ecological Enhancement Buffer Planting' to the west of the site will need consideration of the best plants to deter intrusion through here. Full, thick bushes and spiky plants are the best type of deterrent to reduce people and animals trying to get through. These plants should be established at the completion of the site.”*
 - *“There is no reason why, with consultation from the Crime Prevention Design Advisor, this development could not achieve a Secured By Design Commercial accreditation, which could assist in achieving the BREEAM 'EXCELLENT' application.”*

Economic Development Officer (BCP)

24/09/2024 - Support

- *“The redevelopment of the existing commercial units and land allows for the growth of existing AEM businesses and new companies to establish within the area which will result in new jobs within BCP and Dorset, increase productivity and provide opportunities for apprenticeships from both HE and FE.”*

Environmental Agency (EA)

29/07/2024 - No Comments

- *“Thank you for consulting the Environment Agency on this application. We have no comments to make in respect of the proposed development”.*

Environmental Development Team (BCP)

13/11/2024 - No Objection

- *“If application granted permission applicant will need to produce Biodiversity Net Gain Plan showing how the current lack of 10% Biodiversity Net Gain for habitat will be addressed. For onsite a habitat management and monitoring plan (HMMP) will be required.”*
- *“An informative should be supplied that if bats are found during demolition that all work to cease and if possible, part of structure that was removed and exposed bats put back into place. A bat ecologist employed to address situation and Natural England contacted.”*
- No objection, subject to:

Conditions

- Details of biodiversity improvements
- Lighting Strategy
- Demolition and Construction Environmental Management Plan (DCEMP)
- Vegetation clearance to be carried out outside the bird breeding season

09/12/2024 - Objection

- Unsatisfied that the Biodiversity Hierarchy has been considered during the design of the development and concerns over the ability to achieve the conditions targets set out in the BNG metric.

Environmental Health – Air Quality (BCP)

19/08/2024 - No Objection

- No objection subject to the following conditions:

Conditions

- Demolition and Construction Environmental Management Plan

Environmental Health – Land Contamination (BCP)

29/07/2024 - Further Information Required

- The document “Site Investigation Report: Phase 1 Preliminary Risk Assessment” is not available to review.

02/09/2024 - No Objection

- The two relevant reports were sent to the BCP Council contaminated land advisors, Mabbett, for independent technical review.
- *“There is further data available from the Soil Consultants report, an addendum/update to the Ramboll Phase II report should be issued that incorporates and discusses the additional information from Soil Consultants, provides an updated human health/ground gas risk assessment and an updated CSM. In addition, calibration certificates for all ground gas monitoring equipment used by both Ramboll and Soil Consultants should be submitted with the reporting.
Although some reporting has been submitted as above, it is not yet considered suitable to meet the requirements of parts of the proposed contaminated land condition. Therefore, Environmental Health would request that the following **pre-commencement** contaminated land planning condition be attached to any permission granted”*

- No objection, subject to the following conditions:

Conditions

- Phase I Preliminary Contamination Risk Assessment
- Phase II Site investigation if potentially unacceptable risks to sensitive receptors are identified
- Remediation Scheme to address any risks if identified
- Reporting of any unexpected contamination

Environmental Health – Noise (BCP)

08/10/2024 - No Objection

- No objection, subject to:

Conditions

- Demolition and Construction Environmental Management Plan
- Provision of Acoustic Barrier not exceeding acceptable levels

Flood Coastal Erosion Risk Management (FCERM) (The Lead Local Flood Authority)

20/09/2024 - Objection

- We object to the proposal due to the lack of evidence to substantiate that infiltration is inappropriate; insufficient evidence to demonstrate that multifunctional SuDS features cannot be delivered; and the lack of long-term water storage.

13/11/2024 - Further Information Required

- *“We disagree with your assessment of green field runoff rates (our view is that the WRAP maps included within the Wallingford Procedure are higher resolution than those in Microdrainage and clearly show that the site is within SOIL type 1, and the GI Report shows the surface soils to contain a significant proportion of sandy gravelly material lying on top of the clay strata as “Made Ground 2”). However, we appreciate the significant reduction in the proposed runoff rates from those previously submitted and the incorporation of Type B permeable paving systems. Any gains from further efforts to restrict the flow would likely be marginal, and so we accept the proposed conceptual strategy.”*
- We “...support in principle the proposed discharge rate of 23.6l/s with your proposed additional storage, based on your letter dated 5 November 2024”.
- *“These parameters would need to be incorporated and justified in an updated FRA & Drainage Strategy Report; and evidence provided that Wessex Water accept these specific flow rates. We would need to review the updated FRA/DS report and, provided it accords with the parameters agreed above, we could support the proposal subject to conditions that we will then provide.”*

21/11/2024 - No Objection

- “We have now received the updated FRA/DS, “Flood Risk Assessment & Drainage Strategy” Doc Ref 10017-PTA-XX-XX-RP-C-9071 June 2024 Revision P06 15/11/24, which includes at Appendix C the Proposed Preliminary(S3) Drainage Strategy drawing number 10017-PTA-XX-XX-DR-C-8100 Revision P07 15/11/24. We consider that these documents set out a sustainable and deliverable drainage strategy that reduces discharge of surface water to an acceptable standard. Therefore, we withdraw our previous holding objection and can support approval subject to the following conditions”.
- No objection, subject to:

Conditions

- *Details of the surface water sustainable drainage system, which must not exceed a flow rate of 23.6 l/s.*
- *Maintenance and management details of the surface water sustainable drainage scheme*

Highways Authority (BCP)

15/08/2024 - Objection

- “the Highway Authority defer for amended plans showing:
 - *Improved pedestrian route from Sopers Lane between Units 9 and 10 with a minimum width of 3m, as noted above*
 - *Pedestrian route into the site from the shared footway/cycleway running alongside the site to the east*
 - *The car parking set out perpendicular to the road to the front of unit 10 amended to provide a “loading only lay-by” near to the pedestrian entrance to Unit 10 and the remaining bays to also be parallel with the road, set out in a lay-by and marked out as disabled bays*
 - *Larger proportion of the cycle parking to be provided by means of sheffield stands, rather than using a two-tier system*
 - *Cycle parking within the actual units to be within dedicated stores or cages*
 - *Provision of standard footway design with raised kerbs along the road to the front of Units 2-8, where there are no vehicle accesses*
 - *Provision of lockers, changing rooms and showers, as detailed in the above report”*

05/11/2024 - Objection

- The revised footpath onto Soper’s Lane is now supported.
- There are concerns regarding the parking layout adjacent to Unit 10.

04/12/2024 - No Objection

- The revised plans are satisfactory, subject to several minor modifications which can be secured by conditions (nb – these are included in the list below).
- No objection, subject to the following:

Planning Obligations

- Financial contribution of £35,000 towards the provision of a new Super Bus Stop on Soper’s Lane.
- Travel Plan to be submitted prior to the use of Unit 1.
- Full Site Travel Plan to be submitted prior to the use of Units 2-10.
- Travel Plan Monitoring Contribution of £9,700.

Conditions

- Vehicle parking and turning space to be implemented.
- Submission of a scheme to replace the two accessible car parking spaces adjacent to Unit 10 with a loading bay.
- The pedestrian/cycle access pathway from Soper’s Lane to be implemented prior to Phase 2.
- Details of cycle parking provision.
- Details of electric vehicle charging points.

- Details of temporary car parking for building operatives during the construction of each phase.
- Details of levels, sections, drainage and lighting of proposed roads.
- Submission of a Parking Management Strategy.
- Requirement for the existing access to be closed.
- Phasing scheme for signage and ground markings.
- Construction Traffic Management Plan.

Planning Policy (BCP)

09/12/2024 - objection

- Unconvinced that the biodiversity gain hierarchy has been suitably considered in the development of the design and insufficient information submitted to demonstrate that habitat condition targets are achievable.

Wessex Water

- No comments received

Urban Design (BCP)

15/08/2024 - Objection

- *“Conclusion: This is a huge industrial site, and it is positive to see that the proposal would retain this use which will offer more jobs for BCP area and boost the local economy.”*
- *“Adjustments to the general layout and other aspects of this proposal are suggested to help deliver a better-quality development that is more sustainable, that can promote biodiversity enhancements on site, and adds value to the area.”*
- *“The proposed development could be improved if the buildings were stepped back away from the boundaries – particularly the northern. This would remove the pressure away from the existing trees around the site and is an opportunity to introduce larger areas of vegetation and soft landscaping that can serve as outdoor amenity space for employees, as well as would help deliver Biodiversity Net Gain (BNG) on site and screen the scale and height of the proposed buildings.”*

7 REPRESENTATIONS

- 7.1.1 Public consultation was undertaken in accordance with statutory requirements, comprising site notices placed adjacent to the Site and a press notice posted in a local newspaper. The public consultation period concluded on 6 January 2025.
- 7.1.2 At the date of this report being published, three responses have been received comprising three comments supporting the application. Comments in full are available on the Council website. Two of the comments have stated that they have a vested interest, being employed by the firm that they state is projected to take up Unit 1 of the proposal. A representation from the Society for Poole was received on 27 August 2024, supporting the proposal. This has been included in the total above, and the comments within the representation have been included in the summary below.

7.1.3 The relevant material planning considerations raised within the representations that have objected to the application are summarised below:

- The application will bring more business to the local area and provide space for businesses to develop.
- “I do however have some concerns regarding the access road to this site. The current junction between Technology road and Cabot lane works ok for the light traffic that currently uses it for the hotel and small units. However when there are up to 100 potential cars exiting the site at around half 4 every afternoon, I can see it being a nightmare to get out on to Cabot lane (a 40mph road), especially if turning right to go towards the Broadstone way. Ideally a traffic light junction would be installed.”
- 200 employees of an existing company will likely be relocated from an old site to this one, which is very close to the existing site. This means that employees will still be able to remain employed in the local area.
- A company that is likely to locate on the application site is rapidly growing and there will be good local employment prospects for future generations.
- The application would recycling previously used urban land in a satisfactory manner and assist in maintaining relevant employment sites in Poole.

8 POLICY CONTEXT

8.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise. The development plan comprises the Poole Local Plan (PLP) (2018).

8.1.2 The latest version of the National Planning Policy Framework (NPPF) was published in December 2024. This document sets out the Government’s planning policies for England including the presumption in favour of sustainable development and is a material consideration in the determination of all applications.

8.1.3 The current planning application has been considered against all relevant national, regional and local planning policies as well as any relevant guidance. A full list of relevant policies and guidance has been out in this section of this committee report.

8.2 Local Documents

Poole Local Plan (PLP) (2018)

8.2.1 The PLP has been considered in its entirety. The relevant policies to this assessment are as follows:

- PP1 Presumption in favour of sustainable development
- PP2 Amount and broad location of development

- PP16 Employment areas
- PP24 Green infrastructure
- PP27 Design
- PP30 Heritage assets
- PP32 Poole's nationally, European and internationally important sites
- PP33 Biodiversity and geodiversity
- PP34 Transport strategy
- PP35 A safe, connected and accessible transport network
- PP36 Safeguarding strategic transport schemes
- PP37 Building sustainable homes and businesses
- PP38 Managing flood risk
- PP39 Delivering Poole's infrastructure

Supplementary Planning Documents / Guidance

- BCP Parking Standards SPD (2021)
- Dorset Heathlands Planning Framework 2020-2025 SPD (2021)
- Heritage Assets SPD (2013)
- Nitrogen Reduction in Poole Harbour SPD (2015)
- Poole Harbour Recreation 2019-2024 SPD (2020)
- Sustainable Urban Drainage Systems SPG (2002)
- Travel Plans SPG (2003)

Other Local Documents

- Dorset Heathlands Interim Air Quality Strategy 2020-2025 (2021)
- Strategic Flood Risk Assessment for the Poole Area
- Standards For Waste Container Storage and Access (2024)

8.3 National Planning Policy Framework (NPPF) (2024)

8.3.1 The whole of the NPPF was considered. The following chapters are of particular relevance in this assessment:

- Chapter 2 Achieving sustainable development
- Chapter 4 Decision-making
- Chapter 6 Building a strong, competitive economy
- Chapter 8 Promoting healthy and safe communities
- Chapter 9 Promoting sustainable transport
- Chapter 11 Making effective use of land

- Chapter 12 Achieving well-design places
- Chapter 14 Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 Conserving and enhancing the natural environment
- Chapter 16 Conserving and enhancing the historic environment

8.3.2 NPPF Paragraph 11 sets out the presumption in favour of sustainable development. Plans and policies 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 strong 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, having particular regard to the key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.”

8.4 Other Relevant Documents

- Building Research Establishment 'Site layout planning for daylight and sunlight: a guide to good practice' (second edition)
- Defra Local Air Quality Management Technical Guidance (TG16)
- EPUK-IAQM Land-Use Planning and Development Control: Planning for Air Quality
- LTN1/20 – Cycle Infrastructure Design (2020)
- Manual for Streets (2007) and Manual for Streets 2 (2010)
- National Planning Practice Guidance (NPPG)

8.5 Emerging Draft BCP Local Plan

8.5.1 Paragraph 48 of the NPPF states that:

Local planning authorities may give weight to relevant policies in emerging plans according to:

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater
- c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)

8.5.2 The Draft BCP Local Plan sets out the future planning policy for the plan area, to replace the current Poole Local Plan (2018). The draft plan recently underwent public consultation under Regulation 19 of the Town and Country Planning (Local Plans) (England) Regulations (2012) and has been sent for examination by an inspector. The Emerging Local Plan has very limited weight in the assessment of the current scheme.

PLANNING ASSESSMENT

8.5.3 The planning assessment in this committee report is presented in the following sections:

- Principle of development and land use
- Design and Visual Impact
- Heritage Impact
- Amenity Impact
- Landscaping
- Transport and Accessibility
- Waste Management
- Flood Risk and Drainage
- Sustainable Design and Construction
- Air Quality
- Ecology and Biodiversity
- Contaminated Land
- Crime Prevention and Public Safety
- Fire Safety
- Aviation Safeguarding

- Planning Obligations and CIL

8.5.4 These issues will be considered along with other material planning considerations relevant to this proposal in the assessment below.

9 PRINCIPLE OF DEVELOPMENT AND LAND USE

9.1 Loss of Existing Office Floorspace

9.1.1 The Site contains two existing buildings which have a lawful office use (land use class E(g)(i)). The application seeks to demolish these buildings and the proposed use does not include office space. As such, there would be a direct loss of c. 11,740sqm of office space. The Poole Local Plan (PLP) does not have a policy which specifically prohibits the loss of existing office floorspace and officers therefore have no objection with regard to this specific use of space.

Land Use	Existing	Proposed
E(g)(i) Offices	11,740sqm	0sqm
Hybrid E(g)(ii)(iii), B2, B8	0sqm	18,334sqm

Table 1: - Proposed land use changes

9.2 Proposed Land Use

9.2.1 Paragraph 85 of the NPPF states that:

“Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.”

9.2.2 The development would create a c. 6,000sqm uplift of employment floorspace on the Site, as shown on Table 1 above.

- 9.2.3 The Site is designated within the PLP as an 'existing employment area' under Policy PP16. PLP Policy 16 safeguards land and premises within Poole's existing employment areas. Policy PP16 does not resist development in existing employment areas where one of the four criterion (a-d) within the policy are met. Policy 16 states:

"(1) Existing employment areas - Land and premises within Poole's existing employment areas will be safeguarded for uses which generate employment, and which are appropriate to the location as a consequence of:

- (a) the principal activity falling within Use Classes B1 (Office, research & development and light industrial), B2 (General industrial) or B8 (Storage and distribution);*
- (b) their need to be in the employment area in question, due to close associations with neighbouring businesses;*
- (c) the potential to have an adverse impact in more sensitive locations such as residential areas; or*
- (d) a lack of suitable alternative sites, other than in existing employment areas, for the type of activity proposed.*

In all cases proposals will only be permitted where they do not compromise the activities and vitality of the employment area or conflict with other policies in the Poole Local Plan including, design, suitable access and infrastructure."

- 9.2.4 The proposed mix of uses falls within the scope of land uses which are supported on existing employment areas under PLP Policy PP16(1)(a), with the addition of E(g)(ii) which is the research and development of products and processes. The wider mix of uses is not only in general conformity with PP16(1)(a), but it would improve the flexibility and therefore the viability of the existing employment area. The proposed uplift of c. 6,000sqm of employment floorspace would contribute towards BCP's wider employment land stock. The proposed land uses are acceptable in principle, complying with local policy and the NPPF.

9.3 Employment

- 9.3.1 Unit 1 is proposed to safeguard circa 240 skilled engineering jobs locally. The other units' occupiers are not yet confirmed so further jobs are unknown as yet. However, the development is likely to support additional jobs when fully occupied.

9.4 Potential Phasing Impact

- 9.4.1 The applicant has advised that the development would be brought forward in two phases, as the northern building on the Site and the associated existing carpark are still in use and under a short lease. There will not be a policy conflict upon implementation of the first phase – Unit 1 would provide 9,464sqm of new employment floorspace while the existing building in the north is still operational, which would still result in a net increase in employment floorspace.

Phase 2 would demolish the northern building and bring forward the remaining floorspace, also resulting in a net gain of employment floorspace.

9.5 Summary

- 9.5.1 The proposal would result in a substantial increase in industrial and employment floorspace, which would be high quality usable space, to enable economic growth and increase the business and employment options of the plan area.
- 9.5.2 Officers consider the application to be acceptable in principle, in compliance with PLP Policy PP16, subject to the other considerations throughout this committee report.

10 HERITAGE IMPACTS

- 10.1.1 In accordance with National Planning Policy Framework (NPPF) Paragraph 207, a Heritage Statement has been submitted as part of the application, contained within the submitted Planning Statement.
- 10.1.2 There are three locally listed buildings (non-designated heritage assets) approximately 100m southwest of the site as follows:

Non-designated heritage assets (NDHA)

- Air Raid Shelter, Siemens Site, Sopers Lane
 - Police Observation Post, Siemens Site, Sopers Lane
 - Pillbox, Siemens Site, Sopers Lane
- 10.1.3 Paragraph 216 of the NPPF requires the effect of an application on the significance of a non-designated heritage asset to be taken into account when determining the application and making a balanced judgement that has regard to the scale of any harm or loss of the significance of the heritage asset.
- 10.1.4 Both the air raid shelter and police observation post have been removed so no longer exist. The Pill box is located 125m to the southwest of the site and is set within a treeline and industrial site which was approved under application reference APP/17/01434/F.
- 10.1.5 Due to the separation distance and the location of the pill box within the treeline and an existing industrial site, it is not considered this proposal will impact on the significance of the non-designated asset.

11 DESIGN AND VISUAL IMPACT

11.1.1 PLP Policy PP27 (Design) requires a good standard of design in all new developments. The policy supports development which:

“reflects or enhances local patterns of development and neighbouring buildings in terms of:

(i) layout and siting, including building line and built site coverage;

(ii) height and scale;

(iii) bulk and massing, including that of the roof;

(iv) materials and detailing;

(v) landscaping; and

(vi) visual impact.”

11.2 Siting and Layout, Scale and Massing

Main Industrial Buildings

11.2.1 The proposal would increase the built coverage of the site. However, this will not result in overdevelopment as a significant proportion of the site is currently open space. Moreover, since the site is within an industrial context and is an allocated site for employment uses, it is considered that subject to suitable layout, scale and mass, the increase in built coverage would be appropriate for this location and would better utilise the employment site.

11.2.2 Unit 1, the central building which would be substantially larger than the other proposed buildings, would sit centrally within the Site and will be set back from the boundaries. It would have a similar height, massing and setting to the recently approved building (application reference APP/21/00497/F) on the Parvalux site to the east. Whilst the building will be significantly larger than other buildings, its central location within the site and considerable separation from site boundaries, means the concentration of built-form would not have detrimental impact on the character of the area. Moreover, neighbouring sites include buildings of similar sizes and the site is within an established employment area, therefore the large scale building will be acceptable.

11.2.3 The seven-unit terrace of smaller buildings proposed in the south of the Site, fronting onto Technology Road, would substantially increase the massing in this part of the Site, which is currently a car park. However, in this instance it is considered acceptable since the proposed

design includes articulation to the massing by positioning the units in a stepped pattern and using high quality materials. Notwithstanding, a large mass will be apparent nonetheless. However, since this part of the Site is well within the surrounding industrial setting, and design officers have acknowledged that *“the southern part of the site has a more industrial/utilitarian characteristic and that the site is set back from the main road – Cabot lane”*; it is considered that the new built-mass of seven-unit terrace will not detract from the general character of the area. Additionally, there will be areas of planting across this width of the Site which will soften the visual impact of the new blocks. Consequently, subject to greening details, to be secured through a recommended landscaping plan condition, the impact can be mitigated somewhat and no objection is raised.

- 11.2.4 Two buildings are proposed in the northern part of the Site – Units 9 and 10. These buildings are of a mid-scale relative to this development and would front onto Sopers lane., There is already a large building across this frontage with a partly treed boundary to help screen it from the neighbouring residential area. The proposal includes two buildings, one at both ends of the site along this boundary, and proposes additional tree planting which will further bolster the screening. It is not considered that the proposal would worsen the existing situation or be more harmful to the neighbouring residential area in terms of its visual impact. Due to there being two separate masses rather than one continuous mass, along with the additional tree planting, the visual impact may even be improved.

11.3 Boundary Treatment

- 11.3.1 While vegetation can be a positive greening method of boundary treatment, officers understand the need for a secure site. The majority of the Site would be bounded by a 2.4m mesh fence – an appropriate and secure fence, subject to details and colour. Acoustic fencing of 3m height is proposed, and required by Environmental Health officers, on the northern boundary of the Site, behind the existing tree line. The retained existing trees and the use of additional planting on most areas of boundary treatment will soften the visual impact and is welcomed. Officers recommend a condition to secure finalised design details of boundary treatment, in addition to a plan indicating the layout of each boundary treatment type. Subject to acceptable details, the proposal is considered to include acceptable boundary treatments given the nature, proposed use and location of the Site.

11.4 Other Ancillary Buildings

- 11.4.1 The proposed cycle and bin stores would be timber clad with green roofs. This approach is welcomed but using resilient materials is crucial, particularly given the weathering to which timber is susceptible. These details can form part of a condition securing details of materials.

11.4.2 The new substation has been proposed to be located near Unit 8 in the southwest of the Site. Design officers have stated that “the location for the new substation is not considered appropriate. This would visually be intrusive to the street scene and would be an inconvenient structure in the middle of an area that would be used as an outdoor amenity space for people to use”. However, officers consider the location preferable, as it is within the industrial surroundings rather than on the Site edge near Technology Road. The plans show significant planting and landscaping around the substation, which would mitigate the visual impact to a degree. Officers also consider it unlikely that this area would be used as outdoor amenity space. Given the scale of the proposed building, it would result in negligible harm to the townscape of the area.

11.5 Architectural Appearance and Materials

11.5.1 Design officers have stated the large blank elevations, exacerbate the visual massing of the buildings which is worsened further by the use of dark coloured materials which creates an austere appearance. Design officers have suggested that “it would be positive for changes in materials to have some meaning in how each building is structured and read, for example by using them to articulate building features or to mark changes in building plane”. This would be a welcome alteration, in addition to the use of brighter colour materials where unappealing dark materials have been identified, and design officers recommended a condition be placed on the permission to require updated details of materials to be submitted to the LPA prior to development commencing, to fine tune the palette and finished appearance.

11.5.2 However it is considered that there is a large mix of light and dark grey contrasts similar to the Parvalux site and articulation is provided via different materials, cladding, and fenestration which helps to further break up the massing. Furthermore the materials are appropriate for the building scale and for an industrial park.

11.6 Summary – Design and Visual Impact

11.6.1 In conclusion, whilst the proposal would result in significant uplift of built-up mass within the site, given the location of the site within an established employment and commercial area, the proposal would not have significant negative impact on the character and visual appearance of the area warranting refusal. The proposal is considered to comply with policy PP27 of the Poole Local Plan.

12 AMENITY IMPACT

12.1.1 PLP Policy PP27 requires development to be “compatible with surrounding uses and would not result in a harmful impact upon amenity for both local residents and future occupiers

considering levels of sunlight and daylight, privacy, noise and vibration, emissions, artificial light intrusion and whether the development is overbearing or oppressive”. These matters are assessed in this section of the report.

12.2 Daylight, Sunlight and Overshadowing

12.2.1 The nearest part of the proposed development would be located between c. 36m and 55m from residential properties. As such there would be no harmful overshadowing, overbearing or overlooking impacts anticipated.

12.3 Noise, Vibration and Disturbance

12.3.1 The application is supported by the submitted “Environmental Noise Impact Assessment Report”, produced by PC Environmental Ltd. The document details that background noise levels were attained through a noise survey conducted over a four day period, with sound measurement equipment being placed on the Site boundary in the northwest, nearest to existing residential buildings, and to the southeast, nearest to the Premier Inn, which is a noise-sensitive receptor as a hotel. Officers are satisfied that the assessment has been carried out in accordance with standard industry practice.

Operational Phase – Fixed Sources

12.3.2 Fixed noise sources have been identified on the proposed buildings, from the proposed use classes of the industrial units themselves and for proposed Air Source Heat Pumps (ASHPs). The Environmental Noise Impact Assessment makes a modelling assessment based on assumed noise levels, building materials and the surrounding geometry of the Site and wider area. The assessment finds that the impacts on the nearest residential property on Plumer Road is less than 27 dB(A), less than 24 dB(A) impact at the residential properties on Waxing Drive and there would be a less than 26 dB(A) impact at the Premier Inn Hotel to the south. The Assessment concludes that as the levels are all 10 dB(A) below the identified lowest representative night time background noise levels at each location, the fixed noise sources of the proposal would not have any noticeable impact on the nearest noise-sensitive receptors at any time.

12.3.3 The use of Unit 1 requires that “once a day, a test rig produces an external noise for a maximum of approx. 300 seconds. This maximum 300 seconds of noise often takes place sometime between 15:00 and 16:30 each day. There will also be a selection of air compressors, one set for Low Pressure and one set for High Pressure which will run sporadically throughout the working day. Both of these sets of compressors are located internally in brick buildings” (Environmental Noise Impact Assessment Para 5.4).

12.3.4 Noise measurements on the external noise and air compressors were undertaken at an existing facility used by the proposed operator of Unit 1. The Environmental Noise Impact Assessment makes an assessment of the impacts if the vent exhausts, assuming they are placed in the southeast of Unit 1, furthest distanced from the residential units to the north. The Assessment states that the resulting noise would be below existing day-time background noise levels and having an acceptable impact. This is reliant on the vent exhaust being positioned so that it faces away from the houses to the north and west, preferably pointing towards south-east. The Assessment goes on to state that the air compressors would have an acceptable impact even if they are placed in a close distance to the nearest noise-sensitive receptor; however, they should be housed in a similar building to the currently operated compressors on an existing site, in order to provide sound attenuation.

12.3.5 To ensure compliance with suitable noise levels for the neighbouring sensitive receptors, a condition will specify the maximum noise level allowed.

Operational Phase – Fixed Sources

12.3.6 The submitted Environmental Noise Impact Assessment takes a worst-case scenario for existing noise – the south of the Site near the existing Premier Inn – and applies projected HGV movements of the proposed development as follows:

- Phase 1 only: 6 movements in any one-hour period during the daytime and 4 movements per hour during the night time.
- Phases 1 and 2 (all 10 proposed units in the development occupied): 14 movements in any one-hour period during the daytime and 8 movements per hour during the night time.

12.3.7 The Assessment states that HGV vehicles are likely to have reversing alarms disabled at night time, in order to protect residential amenity; however, the Assessment has assumed that reversing alarms will be used, in order to assess a worst-case scenario. In relation to this impact, the submitted Environmental Noise Impact Assessment concludes that “*in order to mitigate any impact on the residential properties that back onto Sopers Lane, an acoustic barrier is required to the north site boundary line. This acoustic barrier will need to provide a minimum attenuation of 12dB and be at least 3m in height*” (Para 6.4). Officers support this approach, noting that as an alternative, a condition prohibiting the use of reversing alarms may be difficult to monitor or enforce. As such, a condition (also requested by BCP’s Environmental Health team) requiring details and implementation of the acoustic barrier is recommended.

Construction Phase

12.3.8 While some impacts have been identified, officers recommend a condition restricting construction outside of sensitive night-time hours, which would acceptably mitigate potential impacts in addition to the DCEMP (recommended to be secured by condition). The condition would restrict construction to:

- 08:00 – 18:00 Monday to Friday
- 08:00 – 13:00 Saturday
- At no time on Sundays or Bank Holidays

12.4 Noise, Vibration and Disturbance Summary

12.4.1 Subject to the recommended conditions, officers are satisfied that there would be no unacceptable noise or disturbance arising from the development at any noise-sensitive receptor.

12.5 Odour

12.5.1 Officers do not consider the proposal likely to result in any noticeable odour impact to nearby properties or any other sensitive receptors. Officers do not consider any odour-specific condition or Odour Management Plan necessary. This approach is consistent with the recent approvals on the adjoining Parvalux site, for similar uses.

12.6 Light Spill

12.6.1 The Site is distanced and screened from nearby sensitive properties. Lighting would be largely at ground floor level, reducing potential light spill. Officers recommend a condition to secure a Lighting Plan, which will provide further detail on the impacts and ensure no light spill on residential properties. Subject to the recommended condition, officers do not consider the proposal to have any unacceptable impact on amenity through light spill.

12.7 Impact on Nearby Development Sites

12.7.1 There are no nearby allocated sites or windfall sites with likely development potential which would be significantly impacted by the proposal. The proposal would not prejudice the future development of any adjoining sites, in accordance with PLP Policy PP27(1)(h).

12.8 Amenity Impact Summary

12.8.1 The application does not result in any unacceptable impact on any existing properties, nor would it prejudice the amenity of any potential development sites. The application would have

an acceptable impact on residential amenity, compliant with the relevant parts of PLP Policy PP27.

13 TRANSPORT AND ACCESSIBILITY

13.1 Access

- 13.1.1 The Site would be accessed from the existing pedestrian and vehicle access off Technology Road. This is an acceptable approach and the junction has sufficient capacity, particularly noting the reduction in potential vehicle trips in comparison with the existing onsite permission.
- 13.1.2 The Highways Authority advises that “there is a small section of the raised concrete central reservation along Technology Road that will be removed to allow for larger vehicles exiting the site from the new eastern road. This central reservation encourages slow speeds and therefore, we would recommend a scheme of ground markings and signage, which encourages slow speeds and highlights the likelihood of pedestrians and cyclists crossing this section of the road. The scheme could also include details of the Keep Clear markings by the Parvalux entrance, as noted above and could be secured through a condition”. Officers have recommended a condition to secure these details.
- 13.1.3 The existing vehicle access in the northwest of the Site, connecting to the existing north-south site access to the west, off Soper’s Lane, would be retained for access to the existing northern building during Phase 1 of the development, but would be removed to facilitate the implementation of Phase 2. Officers recommend a planning condition to secure details of the removal and making good of this existing access, to provide a safe and consistent highway.

The introduction of a pedestrian access to the north is welcomed, given that the Site will be physically separated from the site immediately to the west within Phase 2 (as discussed above). This will retain the benefits of the existing main vehicle/pedestrian access off Soper’s Lane. The access was amended following highways comments, to straighten the layout and establish a consistent width. Officers recommend a condition to secure this route being implemented prior to the use of any units within Phase 2 (where the access is required due to the removal of the existing northern access to Soper’s Lane), to ensure that the future employees will benefit from this link upon the commencement of the use.

13.2 Public Rights of Way (PRoW)

- 13.2.1 The Public Right of Way (PRoW) path to the east of the Site would not be amended under this proposal. Initial discussions with the Highways Authority regarding a pedestrian access to the east was explored; however, officers understand that this portion of land is subject to several

ownerships and is unlikely to be able to be implemented. Further, the land is subject to gradient increases, which would require an angled or zig-zag route, which thereby would create an unsafe environment, noting Dorset Police comments on the initial design of the northern access route, prior to amendments. Noting these points, considering the importance of securing the Site, and acknowledging that a new access route will be created to the north, officers are satisfied that an eastern access route is not feasible. The proposal would not have any negative impact on the PRoW.

13.3 Public Transport

- 13.3.1 The application would increase the number of people working on the Site and increase the use of local public transport services. There is an existing bus stop on Soper's Lane, directly to the northwest of the Site. A planning obligation will be secured to implement a Super Bus Stop to replace the existing stop. This would facilitate and encourage employees using sustainable transport and accessing the Site through the proposed northern access path.

13.4 Impact on the Existing Highways Network

- 13.4.1 The application includes a Transport Statement (TS), which indicates that the vehicle trips generated by the proposed scheme when fully implemented, especially during peak hours, will be less when compared to the impact of the existing buildings and lawful use of the Site. Upon the occupation of the large Unit 1 within phase one, where there is an overlap with the use of the existing office building, there would be an increase of 18 total vehicle trips within both the AM and PM peak hours – approximately one additional vehicle movement every three minutes. This impact is negligible and would not have any perceivable impact on the operation of the highway. Upon the implementation of Phase 2, the proposal would result in a decrease of 47 and 42 vehicle trips for the AM and PM peak hours respectively. This is a welcomed impact on the local highway network.
- 13.4.2 The submitted Transport Statement (TS) includes a survey that was carried out on the impact on the Technology Road access, taking into account the offsite impacts of the neighbouring Parvalux site and vehicles waiting to enter this site, to establish whether the proposed development will increase queueing along Technology Road, which could spill onto Cabot Lane. The survey results highlighted minimal queueing and the TS details that the trip generation from the proposed development will not increase queueing to a level that will impact on Cabot Lane. The applicant has agreed to place "Keep Clear" markings on the surface adjacent to the Parvalux entrance, so vehicles leaving the development will be aware to keep

this access clear. Officers recommend securing these road markings through a planning obligation within the S106 agreement bound to the permission.

Construction Impact

13.4.3 The construction stage would not unacceptably impact on the surrounding network if managed correctly. As such, officers recommend securing a Demolition and Construction Environmental Management Plan by condition. Highways advise the document should confirm that *“all construction related vehicles will use the Cabot Lane vehicle access only and any onsite traffic controlling methods, whether using traffic signals or being staffed, must give priority to vehicles entering the site, so not to result in queueing back onto Cabot Lane. The plan should also include details of Building Operatives Parking, storage, welfare units and how existing users of the site will be managed, for both Phase 1 and Phase 2, in respect of access to the car parking and pedestrian movement through the site during construction works”*. Subject to the details, the proposal would have an acceptable impact on the existing transport network during the demolition and construction phase.

13.5 Travel Plans (TPs) and Sustainable Travel

13.5.1 Highways officers are satisfied for a TP details to be secured by condition, but state that due to the size of Unit 1 (and given the potential phasing delay situation), a dedicated Travel Plan for this unit should be provided.

13.5.2 Officers recommend using two s106 obligations to secure the submission of the two TPs. They will include details demonstrating how sustainable travel will be encouraged, including voucher schemes for employees to offer discounts on sustainable travel (e.g. bus travel/cycle purchase), promotion of car sharing amongst employees, provision of secure cycle shelters and the adequate provision of showers, lockers and changing rooms, to encourage staff and visitors to travel to and from the site using more sustainable modes of transport, together with securing appropriate monitoring. Highways officers request the provision of showers, changing rooms and lockers for the large units, noting that these elements are indicated within the Travel Plans and can be secured through the relevant planning obligations.

13.5.3 In addition to this, a planning obligation is recommended to secure a £9,700 payment to allow for a 7-year period of monitoring of the agreed Travel Plans.

13.6 Car Parking and Onsite Manoeuvrability/Operation

13.6.1 Highways officers have applied a blended rate of car parking requirements due to the proposed hybrid land use, where one specific parking rate in the Parking Standards SPD may

not be applicable. This approach was accepted on the recently approved application on the adjoining Parvalux site. The blended rate applied to the current site consists of:

- Unit 1 – Office element = 2.0 spaces per 100sqm and remaining B2/B8 element = 1.0 space per 100sqm.
- Units 2-8 – Office element = 2.0 spaces per 100sqm and remainder of unit = 1.5 spaces per 100sqm.

13.6.2 The blended rate results in a provision of 268 car parking spaces. The application proposes 269, so includes an overprovision of one space which is considered to be acceptable given the relatively minor exceedance.

13.6.3 Highways have advised that a Parking Management Plan should be secured in order to restrict parking along the internal roads. This could involve measures such as double yellow lines if parking along the internal roads becomes an issue in the lifetime of the development, to address this issue and ensure safety and to allow for the free flow of vehicles, including HGVs.

13.6.4 The submitted swept path analyses demonstrate that HGV vehicles can access the Site safely. A condition is recommended to ensure that the necessary site accesses and onsite roads are carried out in accordance with plans and made ready prior to the use of the relevant phase of the proposed development. Given the proposed heavy use of the internal roads, they should be built to adoptable standards, to include suitable surfacing, lighting and drainage, although the Highways Authority has clarified that they would not be looking to adopt the access road itself. The details of the road construction are also recommended to be secured through a planning condition.

13.6.5 The proposed road to the front of Units 2-8 is indicated as a one-way route and therefore appropriate signage and road markings should form part of the development, with no entry signs at the junction with the new road along the eastern side of the site. This can be secured through a recommended planning condition.

Electric Vehicle (EV) Parking Spaces

13.6.6 The Parking Standards SPD (adopted 5th January 2021) outlines requirements for Electric Vehicle Charging in new development. Under the Parking Standards SPD, at least 30% should have an “active” EV charging point, with the remaining spaces having “passive” spaces. Officers recommend a condition to secure these details.

13.7 Cycling and Cycle Parking

13.7.1 The application proposes shall provide 137 cycle parking spaces, comprised of 98 spaces for employees and 39 spaces for visitors. This exceeds the requirements of the Parking Standards SPD. A condition is recommended to secure these details, including the use of acceptable storage methods providing ease of access.

13.8 Transport Summary

13.8.1 For the reasons explained above, subject to the recommended conditions and planning obligations in this report, the application is considered to be acceptable in terms of its impact on transport and accessibility, complying with PLP Policies PP27(g), PP34 and PP35.

14 WASTE MANAGEMENT

14.1.1 BCP's Standards for Waste Container Storage and Access (2024) provides guidance on storage quantity for developments, but does not prescribe specific recommendations for the proposed uses. Officers are satisfied that the proposal contains sufficient space for waste storage within the proposed buildings and that the onsite road network will enable access by refuse vehicles. Officers recommend a condition to secure a Waste Management Plan (WMP) which will set out waste collection methodology and the location and capacity of containers. Subject to the recommended condition, the proposal complies with PLP Policy PP27(1)(g) and BCPDWP Policy 22.

15 FLOOD RISK AND DRAINAGE

15.1 Flood Risk

15.1.1 In accordance with NPPF Paragraph 167, a site-specific Flood Risk Assessment has been submitted as part of the application.

15.1.2 The Site is located within current day Flood Zone 1, which means that it is at low risk from tidal or fluvial flooding. Officers do not have concerns in this regard. The EA have not objected on any flood risk concerns subject to conditions securing adequate drainage.

15.2 Surface Water Drainage

15.2.1 Following initial concerns from BCP's Flood and Coastal Erosion Risk Management (FCERM) team (who are the Lead Local Flood Authority (LLFA) for BCP), an amended Drainage Strategy and Flood Risk Assessment were submitted by the applicant. FCERM officers provided updated comments in support of the proposal and recommend two conditions be placed on the permission. Officers consider the proposed surface water drainage methodology to be acceptable, subject to the two recommended conditions as follows:

- design stage details demonstrating that the agreed 23.6l/s runoff flow rate to the surface water sewer
- details of maintenance and management of the surface water sustainable drainage scheme

15.3 Foul Drainage

15.3.1 The LLFA suggested that due to the size of the site with a currently significant proportion as green space, the discharge figures for the drainage should have a 30% betterment and that this should be agreed with Wessex Water.

15.3.2 Wessex Water have not commented on the proposal but a pre commencement condition requiring details of a foul water drainage strategy is recommended.

15.4 Summary – Flood Risk and Drainage

15.4.1 Officers are satisfied that the development will not result in any unacceptable impact on flood risk or drainage, compliant with PLP Policy PP38 and BCPDWP Policy 17.

16 SUSTAINABLE DESIGN AND CONSTRUCTION

16.1 Sustainable Design

16.1.1 Poole Local Plan Policy PP37 also requires development for commercial development (defined in Paragraph 11.12 to include industrial uses) to incorporate measures so that a minimum 20 per cent of future energy is attained from renewable sources.

16.1.2 The submitted Energy and Sustainability Statement states that low and zero carbon technology will be implemented, utilising heat pumps and photovoltaic panels to achieve a 39 per cent level of future energy consumption being generated by renewable sources – this exceeds the 20 per cent requirement of Policy PP37 and is welcomed. Officers recommend a planning condition to secure details demonstrating that the development would achieve a minimum 20 per cent, as per the requirements of Policy PP37.

16.1.3 The design would also incorporate sustainable construction methods, including a fabric first approach, utilising electricity (not gas), using high efficiency heating and cooling, including the use of air source heat pumps, LED lighting and the potential use photovoltaic panels on the roofs (to be agreed via a recommended planning condition). Among others, these design features are welcomed and go to the core of the proposed development as a sustainable building. Moreover, some of the sustainable building construction details are also controlled by Building Regulation climate emergency response such as Part L – Conservation of fuel and power, Part F – Ventilation, Part O – Overheating and Part S – Infrastructure for charging

electric vehicles. Considering all of the above, no objection is raised on Sustainable Design and Climate Change grounds.

16.2 BREEAM

16.2.1 The proposed buildings would create over 1,000sqm of new floor space and is therefore expected to achieve an 'Excellent' BREEAM rating through PLP Policy PP37.

16.2.2 The submitted Design and Access Statement acknowledges the policy requirement and states that the buildings would achieve an 'Excellent' BREEAM rating. Officers recommend a two-part planning condition to secure design-stage and post-construction details to ensure that the requirements to meet an 'Excellent' rating are implemented.

16.2.3 Subject to the recommended condition, officers are satisfied that the required BREEAM rating would be achieved, in accordance with PLP Policy PP37.

16.3 Sustainable Design Summary

16.3.1 Subject to the recommended conditions, officers consider the proposal to have an acceptable level of sustainable design and construction, in relation to its built form and commercial operation, complying with PLP Policy PP37.

17 AIR QUALITY

17.1.1 The proposal would create more than 1,000sqm of floorspace and would have more than 10 parking spaces. It is therefore of a scale which must provide an Air Quality Assessment with the submission, per EPUK/IAQM guidance 'Land-Use Planning & Development Control: Planning For Air Quality'.

17.1.2 The Site is not located within an Air Quality Management Area (AQMA).

17.1.3 NPPF Paragraph 199 requires development to "sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas".

17.1.4 PLP Policy PP34 seeks to reduce impacts on air quality. Policy PP35 requires development which has any potential significant impact on local air quality to include proportionate mitigation measures.

17.1.5 The proposal has been reviewed by the LPA's environmental health team in relation to air quality. There is no concern regarding the operational stage impact of the proposal. The construction impact does require mitigation measures to control the potential impacts. The environmental health team recommend conditions to secure a Construction Environmental Management Plan (CEMP) which should include the mitigation measures the applicant has identified in Appendix E of the submitted Air Quality Assessment.

17.1.6 The use of Air Source Heat Pumps, Electric Vehicle charging points and the measures encouraged through the Travel Plans are also welcomed in relation to minimising air quality impact.

17.2 Air Quality Summary

17.2.1 Subject to the recommended conditions and planning obligations to mitigate relevant impacts, officers are satisfied that the proposal would have an acceptable impact on air quality in accordance with Policies PP34 and PP35 of the PLP.

18 TREES, ECOLOGY AND BIODIVERSITY

18.1 Open Space

18.1.1 The Site contains a large portion of existing open space, much of which would be lost with the proposal. The area is not designated public open space, so there is no in-principle objection to the loss in terms of public accessibility benefits.

18.1.2 A BCP design officer has raised concerns with the loss of the open space, stating that the proposal does not provide adequate meaningful areas of quality external amenity space for employees to use on breaks; however, due to the employment/ commercial nature of the proposed development, officers are satisfied that sufficient space is provided, noting that the proposal would provide internal amenity space, and considering that employees are unlikely to use external spaces within the industrial estate for leisure.

18.1.3 Landscaping plays an important visual aspect within the application. The application proposes to cover a vast majority of the Site with either buildings or hardstanding to provide vehicle access and parking. This does however stem from a requirement in order to operate the site optimally. It is positive that the Site's edges are proposed to be landscaped, including the use of trees. Officers recommend securing details through a landscaping condition, including the use of multi-level planting to create screening across different height levels.

18.2 Trees

- 18.2.1 Part of NPPF Policy 136 states that “planning policies and decisions should ensure...that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible...”.
- 18.2.2 PLP Policy 27 (b) supports development that “responds to natural features on the site and does not result in the loss of trees that make a significant contribution, either individually or cumulatively, to the character and local climate of the area”. The policy goes on to state that “any scheme that requires the removal of trees should, where appropriate, include replacement trees to mitigate their loss”.
- 18.2.3 There is a recently designated tree protection order is situated behind (to the west of) existing building 2. The trees are of moderate and low quality (Category B and C). The proposal would result in the loss of seven of these protected trees within the group Tree Preservation Order (TPO) (reference 24/00002) located on the northwestern edge of the Site. The remaining 11 trees within the TPO would be retained. A group of 17 trees would be planted in close proximity, to provide a green buffer when viewed from the Site entrance.
- 18.2.4 The tree schedule with the submitted Arboricultural Impact Assessment and Method Statement identifies the following tree removals from the TPO:
- TG05 – one of the two common whitebeam trees to be removed. Category C, young tree with a 10+ year remaining contribution and low vitality.
 - TG06 – removal of a row of five common whitebeam. Category C, semi-mature with normal vitality and 10+ years of contribution.
 - T07 – removal of one Scot’s Pine. Category B, semi-mature with normal vitality and 20+ years of contribution.
- 18.2.5 It is worth noting that the TPO was placed onto the trees due to the screening they provided, not because of their quality. The screening is between two commercial uses and therefore arguably not required.
- 18.2.6 While the proposal would result in a substantial net gain of onsite trees, the loss of existing mature trees and trees subject to a TPO weighs against the application. This impact is assessed within the Planning Balance section of this committee report.

18.3 Impact on Protected Sites and Species

- 18.3.1 The Site is not located in close proximity to any sites designated for their ecological importance. BCP’s ecology officer has provided comments with no objection to the proposal, subject to the following conditions:

- Details of biodiversity improvements
- Lighting Strategy
- Demolition and Construction Environmental Management Plan (DCEMP)
- Vegetation clearance to be carried out outside the bird breeding season

18.3.2 Officers are satisfied that there are no ecological matters which require upfront mitigation, outside of those identified in the submitted Ecological Impact Assessment. A condition is recommended to secure these measures being implemented.

18.3.3 The recommended conditions above will ensure that sufficient biodiversity improvements are secured at detailed design stage, in accordance with PLP Policy PP33, ensure that lighting does not adversely impact any protected species, and mitigate potential impacts at construction stage through the submission of a DCEMP and restrictions on vegetation clearance. Additionally, an informative is recommended by the ecology officer to notify the applicant of the statutory duty to cease work if bats are discovered onsite during construction.

18.4 Biodiversity Net Gain (BNG)

18.4.1 The application is a major development and was submitted after 12/02/2024. The application is therefore subject to the mandatory 10 per cent Biodiversity Net Gain (BNG) required by the recently introduced Schedule 7A of the Town and Country Planning Act (1990) (as amended) (inserted by the Environment Act 2021).

18.4.2 Paragraph 40 of the Natural Environment and Rural Communities Act, under the heading of 'duty to conserve biodiversity' states "every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity."

18.4.3 The NPPF at chapter 15 'conserving and enhancing the natural environment' sets out government views on minimising the impacts on biodiversity, providing net gains where possible and contributing to halt the overall decline in biodiversity. The Local Plan at Policy PP33 – biodiversity and geodiversity, sets out policy requirements for the protection and where possible, a net gain in biodiversity.

18.4.4 In addition, a 10% biodiversity net gain (BNG) is required as per the Environment Act 2021. And this gain should accord with the biodiversity gain hierarchy as per Section 37A within Schedule 7A of the Town and Country Planning Act (1990) (as amended).

18.4.5 An ecological impact assessment and Statutory Biodiversity Metric has been submitted with the application. The metric demonstrates there will be a loss of -39.55% habitat units and

43.36% gain of watercourse units can be achieved. However it is considered that 10% can be achieved through a mixture of retention and enhancement of existing habitats, creation of new habitats and purchasing either biodiversity units or statutory credits. Biodiversity units are preferred but they need to be available which will need to be explored prior to commencing the development.

18.4.6 At decision stage, the local planning authority needs to be satisfied that 10% biodiversity can be achieved. How this is achieved can be demonstrated post decision but prior to commencement when the legislation requires the submission of a Biodiversity Gain Plan demonstrating how this will be achieved.

18.4.7 The council's ecologist and policy department objected to this proposal as they believe the biodiversity hierarchy has not been considered during the design of this proposal. They also raise concerns regarding the plausibility of the condition targets set for trees, the ditch and neutral grassland, habitats of medium or high distinctiveness.

18.4.8 The Planning Practice Guidance states that "Planning authorities must take into account how the Biodiversity Gain Hierarchy has been applied and if it has not been applied the reason for that or absence of a reason when determining whether to approve the Biodiversity Gain Plan. If they decide not to approve the Plan they must give reasons for that stating the elements of the plan that are relevant to the determination. The Biodiversity Gain Hierarchy has been designed for the purpose of the statutory framework for discharge of the Biodiversity Gain condition to reflect the habitat categories in the biodiversity metric and the type of ways that the objective of at least a 10% gain can be achieved."

18.4.9 Information regarding the design iterations of this proposal has been discussed at length during the determination of this proposal. These discussions demonstrate the constraints that need to be considered to ensure the site is commercially viable and attractive to companies.

18.4.10 Regarding unit 1, 120 car parking spaces are required and staff car parking needs to be separated from the warehouse yard to minimise the potential conflict between cars, pedestrians and HGV's. This means some car parking is provided to the front of the site and some to the rear. To accommodate this, the building needs to be laid out where it is on the site plan, additionally the rear warehouse yard needs to be 45m in depth as this is the minimum acceptable for safe HGV circulation for units of this size, and is required by the end users.

18.4.11 This means that the removal of trees along the western boundary is required to obtain this layout. Less trees are proposed for removal than at preapplication stage. To offset this loss, significant tree planting is taking place on the western boundary.

- 18.4.12 Regarding units 9 and 10 and the concern relating to the plausibility of trees reaching the listed condition targets given that they would be competing with the existing tree boundary, it was suggested that units 9 and 10 could be repropportioned to become longer and narrow and pull back from the Sopers Lane tree line.
- 18.4.13 However there is no appetite for long narrow warehouses which materially impacts on the economic potential of the site, the acceptable minimum depth is 34m which is what is proposed. This also allows for safe vehicle movements.
- 18.4.14 The pedestrian walkway off Sopers Lane needs to run between the units 9 and 10 yards as this is logical as this is where site levels drop from west to east.
- 18.4.15 The potential for condition targets to be met will need to be demonstrated by way of the submission of an Habitats Management and Maintenance Plan which will be agreed prior to the commencement of development. This is required alongside a Biodiversity gain plan which will need to demonstrate the site is capable of providing a 10% net gain.

18.5 Summary of Ecology and Biodiversity

- 18.5.1 Subject to securing the mitigation measures and a Habitats Management and Maintenance Plan through the recommended planning conditions and obligations, the proposal would have an acceptable impact on protected and other sites, species and habitats, in accordance with PLP Policies PP32 and PP33.

19 CONTAMINATED LAND

- 19.1.1 NPPF Paragraph 189 requires development to be located on sites which are “suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities...”
- 19.1.2 A Preliminary Risk Assessment and Generic Quantitative Risk Assessment, both produced by Ramboll, have been submitted as part of the application. These documents have been reviewed by the specialist external consultee ‘Mabbett’ on behalf of the LPA.
- 19.1.3 The findings of the report must be updated and expanded upon through an updated Phase I report, which can be secured by condition. Further requirements will be conditioned to ensure that if any contaminations are identified, appropriate remedial measures are implemented to address the contaminants in a manner which is safe to humans, biodiversity and groundwater.
- 19.1.4 Mabbett concluded that conditions should be applied, if permission is granted, to secure:

- Phase I Preliminary Contamination Risk Assessment
- Phase II Site investigation if potentially unacceptable risks to sensitive receptors are identified
- Remediation Scheme to address any risks if identified

19.2 Contaminated Land Summary

19.2.1 Subject to the recommended conditions, the proposal would comply with NPPF Paragraph 189.

20 CRIME PREVENTION AND PUBLIC SAFETY

20.1.1 Dorset Police have commented on the application and have not objected; however, they recommend measures to create a safe environment on the Site. The amended path layout connecting the north of the Site to Soper's Lane addresses concerns in that regard, providing a straight layout which will not create an unsafe space. Officers recommend a condition to require a security gate at this location, with access provided to future onsite staff only, which was also requested by Dorset Police.

20.1.2 In line with Dorset Police comments, officers also recommend conditions requiring the implementation of acceptable CCTV equipment onsite, in addition to the development achieving Secured by Design certification.

20.1.3 Officers recommend placing an informative on the decision notice, advising the applicant of the suggested security measures within the Dorset Police comments. Subject to an access controlled security gate officers are satisfied that the proposal would create a safe environment which complies with the requirements of NPPF Paragraph 135 and PLP Policy PP27(e).

20.2 Crime Prevention and Public Safety Summary

20.2.1 Due to measures being taken such as lighting and fencing and the security gate it is not considered this proposal would lead to unsafe spaces, complying with PP27 of the Poole Local Plan. Further measures could be taken to bolster the security of the site which the applicant is encouraged to discuss with Dorset Police.

21 FIRE SAFETY

21.1.1 The proposed development is not required to provide a Fire Statement, as it does not fall within the requirements of Article 9a of the Town and Country Planning (Development Management Procedure) (England) Order (2015) (as amended).

21.1.2 The swept path analyses within the submitted Transport Statement demonstrate that the proposal would provide safe and sufficient access to larger vehicles on the Site, which would include emergency vehicles needing to access the interior of the Site. Dorset and Wiltshire Fire and Rescue (DWFR) have commented on the application, providing general fire safety guidance which is available to the applicant on the Council website for the planning application and directed to their attention through an informative recommended on this consent. DWFR have not objected to the proposal. Officers conclude that the proposal would have an acceptable impact on fire safety and that a sufficient level of information has been provided as part of this application.

21.2 Fire Safety Summary

21.2.1 There are no concerns regarding fire safety and the proposal is in accordance with PP27 of the Poole Local Plan.

22 AVIATION SAFEGUARDING

22.1.1 The proposal is located within an Airfield Safeguarding Area for Bournemouth Airport. The proposed buildings are not of a height which would interfere with airplanes, but airport have responded with a holding objection, stating that they have concerns of glint and glare from proposed photovoltaic (PV) panels interfering with their operations.

22.1.2 The PV details are general at this stage, to be agreed through condition at detailed design stage. Officers recommend applying an additional PV panel-related condition, to secure a Glint and Glare Assessment. The airport can be consulted on these details at discharge of condition stage. Bournemouth Airport have agreed to a condition which has been drafted by officers, which is recommended to be applied to the permission if the application is granted. Subject to the details of this condition, officers are satisfied that the proposal would not have an unacceptable impact on airport safeguarding matters.

22.2 Aviation Safeguard Summary

22.2.1 Therefore, subject to conditions, the proposal is satisfactory regarding aviation safeguarding.

23 PLANNING OBLIGATIONS AND CIL

23.1.1 The proposed development is not liable for Community Infrastructure Levy, due to the proposed land use.

23.1.2 In accordance with Paragraphs 55 and 57 of the NPPF and Policy PP39 of the PLP, a S106 legal agreement would be used to secure planning obligations which are considered necessary in order to mitigate the impacts of the development and in order for the proposal to be acceptable on the relevant planning grounds.

23.1.3 Poole Local Plan Policy PP39 (Delivering Poole's infrastructure) states that "subject to compliance with the statutory tests planning obligations can be secured to enable the grant of planning permission". The policy goes on to state that "the Council will collect funding from development for infrastructure and affordable housing by the following means:

- Community Infrastructure Levy (or equivalent successor regime) for infrastructure;
- Section 106 Agreements for infrastructure and affordable housing;
- Section 278 Agreements for highway works; and
- Section 106 Agreement or Section 111 to provide some of the mitigation for European and internationally important sites (that cannot be taken through CIL)."

23.1.4 As detailed throughout this report where relevant, officers recommend securing the following planning obligations through a s106 legal agreement, to mitigate the impacts of the scheme:

Transport

- A financial contribution of £35,000 to be paid within three months from works commencing onsite, to be used for the provision of a Super Bus Stop along the Northern side of Soper's Lane, with real time information.
- Travel Plan provided for Unit 1, to incorporate measures to encourage active transport.
- Full Site Travel Plan provided for Units 2-10, to incorporate measures to encourage active transport.
- Travel Plan monitoring fee of £9,700 towards the costs incurred in monitoring the agreed Travel Plans in relation to the approved development for up to 7 years, to be secured prior to the use of any building hereby approved.

Biodiversity

- Biodiversity Net Gain monitoring fees required to monitor the condition targets required to achieve 10 per cent Biodiversity Net Gain.

23.1.5 The above planning obligations are considered to be compliant with the stipulations of provision 122 of the Community Infrastructure Levy Regulations (2010), in that they are:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

24 PLANNING BALANCE AND CONCLUSION

24.1 Identified Public Benefits

24.1.1 The Government's Historic Environment PPG advises that "public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8)".

24.1.2 Officers have identified the following public benefits which would be secured by the proposal:

Economic

- The proposal would provide a significant investment boost to the local economy, including at least 240 local employment opportunities at unit 1, in addition to construction phases and operational stages for the remaining units.

Social

- 7,700sqm net increase of Heathland Support Area near the DNC compound area.

Environmental

- The proposal includes tree planting of a net-increase of 123 trees onsite.
- Ecological improvements onsite and a BREEAM Excellent development.
- Improved impact on the vehicle transport network in comparison to the existing permission onsite.

24.2 Conflict with the Development Plan

24.2.1 Officers have identified the following points of diversion with policy requirements in the development plan:

- Loss of Tree Preservation Order trees onsite.

24.3 Planning Balance and Recommendation

24.3.1 The proposal is for optimal use of the site and to maximise the economic and employment benefits. The resulting visual impact will largely be due to the type of building being proposed, which is a necessary design approach in order to deliver the industrial employment floorspace., .

24.3.2 While the proposal would result in additional built-form within the site, the impact would be localised due to the relatively moderate building heights, , and the application site being located within an established employment area with buildings of similar design in the surrounding area. Where the proposal would have the greatest impacts on the street scene,

such as onto Soper's Lane or Technology Road, this impact is minimised by existing green buffers and/or proposed planting.

- 24.3.3 Whilst the proposal would result in loss of 7 TPO trees, there will be substantial additional planting of new trees which will also result in improved visual amenity. Officers give substantial weight to the loss of these trees; however, officers again note that the applicant has suitably demonstrated that these losses are explicitly required in order to bring forward the development and optimise the Site.
- 24.3.4 The location, an existing employment area, is an appropriate site for such development and the thrust of the relevant economic planning policies, and Paragraph 85 of the NPPF, is to fully utilise this location. While the relevant policies of the BCP Emerging Local Plan should only be given very limited weight at present, officers note that the Site has been proposed to be allocated for development that would accommodate a type and amount which aligns with the current proposal. This provides a potential direction of travel which aligns with the proposed development. Officers give significant weight to the optimisation of the Site, for which the main strategic goal is to drive the economy and employment. Officers note that achieving this aim may result in some unavoidable harms.
- 24.3.5 The required 10% Biodiversity net gain is possible through a mixture of retention and enhancement of existing habitats, creation of new habitats and purchasing of biodiversity units or statutory credits depending on what is available at pre-commencement. The proposal has taken the biodiversity hierarchy into account and though there is concern that the habitat condition targets may not be achievable, a condition securing this information via a Habitats Management and Maintenance Plan can be appended to the decision to ensure compliance with PP33 of the PLP and Schedule 7A of the Town and Country Planning Act (1990) (as amended) (inserted by the Environment Act 2021).
- 24.3.6 The development would result in public benefits, including the major benefit of increased and improved employment space. Officers' assessment has considered the development plan, matters raised by consultees, public representations, and has taken into account all other material considerations.
- 24.3.7 In conclusion, officers consider the disbenefits of the application to be outweighed by the benefits of the proposal in optimising the existing employment area. Officers therefore support the proposal on the planning balance and recommend that the application is approved.

Officers' Recommendation to Planning Committee

24.3.1 Officers therefore recommend that, subject to the application being referred to the Secretary of State in accordance with the Town and Country Planning (Consultation) (England) Direction 2024 and the Secretary of State deciding not to call in the application for her own determination, members:

24.3.2 **GRANT** permission for the reasons as set out in this report subject to:

- a. the following conditions with power delegated to the Head of Planning Operations (including any officer exercising their powers if absent and/or the post is vacant, and any other officer nominated by them for such a purpose) to alter and/or add to any such conditions provided any alteration/addition in the opinion of the Head of Planning (or other relevant nominated officer) does not go to the core of the decision; together with
- b. a deed pursuant to **section 106** Town and Country Planning Act 1990 (as amended) securing the terms below with power delegated to the Head of Planning (including any officer exercising their powers if absent and/or the post is vacant and any other officer nominated by them for such a purpose) to agree specific wording provided such wording in the opinion of the Head of Planning (or other relevant officer) does not result in a reduction in the terms identified in this report.

24.4 S106 Heads of Terms

24.4.1 This report is accompanied by a draft Heads of Terms relating to S106 agreement between the applicant and BCP Council, to secure appropriate planning obligations that meet the statutory tests set out in Regulation 122 of the CIL Regulations 2010 (as amended).

24.4.2 The nature of the application does not result in the requirement for financial contributions with regards to SAMMs and CIL payments.

24.4.3 The full schedule of the obligations is provided for the purposes of this report below.

Type	Description	Condition/S106 Agreement	Obligation
Journey plan contributions	Travel plan	S106 Agreement	Travel Plan provided for Unit 1, to incorporate measures to encourage active transport.

			Full Site Travel Plan provided for Units 2-10, to incorporate measures to encourage active transport.
Journey plan contributions	Monitoring fees	S106 Agreement	Travel Plan monitoring fee of £9,700 towards the costs incurred in monitoring the agreed Travel Plans in relation to the approved development for up to 7 years, to be secured prior to the use of any building hereby approved.
Highway works	Public Transport Contribution	S106 Agreement	A contribution £35000 towards the provision of a Super Bus Stop along the Northern side of Soper's Lane, with real time information.
Biodiversity Net Gain	Monitoring fees	S106 Agreement	tbc

25 RECOMMENDED CONDITIONS

1. Time Limited Consent

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.

2. Phased development

The development hereby permitted shall consist of phases as shown on the Phasing Plan reference 23023-HNW-ZZ-ZZ-DR-A-1005 PO2, which shows the following components and shall accord with the parameters identified in relation to those phases:

- a. Phase 1 Unit 1, construction of access road and landscaping (shown in blue)
- b. Phase 2: Units 2-10 (shown in yellow)

Any reference to Phases referenced elsewhere in any other conditions forming part of this permission shall be construed in the context of this condition.

Reason: For the avoidance of doubt and in the interests of proper planning, and in accordance with the provisions of Policy PP21 of the Poole Local Plan (November 2018).

3. Approved Plans

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

23023-HNW-ZZ-ZZ-DR-A-1000 P04 Location Plan

23023-HNW-ZZ-ZZ-DR-A-1001 P03 Existing Block Plan

23023-HNW-ZZ-ZZ-DR-A-1005 P02 Phase Block Plan

23023-HNW-ZZ-ZZ-DR-A-1200 P02 Building 1 Existing Floor Plans (1 of 2)

23023-HNW-ZZ-ZZ-DR-A-1201 P02 Building 1 Existing Floor Plans (2 of 2)

23023-HNW-ZZ-ZZ-DR-A-1202 P02 Building 2 Existing Floor Plans

23023-HNW-ZZ-ZZ-DR-A-1300 P02 Building 1 Existing Elevations

23023-HNW-ZZ-ZZ-DR-A-1301 P02 Building 2 Existing Elevations

23023-HNW-ZZ-ZZ-DR-A-2130 P09 Proposed Site Plan – Phase 1

23023-HNW-ZZ-ZZ-DR-A-2131 P13 Proposed Site Plan – Phase 2

23023-HNW-ZZ-ZZ-DR-A-2132 P12 Proposed Site Plan

23023-HNW-ZZ-RF-DR-A-2140 P03 Proposed Site Roof Plan

23023-HNW-U1-ZZ--DR-A-2200 P07 Unit 1 – Proposed Ground Floor Plan

23023-HNW-U1-ZZ--DR-A-2201 P05 Unit 1 - Proposed First & Second Floor Plans

23023-HNW-U1-ZZ--DR-A-2202 P06 Unit 1 – Proposed Roof Plan

23023-HNW-U1-ZZ--DR-A-2300 P05 Unit 1 – Proposed Elevations

23023-HNW-U1-ZZ--DR-A-2400 P03 Unit 1 – Proposed Sections

23023-HNW-U2-ZZ--DR-A-2203 P05 Units 2 & 3 Proposed Ground & First Floor Plans

23023-HNW-U2-ZZ--DR-A-2204 P05 Units 4 & 5 Proposed Ground & First Floor Plans

23023-HNW-U2-ZZ--DR-A-2205 P05 Units 6 & 7 Proposed Ground & First Floor Plans

23023-HNW-U2-ZZ--DR-A-2206 P05 Unit 8 – Proposed Ground & First Floor Plans

23023-HNW-U2-ZZ--DR-A-2207 P05 Units 2-8 – Proposed Roof Plan

23023-HNW-U2-ZZ--DR-A-2301 P04 Units 2-4 Proposed Elevations & Typical Section

23023-HNW-U2-ZZ--DR-A-2302 P04 Units 5-8 Proposed Elevations

23023-HNW-U9-ZZ--DR-A-2208 P04 Unit 9 – Proposed Floor plan

23023-HNW-U9-ZZ--DR-A-2210 P04 Unit 9 – Proposed Roof Plan

23023-HNW-U9-ZZ--DR-A-2303 P04 Unit 9 Proposed Elevations and Typical Section

23023-HNW-U10-ZZ--DR-A-2211 P04 Unit 10 – Proposed Roof Plan

23023-HNW-U10-ZZ--DR-A-2209 P04 Unit 10 – Proposed Floor plan

23023-HNW-U10-ZZ--DR-A-2304 P04 Unit 10 Proposed Elevations & Typical Section

23023-HNW-ZZ-ZZ--DR-A-2410 P02 Site Sections A & B

23023-HNW-ZZ-ZZ--DR-A-2411 P02 Site Sections C, D & E

23023-HNW-ZZ-ZZ--DR-A-7900 P04 Bin Stores, Waste Compound & Plant Enclosure

23023-HNW-ZZ-ZZ--DR-A-7901 P02 Cycle Stores

LLD3134-LAN-DWG-010 07 Landscape Masterplan

LF4646_LAF_XX_ST_DR_G_1001-S2 2 Topographical Plan – Section 1

LF4646_LAF_XX_ST_DR_G_1002-S2 2 Topographical Plan – Section 2

LF4646_LAF_XX_ST_DR_G_1003-S2 2 Topographical Plan – Section 3

LF4646_LAF_XX_ST_DR_G_1004-S2 2 Topographical Plan – Section 4

LF4646_LAF_XX_ST_DR_G_1005-S2 2 Topographical Plan – Section 5

10017-PTA-XX-XX-DR-C-8300 P08 Proposed Levels Strategy Site Wide

23032-ION-XX-XX-DR-E-1005 P1 Phase 1 Proposed External Lighting Scheme

23032-ION-XX-XX-DR-E-1006 P2 Phase 2 Proposed External Lighting Scheme

LLD3134-ARB-DWG-001 1 Tree Constraints Plan

LLD3134-ARB-DWG-002 Tree Constraints Plan

LLD3134-ARB-DWG-003 Tree Constraints Plan

LLD3134-ARB-DWG-004 Tree Constraints Plan

LLD3134-ARB-DWG-005 Tree Constraints Plan

10017-PTA-XX-XX-DR-C-8100 P06 Proposed Drainage Strategy

Design & Access Statement (23023-HNW-XX-XX-PP-A-0500-P04)

Landscape Design Strategy (dated 12/11/2024)

Transport Statement (Dated 07/07/2024)

Framework Travel Plan – Full Site (Dated 07/06/2024)

Ecology Impact Assessment (LLD3134-ECO-REP-003-03-EcIA)

Arboricultural Impact Assessment & Method Statement (LLD3134-ARB-REP-001-AIA-Status: Planning)

Flood Risk Assessment & Drainage Strategy (10017-PTA-XX-XX-RP-C-9071)

FRA – Appendix 4 Revised drainage Calculations (dated 08/10/2024)

Air Quality Assessment (dated 06/06/2024)

External Lighting Report (dated June 2024)

Noise Impact Assessment (dated 07/06/2024)

Energy & Sustainability Assessment

BREEAM Pre-Assessment (dated 07/06/2024)

Utilities Report (dated April 2024)

Biodiversity Net Gain report (LLD3134-ECO-REP-002-04)

Phase I Preliminary Risk Assessment; Ramboll, dated May 2024 (ref: 1620016904-RAM-RP-SS-00001)

Generic Quantitative Risk Assessment; Ramboll, dated January 2023 (ref: REH2022N01473-RAM-RP-00001)

Ground investigation report, (10941/CA), dated 7 June 2024

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

4. Land Contamination and Unexploded Ordnance (UXO)

For each phase of development, no part of such phase hereby permitted shall commence until the requirements of Parts A to C of this condition have been complied with. The risk assessments should be undertaken by competent and suitably qualified persons to assess the nature and extent of contamination at the site in accordance with 'Land Contamination Risk Management' published by the Environment Agency.

A Preliminary Contamination Risk Assessment (Phase I)

Preliminary Contamination Risk Assessment (Phase I) shall be submitted in writing to the Local Planning Authority. The Phase I should be produced in accordance with the Environment Agency 'Land Contamination Risk Management' guidance. A preliminary Conceptual Site Model (CSM) shall be developed to include a comprehensive assessment of the risks from contamination to all relevant receptors such as human health, controlled waters, and the environment from the site condition in consideration of the authorised development. If the risk assessment identifies any unacceptable risks, further assessment comprising intrusive investigations may be required.

B Site Investigation

If the Phase I has established potentially unacceptable risks to sensitive receptors from the site condition, then a detailed intrusive investigation (Phase II) in accordance with 'Land Contamination Risk Management' guidance published by the Environment Agency will be required.

A proposed site investigation plan should be submitted to the Local Planning Authority for review and approval prior to the investigation works taking place. The site investigations should be designed to appropriately assess the risk to human health, the built development, sensitive ecology and controlled waters.

A Phase II report will be submitted to and approved in writing by the Local Planning Authority prior to development works. The Phase II report will comprise an assessment of the risks from contamination to all relevant receptors such as human health, controlled waters, and property from the site condition in the context of the authorised development. The report shall include:

A detailed site investigation comprising an assessment of soil, groundwater and ground gases/ vapours where appropriate to establish the extent, scale and nature of contamination on-site (irrespective of whether this contamination originates from the site). An updated Conceptual Site Model (CSM) should be included showing all

potential pollutant linkages and an assessment of the potential risks to sensitive receptors.

If the risk assessment identifies any unacceptable risks, a further remediation strategy/ plan will be submitted to and approved in writing by the Local Planning Authority and shall be implemented as approved.

C Remediation Scheme

Remediation will be required if the Phase II establishes the presence of a significant pollutant linkage. The remediation scheme will be submitted to and approved in writing by the Local Planning Authority prior to development works. The works thereafter will be carried out in full accordance with the remediation scheme.

If required, the approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of any development other than that required to carry out remediation, unless otherwise agreed with the Local Planning Authority in writing. The Local Planning Authority shall be notified in writing of the intended commencement of remediation works no less than 14 days before the works commence on-site.

Following completion of remediation works, a Verification Report which demonstrates the effectiveness of the completed remediation works, any requirement for longer-term monitoring of contaminant linkages, maintenance, and arrangements for contingency action, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: to ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution and is carried out safely and in the public interest, in accordance with Policies PP32 of the Poole Local Plan (2018), Policy 18 and Inset 8 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan (2019) and Paragraph 170 of the National Planning Policy Framework (2023).

5. Reporting of Unexpected Contamination

The presence of any previously unencountered contamination that becomes evident during the construction of the development hereby permitted shall be reported to the Local Planning Authority in writing within one (1) week, and work on the affected area shall cease with immediate effect. At this stage, if requested by the Local Planning Authority, an investigation and risk assessment shall be undertaken, and an amended remediation scheme shall be submitted to and approved in writing by the Local Planning Authority prior to re-commencement works in the affected area. The approved details shall be implemented as approved.

Following completion of remediation works, a Verification Report which demonstrates the effectiveness of the completed remediation works, any requirement for longer-term monitoring of contaminant linkages, maintenance, and arrangements for contingency action, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution and is carried out safely and in the public interest, in accordance with Policies PP32 of the Poole Local Plan (2018), Policy 18 and Inset 8 of the Bournemouth, Christchurch,

Poole and Dorset Waste Plan (2019) and Paragraph 170 of the National Planning Policy Framework (2023).

6. Aviation Safeguarding

No development of any photovoltaic panels hereby permitted shall commence until a Glint and Glare Assessment has been submitted to, and approved in writing by, the Local Planning Authority. The Glint and Glare Assessment shall include details of any impact from proposed photovoltaic panels and shall demonstrate an acceptable impact on aviation safeguarding.

The approved details shall at all times be accorded with unless otherwise agreed in writing by the Local Planning Authority.

Reason: in the interests of aviation safeguarding

7. Demolition and Construction Environmental Management Plan

Prior to the commencement of any development of the relevant phase of the development hereby approved (as indicated on approved plan reference “23023-HNW-ZZ-ZZ-DR-A-1005 P02”), a Demolition and Construction Environmental Management Plan (“DCEMP”) has been submitted to and approved in writing by the Local Planning Authority. The details within the Demolition and Construction Environmental Management Plan shall include, but not be limited to:

- a. the parking of vehicles of site operatives and visitors;
- b. loading and unloading of plant and materials;
- c. the erection and maintenance of security hoarding;
- d. wheel washing facilities;
- e. scheme for recycling/disposing of waste resulting from demolition works;
- f. delivery, demolition and construction working hours;
- g. control of Non-Road Mobile Machinery (“NRM”) use onsite;
- h. steps and procedures that will be implemented to minimise the creation and impact of noise, vibration, dust and other air emissions and potential ground and/or water pollution resulting from the site preparation, demolition, and groundwork and construction phases of the development;
- i. details of arrangements by which the developer shall maintain communication with residents and businesses in the vicinity of the site, and by which the developer shall monitor and document compliance with the measures set out in the DCEMP and report to the local planning authority any identified non-compliance;

- j. a Dust Management Plan that identifies the steps and procedures that will be implemented to minimise the creation and impact of dust and other air emissions resulting from the site preparation, demolition, and groundwork and construction phases of the development; and
- k. a Lighting Strategy

The approved DCEMP shall be fully implemented and accorded with at all times throughout the demolition and construction phases of the development.

Construction and delivery hours are restricted to:

- 08:00 – 18:00 Monday to Friday
- 08:00 – 13:00 Saturday
- At no time on Sundays or Bank Holidays

Reason: in the interests of highway safety, to protect endangered species and protected sites, and convenience and to safeguard the amenity of the area for local residents, businesses and workers in accordance with Policies PP27, PP33, PP34 and PP35 of the Poole Local Plan (2018) and the Conservation of Habitats and Species Regulations 2017 (as amended) and S40 of NERC Act 2006.

8. Construction Traffic Management Plan

Prior to the commencement of any development of the relevant phase of the development hereby approved (as indicated on approved plan reference “23023-HNW-ZZ-ZZ-DR-A-1005 P02”), a Construction Traffic Management Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The Construction Traffic Management Plan must include details of, but not limited to, programme of construction works, contractors parking arrangements, appropriate signage, loading/unloading procedures, storage of plant and materials, and how the pedestrian route through the site will be managed through the different phases of the construction works. The plan should also indicate that all construction vehicles must utilise the vehicle access along Cabot Lane and any traffic signal or controlled access arrangements must give priority to vehicles entering the site.

The approved Construction Traffic Management Plan shall be implemented prior to the commencement of development of the relevant phase, and adhered to throughout the construction period for the relevant phase of the development.

Reason: in the interests of highway safety, the amenity of local residents and to mitigate impacts on the flow and safety of the wider transport network, in accordance with Policies PP27, PP33, PP34 and PP35 of the Poole Local Plan (2018).

9. Building Operatives Temporary Parking

Prior to the commencement of any development of the relevant phase of the development hereby approved (as indicated on approved plan reference “23023-HNW-ZZ-ZZ-DR-A-1005 P02”), details of any temporary car parks for that relevant phase within the site to accommodate operatives’ and construction vehicles for the entire construction period shall be submitted to, and approved in writing by, the Local Planning

Authority. The development shall be carried out in accordance with the approved details through the construction period, unless otherwise agreed in writing by the Local Planning Authority.

Reason: in the interests of highway safety, the amenity of local residents and to mitigate impacts on the flow and safety of the wider transport network, in accordance with Policies PP27, PP33, PP34 and PP35 of the Poole Local Plan (2018).

10. Arboricultural Method Statement

Prior to the commencement of any development of the relevant phase of the development hereby approved (as indicated on approved plan reference “23023-HNW-ZZ-ZZ-DR-A-1005 P02”), an Arboricultural Method Statement prepared by an arboricultural consultant holding a nationally recognised arboricultural qualification providing comprehensive details of construction works in relation to trees shall be submitted to, and approved in writing by, the Local Planning Authority. All works shall subsequently be carried out in strict accordance with the approved details.

In particular, the method statement must provide the following:

- a) a specification for protective fencing to trees during both demolition and construction phases which complies with BS5837:2012 and a plan indicating the alignment of the protective fencing;
- b) a specification for scaffolding and ground protection within tree protection zones in accordance with BS5837;
- c) a schedule of tree works conforming to BS3998;
- d) details of general arboricultural matters such as the area for storage of materials, concrete mixing and use of fires;
- e) plans and particulars showing the siting of the service and piping infrastructure;
- f) a full specification for the construction of any arboriculturally sensitive structures and sections through them, including the installation of boundary treatment works, the method of construction of the access driveway including details of the no-dig specification and extent of the areas of the driveway to be constructed using a no-dig specification;
- g) details of the works requiring arboricultural supervision to be carried out by the developer's arboricultural consultant, including details of the frequency of supervisory visits and procedure for notifying the Local Planning Authority of the findings of the supervisory visits; and
- h) details of all other activities which have implications for trees on or adjacent to the site.

Reason: in order that the Local Planning Authority may be satisfied that the trees to be retained on-site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice and in accordance with Policy PP27 of the Poole Local Plan (2018).

11. Arboricultural Supervision

Prior to the commencement of any development of the relevant phase of the development hereby approved (as indicated on approved plan reference “23023-HNW-ZZ-ZZ-DR-A-1005 P02”), including any ground clearing or tree works, details of any arboriculturally sensitive operations requiring arboricultural supervision shall be submitted to, and approved in writing by, the Local Planning Authority. A pre-commencement site meeting shall be held and attended by the developer's arboricultural

consultant, the designated site foreman and a representative from the Local Authority to discuss details of the working procedures and agree that all tree protection measures have been installed in accordance with the approved tree protection plan. Any approved remedial works shall subsequently be carried out under strict supervision by the arboricultural consultant immediately following that approval.

Reason: in order that the Local Planning Authority may be satisfied that the trees to be retained on-site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice and in accordance with Policy PP27 of the Poole Local Plan (2018).

12. Arboricultural Supervision (Tree Planting)

Prior to the commencement of any development of the relevant phase of the development hereby approved (as indicated on approved plan reference "23023-HNW-ZZ-ZZ-DR-A-1005 P02"), including site clearance, demolition, ground preparation, temporary access construction/widening, material storage or construction works; a consultant arboriculturist shall be appointed (and details of the contract submitted to, and approved in writing by, the Local Planning Authority) for the monitoring and supervision of tree planting, for a period until 5 years post completion of the development.

The contract will provide for the appointed arboriculturist to submit regular updates in the form of site supervision notes to the council Tree Officer for inspection. Monitoring of successful tree establishment will be carried out once per annum for 5 years. Should any tree be removed, die or become severely damaged or seriously diseased, all within 5 years of planting, it shall be replaced by a tree of a similar size and species to that originally planted.

Reason: to monitor and ensure specification compliance for new tree planting in the interests of local amenity and the enhancement of the development itself, in accordance with the National Planning Policy Framework (2021) and policy PP27 of the adopted Poole Local Plan (2018).

13. Parking Area Confinement

Prior to the commencement of any development of the relevant phase of the development hereby approved (as indicated on approved plan reference "23023-HNW-ZZ-ZZ-DR-A-1005 P02"), details produced by a person with relevant experience relating to the cellular confinement system for the parking area must be submitted to, and approved in writing by, the Local Planning Authority.

The details shall include accurate locations of installation, including cross-sections, detailing levels of existing and proposed finished levels, construction method statements demonstrating that the produce is fit for purpose and timing of installation,

All works shall subsequently be carried out in strict accordance with the approved details. Site visits shall be carried out by the developer's arboricultural consultant and a supervision report shall be submitted to the Local Planning Authority following supervision of the relevant completed works demonstrating that the cellular confinement system has been installed as approved. The development shall be maintained in accordance with the approved details thereafter.

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

14. Soft Landscape Plan

Notwithstanding the approved plans, prior to the commencement of the relevant phase of the development hereby approved (as indicated on approved plan reference “23023-HNW-ZZ-ZZ-DR-A-1005 P02”), a detailed Landscape Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The plan shall include the position, species and size of all new trees, shrubs and ground covers proposed for the development and detailed specification for maintenance and aftercare. This must also include details of planting pits, staking and available soil volume and future crown space demonstrating that the trees can establish and be supported to maturity for all proposed new trees. The Landscape Plan must comply with the Habitats Monitoring and Maintenance Plan required by condition 16.

The development shall comply with the following:

- a) The approved Landscape Plan 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 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 of 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 plant (including those retained as part of the scheme) which die, are damaged or diseased within this period shall be replaced in the next planting season with others of similar size and the same species, unless the Local Planning Authority gives written consent to any variation.
- d) The whole scheme shall be subsequently retained.

Reason: to ensure that reasonable measures are taken to establish trees and vegetation 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 (2018).

15. Hard Landscape Plan

Notwithstanding the approved plans, prior to the commencement of the relevant phase of the development hereby approved (as indicated on approved plan reference “23023-HNW-ZZ-ZZ-DR-A-1005 P02”), full details of hard landscape works for that site shall be submitted to and approved in writing by the Local Planning Authority. Hard landscape details shall include lighting, bollards, seating, tree grills, other street furniture, construction and services details in proximity to trees, proposed finished levels and contours, and a timetable for implementation. The approved hard landscape scheme for the site shall be implemented in full prior to the occupation of any residential units or the commencement of any non-residential use of the development and permanently retained unless otherwise agreed in writing by the Local Planning Authority. The Landscape Plan

must comply with the Habitats Monitoring and Maintenance Plan required by condition 16.

Reason: in the interests of visual amenity and to ensure that the approved hard landscaping scheme is carried out at the proper times, in accordance with Policies PP27 and PP33 of the Poole Local Plan (2018).

16. Habitats Monitoring and Maintenance Plan

No part of the development hereby permitted shall be commenced unless a Habitat Management and Monitoring Plan ("HMMP") has first been submitted to and approved in writing by the local planning authority. The HMMP shall relate to the site as a whole, not in phases.

The HMMP shall accord with the Biodiversity Gain Plan approved for the purposes of the development hereby permitted and all landscaping and biodiversity related plans and documents required to be approved in the other conditions forming part of this permission.

The HMMP shall in particular include:

- (A) a background section; including:
 - (i) a high level summary of all relevant matters identified in the HMMP;
 - (ii) details of the person(s) who have written the HMMP and who will be responsible for delivery and maintenance of all Habitat Provision; and
 - (iii) the metric used for the purposes of the HMMP; and
 - (B) a section setting out all planned habitat activities, including:
 - (i) overarching aims and objectives;
 - (ii) design principles informed by all relevant baseline information;
 - (iii) full details of the Habitat Provision;
 - (iv) a Condition Target for each habitat forming part of the Habitat Provision together with targets required to meet every Condition Target including timelines against which progress against those targets can be assessed;
 - (v) details of all protective, management and maintenance measures in relation to the Habitat Provision to cover a period of at least thirty years from the Completion of Development; and
 - (vi) details of any identifiable risk relating to the Habitat Provision and also the meeting of any Condition Target together with initial identified remedial measures relating to any such risk; and
 - (C) a monitoring schedule section including:
 - (i) a monitoring strategy;
 - (ii) details of monitoring methods to be used for a Monitoring Report together with intervals for the provision of every Monitoring Report to the local planning authority; and
 - (iii) details of how Adaptive Management Procedure(s) will be incorporated into meeting every Condition Target; and
 - (D) plans and details reasonably necessary for each section.
- (a) *No part of the development shall be occupied or otherwise brought into use unless the local planning authority has approved in writing the Completion of Development Report.*
- (b) The approved HMMP shall at all times be accorded with. If at any time it is identified that any Condition Target may not be or is no longer being met then Adaptive Management

Procedure(s) shall be implemented without unreasonable delay to ensure that the Condition Target will be met or continues to be met (as the case may be).

- (c) Whenever a Monitoring Report is submitted to the local planning authority in accordance with the approved HMMP, in addition to any other information, it shall in particular include:
- (i) a progress summary;
 - (ii) details of the person(s) responsible for compiling the information in the monitoring report;
 - (iii) details identifying the success or failure of the Habitat Provision both generally and in particular as against every relevant Condition Target;
 - (iv) progress toward every Condition Target including any identified barrier(s) to such progress;
 - (v) any Adaptive Management Measures required to ensure that the Habitat Provision is on track to meet each Condition Target and continues to meet every Condition Target once achieved;
 - (vi) a register of activity; and
 - (vii) any identified need to vary the approved HMMP together with relevant explanation.

For the purposes of this condition:

“Adaptive Management Procedure(s)” means procedure(s) whether originally identified in the approved HMMP, a Monitoring Report or otherwise including a timetable for delivery to ensure that the Condition Target(s) are achieved and thereafter maintained

“Condition Target” mean the minimum acceptable targeted level of habitat condition in relation to each habitat type situated on the application site including a time by when that habitat condition will be reached where it is not already being met;

“Completion of Development” means the date on which the local planning authority issue an approval of the Completion of Development Report;

“Completion of Development Report” means a written report submitted to the local planning authority for the purposes of this condition identifying the date on which the development hereby permitted has been completed together with evidence of such completion and also of compliance with all targets applicable on or before that date identified in the approved HMMP;

“Habitat Provision” means all habitat situated on the application site to which this permission relates to be retained, created and enhanced.

“Monitoring Report” means a report containing monitoring and survey information to be submitted to the local planning authority in relation to the Habitat Provision including person(s) responsible for undertaking all such monitoring and surveys and submission of the report to the local planning authority.

17. Surface Water Drainage Strategy

Prior to the commencement of any above ground development (not including demolition) of the relevant phase of the development hereby approved (as indicated on approved plan reference “23023-HNW-ZZ-ZZ-DR-A-1005 P02”), detailed design information including drawings, details, sections, and schedules for the surface water drainage, including supporting calculations, shall be submitted to and approved in writing by the Local Planning Authority. The discharge of surface water into the surface water sewer must not exceed 23.6 l/s. The surface water scheme shall be implemented in

accordance with the submitted details prior to the commencement of the use of the relevant phase, and shall be maintained in strict accordance with the approved details thereafter for the duration of the development.

Reason: to ensure effective, sustainable and safe drainage of surface water from the development site without affecting existing drainage from adjacent land, in accordance with Policy PP38 of the Poole Local Plan (2018).

18. Drainage Strategy Maintenance Scheme

Prior to the commencement or occupation of any building hereby approved, finalised details of maintenance and management of the surface water sustainable drainage scheme must be submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. These should include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout the lifetime of the development.

Reason: to ensure future maintenance of the surface water drainage system, and to prevent the increased risk of flooding, in accordance with Policy PP38 of the Poole Local Plan (2018).

19. Materials

Notwithstanding any details forming part of the documents submitted as part of the application to which this permission relates, prior to the commencement of above ground development (not including demolition) of the relevant phase of the development hereby approved (as indicated on approved plan reference "23023-HNW-ZZ-ZZ-DR-A-1005 P02"), details of all proposed boundary treatments, paving and the materials of all external facing elevations, roofs, windows and doors, of all proposed buildings and structures including cycle stores and the proposed substation, shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason: to ensure that the external appearance of the building(s) is satisfactory and protects the appearance of the surrounding area, in accordance with Policy PP27 and PP31 of the Poole Local Plan (2018).

20. BREEAM

Prior to commencement of the use of the relevant part of the development, a BREEAM design stage accreditation certificate (or subsequent equivalent quality assured scheme) shall be submitted to, and approved in writing by, the Local Planning Authority verifying that the proposal will achieve a minimum BREEAM 'Excellent rating (or equivalent).

The proposal shall be constructed in strict accordance with the approved details, achieve the agreed rating, and shall be maintained as such thereafter for the lifetime of the development.

No later than six months post completion of commissioning, a BREEAM Post Construction Review Certificate shall be submitted to, and approved in writing by, the Local Planning Authority verifying that the approved BREEAM rating has been met.

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

21. Lighting Scheme

Notwithstanding any details forming part of the documents submitted as part of the application to which this permission relates, prior to the commencement of any above ground development (not including demolition) of the relevant phase of the development hereby approved (as indicated on approved plan reference “23023-HNW-ZZ-ZZ-DR-A-1005 P02”), a Lighting Scheme shall be submitted to and approved in writing by the Local Planning Authority. The submitted Lighting Scheme shall include details of the design, hours of use, locations and management of any temporary or permanent exterior lighting within any public area, including signage, floodlighting and road/path lighting. The details of the approved Lighting Scheme shall

Reason: to safeguard the visual amenities of the area, to provide safe access to the site, to protect future occupiers and neighbouring/nearby residents from excessive light spillage on site and in the interests of minimising disturbance to protected species and habitats in the area in accordance in accordance with Policies PP27 and PP33 of the Poole Local Plan (2018).

22. Waste Management Plan

Prior to the commencement of the use of the relevant phase of the development hereby approved (as indicated on approved plan reference “23023-HNW-ZZ-ZZ-DR-A-1005 P02”), a Waste Management Plan for the proposed development shall be submitted to and approved in writing by the Local Planning Authority.

The Waste Management Plan shall include (but not be limited to):

- a. details of proposed containers, locations and storage rooms;
- b. full scaled plans of the waste storage areas within each of Units 1 to 9, if proposed;
- c. details of the proposals or employment of a private contractor to collect the refuse
- d. caretaking details to ensure all bin stores are maintained, kept clear of site waste and that any contamination is removed from bins prior to collection

All measures identified in the approved Waste Management Plan shall be put in place prior to whichever is the earlier of the first use of any part of the relevant phase of the development hereby permitted and thereafter at all times retained and maintained in accordance with the approved Waste Management Plan.

Reason: To ensure that the authorised development includes a long-term management plan for the collection of refuse in the interests of visual amenity, in accordance with Policies PP27 of the Poole Local Plan (2018) and Policy 22 of the Bournemouth, Christchurch, Poole and Dorset Waste Plan (2019).

23. Details of Roads and Footways

Prior to the commencement of the relevant phase of the development hereby approved (as indicated on approved plan reference “23023-HNW-ZZ-ZZ-DR-A-1005 P02”), plans and particulars showing the layout, together with details of levels, sections, drainage, and street lighting of the proposed access roads, footways and pathway, shall be submitted to, and approved in writing by the Local Planning Authority. The details shall ensure the approved access roads, footways and pathway are built to an adoptable standard. The development shall subsequently be implemented in accordance with the approved details, prior to the commencement of the use of any building hereby approved within the relevant phase of the development.

Reason: to ensure acceptable access to and within the site and ensure the network is constructed to a safe and acceptable standard, in accordance with Policies PP16, PP27, PP34 and PP35 of the Poole Local Plan (2018).

24. Soper's Lane Access

Prior to the commencement of the use of any building hereby approved within the Phase 2 (as indicated in plan reference "23023-HNW-ZZ-ZZ-DR-A-1005 P02") of the development, the pedestrian/cycle access pathway into the site from Soper's Lane as shown on the approved plan reference "LLD3134-LAN-DWG-010 07" shall be fully implemented, surfaced, marked out and made available for use, with provision of a dropped crossing along Soper's Lane. The path shall at all times be retained and kept free from obstruction and maintained in accordance with the approved plans.

Reason: to ensure acceptable access to the site and encourage the use of sustainable transport, in accordance with Policies PP16, PP27, PP34 and PP35 of the Poole Local Plan (2018).

25. Vehicle Parking Turning

Prior to the commencement of the use of the relevant phase of the development hereby approved (as indicated on approved plan reference "23023-HNW-ZZ-ZZ-DR-A-1005 P02"), the access, turning space, vehicle parking and cycle parking shown on the approved plans where relevant to each phase of development shall have been constructed and made available for use, and these shall thereafter be retained and kept available for those purposes at all times.

Vehicle parking shall only be permitted within the car parking spaces marked out on the approved plan "LLD3134-LAN-DWG-010 07" and areas that are not indicated for parking shall not be used for vehicle parking at any time, without prior written approval from the Local Planning Authority.

Reason: to allow for safe and accessible manoeuvring, parking, loading and unloading of vehicles in accordance with Policies PP27, PP34, PP35 and PP36 of the Poole Local Plan (2018).

26. Alterations to Two Parking Bays

Notwithstanding the approved plans and prior to the implementation of any car parking spaces within Phase 2 of the development hereby approved (as indicated on approved plan reference "23023-HNW-ZZ-ZZ-DR-A-1005 P02") secured under Condition 23 of this permission, , a scheme to replace the two disabled car parking spaces to the east of the parallel parking spaces fronting Unit 10 with a loading bay and for the repositioning of these two disabled bays, shall be submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall be fully implemented prior to the commencement of use of any building hereby approved within Phase 2 of the development and shall thereafter be retained for those purposes at all times.

Reason: To allow for safe and accessible manoeuvring, parking, loading and unloading of vehicles in accordance with Policies PP27, PP34, PP35 and PP36 of the Poole Local Plan (2018).

27. Parking Management Strategy

Prior to the commencement of the relevant phase of the development hereby approved (as indicated on approved plan reference "23023-HNW-ZZ-ZZ-DR-A-1005 P02"), a Parking Management Strategy shall be submitted to, and approved in writing by, the

Local Planning Authority. The Parking Management Strategy shall include parking restrictions, yellow lines and enforcement details.

The Parking Management Strategy shall be implemented in full, prior to the commencement of use of any building within Phase 2 of development hereby approved, and the development shall be maintained and retained in accordance with the approved details thereafter.

Reason: to ensure sufficient parking is provided onsite and to allow for safe and accessible manoeuvring, parking, loading and unloading of vehicles in accordance with Policies PP27, PP34, PP35 and PP36 of the Poole Local Plan (2018).

28. CCTV Equipment

Prior to the commencement of the use of the relevant phase of the development hereby approved (as indicated on approved plan reference “23023-HNW-ZZ-ZZ-DR-A-1005 P02”), details of electronic recording equipment to be provided in that phase to monitor activity on the application site to which this permission relates shall be submitted to and approved in writing by the Local Planning Authority. The approved electronic recording equipment for the relevant phase shall be installed prior to the commencement of the use of the relevant phase of the development and thereafter at all times retained and also maintained so as to remain fully operational.

Reason: To help monitor and prevent nuisance and to ensure public safety, in accordance with Policy PP27 of the Poole Local Plan (2018).

29. EV Charging Points

Prior to the commencement of the relevant phase of the development hereby approved (as indicated on approved plan reference “23023-HNW-ZZ-ZZ-DR-A-1005 P02”), details for the provision of Electric Vehicle Charging Points and associated infrastructure shall be submitted to and approved in writing by the Local Planning Authority for approval in writing. The details shall have regard to the requirements of the BCP’s Parking Standards SPD (2021) (or any subsequent replacement revision) and provide a minimum of 30% of the car parking spaces with “Active” electric vehicle charging points, with the remaining spaces being provided with ‘passive’ chargepoint provision.

The approved Electric Vehicle Charging Points and associated infrastructure shall be fully provided in accordance with the approved details prior to the first use of the relevant phase of the development hereby approved. The Electric Vehicle Charging Points shall thereafter at all times be maintained in full working order.

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

30. Cycle Parking

Notwithstanding the approved plans, prior to the commencement of the relevant phase of the development hereby approved (as indicated on approved plan reference “23023-HNW-ZZ-ZZ-DR-A-1005 P02”), details of adequate secure and covered cycle parking facilities capable of efficiently storing a minimum of 98 bikes for employees, with additional covered cycle parking facilities capable of efficiently storing a minimum of 39 bikes for visitors, shall be submitted to, and approved in writing by, the Local Planning Authority.

The development of each phase shall be implemented in accordance with the approved details. The cycle parking facilities for each phase of development shall be made

available for use prior to the commencement of the use of any building hereby approved for that relevant phase of development, and shall thereafter be retained and maintained in accordance with the approved details for the duration of the development.

Reason: to promote alternative modes of transport and in the interests of amenity in accordance with Policies PP27 and PP35 of the Poole Local Plan (2018), and guidance within BCP's Parking Standards SPD (2021)

31. Ecological Impact

The development shall be carried out in accordance with the recommendations and mitigation measures within the submitted Ecological Impact Assessment reference (LLD3134-ECO-REP-003-02-EcIA).

Reason: to protect the habitats of protected species and mitigate impact on local ecological interests, in accordance with Policy PP33 of the Poole Local Plan (2018).

32. Acoustic Barrier

Prior to commencement of any development of Phase 2, details of a continuous acoustic barrier constructed along the northern site boundary as shown in submitted plan No. LLD3134-LAN-DWG-010 revision 06, of minimum height of 3 metres and minimum surface density of 10 kg/m² shall be submitted to, and approved in writing by, the local planning authority.

All works which form part of the approved details shall be completed prior to the commencement of use within Phase 2. The barrier shall be constructed in accordance with the approved details and retained throughout the lifetime of the development.

Reason: to protect the amenities of residents, in accordance with Policies PP16 and PP27 of the Poole Local Plan (2018).

33. Closure of Existing Access

Prior to the commencement of Phase 2 of the development hereby approved (as indicated on approved plan reference "23023-HNW-ZZ-ZZ-DR-A-1005 P02"), a scheme to close the existing access (which is to be made redundant) shall be submitted to and approved in writing with the Local Planning Authority. The scheme shall include provision to raise the existing lowered kerbs, and reinstate the footway to the section of the existing access and shall comply with the standards adopted by the Local Highway Authority.

All works shall be completed in accordance with the approved scheme prior to the commencement of use of any building hereby approved within Phase 2 of the development hereby approved.

Reason: To allow for safe and accessible manoeuvring, parking, loading and unloading of vehicles and to ensure that highway safety is not adversely impacted upon, in accordance with Policies PP16, PP27 and PP34 and PP35 of the Poole Local Plan (2018).

34. Vegetation Clearance

Any vegetation clearance within the application site that is in association with the development hereby approved must be carried out outside the bird breeding season of 1st March to 31st August inclusive, unless an acceptable document demonstrating that no nesting birds are present has been submitted to, and approved in writing by, the Local Planning Authority.

Reason: to prevent disturbance to birds' nests and protect habitats, in accordance with Policy PP33 of the Poole Local Plan (2018).

35. Burning of Construction Materials

No burning of any material shall take place on any part of the application site to which this permission relates at any time during any part of the construction phase(s) (including demolition of existing structures) of the development hereby permitted.

Reason: to protect the amenity of local residents and surrounding ecology and biodiversity from smoke, ash, odour and fumes.

36. Signage and Ground Markings

Notwithstanding the approved plans, prior to the use of any building within the relevant phase of the development hereby approved (as indicated on approved plan reference "23023-HNW-ZZ-ZZ-DR-A-1005 P02"), a phasing scheme for the implementation of signage and ground markings throughout the site within that relevant phase of development shall be submitted to and approved in writing by the Local Planning Authority.

The phasing scheme shall include, but not be limited to, signs/markings indicating one way routes, no entry signs, "Keep Clear" marking to the front of the Parvalux entrance (vehicle access along Technology Road leading to the neighbouring development to the east of the site), surface material and markings along the pedestrian route to the front of Units 2-8, signs/markings promoting slow speeds and likelihood of cyclists/pedestrians crossing the Cabot Lane access, All works shall be completed in accordance with the approved scheme relevant to each phase of development, and shall be implemented prior to the commencement of use of any building hereby approved for the relevant phase of development.

The approved details shall thereafter be maintained and retained for the duration of the development.

Reason: To allow for safe and accessible manoeuvring, parking, loading and unloading of vehicles and to ensure that highway safety is not adversely impacted upon, in accordance with Policies PP16, PP27 and PP34 and PP35 of the Poole Local Plan (2018).

37. Control of plant/ machinery noise

The rating level of any noise generated by plant & equipment installed or operated in connection with the carrying out of this permission shall be at least 5 dB(A) below the pre-existing background level property as determined by BS 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound and/or its subsequent amendments, when measured at a point one metre external to the nearest residential or noise sensitive property.

Reason: To ensure that no nuisance or disturbance is caused to the occupiers of neighbouring properties or area in general. Relevant policy: NPPF Section 15 (Conserving and Enhancing the Natural Environment), Poole Policy PP27

26 INFORMATIVES

1. The Highways Authority advised that prior to construction commencing on site, the applicant/site developer is strongly advised to contact the Streetworks Team on 01202 128369 or streetworks@bcpcouncil.gov.uk to discuss how the highway network in the vicinity of the site is to be safely and lawfully managed during construction. This team is responsible for managing the highway network and must be consulted prior to you commencing any work that you are undertaking that may impact on the operation of the public highway. They will also be able to advise on any Permits, Licences, Temporary Traffic Regulation Orders (TTROs), traffic signal or ITS changes and signing requirements, together with co-ordination of your work in relation to the planned work of other parties on the public highway. Some procedures, require significant lead in times and therefore early engagement is essential. Therefore, to avoid any delay in starting work it is strongly recommended that you make contact at least 3 months before you plan to commence work. Failure to do so may result in delay in starting work. If any permanent changes are required to Traffic Regulation Orders (TROs), please note that these can take a minimum of 9 months to process and this period should be considered when planning your project.
2. Your attention is drawn to the recommendations within the Dorset Police comments on this planning application, dated 16/08/2024, which are available to view on the Local Planning Authority's website.
3. Your attention is drawn to the recommendations within the Dorset and Wiltshire Fire and Rescue comments on this planning application, dated 05/08/2024, which are available to view on the Local Planning Authority's website.
4. This permission should be read in conjunction with the legal agreement under section 106 of the Town and Country Planning Act dated **TBC**, the obligations in which relate to this development.
5. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition ("the biodiversity gain condition") that development may not begin unless: (a) a Biodiversity Gain Plan has been submitted to the planning authority, and (b) the planning authority has approved the plan. The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Bournemouth, Christchurch and Poole Council. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed in paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed are considered to apply.

6. In accordance with paragraph 39 of the revised NPPF the Council, as Local Planning Authority, takes a positive and proactive approach to development proposals focused on solutions. The Council works with applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applicants/agents

of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this instance:

The applicant was provided with pre-application advice.

The applicant was provided with the opportunity to address issues identified by the case officer and permission was granted.