



Planning Committee

Application Address	106 Panorama Road, Poole, BH13 7RG
Proposal	Demolition of existing property and erection of a replacement property. Improvement works to the sea wall.
Application Number	APP/24/00640/F
Applicant	Mr Glanfield
Agent	
Ward and Ward Member(s)	Cllr John Challinor Cllr Gavin Wright Canford Cliffs
Report Status	Public
Meeting Date	22 May 2025
Summary of Recommendation	Refusal for the reason(s) set out below
Reason for Referral to Planning Committee	More than 20 representations were received in support of the application.
Case Officer	Babatunde Aregbesola
Is the proposal EIA Development?	No

Description of Proposal

1. The proposal is seeking planning permission to erect a replacement dwelling following the demolition of existing house and incorporating improvement works to the sea wall.
2. The proposed replacement building will be a two-storey detached dwelling (plus basement level) of a contemporary design with a green roof. The other element of the scheme is the enhancement of the sea wall which includes an enhancement of the water frontage

Description of Site and Surroundings

3. The application site is comprised of a detached dwellinghouse located towards the west side of Panorama Road. The plot is dominated by the extensive tree cover which are protected by virtue of the Conservation Area designation. The site also includes a pair of garages located near to the Panorama Road frontage, and a boat house. The site is broadly triangular and bounded on the west by a sea wall. The wider area of the Sandbanks Conservation Area is characterised by large plots, predominantly occupied by detached dwellings. Trees and vegetation are an important characteristic of the area. The site is also covered by Tree Preservation Orders (TPOs).

4. The application site measures circa 6406.00 sqm and is located at the northwest corner of the Sandbanks spit, overlooking the main channel to Poole and Brownsea Island. It is broadly triangular and bounded on the west by a sea wall. The existing dwelling on site is a four-bedroom house constructed circa 1900 as staff accommodation for North Haven House to the south.
5. The property is identified within the Sandbanks conservation area appraisal as a positive contributor. Due to its harbour frontage the site is currently prominent in views of Sandbanks from the water and from Brownsea Island. Most of the site lies within flood zone 1 (low risk of flooding), with only the waterfront perimeter potentially straddling flood zones 2 and 3.
6. The immediate context comprises of large modern houses facing the harbour and accessed from rear driveways off Panorama Road.

Relevant Planning History:

7. APP/23/01333/F: Demolition of existing property and erection of a replacement property. Improvement works to the sea wall. Refused for the following reasons:
 1. The total loss of the non-designated heritage asset causing significant harm to the Sandbanks Conservation Area. Consequently, losing a positive building within the Sandbanks CA to a single dwelling of an unsympathetic design is not considered a heritage or public benefit which could outweigh the harm to the significance of the Conservation Area. The proposal, therefore, is not deemed compliant with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, paras. 205, 206, 208, the NPPF, and Policies PP27 and PP30 of the adopted Poole Local Plan (2018).
 2. Given the insufficient information provided in terms of the potential impacts that would occur to the protected trees within the site, it is considered that the development proposed would be contrary to core planning principle (section 12) of the National Planning Policy Framework which seeks to secure well-designed places and that are sympathetic to local character and history, including the surrounding built environment and landscape setting. As such, the applicant has failed to demonstrate that the development can be delivered without causing detrimental harm to the protected trees within the site. Accordingly, the proposal would be contrary to criteria (1)(b) of policy PP27 of the adopted Poole Local Plan 2018.

Constraints

- The application site falls within Sandbanks conservation area.
- The site is also covered by Tree Preservation Orders (TPOs).
- The site is adjacent to flood zones 2 and 3 area.

Public Sector Equalities Duty

8. In accordance with section 149 Equality Act 2010, in considering this proposal due regard has been had to the need to —
 - eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Other relevant duties

9. 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.
10. With regard to sections 28G and 28I (where relevant) of the Wildlife and Countryside Act 1981, to the extent consistent with the proper exercise of the function of determining this application and that this application is likely to affect the flora, fauna or geological or physiographical features by reason of which a site is of special scientific interest, the duty to take reasonable steps to further the conservation and enhancement of the flora, fauna or geological or physiographical features by reason of which the site is of special scientific interest.
11. 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".
12. For the purposes of this application, in accordance with section 2 Self-build and Custom Housebuilding Act 2015, regard has been had to the register that the Council maintains of individuals and associations of individuals who are seeking to acquire serviced plots in the Council's area for their own self-build and custom housebuilding.
13. 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.
14. 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.

Consultations

Natural England –

Natural England have No Objection to the proposal.

BCP Highways Authority –

The proposal will have no adverse impact on highway safety. The Highway Authority supports the proposal, subject to the following conditions: HW100 – Parking/Turning / HW240 - EVC points "residential unit"

Arboricultural Officer –

It has not been confirmed if a crane will or will not be required and if required where it will sit.

If a crane is not to be used it needs to be demonstrated at all elements of the house build can fit down the driveway or confirmed that they will be barged in – is all material for the house and development to be barged in and out? Is the driveway access to be used at all?

There is still no information regarding timings of the different elements of the development – seawall works, demolition, construction – this phasing work is needed to confirm access to the site for different elements is possible. ie once the basement is dug and the house build has started there is no access to the rear of the site or anything other than pedestrians due to tree protection, so it must be stated what order the works are to be undertaken and how that will work.

I note that a site for the crane has been identified (if required), and that there is a sweep analysis for a tele handler, but the other parts have not been answered. It is important that this information is provided upfront as access through the site will be very restricted once the house development has started. Further information regarding timings and material access is still required.

Recommendations: Further comments can be made following the submission of new information.

Environment Agency -

We note the submitted Flood Risk Assessment (FRA) prepared by Calcinetto, Revision 1.0 dated 18th July 2024 and additional specialist engineering drawings (drawing numbers: 114829- CAL-XX-ZZ-D-S-0100 P01, 114829-CAL-XX-00-D-S-0105 P02, 114829-CAL-XX-00-D-S-0103 P02, 114829-CAL-XX-00-D-S-0101 P04, 13146-002 P4).

With regards the FRA, as we have previously stated, the proposed design information meets our current advice for new dwellings for this area, and on this basis we do not object on flood risk grounds, subject to the detailed designs set out within it being secured by way of a suitable planning condition (below, or similar). technical engineering detailed of the basement tanking designs must be approved by the relevant Building Control or other technical engineering specialist.

BCP Biodiversity Officer –

This application is not valid as the biodiversity metric that has been supplied is version 4 not the Statutory Biodiversity Metric, and the habitats proposed to be created cannot be created as the site as this will be a private garden, these habitats are not allowable. Only permitted habitats for a private garden are unvegetated garden or vegetated garden. The proposal therefore does not show 10% BNG.

The recommendations by Charlotte Smith, Natural England to be secured by condition. Additional conditions were also requested.

Poole Harbour Commissioners –

Poole Harbour Commissioners will require the applicant to apply for Harbour Works Licensing for those elements of work that fall below the line of High Water. The applicant is advised to contact PHC to commence Harbour Works Licensing at the earliest opportunity.

Environmental Health Officer -

The above development site is adjacent to a small, old gravel pit. No objection to the application subject to conditions.

Conservation officer –

Objection. The proposed scheme is not supported from a conservation point of view because it would result in the complete loss of the period building at 106 Panorama Road that is an NDHA and consequently, in harm to the significance of the Sandbanks CA at the higher end of the 'less than substantial harm' scale.

The loss of the NDHA and the resulting harm to the significance of the CA are deemed unjustified considering alternative options involving the retention of the cottage could have been explored. Moreover, while the proposed works to the sea wall would be a positive step, it is unclear why these works have been tied to and used to justify the proposed demolition of the existing building when they could be carried out independently.

Losing a positive building within the Sandbanks CA to a single dwelling of an inappropriate design is not considered a heritage or public benefit which could outweigh the harm to the significance of the CA.

Hence, the proposal is not deemed compliant with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, paras. 205, 206, 208, and 212 of the NPPF, Policy PP30 – Heritage assets

of the adopted Poole Local Plan (2018), the Sandbanks CACAMP (Part 5) and the emerging Sandbanks Peninsula Neighbourhood Plan, which supports the preservation and enhancement of “*buildings of local interest or architectural significance for their built heritage and social history.*”

Representations

15. Site notice was posted outside the site on 29th June 2024 with an expiry date for consultation of 24th July 2024. 38 representations were received in support of the application on the following grounds:

- The design is sympathetic to the location and the environment. It will be a clear enhancement to the locality.
- The modern sleek appearance is entirely in keeping with houses in the surrounding area and is totally suitable for the conservation area.
- The low-level living roof, which sits well below the very important tree line of Sandbanks, and the abundant greenery proposed for this house will enhance the appearance of the site when viewed from the harbour.
- In addition, the rebuilding of the sea wall has been given much thought and will provide a much more attractive sea defence than the current unsightly crumbling wall.

3. Key Issue(s)

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

- Impact on character and appearance of the conservation area
- Impact on neighbouring amenity
- Highway impact
- Biodiversity Impact
- Flood risk
- Sustainability

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

Policy context

18. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications must be determined in accordance with the development plan for an area, except where material considerations indicate otherwise. The development plan in this case comprises the...

Poole Local Plan

PP01 Presumption in favour of sustainable development

PP02 Amount and Broad Location of Development Policy

PP27 Design

PP30 Heritage Assets Policy

PP31: Poole's coast and countryside

PP32 Poole's Nationally, European and Internationally Important Sites

PP33 Biodiversity and Geodiversity

PP34 Transport strategy

PP35 A Safe, Connected and Accessible Transport Network

PP37 Building Sustainable Homes and Businesses Policy

PP38: Managing flood risk.

PP39 Delivering Poole's Infrastructure

Supplementary Planning Documents:

BCP Parking Standards SPD (adopted January 2021)

The Dorset Heathlands Planning Framework 2020-2025 SPD (Adopted March 2020)

Nitrogen Reduction in Poole Harbour SPD

Planning Assessment

Impact on Character and Appearance of the Area/Conservation Area

19. The existing cottage within the application site is identified as a building making a positive contribution to the character and appearance of the Sandbanks Conservation Area (CA) in the Sandbanks Conservation Area Character Appraisal and Management Plan (CACAMP). It has also been nominated for inclusion into the updated BCP Council Local Heritage List and has been assessed as meeting the criteria to be added to the List. Hence, the building can be considered a non-designated heritage asset (NDHA). It is noted that the submitted Heritage statement (HS) concurs with this assessment. Sandbanks CA is characterised by exceptional landscape qualities thanks to its coastal setting and by elegant Edwardian houses located within generous sylvan plots.
 20. The proposal seeks the demolition of the existing property and erection of a replacement property including improvement works to the sea wall. The proposed replacement building would be a two-storey detached dwelling (plus basement level) of a contemporary design with a green roof.
 21. It should be noted that the property at 106 Panorama Road has been recognised in the Sandbanks Conservation Area Character Appraisal and Management Plan (CACAMP) as a positive building contributing to the character and appearance of the CA thanks to its well-preserved Arts and Crafts-influenced design and its association with the North Haven Point Estate which was owned by Frederick and Emmeline Toms, a member of the internationally known shipping and trading Bowring family¹. As per paras. 19 and 25 of the Historic England Advice Note 7 – *Local Heritage Listing: Identifying and Conserving Local Heritage*, unlisted buildings that make a 'positive contribution' to the character and appearance of a CA and buildings included in local heritage lists are considered NDHAs. Hence, although the bungalow at 106 Panorama Road is not yet formally recognised as a locally listed building, it is an NDHA nonetheless by virtue of being a positive building within the Sandbanks CA.
 22. With regard to the design of the replacement dwellings, the schedule of proposed materials includes dark aluminium doors and window frames, textured concrete and stone and timber effect cladding. As per para. 209 of the NPPF, the effect of an application on the significance of an NDHA should be taken into account when determining the application and a balanced judgement should be made with regard to the scale of harm and the significance of the asset. In this instance, as stated in the HS, the scheme would result in the complete loss of the NDHA at 106 Panorama Road which is deemed unacceptable in principle, short-sighted and unjustified given that the cottage's retention and sympathetic alteration and/or extension could have been considered.
 23. The submitted Heritage statement explains the proposed replacement of the bungalow with a significantly more sizeable property would better reveal aspects of the significance of the Sandbanks CA "*such as restoring a characteristic 'large dwelling' to the site.*" However, this was never the site of the principal building – North Haven House, with which the bungalow was associated as an ancillary building used for staff accommodation. North Haven House was located to the south-east of the bungalow, and its former plot is now occupied by three large dwellings which sit outside the Sandbanks CA. Hence, it is unclear how demolishing the last surviving property which helps reveal the history of this part of Sandbanks and replacing it with a modern 'main' dwelling with no architectural or historical links to the North Haven Point Estate would be a heritage benefit.
 24. Notwithstanding the unacceptability of the loss of the existing bungalow, it should be noted that the proposed building, despite utilising a revised selection of materials, would be of an almost identical
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design as the one proposed in the previous refused application and deemed unsympathetic. Hence, the replacement building would be of a distinctly contemporary design, meaning it would not respect the proportions, form, and style of the positive buildings within the CA and would fail to add to the character and appearance of the CA.

25. In view of the above, the proposed scheme is not supported from a conservation point of view because it would result in the complete loss of the period building at 106 Panorama Road that is an NDHA and consequently, in harm to the significance of the Sandbanks CA at the higher end of the 'less than substantial harm' scale.
26. The loss of the NDHA and the resulting harm to the significance of the CA are deemed unjustified considering alternative options involving the retention of the cottage could have been explored. Moreover, while the proposed works to the sea wall would be a positive step, it is unclear why these works have been tied to and used to justify the proposed demolition of the existing building when they could be carried out independently.
27. Losing a positive building within the Sandbanks CA to a single dwelling of an inappropriate design is not considered a heritage or public benefit which could outweigh the harm to the significance of the CA.
28. Hence, the proposal is not deemed compliant with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, paras. 205, 206, 208, and 212 of the NPPF, Policy PP30 – Heritage assets of the adopted Poole Local Plan (2018), the Sandbanks CACAMP (Part 5) and the emerging Sandbanks Peninsula Neighbourhood Plan, which supports the preservation and enhancement of *"buildings of local interest or architectural significance for their built heritage and social history."*

Impact on residential amenity

29. Policy PP27 (Design) of the Poole Local Plan states that development will be permitted provided that, where relevant, it: (c) is 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; (d) provides satisfactory external and internal amenity space for both new and any existing occupiers;
30. The proposed replacement two storey dwelling would sit comfortably within its curtilage and would be bordered by matured vegetation such that it is not clearly visible from the street scene and neighbouring properties. Whilst the new dwelling would have a greater Gross Internal Area than the existing, the design concept seeks to minimize its impacts on occupiers of neighbouring properties by maintaining a substantial separation distance to neighbouring properties such that the new dwelling will not be oppressive or overbearing to the occupiers of neighbouring properties.
31. All windows and openings are set within the elevation in a manner that reduces overlooking or loss of privacy to neighbouring properties.
32. Overall, the development proposed would not cause unacceptable harm to neighbouring properties and would accord with the provisions of Policy PP27 insofar as it relates to residential amenity.

Highway and Parking Issues

33. The existing access taken from Panorama Road would be retained and utilised to serve the proposed replacement dwelling with off-street parking spaces available within the site.
 34. Having been consulted, BCP highways officer advised that the proposal would have no adverse impact on highway safety.
 35. The proposal, therefore, would accord Policies PP34 and PP35 of Poole Local Plan.
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Impact on Trees

36. The site lies within the Sandbanks conservation area and TPO 11/00009 protects trees with group and individual designations. The application has been submitted with an arboricultural impact assessment and method statement to support the demolition and construction of the replacement property. This identifies trees on the site, their health, and their constraints within the tree constraints plan. The method statement has two tree protection plans with one being for the main demolition and construction stage and the other being for the driveway and patio construction.
37. The information submitted to support this application includes an arboricultural impact assessment with method statement and phased tree protection plans for different parts of the development process. However, there is still lacking information demonstrating how the development can be achieved without detriment to the trees. The submitted Construction methods and transport management is an example that shows the protentional movement and locations of cranes, piling rigs and plant, but it does not demonstrate what size plant, vehicles etc can move around the site or fit under existing canopies and along the entrance drive. There is also no timing of the proposed works (phases) to demonstrate that all materials ect can be brought onto the site, this particularly needs to be demonstrated for the seas wall construction.
38. Several iterations of the aboricultural reports have been submitted to address the holding objection from the BCP tree department.
39. Following the previous consultation response new information was submitted to try and overcome the previous concerns.
40. However, the latest information submitted had failed to address specific issues raised by the tree officer. During the last round of re-consultation, the tree officer has requested further information on the specific questions as follows.
 - It has not been confirmed if a crane will or will not be required and if required where it will sit.
 - If a crane is not to be used it needs to be demonstrated at all elements of the house build can fit down the driveway or confirmed that they will be barged in – is all material for the house and development to be barged in and out? Is the driveway access to be used at all?
 - There is still no information regarding timings of the different elements of the development – seawall works, demolition, construction – this phasing work is needed to confirm access to the site for different elements is possible. ie once the basement is dug and the house build has started there is no access to the rear of the site or anything other than pedestrians due to tree protection, so it must be stated what order the works are to be undertaken and how that will work.
41. It has been observed that a site for the crane has been identified (if required), and that there is a sweep analysis for a tele handler, but the other parts have not been answered. It is important that this information is provided upfront as access through the site will be very restricted once the house development has started. Further information regarding timings and material access is still required.
42. The tree officer recommended that further comments can be made following the submission of new information. No new information has been received from the applicant regarding this matter at the time of writing this report. Therefore, it is adjudged that the applicant has failed to demonstrate that the development can be delivered without causing detrimental harm to the protected trees within the site. Accordingly, the proposal would be contrary to criteria (1)(b) of policy PP27 of the adopted Poole Local Plan 2018.

Impact on sustainability

43. Being a new build development, it would be readily possible to deliver an energy efficient and sustainable development in accordance with the requirements of the latest Building Regulations.
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44. A condition has been imposed to ensure the details of measures to achieve 10% of the energy needs of the proposed development through renewable energy sources, in accordance with Policy PP37 of the Poole Local Plan.

Drainage and Flood Risk considerations

45. The application site is located at the northwest corner of the Sandbanks spit, overlooking the main channel to Poole and Brownsea Island. It is broadly triangular and bounded on the west by a sea wall.
46. Most of the site lies within flood zone 1 (low risk of flooding), with only the waterfront perimeter potentially straddling flood zones 2 and 3. However, the footprint of the proposed replacement dwelling, and access is clearly located in flood zone 1.
47. The rear part of the application site is in an area at risk of future flood zone – Tidal. The application seeks full permission for the demolition of existing property and erection of a replacement property including improvement works to the sea wall. Improvement works to the sea wall will involve the removal of existing wall and concrete. Sheet piled wall is proposed to replace the existing failed structure providing a new level of protection for the long term and install new locally sourced natural rock stone to create a shaped revetment in front of the sheet piled wall. soft landscaping is also proposed across the length of the site.
48. Having been consulted, the LLFA advised that the future flood risk included within the Poole SFRA indicates the area of the proposed extended property will be at risk from tidal flooding up to a depth of 1m within the lifetime of the property.
49. In addition, environment agency was consulted on the development. The proposed design information met their guidance and on that basis they do not object on flood risk grounds, subject to detailed designs being secured by way of a suitable planning condition.
50. On this basis the proposal would not conflict with development plan policy.

Biodiversity and BNG

51. The application is seeking planning permission for the demolition of existing property and erection of a replacement property. Improvement works to the sea wall (self/custom build).
52. The site comprised buildings, other developed land, modified grassland, non-native and ornamental hedgerow, dune grassland, vegetated garden, and individual trees
53. The application is accompanied by Ecological Impact Assessment report which advised that mitigation measures will be required to minimise the potential negative effects arising from noise and general disturbance during construction, clearance of vegetation, and changes in lighting levels together with permanent habitat loss arising from the proposed development. Specific mitigation measures will be undertaken to reduce impacts on birds and bats through the installation of bird and bat boxes on-site. Precautionary measures will be taken to avoid potential negative impacts on nesting birds and reptiles.
54. Having been consulted, the Council's Biodiversity Officer has raised no objection to the proposed scheme. The Biodiversity Officer has advised that a biodiversity enhancement should be secured by condition, in accordance with Policy PP33 of the Poole Local Plan 2018. This would be secured accordingly.
55. On BNG matters, mandatory biodiversity net gain set out in the Environment Act 2021 came into force on 2nd April for small sites. This requires a minimum of 10% Biodiversity Net Gain using the Statutory Biodiversity Metric. Due to the number of units proposed and the size of the site the site qualifies for the small sites' metric.
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56. The Government has also produced [Self-build and custom housebuilding guidance](#). Information within it may provide assistance in interpreting the 2015 Act and in that respect, in considering whether the self-build and custom housebuilding exemption from mandatory Biodiversity Net Gain is relevant to a particular proposal.
57. The applicant has confirmed that the property is owned by the applicant, it is their family home, and they have commissioned the architects to design a bespoke replacement home for them (again, to be their family home).
58. Therefore, the proposed development meets the definitions as set out within Regulation 8 of the Biodiversity Gain (Exemptions) Regulations 2024 and Section 1(A) of the Self-build and Custom Housebuilding Act 2015
59. Furthermore, the existing area habitats on the site are considered by the Biodiversity Net Gain assessment to have a value of 17.35 units. The post-development area habitats are considered by the Biodiversity Net Gain Assessment to have a value of 19.09 units. This is a +1.75 net change in habitat units which equates to a 10.06% net gain.
60. The proposal, therefore, would comply with the BNG requirements.

Waste collection considerations

61. The site would not be accessed by the Council's waste collection lorries and the residents of the proposed dwellings would have to present their bins close to the front of the site on collection days.
62. Whilst the proposed scheme does not provide any details of the location of the individual bins for the new dwelling on site, there is an expectation that these could be accommodated within the curtilage of the dwellings in a manner that would not give rise to any additional conflicts with highway and/or pedestrian safety.

Planning Balance / Conclusion

63. Furthermore, a briefing note with the subject 'Response to conservation officer comments' was prepared by tor&co and submitted as a further supporting document.
64. In turn, the below additional comments are presented which aim to focus on the facts in this case and to provide clear justification for the conservation objection to the proposed scheme.
65. It is recognised that the submitted briefing note suggests that the significance of the existing building has been overplayed, with its historic associative value and architectural / aesthetic value being overstated. It should be noted that the mention of the Bowring family in the original Conservation Consultation Report (CCP) is very brief. The source mentioned shows the connection of Emmeline Toms to the Bowring family, at no point in the report is it claimed the source establishes a connection between the family and this Sandbanks site. It is the Heritage Statement (HS) submitted as part of the application, which states on p.17 that after "*the sale of North Haven House in the early 1950s, the Toms family moved into the guest bungalow and remained at the property until relatively recently.*" With respect to the aesthetic value, it should be pointed out that the HS claims on p. 15 that the "*property, although altered, retains a legible Arts-and-Crafts style.*"
66. In any case, the fact of the matter is that the bungalow is recognised in the adopted Sandbanks Conservation Area Character Appraisal and Management Plan (CACAMP) as a positive contributor to the character and appearance of the Sandbanks CA (see pp.44-45 of the CACAMP). The adoption of the CACAMP means that this categorisation has been agreed by both members of the public and the council's cabinet. As mentioned in the original CCP on this scheme, Historic England's HEAN 7 explains that by identifying unlisted buildings which make a 'positive contribution' to the character of a CA in an appraisal, non-designated heritage assets (NDHAs) are identified.
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Hence, by agreeing the positive contribution of the building at 106 Panorama Road, its NDHA status has been accepted.

67. Part 5 of the CACAMP states that there is a presumption in favour of retaining historic buildings that contribute to the character and appearance of the CA. The recently adopted Sandbanks Peninsula Neighbourhood Plan also encourages the retention and preservation of buildings of architectural or local heritage value (SAND5: Design).

68. Sandbanks Conservation Area

The adopted CACAMP provides a comprehensive assessment of the man-made structures and landscape within the area, with a whole chapter (3.4. Groups of buildings) dedicated to evaluating the buildings contributing to the character and appearance of the area. The positive contributors along Panorama Road date predominantly from the Edwardian period.

69. Given how thorough the CACAMP is, it was decided when preparing the previous CCP that there would be no need to provide an extensive assessment or critique of the submitted review of the area for the purposes of brevity and convenience for the case officer.

70. It is clear there is a disagreement over the contribution of any remaining Edwardian properties to the character and appearance of the CA. Yet, the briefing note agrees the scheme would result in less than substantial harm to the significance of the Sandbanks CA given the proposed loss of the existing property (although again there is a disagreement, this time over the level of harm within the 'less than substantial harm' category). Given the scheme would cause harm to the significance of the CA, it would fail to preserve or enhance its character and appearance, as per s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Moreover, there is no evidence that the harm has been sought to be avoided or minimised and no clear and convincing justification has been provided for this harm. Hence, the relevant NPPF paras. – 201 and 206, respectively, as well as Policy PP30 – Heritage assets of the adopted Poole Local Plan (2018) do not seem to have been engaged before moving on to assessing whether the harm would be outweighed by public benefits. It is not considered there would be sufficient public benefits which could outweigh the harm, contrary to para. 208 of the NPPF.

71. Replacement dwelling

Part 5 of the CACAMP highlights that what is important is that new buildings should be designed with respect for their context, their scale, massing, proportions and window to wall ratios should respect the buildings in the vicinity. It has not been demonstrated how the proposed building would follow these guidelines.

72. Conclusion:

In view of the above, the conclusion in the original CCP that the proposal is not compliant with the relevant primary legislation, Chapter 16 of the NPPF, PP30 of the Poole Local Plan, the Sandbanks CACAMP and the Sandbanks Peninsula Neighbourhood Plan is reiterated.

73. Recommendation

The proposal therefore is recommended for a refusal on the following reasons:

74. The proposal by reason of the demolition of the existing cottage would result in the total loss of the non-designated heritage asset causing significant harm to the Sandbanks Conservation Area. Consequently, losing a positive building within the Sandbanks CA to a single dwelling of an unsympathetic design is not considered a heritage or public benefit which could outweigh the harm to the significance of the Conservation Area. The proposal, therefore, is not deemed compliant with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, paras. 205, 206, 208, the NPPF, and Policies PP27 and PP30 of the adopted Poole Local Plan (2018).

75. Given the insufficient information provided in terms of the potential impacts that would occur to the protected trees within the site, it is considered that the development proposed would be contrary to core planning principle (section 12) of the National Planning Policy Framework which seeks to secure well-designed places and that are sympathetic to local character and history, including the

surrounding built environment and landscape setting. As such, the applicant has failed to demonstrate that the development can be delivered without causing detrimental harm to the protected trees within the site. Accordingly, the proposal would be contrary to criteria (1)(b) of policy PP27 of the adopted Poole Local Plan 2018.

Background Documents:

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

Notes.

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

Reference to published works is not included.

Case Officer Report Completed
Officer: Babatunde Aregbesola
Date: 02/05/2025
