



# 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)	Canford Cliffs  Cllr John Challinor Cllr Gavin Wright
Report Status	Public
Meeting Date	17 July 2025
<b>Summary of Recommendation</b>	<b>Refusal for the reason(s) set out below</b>
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

This application was deferred on the planning committee of the 22nd of May 2025 to receive additional information with regards to the public benefits of the scheme. This officers report has also been updated to provide such additional information, but to also more clearly set the Heritage considerations of this case.

## Description of Proposal

1. The proposal is seeking planning permission to erect a replacement dwelling following the demolition of existing house including the boat 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.
  3. The other element of the scheme is the enhancement of the sea wall which includes an enhancement of the water frontage. This would include a new sea wall and naturalistic rock and dune-scape landscaping.
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**INDICATIVE HARBOUR SCENE - EXISTING**  
Scale 1:200 @ A1 / 1:400 @ A3

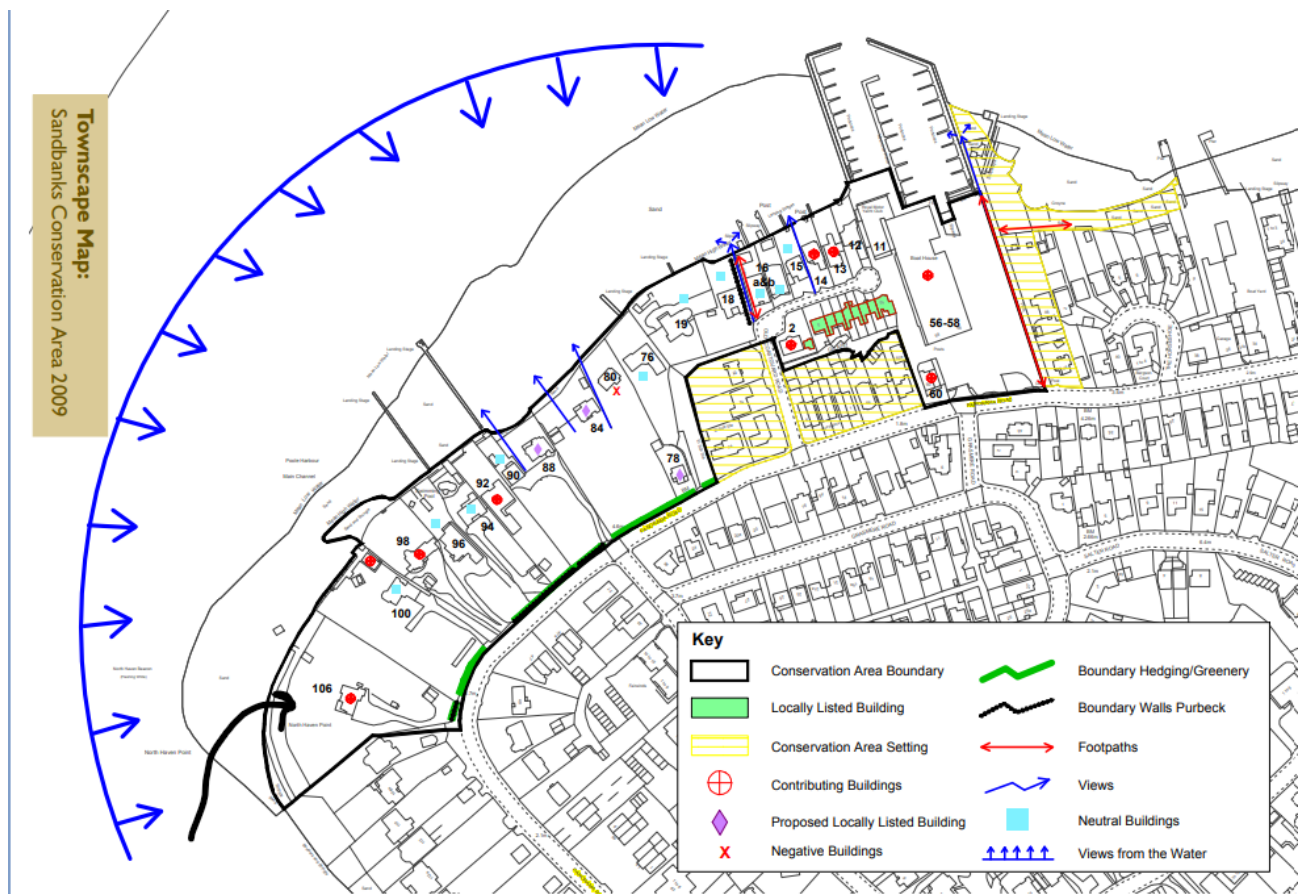


**INDICATIVE HARBOUR SCENE - PROPOSED**  
Scale 1:200 @ A1 / 1:400 @ A3

## **Description of Site and Surroundings**

4. The application site measures circa 6406.00 sqm and is located at the northwest corner of the Sandbanks spit, towards the west side of Panorama Road frontage. It is broadly triangular and bounded on the west by a sea wall.
5. It comprises a detached four-bedroom dwellinghouse, to the middle of the plot, with garages towards the Panorama Road frontage, and a boathouse towards the sea. The plot is dominated by the extensive tree cover which are protected by virtue of the Conservation Area designation along with a Tree Protection Order.
6. The site falls within the Sandbanks Conservation Area. This Conservation Area is characterised by large plots, predominantly occupied by detached dwellings. Trees and vegetation are an important characteristic of the area. The existing dwelling is not Nationally or Locally listed, but is noted in the Conservation Area Appraisal to be a 'Contributing Building'<sup>1</sup> dates to circa 1900 as staff accommodation for former North Haven House to the south, which was demolished in the 1960s.

<sup>1</sup> See page 45.



7. 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.
8. The immediate context comprises of large modern houses facing the harbour and accessed from rear driveways off Panorama Road.

### **Relevant Planning History:**

9. 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.
- Tourism Zone
- Coastal Zone
- Sandbanks Neighbourhood Plan
- Non-designated heritage asset

## **Public Sector Equalities Duty**

10. 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**

11. 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.

12. 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.

13. 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".

14. 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.

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

16. 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**

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**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** – The BCP Tree Officer has provided further comments on the application, specifically regarding the use of a crane on site, the timing of various elements of the development, and the phasing of works.

Following a review of the submitted information, the Tree Officer advised that the Site General Arrangement drawing by Calcinotto and the Construction Methods and Transport Management Plan (GH2302d) by GTree LTD sufficiently detail the sequence of events.

On this basis, the Tree Officer has confirmed no objection, as the development can proceed without adverse impact on important trees

**Environment Agency** - We note the submitted Flood Risk Assessment (FRA) prepared by Calcinotto, 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.

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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.*”

Additional comments to support this position were received on the 27/06/2025, providing greater detail to the comments already provided.

Conservation officer advised that it is important to recognise that there are a couple of heritage-related matters – the impact of the proposal on the significance of the Sandbanks CA and the impact of the proposal on the significance of the NDHA, respectively.

In terms of the loss of the significance of the NDHA due to the proposed complete demolition of the existing dwelling, it is considered that para. 208 of the NPPF applies to this assessment as well and is not complied with in the sense that there is a conflict between the need to retain the building and the aspect of the proposal that deals with its total demolition, yet no provisions have been made to reduce the extent of the conflict. PP30 also applies (and is not complied with) given that it expects development to at least preserve Poole’s heritage assets (encompassing both designated and non-designated ones) and asks for justification for any harm or loss affecting the asset. NP Policy SAND5 is not complied with either, as the proposal would not retain a building of local interest.

### **Representations**

17. Site notice was posted outside the site on 29th June 2024 with an expiry date for consultation of 24th July 2024. 39 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)**

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

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

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

### **Policy context**

20. 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...

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

Sandbanks Peninsula Neighbourhood Plan (July 2024)

SAND1: Landscape Character  
SAND2: Views  
SAND3: Trees and Gardens  
SAND4: Biodiversity  
SAND5: Design  
SAND6: Beaches Open Spaces & Harbour

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  
Poole Harbour Recreation 2019-2024 SPD  
Sandbank Conservation Area Character Appraisal and Management Plan (2009)  
Shoreline Character Areas SPG

National Planning Policy Framework ("NPPF" / "Framework") December 2024

## **Planning Assessment**

### Impact on Heritage Assets

1. The Listed Building and Conservation Act sets out that in the exercise, with respect to any buildings or other land in a conservation area, of any functions ...mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."  
[s72 P(LBaCA)A 1990]
  2. Policy PP30 of the Poole Local Plan November 2018 (LP) states that in all cases, proposals will be supported where they;
    - a. (Preserve or enhance the historic, architectural and archaeological significance of heritage assets, and their settings, in a manner that is proportionate with their significance by:
      - (i) assessing the impact of a development on designated and non-designated heritage assets and justify any harm or loss affecting the asset early in the application process;
    - b. Developments within Conservation Areas should;
      - (i) enhance or better reveal the significance and value of the site within the street scene and wider setting;
      - (ii) seek to retain buildings that make a positive contribution to the conservation area
  3. This approach is supported by Policy SAND5 of the Sandbanks Peninsula Neighbourhood Plan (July 2024). This states, amongst other things, that development should retain and preserve buildings of
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architectural or local heritage value in a manner appropriate to their significance in accordance with national and local policy.

4. The NPPF policies are material considerations in the determination of this application. The NPPF makes a distinction between non designated and designated heritage assets in terms of policy application.

#### Non-designated heritage assets

5. As set out later in this statement, the existing dwelling is considered to be a non-designated Heritage Asset. The Planning Practice Guidance defines a Non-Designated Heritage Asset as a 'Non-designated heritage assets are buildings, monuments, sites, places, areas or landscapes identified by plan-making bodies as having a degree of heritage significance meriting consideration in planning decisions, but which do not meet the criteria for designated heritage assets.
6. NPPF Paragraph 216 states that the effect of an application on the significance of a **non-designated heritage asset** should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance<sup>2</sup> of the heritage asset."

#### Designated Heritage asset

7. "*Designated heritage asset*" defined in NPPF as "*A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation.*" [Glossary]
8. The Listed Building and Conservation Act sets out that in the exercise, with respect to any buildings or other land in a conservation area, of any functions ...mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area." [s72 P(LBaCA)A 1990]
9. Paragraph 215 NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use
21. NPPF paragraph 212 states that, "*When considering the impact of a proposed development on the significance of a **designated heritage asset**, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).*"
10. NPPF policy 218 states that Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

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1. <sup>2</sup> The Glossary of the NPPF defines what is meant by 'Significance'. By significance, it is *the value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting...*



11. NPPF Paragraph 220 states that not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 214 or less than substantial harm under paragraph 215, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.

#### Loss of existing dwelling

12. The significance of the existing dwelling as a non-designated heritage asset lies, in part, in its historical illustrative value, and its arts and craft style. The cottage has a high historical illustrative value as the only surviving building from the original development on the Sandbanks – the North Haven Point Estate - following the demolition of North Haven House in the 1960. The building was used as former staff accommodation for the original North Haven Lodge, and as such stands as an existing record of such Historic social development of the area and the historical use of the building. While there is a connection to an internationally known family, it is recognised that it is circumstantial, so any historical associative value is rather low.
13. The existing building is of an Arts and Crafts design form with an attic storey pre-dating 1900, a steeply pitched and hipped roof, and small paned windows. There was a small timber porch towards the water facing roof slope, but this has been replaced with a modern glazed single storey rear extension, while the recent extension has impacted on the aesthetic value of the property, the attractive Arts and Crafts design and key features defining it are still readily appreciable. Hence, the architectural and aesthetic value is relatively high.
14. As a result of its historical illustrative value and arts and crafts style the cottage has been nominated for inclusion into the updated BCP Council Local Heritage List and has been assessed as meeting the criteria <sup>3</sup>. The building is considered to be of medium significance.
15. In addition, Policy PP30 of the Poole Local Plan states that the loss of the heritage asset must be justified early in the application process. It is understood that the existing building is not of a size that is consummate of the current occupiers' needs and extensive works are required to bring the building up to modern standards. However, no formal justification has been provided as part of this submission. There is no evidence that it is beyond repair. It is not considered that sufficient information has been provided to 'justify' its loss in accordance with Policy PP30.
16. The proposal would result in the demolition of the cottage, which is of moderate significance, and its significance would be entirely lost. Such loss must be weighed proportionally in a balanced judgement having regard to the scale of any harm or loss and the significance of the heritage asset.

#### Impact upon the Designated Heritage Asset – The Conservation Area

17. The loss of this building, along with the proposed replacement dwelling and sea wall must now be considered in the content of the impact on the Designated Heritage Asset, the Conservation Area.
18. The existing dwelling has been labelled as making a positive contribution to the character and appearance of the Conservation Area in the Conservation Area Appraisal. It forms 'Group 4' (Panorama Road – North Haven Point', which includes the application site, have their historic interest described as comprising three plots at the west end of the Conservation Area developed on

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2. <sup>3</sup> 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.

lands that originally formed part of the Tuck estate in one of the most densely planted and exposed corners of Sandbanks. Its contribution is that it contributes to the identity and distinctiveness of Sandbanks as an area that developed at the turn of the C20 influenced by its natural qualities and architectural styles then in vogue. There is some variation in the scale of buildings nearby and all original buildings aside from the cottage have been replaced. As such, the existing cottage contributes positively to this significance in terms of materials and features and their social links to the history of the CA.

19. Policy PP30 of the Poole Local Plan states that for Developments within Conservation Areas, proposals should seek to retain buildings that make a positive contribution to the Conservation Area. The submission does not provide any evidence to demonstrate that consideration was sought to retain the building.
20. As such, the building itself has a positive contribution to the historic character and appearance of the Conservation Area. This significance is moderate, and the loss of this building would result in harm the significance of this part of the Conservation area. Such harm is considered to be less than substantial, and such harm must be weighed against the public benefits of the proposal.

#### Replacement dwelling and sea defences

21. Also required to be considered, is the impact of the proposed replacement dwelling and sea defences upon the Character and appearance of the Conservation Area.
  22. The site itself has a positive contribution to the Conservation Area by virtue of its setting. The three plots at the west end of the Conservation Area were developed on lands that originally formed part of the Tuck estate in one of the most densely planted and exposed corners of Sandbanks. The point has an informal character with all the houses screened from views from the road and surrounded by large trees. The plot for No 106 Sandbanks Road contributes significantly to this, in that the site is surrounded with dense, mature trees and sense of 'dramatic isolation' and 'defiance' of the large new houses on the shoreline plots to the south. Resultingly, the plot has an unusual, rustic atmosphere, reminiscent of the past that contributes significantly to the character of this part of the Conservation Area.
  23. The proposed building would have a greater presence, scale and massing than the former dwelling. It would have a greater footprint than the existing bungalow and extend built form significantly closer to the harbour and towards Panorama Road. It would also be contemporary in its form and materials and be two-storey in height with a basement. The scale and massing and form of the proposal would result in the site appearing less dramatic in its isolation, and with a contemporary building would no longer have a 'rustic atmosphere, reminiscent of the past'.
  24. 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*", and that it would still appear as a 'building amongst the trees', which is also important to the CA. 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. Whilst it is noted that the proposed dwelling would also 'sit amongst the trees', and that that the contemporary form and scale and massing of the dwelling is not unlike others in Panorama Road, but this does not diminish the harm it would have on the Conservation Area for the reason by virtue of its positive contribution.
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25. The proposed dwelling would result in harm to the character and appearance of the Conservation Area (in addition to the loss of the original dwelling), by virtue of the loss of the sense of 'dramatic isolation reminiscent of the past'. Such harm is less than substantial but must be weighed against the public benefits of the proposal.
26. The proposal also seeks the erection of a new sea wall. This would result in a change of materials from wood to stone/ concrete. However, as this does not impact the verdancy or 'isolation' of the site, or unduly urbanise it, is not considered to be harmful to the Character and Appearance of the Conservation Area.
27. The arboriculturally report and associated plans submitted with the application confirms that two trees (T13 & 16) growing within the site has been earmarked for removal due to their poor morphological condition with the intention to retain as many of the existing trees as is achievable and to supplement them with replanting where necessary, and this along with tree protection measures could be secured by condition, should this application be recommended for approval. As such, subject to these conditions this would not itself result in harm to the character and appearance of the Conservation Area.

### **Impact on residential amenity**

28. 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;
29. 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.
30. All windows and openings are set within the elevation in a manner that reduces overlooking or loss of privacy to neighbouring properties.
31. 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**

32. 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.
33. Having been consulted, BCP Highways Officer advised that the proposal would have no adverse impact on highway safety.
34. As such, the proposal can be made acceptable subject to conditions which would have been secured had the proposal been recommended for approval.

### **Impact on Trees**

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35. 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. Two trees growing within the site (T13 & 16) have been recommended for removal due to their poor morphological condition. No tree planting has been recommended within the arboricultural report. However, there is sufficient space for new tree planting throughout the site to compensate for any tree loss. This would have been secured via condition should the application was recommended for an approval.
36. 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. Additional details have been submitted to address all concerns raised previously by the tree officer. The details have demonstrated that the development can be achieved without detriment to the trees within the site.
37. Having been re-consulted on the submitted document titled - Site General Arrangement drawing by Calcinotto, and Construction Methods and Transport Management Plan (GH2302d) by GTree LTD. The Arboricultural Officer advised that the submitted report have sufficiently detailed the sequence of events as requested. As such, the proposal is acceptable from the arboricultural perspective, and the development can be delivered with less harm to trees on site.
38. As such, the proposal can be made acceptable subject to conditions which would have been secured had the proposal been recommended for approval.

### **Impact on sustainability**

39. 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.
40. Should the proposed development be recommended for an approval, a condition would have been imposed to secure 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**

41. 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.
  42. 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.
  43. 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.
  44. 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.
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45. 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.
46. Overall, subject to condition securing the floor level (basement, lower ground floor & ground floor) finish and mitigation measures such as waterproofing / tanking to basement, the proposal could be made acceptable.

### **Biodiversity and BNG**

47. 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).
48. The site comprised buildings, other developed land, modified grassland, non-native and ornamental hedgerow, dune grassland, vegetated garden, and individual trees
49. 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.
50. 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 should the application be recommended for approval.
51. 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. Given the scale of the proposal and the size of the site the site qualifies for the small sites' metric.
52. The Government has also produced [Self-build and custom housebuilding guidance](#). Information within it may aid 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.
53. 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).
54. 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.
55. The proposal, therefore subject to conditions, would comply with the BNG exemption requirements.

### **Waste collection considerations**

56. 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.
57. 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
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of the dwellings in a manner that would not give rise to any additional conflicts with highway and/or pedestrian safety.

## **Planning Balance**

58. The identification of public benefits to weigh against the less than substantial harm to the designated asset are matters of judgement for the decision maker. The weight afforded to those public benefits are also a matter of judgement for the decision-making. Such public benefits can comprise matters that deliver economic, social and environmental objectives of national policy.
  59. The loss of the building has not been justified and there is no evidence that the retention has not been sought, contrary to Policy PP30.
  60. The would result in the demolition of the cottage that which is of moderate significance and its significance would be lost. Such loss must be weighed proportionally in a balanced judgement having regard to the scale of any harm or loss and the significance of the heritage asset. the cottage also has a positive contribution of a moderate significance to the historic character and appearance of the Conservation Area. The loss of this building would result in harm to the character and appearance of the Conservation Area. Such harm is considered to be less than substantial, and such harm must be weighed against the public benefits of the proposal.
  61. The proposed dwelling, due to its scale, massing and height and contemporary form, would result in less than substantial harm to the character and appearance of this part of the Conservation Area, and this must be weighed against the public benefits of the proposal.
  62. The proposal includes new sea defences in the form of a new sea wall along the shore facing side of the site. Whilst it is reasonable to consider that this will have a private benefit in the form of a private sea defence, the public benefits of such defence are not so clear. No evidence has been provided to demonstrate the public benefits of such defences being provided neither in terms of environment nor social benefit. The proposal would also not provide an environmental benefit through Biodiversity Net Gain, as the site is for self-build only. The proposal would also result in social and environmental harm to the character of the Conservation Area, and harm through the loss of a non-designated heritage asset. The proposal would not provide a social benefit as a replacement dwelling; it would not contribute to the council's housing supply.
  63. The proposal would provide some short term and minimal economic benefits through the demolition and build out phases of the development through the employment of relevant trade persons and would provide some environmental benefit through the replacement of a older less energy efficient building to one built to modern standards that is more environmentally friendly, contributing towards Climate Change objectives. The proposal does provide some biodiversity enhancements, which is an environmental benefit.
  64. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. It is not considered that, in a balanced judgement, that the benefits of the proposal would outweigh the loss of the significance of this non-designated heritage asset.
  65. The proposal does not justify the loss of the non-designated heritage asset, and as it would be demolished, would not preserve or enhance the historic, architectural significance of that heritage asset, contrary to Policy PP30 of the Poole Local Plan. When applying the 'balanced judgement' as per paragraph 216 of the NPPF, regarding the significance of the non-designated heritage asset and the scale of loss, it is considered the harm is not outweighed.
  66. The proposal does not demonstrate that the buildings retention was sought, and both by the loss of the non-designated heritage asset and the proposed building, would also result in less than
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substantial harm to the Character and Appearance of the Conservation Area, contrary to PP30 of the Poole Local Plan and SAND5 of the Sandbanks Peninsula Neighbourhood Plan. When weighing the harm against the public benefits of the proposal, as per paragraph 215 of the NPPF, it is not considered that the public benefits of the proposal outweigh its harm.

## **67. Recommendation**

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

1. The proposal would result in the demolition of a non-designated heritage (the cottage) of moderate significance, resulting in harm. The justification was provided for its loss. The loss of such significance is of less than substantial harm, and when weighed proportionally in a balanced judgement, would not be outweighed by the benefits of the proposal. The loss of such cottage would also result in less than substantial harm to the Character and Appearance of the Conservation Area, to which it has a moderate significant contribution towards. No evidence has been provided to demonstrate that its retention had been sought. The public benefits of the proposal are not found to outweigh the harm resulting from its loss. The proposal is therefore contrary to PP30 of the Poole Local Plan, SAND5 of the Sandbanks Peninsula Neighbourhood Plan (July 2024), and the NPPF.
68. The proposed replacement dwelling, by virtue of its scale, massing, height and contemporary form and materials, would result in less than substantial harm to the Character and Appearance of the Conservation Area. The public benefits of the proposal would not outweigh such heritage harm. The proposal is therefore contrary to PP30, PP27 of the Poole Local Plan, SAND5 of the Sandbanks Peninsula Neighbourhood Plan (July 2024) Neighbourhood Plan, and the NPPF.

## **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: 30/06/2025

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