



# Planning Committee

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| Application Address                       | 54 Elms Avenue Poole BH14 8EF   |
| Proposal                                  | Demolition of existing property and erection of replacement house                                   |
| Application Number                        | P/25/03262/FUL  |
| Applicant                                 | Mr and Mrs Yeoman   |
| Agent                                     | Mr Giles Moir – CL Planning   |
| Ward and Ward Member(s)                   | Parkstone ward<br>Cllr Crispin Goodall<br>Cllr Emily Harman   |
| Report Status                             | Public  |
| Meeting Date                              | 5 February 2026   |
| Summary of Recommendation                 | <b>Grant, in accordance with the details set out below for the reasons as set out in the report</b> |
| Reason for Referral to Planning Committee | <b>The Local Planning Authority has received more than 20 letters against the proposal.</b>         |
| Case Officer                              | Babatunde Aregbesola  |
| Is the proposal EIA Development?          | No  |

## Description of Proposal

1. The proposal is seeking planning permission for a replacement dwelling following the demolition of the existing building.
2. The current proposal is a re-submission following the previous refusal under the planning reference APP/24/01035/F and subsequently dismissed at appeal.
3. The application under APP/24/01035/F was refused for the following reasons:
  1. The proposal, by virtue of its height, size, scale, massing, bulk with site coverage would make it appear as an unduly prominent and dominant addition to the street scene that fails to satisfactorily respect the siting, mass and scale

of properties upon Elms Avenue and Pearce Avenue, so as to have an acceptable effect upon the character and appearance of the area. The proposal would have an unacceptable and harmful effect on the external appearance and character of the local area. As such, it is contrary to Policy PP27 of the Poole Local Plan. Amongst other things, this requires a good standard of design in all new developments and states that development will be permitted that reflects or enhances local patterns of development and neighbouring buildings in terms of siting, height and scale, bulk and massing, including that of the roof, and visual impact.

### **Description of Site and Surroundings**

4. The application site is on the south-west side of Elms Avenue, close to the junction with Pearce Avenue. It backs onto Poole Harbour SSSI. The site is occupied by a detached house with a detached garage in the front garden. The site is enclosed by tall, rendered walls and fences, with mature vegetation along the boundaries. The street is residential in character, dominated by detached houses on similar sized plots, in a variety of designs. Most homes on the south-west side of the street are positioned set back into the plots on the cliffs at the harbour's edge and have long front gardens. Large, detached garages and other outbuildings are a common feature in the street scene.

### **Relevant Planning History:**

**APP/17/00857/F** – Planning permission was granted for an extension of existing garage to form a boat and equipment store.

**APP/23/00900/F** - Demolition of existing property and erection of replacement house. Refused and dismissed at appeal.

**APP/24/01035/F** - Demolition of existing property and erection of replacement house (revised scheme). Refused and dismissed at appeal.

### **Constraints**

- Poole Strategic Flood Risk Area - Residential
- Tree Protection Order
- TPO 73/22001 protects a tree on the site and TPO 75/2001 protects tree in neighbouring properties, all with individual designations.

### **Public Sector Equalities Duty**

5. 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**

6. 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.
7. 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.
8. 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”.
9. 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.
10. 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.
11. 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**

- BCP Highway Authority – supports the proposal, subject to conditions.
- BCP Biodiversity Officer – no objection and recommended condition.
- BCP Tree Officer – no objection and recommended conditions.
- Environment agency – Application falls outside environment Agency remit.
- Waste service - The plans are suitable from a Waste Collection perspective.
- Natural England - No Objection subject to securing mitigation
- LLFA – No objection but recommended condition

### **Representations**

12. 22 letters of objection from the occupiers of the neighbouring dwellings were received. Concerns were raised with regards to:
  - The scale and mass of the proposed dwelling would be overbearing.
  - The scheme is overbearing on the surrounding properties, causing loss of privacy and light.
  - The proposed building erodes the character and appearance of the Elms Estate.
  - The proposal would result in an inconvenience to the residents during construction phase of development.
  - The proposal would have a detrimental impact on the highway safety and volume of traffic in the area.
  - The property is too big for the plot, and if allowed, the next step would be conversion to flats. This is a residential area with single family homes.

- The proposed building is still much bigger and higher than the surrounding buildings and with 17 car parking spaces is obviously designed to be more than a single-family residential home.
- This is out of keeping with the neighbourhood and would dominate the view from the harbour.

### **Key Issue(s)**

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

- Presumption in favour of sustainable development
- Impact on the character and appearance of the area
- Impact on the neighbouring amenity
- Impact on parking and highway safety
- Biodiversity considerations
- Sustainability considerations
- Impact on trees
- Flood risk
- SAMM/CIL compliance

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

### **Policy context**

15. 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 following:

#### **Poole Local Plan (Adopted November 2018)**

PP1 Presumption in favour of sustainable development

PP2 Amount and Broad Location of Development

PP27 Design

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

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)

The Dorset Heathlands Interim Air Quality Strategy SPD (2020-2025)

Poole Harbour Recreation 2019-2024 (Adopted February 2020)

Nitrogen Reduction in Poole Harbour (Adopted February 2017)

Shoreline Character Areas SPG (Adopted 2004)

16. National Planning Policy Framework (“NPPF” / “Framework”) December 2024

## **Planning Assessment**

### **Presumption in favour of sustainable development**

17. At the heart of the NPPF is the presumption in favour of sustainable development. NPPF paragraph 11 states that in the case of decision making, the presumption in favour of sustainable development means that where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, planning permission should be granted unless policies in the Framework that protect areas of assets of particular importance provide a clear reason for refusing the development proposals or any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.
18. Footnote 8 of paragraph 11 provides that in the case of applications involving the provision of housing, relevant policies are out of date if the local planning authority is (i) unable to demonstrate a five-year supply of deliverable housing sites or (ii) where the Housing Delivery Test (HDT) result is less than 75% of the housing requirement over the previous three years.
19. The NPPF (2024) paragraph 78 requires local planning authorities to identify and update a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing. Paragraph 78 goes on to state that the supply should be demonstrated against either the housing requirement set out in adopted strategic policies, or against the local housing need where the strategic policies are more than five years old. Where the Housing Delivery Test indicates delivery has fallen below the local planning authority's housing requirement over the previous three years, a buffer should be included as set out in paragraph 79 of the NPPF.
20. At 1 April 2024 BCP Council had a housing land supply of **2.1** years against a 5-year housing requirement that includes a 20% buffer. Therefore, for the purposes of paragraph 11 of the NPPF, it is therefore appropriate to regard relevant housing policies as out of date as the local planning authority is unable to demonstrate a five-year supply of homes.
21. In this instance, the scheme would not provide additional dwellings as the proposal involves a replacement dwelling. Overall, there is no objection to the principle of the proposed development, subject to its compliance with the adopted local policies. This is assessed below.

### **Impact on the character and appearance of the area**

22. Policy PP27 of the Poole Local Plan requires a good standard of design in all new development and also states that development will be permitted provided that it reflects or enhances local patterns of development and neighbouring buildings in terms of layout and siting, including building line and built site coverage; height and scale; bulk and massing, including that of the roof; materials and detailing; landscaping; and visual impact.
23. The application site is located along the coastal area backing onto the sea. Policy PP31 seeks that new development respects the built shoreline character of Poole and ensure that the siting and position, height and number of structures would not detract from views to and from the cliffs, the sea, the beach or chines.
24. The application site comprises a residential building with a detached garage and a single storey outbuilding to the front. The main building is set considerably back from the main road with its rear elevation overlooking the harbour. Most properties along Elms Avenue are

two storeys in height and have a more traditional appearance, while some properties located at the southern end of the road, such as the appeal site, are larger buildings with a contemporary design. This leads to two different character areas within the locality, with the application site sitting within the latter one, where there are larger buildings of more contemporary design.

25. The architectural variety along the harbour frontage, combined with the traditionally designed properties along Elms Avenue and Pearce Avenue, contributes to the distinctive character of the area.
26. This proposal intends to resolve the concerns raised by the Planning Inspector in the last two appeals (APP/23/00900/F and APP/24/01035/F).
27. The first dismissed scheme, (APP/23/00900/F), the Inspector found that the 6 storey accommodation would be at odds with the generally three to four storey character of the closest dwellings.
28. Secondly, in that same appeal the inspector found the proposal to be harmful to the living conditions of neighbouring properties in light of the provision of a terrace around the top floor, this would result in overlooking down into the outdoor space to No's 56 Elms Avenue and 62 Pearce Avenue and a perception of being overlooked from a raised position. Such overlooking would be harmful to the living conditions of the respective occupiers.



29. On the second appeal, the applicant addressed the concerns raised by the Inspector in the previous appeal by submitting a revised scheme. The proposal comprises a five-storey building, reduced from the previously proposed six-storey development. In addition, the scheme incorporates 1.8 -metre-high obscure glazed wraparound screening to all proposed upper-floor balconies, ensuring appropriate mitigation of overlooking and safeguarding neighbouring amenity.
30. In considering planning reference APP/24/01035/F (second appeal), the inspector found the appeal proposal comprising five storeys would detract from the prevailing character of this part of the residential area, where nearby dwellings along the harbour frontage are generally three or four storeys in height. Therefore, whilst the overall height of the proposed dwelling would be in keeping with the surrounding built form, the number of storeys proposed and how they would appear would not. Furthermore, Due to the proposed design and form of the elevations, the number of storeys would be clearly discernible. As a result, the appeal proposal would disrupt the visual rhythm along this section of the coast, and its intensification, due to the number of storeys, would also undermine the established residential proportions and appearance of the built form in the surrounding area.



31. This submission (under planning reference P/25/03262/FUL) seeks to address the Inspectors concerns by proposing a four storey dwelling with no basement. The submitted plans show the new scheme would have a proportionate bulk and mass at the upper floor levels matching neighbouring properties. The proposed balconies and side facing windows have been reduced and set inward. It is clear that the upper floor has now been set in with balconies reduce in size and therefore reduced the overall bulk and mass of the scheme when compared to the previous proposal. The building would be contemporary in its form. Both Inspectors had no concern with a contemporary dwelling with render and glazed elevations and boundaries, as this would be compatible with the evolving built form of the area.

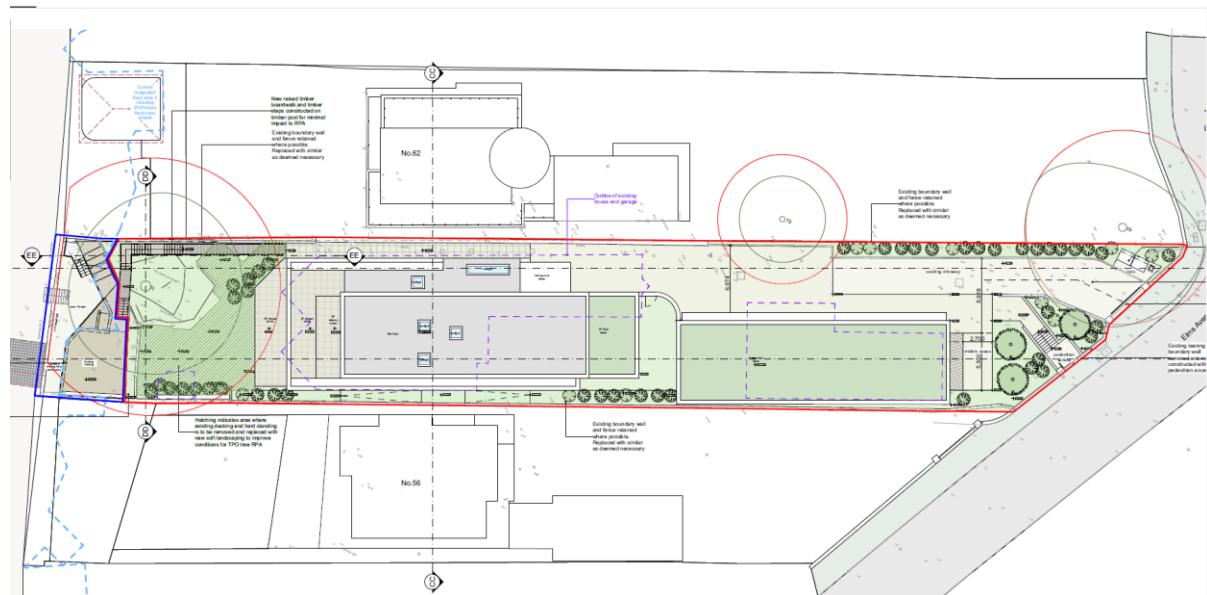


32. The proposed dwelling would be partially screened in views from the harbour due to the existing tree which would be retained, and views would be more limited from Elms Avenue and Pearce Avenue, due to the setback, the gated access and existing trees, the development would still be visible, at least in part from public views and from the neighbouring properties. The development, therefore, would be less prominent and appear sympathetic to the established character of the area.

33. As such, the revised scheme would have a positive effect on the visual amenity of this part of the coastal area, making the scheme more sympathetic to the character and appearance of the street scene.
34. The development would present a contemporary design with similar architectural composition to neighbouring buildings. The proposal, in terms of its height, scale and massing would not detract from the prevailing character of this part of the residential area. The proposal would replace the existing dwelling with a more contemporary dwelling matching its neighbours. It would follow other dwellings in this row through the use of render, glazed elevations, and balconies and in that regard would be compatible with the evolving built form of the row and area.
35. Overall, the proposal would not harm the character and appearance of the area. It would comply with Policies PP27 and PP31 of the Poole Local Plan adopted November 2018 (PLP), which altogether requires a good standard of design in all new developments and preservation of the shoreline character.

#### **Impact on the neighbouring amenity and privacy**

36. The application site is bordered on east and west sides by residential dwellings and backs onto the sea. The dwellings most likely to be impacted by the development are properties at No.56 and 62.
37. The proposal would have a similar height with No.56, but its rear would extend deeper into the site close to its boundary, resulting in a greater bulk of built form towards no. 56. The depth of the proposal is similar to that of the previously refused and dismissed on appeal scheme. However, in light of the presence of a considerable boundary wall and planting between No.56 and 62, and the character of this row of properties providing development of depth close to their boundaries, it is not considered that this would be harmfully overbearing. Furthermore, it would not result in a significant loss of light given the orientation of No.56 to the south-east. The Inspector raised no concern in that respect.
38. At present, No.62 benefits from a rear projecting wing that is positioned in proximity to the application site boundary. Given the presence of this rear wing, and positioning of the rear of the proposed dwelling further from this boundary than the existing rear wing, the proposal would not result in any detrimental overbearing impact or overshadowing upon No.62.



In terms of overlooking, there are windows proposed along the ground floor elevation serving both habitable/non-habitable rooms facing neighbouring properties. However, views from these windows would be screened by the 1.8 boundary fence. In addition, the remaining windows towards the adjacent properties are either secondary windows or serve non-habitable rooms and can be conditioned to be obscure glazed.

39. In addition, there are balconies with 1.8m wraparound screened glass facing neighbouring outdoor spaces removing any harmful overlooking.
40. The LPA conclude that the proposal would not harm the living conditions of neighbouring occupiers at No's 56 Elms Avenue and 62 Pearce Avenue, with regard to privacy. Accordingly, the proposed scheme would accord with Policy PP27 of the Poole Local Plan.

### **Access and Parking Policy**

41. PP34 encourages new development to be located within the most accessible locations, which can meet a range of local needs and will help to reduce the need to travel, reduce emissions and benefit air quality, principally in the town centre, district and local centres, employment areas and along sustainable transport corridors.
42. Policy PP35 encourages new development to maximise the use of sustainable forms of travel; provide safe access to the highway; accord with the Parking & Highway Layout in New Development SPD. The existing vehicle access would be used to access the main surface car parking, and a new vehicle access is proposed to access the basement area, which is shown for storage purposes. The new vehicle access raises no concerns, as vehicles can exit the site in a forward gear and formation of the new access would require the kerbs and footway being lowered, which would be at the applicant's expense.
43. Having been consulted, BCP Highways Authority raised no objection and recommended conditions. The proposal is considered acceptable from highway perspective and accord with the above policies.

### **Sustainability**

44. Policy PP37 encourages proposals for new homes and commercial development must contribute to tackling climate change. Section 2 of Policy PP37 states that (a) where appropriate, new development should incorporate a proportion of future energy use from renewable energy sources with: (i) a minimum of 10% for proposals of 1-10 homes (net) or under 1,000 sq. m (net) commercial floor space. The applicant in this case has indicated that a heat pump and EV charging will be installed on site towards achieving 10% future energy use from renewable energy. 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.

### **Waste collection considerations**

45. With regards to refuse and recycling provision, Policy PP27 (g) of the Poole Local Plan states that, amongst other criteria, development must provide convenient waste and recycling arrangements in accordance with the relevant standards. The submitted plan indicated that bin storage would be located towards the front garden area behind the front boundary treatment with limited visibility from the street scene. This is considered acceptable and appropriate for a single dwellinghouse.

### **Biodiversity**

46. 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 Poole Local Plan Policy PP33 – biodiversity and geodiversity, sets out policy requirements for the protection and where possible, a net gain in biodiversity.

47. 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 Poole Local Plan Policy PP33 – biodiversity and geodiversity, sets out policy requirements for the protection and where possible, a net gain in biodiversity.
48. In addition, a 10% biodiversity net gain (BNG) is required as per the Environment Act 2021 though exemptions apply. This proposal is exempt as it is self-build. In order to ensure that 10% net gain is provided if the proposal is sold and no longer self-build, a section 106 has been signed and secured as part of this permission.

### **Species enhancements**

49. In terms of species enhancements, Paragraph 193 of the NPPF requires significant harm to biodiversity as a result of development to be avoided. Where it can't be avoided it should be adequately mitigated or as a last resort, compensated for. In addition, improvements to biodiversity in and around the site should be integrated into the design to secure measurable net gains for biodiversity.
50. The house and garage have been assessed as having negligible potential to support roosting bats. No bats, evidence of bats, or potential roost features were observed during either survey (2023 and 2025). However, the property borders Poole Harbour Special Site of Scientific Interest (SSSI), Poole Harbour Special Protection Area (SPA), and Poole Harbour Ramsar. Therefore, mitigation measures will be necessary to prevent any impacts on these protected sites during construction. Enhancements are proposed for the site development in line with the National Planning Policy Framework (NPPF) 2024 and the Poole Local Plan 2018.
51. Having been consulted, BCP Ecology raised no objection to the scheme based on information provided. The Ecology officer recommended conditions to secure the biodiversity enhancement within the submitted report and guard against an undue on Poole Harbour SSSI, SPA and Ramsar, especially wintering birds.
52. Overall, the proposal is considered acceptable and would be in accordance with Policy PP33 of the Poole Local Plan and the NPPF.

### **Flood Risk**

53. The proposal relates to a replacement dwelling following demolition of the existing house. As such, it would not result in a net gain in residential units within the Council's future flood risk zones. In this instance, the applicant did not submit Flood Risk Assessment as required by Paragraph 11.21 of Policy PP38, which seeks that development proposals within the current and future flood risk zones, or areas at risk from ground or surface water flooding will be required to undertake a Flood Risk Assessment (FRA), based on advice set out in Planning Practice Guidance and which should be proportionate to the scale and nature of the development proposed.
54. Having been consulted, Local Lead Flood Authority (LLFA) acknowledged the absence of FRA as part of the application. LLFA goes on to advised that the despite the site's proximity to the sea, the elevation of the site is mapped higher than present or future tidal flood levels with the exception of the waterside boathouse area. The proposed development is entirely outside of the flood risk area. They have raised no objection related to flood risk and drainage for this site. A condition for a drainage strategy for the site has been imposed.

55. On balance, the proposal is considered acceptable from a flood risk perspective and would accord with Policy PP38 of Poole Local Plan

### **Other matters**

56. Updated arboricultural information has been submitted which now clearly reflects the current scheme. A more detailed methodology and timing of works have been added to the AMS to demonstrate the works around T1 Pine can be achieved without unduly impacting the tree. No objection to the proposal in its current form.

### **Planning Balance / Conclusion**

57. It is proposed to retain the existing trees on site, and an appropriate landscaping scheme could be secured. It is asserted that the living conditions of neighbouring occupiers would not be adversely impacted. The proposed accommodation, external space, parking and storage that would be provided for future occupants would be adequate. Also, it is not likely that the proposal would give rise to any crime or safety concerns, and the scheme would not be likely to prejudice the future development of adjoining sites. Lastly, the proposed revised scheme would be sympathetic to the prevailing character of the area and would not give rise to significant adverse impacts to the established character and appearance of the neighbouring buildings and local area.

58. The proposal would accord with the development plan as a whole and the material considerations, including the Framework, do not indicate that the proposal should be decided other than in accordance with it. Therefore, the proposal is recommended for approval.

**59. Recommendation**

Grant, subject to the following conditions:

### **Conditions**

1. The development hereby permitted shall begin not later than the expiration of three years beginning with the date this permission is granted.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall only be carried out in accordance with the following approved plans:  
Site Layout and Location Plan; PT147-PA27-101-P2 received 24/10/2025  
Ground and First Floor Plans; PT147-PA27-102-P2 received 24/10/2025  
Second and Third Floor Plans; PT147-PA27-103-P2 received 24/10/2025  
North-east, South-west and Street scene Elevations; PT147-PA27-104-P2 received 24/10/2025  
Northwest and Southeast Elevations; PT147-PA27-105-P2 received 24/10/2025  
Site Sections; PT147-PA27-106-P2 received 24/10/2025  
Northeast, Southwest and Street scene Elevations, incorporating neighbour approval  
PT147-PA27-109-P2 received 24/10/2025  
Sections Through Rear Garden and Tree RPA; PT147-PA27-110-P2 received 24/10/2025  
Floor Plans; PT147-PA27-111-P2 received 24/10/2025

Site sections: PT147-PA27-106 P2 received 20/01/2026  
Existing Plans and Elevations; Pt147 Pa27 107 P1 received 27/08/2025  
Sustainability and Biodiversity Enhancement; Pt147 Pa27 108 P1 received 27/08/2025  
Arboricultural Impact Assessment & Method Statement; DS 74923/AC received 08/11/2025  
TPP-AMS; DS 74923/AC received 08/11/2025  
Preliminary Ecological Appraisal by KP Ecology received 28/10/2025

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

3. No part of the development hereby permitted shall be carried out other than in accordance with the details and timetable contained in the approved Arboricultural Method Statement and Tree Protection Plan from Treecall Consulting dated 6 November 2025.

Reason: To ensure that trees and their rooting environments are afforded adequate physical protection during construction

4. Demolition and Construction and Environmental Management Plan (DCEMP) to be produced and agreed with council prior to commencement of work and then must be implemented in full. This to include but not limited to, pollution prevention and response and reporting to EA and PHC, and mitigation for impacts on Poole Harbour SSSI, SPA and Ramsar, especially wintering birds, this as a minimum to be no demolition in January and February.

Reason: compliance with The Conservation of Habitats and Species Regulations 2017(as amended).

60. Biodiversity recommendations as given in section 6 of 'Preliminary Ecological Appraisal (PEA) 54 Elms Ave, by KP Ecology received on 28/10/2025 Ltd must be implemented in full and maintained.

Reason: compliance with National Planning Policy Framework (2024) 187 "Planning policies and decisions should contribute to and enhance the natural and local environment: by minimising impacts on and providing net gains for biodiversity" and Poole Plan Policy PP33 "enhance biodiversity".

61. Prior to first occupation of the dwelling hereby permitted, details of measures to provide 10% of the predicted future energy use of the new dwelling from on-site renewable sources, shall be submitted to and approved in writing by the local planning authority. These measures must then be implemented before any residential occupation is brought into use and maintained thereafter. Documents required by the Local Authority include:

The 'as built' Standard Assessment Procedure (SAP) calculations documents. These should be the same documents issued to Building Control to address the Building Regulations Part L, and

The corresponding Energy Performance Certificate (EPC), and

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

Reason - In the interests of delivering a sustainable scheme, reducing carbon emissions and reducing reliance on centralised energy supply.

62. No part of the development hereby permitted shall be commenced unless a drainage scheme [that includes/for] the disposal of surface water by way of a sustainable drainage

system has first been submitted to and approved in writing by the local planning authority. The scheme shall in particular include:

- (a) Proposed arrangements for the disposal of both surface and foul water; and]
- (b)[In relation to the surface water], information about the design storm period and intensity, the methods to be employed to delay and control the surface water discharged from the application site and the measures to be taken to prevent pollution of the receiving groundwater and/or surface waters; and
- (c) A management and maintenance plan for the lifetime of the development that secures the operation of the [approved surface water] drainage scheme throughout this time; and
- (d) A timetable for delivery.

The development shall only be carried out in accordance with the approved drainage scheme and the methods, measures and arrangements in the approved scheme shall at all times be retained and managed and maintained in accordance with it.

Reason: To ensure that proper provision is made for a drainage scheme and this is a pre-commencement condition to ensure that all necessary works are provided at an appropriate time.

1. No part of the development hereby permitted shall be occupied unless the windows on the upper floors (first, second & third floors) side elevations as shown on approved plan have first been fitted with obscured glazing which conforms with or exceeds Pilkington Texture Glass Privacy Level 3 (or an equivalent level in any replacement standard) and every such window is either a fixed light or hung in such a way as to ensure that the full benefit of the obscured glazing in inhibiting overlooking is at all time maintained. Every obscured glazed window shall thereafter at all times be retained in a manner that fully accords with the specifications of this condition.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any order revoking and re-enacting that order with or without modification no further windows, dormer windows or doors other than those expressly authorised by this permission shall be constructed on any part of the development hereby permitted.

Reason: To preserve the amenity and privacy of the adjoining property.

### **Informatics**

1. In accordance with paragraph 39 of the revised NPPF the Council, as Local Planning Authority, takes a positive, creative 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 the opportunity to address issues identified by the case officer and permission was granted.

2. 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.

3. Based on the information provided (were this application to be recommended for approval) it is considered that the approval of a biodiversity gain plan would not be required before development can be begun and the statutory biodiversity gain planning condition would not apply. This is because the development is considered to meet the self-build and custom build applications exemption criteria, as set out in the Biodiversity Gain Requirements (Exemptions) Regulations 2024, which requires the development to consist of less than 9 dwellings; be on a site of less than 0.5 hectares and consist exclusively of dwellings which are self-build or custom housebuilding, as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015.
4. The applicant needs to be aware that the Community Infrastructure Levy (CIL) will be applied to this development. The Council will shortly be issuing a CIL Liability Notice following the grant of this permission which will provide information on the applicant's obligations.
5. 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.
6. This grant of permission is to be read in conjunction with the Legal Agreement dated 20th November 2025 entered between BCP Council and Mr John Alec Yeoman.

### **Background Documents:**

P/25/03262/FUL

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: 19/01/2026

Agreed by: Katie Herrington

Date: 28/01/2026

Comment:

