

Planning Committee



Application Address	1 Avon Run Close Christchurch BH23 4DT
Proposal	Demolition of existing dwelling and erection of two detached dwellings with associated access and parking.
Application Number	P/26/00634/FUL
Applicant	Glass Harbour Developments Ltd
Agent	Mr Matt Annen Pure Town Planning
Ward and Ward Member(s)	Mudford, Stanpit & West Highcliffe – Cllrs Lesley Dedman and Paul Hilliard
Report status	Public
Meeting date	16 April 2026
Summary of Recommendation	Grant in accordance with the details set out below
Reason for Referral to Planning Committee	The application has been called in for committee determination by Cllr Lesley Dedman on following grounds: Overdevelopment. Out of scale in a close of bungalows. Overlooking of surrounding properties. Overuse of plot to fit two large dwellings. To squash two large ultra-modern and obtrusive buildings next to small bungalows and a right of way and footpath in a quiet close spoil the character.
Case Officer	Peter Walters
Is the Proposal EIA Development?	No

Description of Proposal

1. Demolition of existing dwelling and erection of two detached dwellings with associated access and parking.

Description of Site and Surroundings

2. The area is residential in nature, characterised by detached dwellings in moderate sized plots. To the east of the site is Avon Run Road, which includes Avon Run Road car park and beyond which is Avon Beach. The application site forms a plot at the end of the cul de sac which is presently occupied by a single bungalow at the narrow end of an irregular roughly triangular plot of land. The southern end of the site is bounded by protected trees which form part of a line of vegetation, running roughly east to west along the southern boundary of the site and beyond towards the beach.

Relevant Planning History

3. 8/85/0197/P Severance of curtilage to form building plot for 1 bungalow and private garage with vehicular access onto Robins Way (via approved Capesthorne redevelopment access layout) – Refused

P/25/02551/TTPO T1 - Holm Oak – Section fell to ground level. There is no scope for replant in this location as heavily suppressed by adjacent mature English oak tree.

T2 - Holm Oak – Section fell to ground level. There is no scope for replant in this location as heavily suppressed by adjacent mature English oak tree. Split Decision – refuse fell of T2 and approved fell of T2

Constraints

4. In considering whether to grant planning permission or permission in principle for development which affects a listed building special regard shall be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest - section 66 - Planning (Listed Buildings and Conservation Areas) Act 1990.
5. With respect to any buildings or other land in a Conservation Area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area – section 72 - Planning (Listed Buildings and Conservation Areas) Act 1990.
 - Avon River Nutrient Neutrality Impact Zone
 - Rights of Way – adjacent
 - Dorset Heathlands 400m – 5km Zone
 - New Forest Recreation Zone impact
 - Area Tree Preservation Order ref 1985 NO 13, covering the rear section of the site
 - Approx 35m from the Mudeford Quay Conservation Area

Public Sector Equalities Duty

6. 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

7. 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.
8. 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.

9. 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”.
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

12. BCP Ecology

03/03/2026 – No objections subject to conditions to enhance biodiversity.

BCP Highways – Minor Dev

11/03/2026 – No objections subject to conditions. Policy compliant parking provision and cycle parking provision. Removal of hedge adjacent to footpath will increase visibility when exiting the site and is therefore considered to be a betterment.

BCP Trees & Landscaping

25/03/2026 – No objections subject to conditions

BCP Waste & Recycling

20/02/2026 – no objections – residents will need to bring the bins to the kerbside for collection.

BCP BNG

19/03/2026 – The submitted metric is acceptable.

Representations

13. The Council has received 18 objections, 1 comment in support, and 1 making general comments. The concerns raised are summarised below:
 - Concerns regarding the impact on neighbouring amenity - overlooking
 - Concerns that additional windows will be added at a later date
 - Overbearing Development
 - Concerns regarding modern design not suiting area
 - Excessive height, scale and massing
 - Reliance on tree screening is unrealistic and unreliable – can't be relied on as permanent screening
 - Concerns regarding intention to retain vegetation as some trees previously felled (Officer note – relevant consent was sought and granted by the Council to fell Tree T2)
 - Lack of justification for the new dwellings to be two storey

- Harmful impact on the character and appearance of the area.
- Covenant restricting the height of future development (officer note – covenants sit outside of the planning process, but a planning permission does not override any restrictions set by covenants)
- Dominate the street scene
- Impact on sunlight to neighbours
- Impact on property values (officer note – this is not a material planning consideration)
- Large glazing on the buildings will have an impact on privacy and will also potentially not comply with building regulations
- Plot size of 11 and 11a at the other end of the close is larger.
- Local area is characterised by bungalows
- Concerns regarding impact on ecology – area believed to be a bat run
- Disruption caused during the construction process
- Site is adjacent to the conservation area – care needs to be taken in terms of the impact of the development (Officer note – the conservation area is approximately 35m from the site and obscured by properties on Avon Run Road which are outside of the CA)

14. The letter of support states that they consider the developer has built fantastic homes in their other developments.

Key Issue(s)

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

- Presumption in Favour of Sustainable Development
- Principle of development
- Impact on the character and appearance of the area
- Impact on the amenity of neighbouring residents
- Amenity of the future occupants
- Impact on protected trees
- Highway safety and parking
- Biodiversity Net Gain and Ecology
- Impact on protected sites including River Avon SAC

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

Policy Context

17. 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 Christchurch and East Dorset Local Plan 2014 and Saved Policies – Christchurch Borough Council Local Plan 2001. The policies relevant to the application are:

Christchurch and East Dorset Local Plan 2014

- KS2 – Settlement Hierarchy
- KS11 - Transport and Development
- KS12 - Parking Provision
- ME1 – Safeguarding Biodiversity and Geodiversity

- HE1 – Valuing and Conserving our Historic Environment
- HE2 – Design of New Development
- LN2 – Design, Layout and Density of New Housing Development

Saved Policies – Christchurch Borough Council Local Plan 2001:

- BE5 – Setting of Conservation Areas
- H12 – Residential Infill
- ENV9 – Development in the Coastal Zone
- ENV21 – Landscaping in new development

Other documents:

- Parking Standards SPD
- Dorset Heathlands Planning Framework
- Dorset Heathlands Interim Air Quality Strategy
- Phosphates in the River Avon
- Housing and Affordable Housing SPD
- Christchurch Borough-wide Character Assessment
- New Forest Planning Position Statement – November 2025

18. National Planning Policy Framework (“NPPF” / ”Framework”)

Including in particular the following:

Section 2 – Achieving Sustainable Development

Paragraph 11 –

“Plans and decisions should apply a presumption in favour of sustainable development.

.....

For decision-taking this means:

- (c) approving development proposals that accord with an up-to-date development plan without delay; or
- (d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.”

Section 12 – Achieving well-designed places

Section 16 – Conserving and Enhancing the Natural Environment

Section 17 – Conserving and Enhancing the Historic Environment

Planning Assessment

Presumption in Favour of Sustainable Development:

19. Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development. Plans and policies should apply a presumption in favour of sustainable development. For decision making this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

- 20. 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.
- 21. 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.
- 22. At 1 April 2024 BCP Council had a housing land supply of **2.55** years against a 5-year housing requirement that includes a 20% buffer. 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.
- 23. In this instance, the scheme would provide 1 additional dwelling that would contribute towards the Council's housing delivery target. For this planning application the benefits provided from the supply of new homes are considered to carry significant weight in the planning balance.

Principle of Development

- 24. The site is situated within the settlement boundary of Christchurch. Policy KS2: Settlement Hierarchy of the Christchurch and East Dorset Local Plan sets out where development should be focused. The application site is situated within Christchurch which is at the top of the hierarchy set out in the policy. Therefore, the principle of development of the site is acceptable subject to other material considerations. The proposal is therefore considered to be in accordance with Policy KS2 of the Christchurch and East Dorset Local Plan 2014 and acceptable in principle.

Impact on the character and appearance of the area

- 25. The area is characterised by residential development. Properties are detached, set in moderate sized plots with amenity space to the front and rear of the properties. To the east of the site is Avon Run Road and Avon Run Road Car Park, beyond which is Avon Beach. Historically, the area was characterised by bungalows, however, this has changed,

particularly in relation to properties fronting Avon Run Road which have increased in size from predominantly bungalows to largely two storey properties.

26. In terms of architecture, there was historically a well-established architectural approach, reflecting that the properties were built as part of the same development. Traditional forms including bungalows with gable ends, chimneys and predominantly using render as the main material. This is evident in Google Street View images from 2009.
27. However, the character of the area has changed, and it is noted that particularly on Avon Run Road a number of properties have either been redeveloped or significantly extended, introducing more contemporary architectural forms, as well as materials. It is noted that at the other end of Avon Run Close, a plot of a similar size and shape to the application site has been subdivided into 2 plots. The buildings are modern in form and materials and therefore create a precedent. As such, the proposed development is not considered to be harmful to the character of the area in terms of architecture.
28. The density of the site is presently lower than most properties in the cul-de-sac. The subdivision of the plot will increase the density of the development; however, both dwellings would have amenity space and would not appear cramped in the plot. The proposed development is not considered to constitute overdevelopment.
29. A public footpath runs to the west of the application site providing a pedestrian connection to Bure Lane. A boundary hedge between the application site and the footpath currently exists. This would be replaced by a wooden panel fence, to accommodate the vehicular access to Unit 2. There are no significant views appreciated from the footpath at present, as it passes between residential properties. In addition, the proposed dwellings are set back from the footpath, and therefore it is not considered that the development would produce a sense of enclosure that would result in the footpath being considered as a less desirable route for pedestrians. As such, the proposed development, while visible from the footpath is not considered to cause harm to the character of the area as appreciated from the footpath.
30. Taking into account the above, the proposal is considered to not have a significant harmful impact on the character and appearance of the area. As such the proposal complies with the requirements of Policy HE2 Design of New Development and Policy LN2 Design, Layout and Density of New Housing Development of the Christchurch and East Dorset Local Plan (2014), saved Policy H12 – Residential Infill, saved Policy ENV9 – Development in the Coastal Zone and saved Policy ENV21 – Landscaping in new development of the Christchurch Local Plan 2001 and no objection is raised.

Impact on the amenity of neighbouring residents

31. The site is surrounded by residential development. The nearest properties to Unit 1 are to the east of the site, notably 4 Avon Run Road. 4 Avon Run Road is approximately 13.7m from the boundary with the application site. The garage of the proposed Unit 1 would be situated against the boundary; however, the first floor is stepped back by approximately 2.3m from the boundary. Therefore, there is approximately 15.7m between the first floors of Unit 1 and 4 Avon Run Road. The separation distance is sufficient to minimise any overbearing impact on this neighbouring property. The proposal includes 2 windows on the eastern elevation of Unit 1, facing No. 4 Avon Run Road. One of these windows serves a bathroom, the second is a secondary window serving bedroom 1.
32. The window serving the bathroom is proposed to be obscurely glazed and the window serving the bedroom will feature a louvre. Whilst the louvre can minimise overlooking, it is

not clear if this will provide permanent privacy. Since this is a secondary window, it is considered this window can be obscurely glazed and this is secured by condition.

33. Unit 1 features north facing windows on the first floor that are facing towards the street. Any views towards the garden of 5 Avon Run Road will be oblique and are considered to be acceptable in a suburban location. To the northwest of the site is 2 Avon Run Close, which at the nearest point is 5m from the boundary with footpath that separates the application site from the neighbouring site.
34. The first floor of Unit 1 overhangs the ground floor and therefore marks the closest point to this boundary, at approximately 4m distance. 2 Avon Run Close is at its closest point approximately 4m from the site and separated by the footpath which is approximately 1.5m in width. While the properties are relatively close to each other, a similar relationship exists between other properties within the street and therefore the relationship is considered to be acceptable.
35. The first floor west elevation features a greater number of windows, however, as the first floor building line does not follow the site boundary, the windows are further away from the boundary (ranging from approximately 7m to approximately 12m). These do not share a direct relationship with 2 Avon Run Close which is at the northern end of the neighbouring site. There is also mature vegetation screening within the boundary of 2 Avon Run Close that will provide a degree of screening of the rear garden of number 2. However, it is accepted that there is a degree of overlooking into the neighbouring garden. Given the suburban nature of the area this is considered to be acceptable.
36. It is also noted that the proposal includes a wrap around window on the north western first floor corner of Unit 1, serving Bedroom 3. Officers note that this is the closest point to 2 Avon Run Close, and there are windows in the east elevation of the neighbouring property that could be overlooked by this element. Officers acknowledge the need to provide sufficient light to the proposed bedroom, it is therefore considered necessary to condition that the western facing window panes will be obscurely glazed, in order to safeguard the amenity of the neighbours.
37. Unit 2 will also face towards 2 Avon Run Close and is approximately 6.3m from the boundary with the footpath. It is acknowledged that there will be a degree of overlooking into the garden of 2 Avon Run Close, but no window to window overlooking.
38. Unit 2 is situated at the closest point approximately 3.5m from the eastern boundary of the site. The nearest neighbouring property on this boundary is 3 Avon Run Road. However, this is approximately 31m away. Given the distance, officers are satisfied that there will not be any harm in terms of overlooking or overbearing impact on this property or 1 and 2 adjacent to it.
39. To the south of the site are 7 Robins Way and 1-2 Capesthorne, whose rear gardens back on to the property. At its nearest point Unit 2 is approximately 7.1m from the boundary with these properties. The neighbouring properties are approximately 6.5m at the nearest point to the neighbouring boundary. It is noted that few windows are proposed on the south west elevation of Unit 2. One of the windows serves a bathroom and the plans indicate that this window would be obscurely glazed. This is considered acceptable subject to a planning condition. The second window is wrap around on the southern corner serving bedroom 1. It is considered that it would be appropriate to obscurely glaze this element of the window as well. In addition, a balcony is proposed that would be accessed from this bedroom, as well as bedrooms 2 and 3. Once again, the balcony screen on the southern end should be

obscurely glazed to protect the amenity of the neighbouring properties, this will be resolved by means of a planning condition.

40. Concerns have been raised by neighbouring residents on insertions of new windows and alterations to approved windows grounds. However, the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) restricts any new first floor (or above) windows on the side elevation of a dwellinghouse to being obscurely glazed and fixed shut below a height of 1.7m from the finished floor level of that floor. This restriction also extends to roof lights on a roof plane forming a side elevation. Officers are satisfied therefore that appropriate safeguards exist without the need for an additional planning condition.
41. Taking into account the above and subject to conditions, the proposals are considered to have an acceptable impact on the amenity of the neighbouring residents subject to planning conditions and are therefore in accordance with Policy HE2 Design of New Development of the Christchurch and East Dorset Local Plan (2014).

Impact on the amenity of future occupiers

42. Unit 1 of the proposed development would have 274 square metres of internal floor space and Unit 2 would have 282 square metres. This sits comfortably above the national technical standards set out by the government. Both units would have moderate sized gardens providing a good degree of external amenity space. Officers are therefore satisfied that the proposal will be acceptable in this regard. The proposal is therefore considered to accord with Policy HE2 Design of New Development of the Christchurch and East Dorset Local Plan (2014).

Impact upon protected Trees

43. It is noted that there are a series of protected trees on the southern boundary of the site. Aside from being protected, these trees contribute to the overall amenity of the area. The applicant has submitted a tree survey showing the anticipated root protection areas. The Council's Tree Officer has considered this and is satisfied that the proposed protection measures for the trees will be suitable.
44. It is acknowledged that the location of services and drainage, as well as construction details for the cellular confinement system are not confirmed however the Trees Team are satisfied that this can be resolved by means of planning conditions.
45. Taking the above into account the proposal is considered to be acceptable in terms of its impact upon the protected trees and is acceptable in accordance with Policy ME1 Safeguarding Biodiversity and Geodiversity of the Christchurch and East Dorset Local Plan (2014).

Impact on highway safety and parking

46. The proposal is located in Parking Zone D, in accordance with the BCP Parking Standards SPD. As a result, the proposed houses each generate a parking requirement of 2 spaces, equating to 4 spaces in total for the development. The proposed development would provide policy compliant parking.
47. In terms of access, it is noted that drawing no. 854-1 – *Landscape Plan* shows the removal of the high hedgerow running along the boundary with the public footpath in the northwest

corner of the site. This results in the retention of the existing low brick wall at circa 0.6m in height thus resulting in significantly improved inter-visibility between drivers egressing the site and users of the footpath. It is considered that this provides a benefit which mitigates the slight increase in vehicular trips to and from the site.

48. The provision of cycle stands within the garages in the proposed arrangement offers acceptable cycle parking facilities for the proposed development.
49. Taking into account the above, the proposal is considered to be acceptable from a highway safety perspective subject to planning conditions relating to the implementation of the turning and parking area, the retention of the boundary treatment and the provision of the cycle parking. The proposal is therefore considered to be in accordance with Policy KS11 Transport and Development and KS12 Parking Provision of the Christchurch and East Dorset Local Plan (2014).

Biodiversity Net Gain

50. The NPPF at chapter 15 'conserving and enhancing the natural environment' sets out government views on minimising the impacts on biodiversity, providing net gains where possible and contributing to halt the overall decline in biodiversity. The Local Plan at Policy ME1 – Safeguarding Biodiversity and Geodiversity, sets out policy requirements for the protection and where possible, a net gain in biodiversity.
51. In addition, a 10% biodiversity net gain (BNG) is required as per the Environment Act 2021 and paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 ensures that approved permissions 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.
52. A Biodiversity Metric has been submitted with the application. The metric demonstrates that 10% BNG can be achieved.
53. As the 10% biodiversity net gain has been demonstrated as being achievable, through the purchase of biodiversity units the proposal is compliant with the relevant legislation and Policy ME1 – Safeguarding Biodiversity and Geodiversity in the Local Plan. The baseline habitats include the following:
 - Native hedgerow
 - Non-native and ornamental hedgerow
 - Urban Trees
 - Vegetated Garden

Impact on Ecology

54. The proposed development has been supplied with a Preliminary Roost Assessment (PRA). The PRA concluded that there was no external or internal evidence of bat activity would found and no potential roost sites for bats are present. The PRA concludes that no further bat surveys need to be carried out before planning permission can be granted.
55. The Council's Ecologist has considered the report as well as mitigation measures for the providing hedgehog holes in the fencing is welcomed. Details of bat tubes or bricks must be supplied to ensure that there are enhancements to the biodiversity of the site. In addition, vegetation clearance should be undertaken outside of the breeding season. These can be

resolved by means of planning conditions. Subject to this, the proposal is considered to be acceptable in terms of ecology and is in accordance with Policy ME1 Safeguarding Biodiversity and Geodiversity of the Christchurch and East Dorset Local Plan (2014).

Impact on the setting of the Mudeford Quay Conservation Area

56. The proposed development is situated approximately 35m to the west of the Mudeford Quay Conservation Area. The nearest character area according to the Conservation Area Appraisal is the Waterside Setting. The scale of buildings is important when seen from the water. They are generally set within their landscaped plots rather than dominating them. Buildings are seen within trees and as part of long gardens or grounds. It is notable that the protected trees will be retained which officers consider contributes to the setting of the Conservation Area. It is also noted that the buildings will be obscured from views in the Conservation Area by 1-4 Avon Run Road. The scale of the proposed dwellings does not exceed those in the Conservation Area and will therefore not be prominent in views from it. Therefore, the proposal is considered to be acceptable with regards to the impact on the setting of the Mudeford Quay Conservation Area and compliant with Policy HE1 Valuing and Conserving our Historic Environment of the Christchurch and East Dorset Local Plan Core Strategy (2014) and saved policy BE5 – Setting of Conservation Areas of the Christchurch Local Plan (2001).

Impact on Protected Landscapes

57. The proposed development would have an impact on the New Forest SPA and the Dorset Heathlands Ramsar. Accordingly, contributions are required in order to mitigate the impact of the development on these protected landscapes which will be provided by means of a S106 agreement. The proposal therefore is compliant with Policy ME1 – Safeguarding Biodiversity and Geodiversity of the Christchurch and East Dorset Local Plan Core Strategy (2014).

Phosphates

58. The application site is within the catchment of the Christchurch Waste Water Recycling Facility which discharges enriched water into the River Avon which is designated as a Special Area of Conservation under the Habitat Regulations 2017 and listed as a Ramsar site.
59. The River Avon is also designated as a Site of Special Scientific Interest under the Wildlife and Countryside Act 1981 (as amended). The designated sites are in unfavourable condition due to high levels of nutrients. The river is phosphorus limited which means that any addition either directly or indirectly should be deemed to have an adverse impact on integrity in accordance with recent case law.
60. With the parent application the applicant submitted the Natural England approved calculation of phosphate load from the development into the River Avon SAC and secured the required credits from a registered provider to offset the impact of phosphates into the River Avon SAC. Although the size of the units would increase as part of this application, the number does not. As the impact on the River Avon SAC is calculated by the number of units being developed, the proposed changes will not have an increased impact on the River Avon SAC. As such, it is considered to be appropriate to reapply the Grampian condition from the parent application.

61. The proposal therefore is compliant with Policy ME1 – Safeguarding Biodiversity and Geodiversity of the Christchurch and East Dorset Local Plan Core Strategy (2014).

Planning Balance/ Conclusion

62. The proposal would provide an additional dwelling which is considered to carry significant weight in the decision-making process. The impacts identified in the report are considered to be able to be sufficiently mitigated by the use of planning conditions. Therefore, it is considered that the proposal can be supported.

Recommendation

GRANT permission for the reasons set out in this report subject to the following conditions and the S106 providing SAMMs Heathlands and New Forest payment.

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:

854 1 Landscape Plan
854 2 Biodiversity Habitats Plan
9942 100 C Site Plan
9942 101 Unit 1 - Ground Floor Plan
9942 102 Unit 1 - First Floor Plan
9942 103 Unit 1 - North & West Elevations
9942 104 Unit 1 - South & East Elevations
9942 105 Unit 2 - Ground Floor Plan
9942 106 Unit 2 - First Floor Plan
9942 107 Unit 2 - North West & South West Elevations
9942 108 Unit 2 - North East & South East Elevations
9942 111 A Location & Block Plans
9942 112 C SUDS Plan

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

3. No part of the development hereby permitted shall be commenced unless the details relating to the Cellular Confinement System have first been submitted to and approved in writing by the local planning authority. These must include accurate locations of installation, including cross sections, detailing levels of existing/proposed finished levels and Construction Method Statement for the operation and be undertaken by a person with relevant experience.

Reason - In order that the Local Planning Authority may be satisfied that the trees to be retained on-site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice.

4. No development including site clearance, demolition, ground preparation, temporary access construction/widening, material storage or construction works shall commence on site until a

plan showing the location of all existing and proposed utility services and a methodology for their installation has been submitted to and approved in writing by the Local Planning Authority. This shall include gas, electricity, communications, surface water and foul drainage. No development or other operations shall take place other than in complete accordance with the utility services plan.

Reason: To ensure that reasonable measures are taken to safeguard trees in the interests of local amenity and the enhancement of the development itself.

5. No part of the development hereby permitted shall be commenced, including any site clearance, the digging of any trenches and the bringing on to site of any equipment, materials or machinery for use in connection with the implementation of the development (save as is necessary for the purpose of this condition) unless:
 - (a) A site meeting involving a representative of the local planning authority and an Arboricultural Consultant has first taken place to identify any supplemental requirements, for protecting trees during the carrying out of the development on and adjacent to the application site, to the details identified in the approved Arboricultural Impact Assessment and Method Statement and the approved Tree Protection Plan ("the Approved Tree Details"); and
 - (b) There has been submitted to and agreed in writing by the local planning authority details of supplemental requirements confirmed at the meeting ("the Supplemental Requirements"); and
 - (c) All tree protection has been provided in accordance with both the Approved Tree Details and the Supplemental Requirements ("the Full Approved Tree Protection Measures"). Once provided, the Full Approved Tree Protection Measures shall thereafter at all times be retained until the development has been completed and all equipment, machinery and surplus materials relating to the construction of the development have been removed from the site unless an alternative time is otherwise agreed in writing by the local planning authority. Until such time as the Full Approved Tree Protection Measures have all been removed, nothing shall be stored or placed in any area secured by any part of the Full Approved Tree Protection Measures nor shall the ground levels within those areas be altered or any excavation made without the written consent of the local planning authority.

Reason: To ensure that trees and their rooting environments are afforded adequate physical protection during construction and this is a pre-commencement condition to prevent any harm being caused to those trees that might result from any other work being carried out in relation to the development.

6. No part of the development hereby permitted shall be commenced, including clearance of vegetation, unless there has first been submitted to and approved in writing by the local planning authority a Landscape and Ecology Management Plan ("LEMP"). The LEMP shall accord with all biodiversity related plans and documents required to be approved in the other conditions forming part of this permission and in particular include:
 1. details of all habitat, ecological matters (incorporating all species enhancements) and landscaping associated with the development including identification of what is to be retained as well as all proposed creation and enhancement;
 2. details of all proposed related works including any proposed hard landscaping and all boundary treatments;

3.a timetable for the provision of all identified habitat, ecological matters and landscaping; and

4. details and arrangements as to future on-going retention, management and maintenance, including provision for the replacement of any plant or tree associated with the habitat provision found damaged, removed, dead or dying.

The approved LEMP shall at all times be accorded with and the identified habitat, ecological matters and landscaping at all times retained, managed and maintained in accordance with the approved LEMP.

Reason: to ensure there is adequate protection for the existing habitats and provide suitable external amenity space for future occupiers and to ensure 10% Biodiversity Net Gain can be provided in accordance with the Biodiversity Gain Hierarchy as per paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 and the Environment Act 2021.

7. No part of the development hereby permitted shall be occupied unless the western elevation of the wrap around window on the first floor of Unit 1, the windows serving the bathroom and bedroom 1 on first floor eastern elevation of Unit 1, the windows on the south west elevation of the first floor of Unit 2 and the balcony screen at the south western elevation of Unit 2 as shown on approved plans 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.

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

8. No part of the development hereby permitted shall be occupied unless the vehicle parking shown on the approved plan have first been fully constructed and laid out in accordance with details that have previously been submitted to and approved in writing by the local planning authority and also made available for parking and thereafter such shall be permanently retained and kept available for that purpose.

Reason: In order to ensure adequate provision is made for the parking of vehicles including off-street parking.

9. Prior to occupation of the development, the cycle parking facilities must have been constructed in accordance with approved plan. Thereafter, the cycle parking facilities within the garage area shall be retained for use at all times and the garage shall not be incorporated into the living areas of the dwelling unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development complies with the Local Planning Authority's cycle parking standards and to adequately promote sustainable forms of transport.

10. Prior to first occupation of the development, Hedgehog holes are to be installed and maintained as per 'Landscape Plan drawing number 854 – 1' by The Landscape Service.

Reason: In order to provide biodiversity enhancements on site and to comply with National Planning Policy Framework (2025) paragraph 187 and ME1 Safeguarding Biodiversity and Geodiversity of the Christchurch and East Dorset Local Plan 2014.

11. Prior to the commencement of any groundworks details of biodiversity enhancements of at least one built in bat tube/brick shall be supplied, installed away from direct effect of man-made lighting and on aspects and heights as recommended by Bat Conservation Trust http://www.bats.org.uk/pages/bat_boxes.html, once agreed must be implemented in full and maintained to be provided and once agreed must be implemented in full.

Reason: In order to provide biodiversity enhancements on site and to comply with National Planning Policy Framework (2025) paragraph 187 and ME1 Safeguarding Biodiversity and Geodiversity of the Christchurch and East Dorset Local Plan 2014.

12. No development shall take place above the damp proof course unless proposals for the mitigation or offsetting of the impact of phosphorus arising from the development on the River Avon Special Area of Conservation (SAC), including mechanisms to secure the timely implementation of the proposed approach, have been submitted to and approved in writing by the Local Planning Authority. Such proposals must: (a) Provide for mitigation which achieves a phosphorous neutral impact from the development; and (b) Provide details of the manner in which the proposed mitigation is to be secured. Details to be submitted shall include arrangements for the ongoing monitoring of any such proposals which form part of the proposed mitigation measures. The development shall be carried out in accordance with and subject to the approved proposals.

Reason: To ensure that the development does not increase the phosphate load on the River Avon SAC, which has been demonstrated to cause harm to the SAC.

13. No part of the development hereby permitted shall be constructed above damp proof course level unless details of the materials to be used in the construction of the external surfaces including any roof have first been submitted to and approved in writing by the local planning authority. The submitted details shall include samples of all such materials unless otherwise agreed in writing by the local planning authority. The development shall only be carried out in accordance with the approved details.

Reason: To ensure that the impact of the development on the visual amenities of the locality is acceptable.

14. The existing low brick wall boundary treatment, to the right of the vehicular access when entering the site, adjacent to Public Footpath E61/42, shall be retained as shown on approved plans for a minimum distance of 2m into the site, from the footway at Avon Run Close. The boundary treatment must not increase in height beyond 0.6m above ground level, of the adjacent section of public highway, within the specified measurement.

Reason: To ensure that a vehicle can see or be seen when exiting the access so that highway safety is not adversely impacted upon.

15. 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 Impact and Method Statement.

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

16. Vegetation clearance on this site must be carried outside the bird breeding season of 1st March to 31st August inclusive unless a written report is provided by a qualified ecologist to

demonstrate that nesting birds are not present. The report must be submitted to and agreed in writing by the Council.

Reason: In order to prevent disturbance to birds' nests as protected under Wildlife and Countryside Act 1981 (as amended).

Informative Notes:

1. This permission should be read in conjunction with the legal agreement under section 106 of the Town and Country Planning Act dated TBC, the obligations in which relate to this development.
2. The applicant is advised that bats are protected in the UK by Schedule 5 of the Wildlife and Countryside Act 1981 and Part 3 of the Conservation of Natural Habitats and Species Regulations 2017 and they are also protected by European and International Law. Work should proceed with caution and if any bats are found, all work should cease, the area in which the bats have been found should be made secure and advice sought from National Bat Helpline (tel: 0345 1300 228). website <https://www.bats.org.uk/our-work/national-bat-helpline>.
3. 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.
4. The applicant is advised that there should be no storage of any equipment, machinery or materials on the footway/highway. This includes verges and/or shrub borders or beneath the crown spread of Council owned trees.
5. The applicant is advised that in order to avoid contravention of highways legislation, provision shall be made in the design of the access/drive to ensure that no surface water or loose material drains/spills directly from the site onto the highway.
6. The applicant is advised that in order to avoid contravention of section 153 of the Highways Act 1980, no door or gate is permitted to open outwards over the public highway.
7. Prior to construction commencing on site, the applicant/site developer is strongly advised to contact the Streetworks Team on 01202 128369 or streetworks@bcpcouncil.gov.uk to discuss how the highway network in the vicinity of the site is to be safely and lawfully managed during construction. This team is responsible for managing the highway network and must be consulted prior to you commencing any work that you are undertaking that may impact on the operation of the public highway. They will also be able to advise on any Permits, Licences, Temporary Traffic Regulation Orders (TTROs), traffic signal or ITS changes and signing requirements, together with co-ordination of your work in relation to the planned work of other parties on the public highway. Some procedures, require significant lead in times and therefore early engagement is essential. Therefore, to avoid any delay in starting work it is strongly recommended that you make contact at least 3 months before you plan to commence work. Failure to do so may result in delay in starting work. If any permanent changes are required to Traffic Regulation Orders (TROs), please note that these can take a minimum of 9 months to process and this period should be considered when planning your project.
8. The applicant should note and inform future residents that they may be excluded from being able to purchase permits associated with parking permit schemes controlled by the Council in the area. This is to reduce the impacts from the development due to the lack of car parking

provision being proposed and to encourage sustainable modes of travel amongst future residents.

9. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition (“the biodiversity gain condition”) that development may not begin unless: (a) a Biodiversity Gain Plan has been submitted to the planning authority, and (b) the planning authority has approved the plan. The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Bournemouth, Christchurch and Poole Council. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed in paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024.

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

10. 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 application was acceptable as submitted and no further assistance was required.

Background Documents:

P/26/00634/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.