

# Planning Committee

Application Address	75 Evering Avenue, Poole, BH12 4JG
Proposal	Demolition of single storey outbuilding at rear, change of use from Caretaker's residence to educational use, construction of new single storey extension and covered area, perimeter fencing and repositioning of main entrance gates together with automation - Regulation 3 (Partly retrospective)
Application Number	P/26/00494/FUL
Applicant	BCP Council
Agent	Mr John Christopher Trinity Architecture Ltd Marston House, 2 Market Close, Poole, BH15 1NQ
Ward and Ward Member(s)	Alderney & Bourne Valley
Report status	Public
Meeting date	14/05/2026
<b>Summary of Recommendation</b>	<b>Grant in accordance with the details set out below</b>
Reason for Referral to Planning Committee	Ward Cllr call in because the proposal will affect immediate neighbours and is seen by some to exacerbate problems they currently experience regarding parking issues
Case Officer	Dominika Robbins
Is the Proposal EIA Development?	No

## Description of Proposal

1. Demolition of single storey outbuilding at rear, change of use from Caretaker's residence to educational use, construction of new single storey extension and covered area, perimeter fencing and repositioning of main entrance gates together with automation - Regulation 3 (Partly retrospective)

## **Description of Site and Surroundings**

2. The application site is located on the northern side of Evering Avenue adjacent to the entrance to the Manorside Academy and is part of the Manor Academy site. There is an unoccupied care taker's bungalow on site located slightly higher than the road with hardstanding at the back.
3. The site is currently under construction – the single storey rear extension has been demolished.

## **Relevant Planning History**

4. 1954 - Erection of new primary schools – approved (2729/4)
5. 1970 - Middle School Extension – approved (2729/6)

## **Constraints**

6. The site lies within 400m of Bourne Valley Nature Reserve SSSI, RAMSAR, SPA, SAC.

## **Public Sector Equalities Duty**

7. 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**

8. 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.
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 Highway Services – no objection.
13. BCP Waste & Recycling – no objection.
14. BCP Arboricultural Team – no objection.
15. BCP Environmental Health Team – no objection subject to appropriate condition.

## **Representations**

16. Site notices were posted outside the site on 27 February 2026 with an expiry date for consultation of 20 March 2026.

16 letters of representation have been received (3 from the same address). 2 of them were supporting, 1 neutral and 13 raising objection to the proposal. The issues raised comprise the following:

- Increased traffic due to expansion of school buildings,
- Parking problem on the road between the hours of 08.00 to 09.00 and 14.30 to 15.45 on most week term days.
- Not enough parking spaces for staff on the school's parking, 2 spaces will be lost, and more members of staff will be using it,
- Residents should be informed about the proposal properly and have opportunity to express their opinion at the meeting,
- Increased noise levels,
- Site notices were not displayed to inform residents about proposed development,
- Notification period too short (notices displayed on the week commencing 2<sup>nd</sup> of March 2026),
- There is a dog at the residential property and with the increase in activity and proximity so close to the boundary the dog will become stressed,
- Works commenced on site before planning permission was granted.

### **Officers comments:**

17. Whether or not a dog lives at a residential property and could be impacted during construction is not a material planning consideration. It is understood that the rear extension was demolished, however planning permission is not required for such works. For clarity, it is not an offence to commence works without first seeking planning permission, but it is at the risk of enforcement action being taken. Regarding notification of the neighbours, 2 site notices were displayed on Evering Avenue – 1 next to the alleyway located to the west of the application site and 1 to the front of the property. Both of them were displayed for statutory period of 21 days (Article 15(3) of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)).

## **Key Issue(s)**

18. The key issues involved with this proposal are:

- Principle of the loss of C3 use
- Principle of providing school provision
- Impact on the character and appearance of the area

- Impact on the neighbouring amenity
- Impact on parking and access to the site
- Impact on trees
- Biodiversity and tree considerations
- Sustainability considerations
- S106/CIL compliance

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. In reaching this decision the policies in the Development Plan for the area were taken into account. The development plan in this case comprises the Poole Local Plan, relevant local documents and the National Planning Policy Framework 2024.

These include specifically the following policies:

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

PP01 Presumption in favour of sustainable development

PP02 Amount and Broad Location of Development

PP20 Investment in Education

PP27 Design

PP32 Poole's Nationally, European and Internationally Important Sites

PP33 Biodiversity and Geodiversity

PP34 Transport strategy

PP35 A Safe, Connected and Accessible Transport Network

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)

National Planning Policy Framework (December 2024 as amended)

## Planning Assessment

### Principle of the loss of C3 use

21. Although the BCP is unable to demonstrate a five-year supply of deliverable housing sites, the application building is located on the Manorside Academy ground and appeared on plans approved in 1970 for middle school extension (ref. 2729/6) as a caretaker's bungalow, but it was not secured to remain as such through planning condition or obligation. However, as the unit is located on the grounds it is unlikely to be occupied as through it was an independent C3 unit. The accommodation is no longer required and has been unoccupied for a number of years. As such, in this instance it is considered that loss of this C3 unit would not materially harm the council's 5 year housing land position.

### Principle of providing additional educational facilities

22. The NPPF (2024) in relation to promoting healthy and safe communities states at paragraph 100 that "*It is important that a sufficient choice of early years, school and post-16 places are available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should: a) give great weight to the need to create, expand or alter early years, schools and post-16 facilities through the preparation of plans and decisions on applications; and b) work with early years, school and post-16 promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.*"

This is echoed by Policy PP20 of the Poole Local Plan (2018) that says: "*The Council will continue to work with its partners, including schools, academies, colleges and universities to upgrade and improve education facilities, to ensure there are sufficient places to meet needs and to ensure that the courses provide students with the skills needed by local businesses.*"

23. According to the submitted Design and Access Statement, the Manorside Academy was originally built to accommodate 630 pupils but has reduced its published admission number in the last 10 years and now has a capacity of 420 pupils with 385 pupils on roll at the end of 2025.
24. The Place Planning Manager in their email received on 12/04/2026 confirms that the admission arrangement would stay the same and would continue to be a 2 Form Entry School with a yearly PAN (pupil admission number) of 60 being admitted each year. Currently, there has been formalised DFE (Department for Education) resource provision through and admit 10 children in total across all year groups currently. These children are not included in the PAN. The proposal is to expand that specific onsite resource provision by a further 10 children.
25. The building that is a subject of this application has been designed to be used as a caretaker's residence, however it is vacant and unused for number of years.
26. This building is proposed to be extended and altered by replacing the previously existing single storey flat roof rear extension with a new one of similar footprint with a pitched roof, addition of a covered area to the rear on the existing hardstand and access ramp to the front of the building. The existing roof coverage is proposed to be replaced with new fibre cement slate. Use of the building is proposed to be changed to educational use. There is also proposed installation of the new access gate to the site from the Academy site and new pedestrian access gate to the back of the site. The pedestrian gate to the front of the site would be retained. For the safety of the

students and staff, a new wired mesh fencing is proposed to the inside of the existing retained hedging growing on the eastern and western boundary of the site and across its frontage. The existing vehicular and pedestrian access gates to the Academy are proposed to be re-located further to the back into the site and automated.

27. The application building would consist of 2 teaching rooms, circulation area, storage, toilet, kitchen and intervention.
28. As explained in the submitted Design and Access Statement, the application building would be used by 10 pupils of age 7-11 with additional needs. It is explained in the statement that this arrangement would allow 10 children of age 4-7 to be able to move into this building without having to relocate to another school with the appropriate facilities and resources to meet their needs.
29. The application building is proposed to be a teaching space with additional facilities that would be used by up to 10 children aged 7-11 during standard school hours in line with the existing education use of the school site. It is explained in the Design and Access Statement that pupils would be based in the building for the majority of their time but would still have access to the rest of school facilities for specialist teaching, shared events, physical education and play time. The external areas would be used as "breakout" space for pupils who may need time away from the classroom during the school day to support their learning and help them focus. This breakout space would be used as and when required by pupils who need it and only 1 or 2 pupils would access it at a time; there are also internal breakout spaces proposed that pupils can use during periods of bad weather or if they feel that this provides a better environment to help them regulate their behaviours.
30. According to the submitted Statement there will be 4 to 5 staff employed in the provision 3 of whom will be new staff employed specifically for this purpose.
31. The proposal would therefore expand the educational facilities of the school, enhance the usability of that part of the site and it would be consistent with the established use of the site.
32. Having regard to the above considerations, the principle of the proposed educational use of the application building can be supported, as the proposal would comply with the provisions of Policy PP20 of the Poole Local Plan and Paragraphs 100 of the NPPF (2024 as amended).

Impact on the character and appearance of the area:

33. Policy PP27 requires that proposals for development should exhibit a good standard of design and complement or enhance Poole's character. Development should adhere to the character and design principles of respecting the setting and character of the site, surrounding area and adjoining buildings of virtue of function, siting, landscaping and amenity space, scale, density, massing, height, design details, materials, and appearance.
34. The proposed replacement extension to the rear of the application building and the covered area would be only glimpsed from Evering Avenue and due its single storey scale would be considered to be subservient to the application building and preserve the character and appearance of the street scene and wider surrounding area.

35. The proposed replaced roof covering of the application property with fibre cement slate would be readily visible from the road, however, it would be in keeping with other examples of roof finishing materials present in vicinity of the application site.
36. The proposed ramp to the front of the application building would be visible from the road however due to its small scale and siting, would appear subservient to the application property and preserve the character and appearance of the street scene and wider surrounding area.
37. The new 2m high security wire fence to the front of the plot with a pedestrian gate would be inset into a site and the one to the sides of the site would be installed next to the existing high hedge growing on the side boundaries of the application site. Due to light construction of this fence and its transparency, it would not appear intrusive in the street scene.
38. The existing vehicle and pedestrian gates to the academy would be inset into the site and the stop barrier would be removed. This would not cause any harm to the character and appearance of the street scene or wider surrounding area.
39. The proposal would, therefore, comply with the provisions of Policy PP27 of the Poole Local Plan.

Impact on the neighbouring amenity:

40. Policy PP27 outlines that development should not result in a harmful impact upon amenity for the local residents or future occupiers in terms of overshadowing, loss of light, loss of privacy, and whether the development is overbearing or oppressive.
41. With regards to residential amenity, the new rear extension would have very similar footprint as the previously existing extension on site and would be erected in the same separation distance from the property at no.73 Evering Avenue. It would be single storey in scale and would have a roof slopping away from this neighbouring property. Moreover, there is a footpath between the application building and the property at No.73. The proposed extension would not therefore cause any harmful shading, loss of light/sunlight, loss of outlook nor appear overbearing for this neighbouring property.
42. Due to siting and scale of the proposed extension and all the other elements of the proposal, it would not cause any material harm to amenities of the other neighbours.
43. Regarding the neighbouring privacy, the proposed extension would be of single storey scale and there is a high hedge growing on the eastern, western and northern boundary of the application site screening most of the views from the application site towards other properties. The neighbouring privacy would be therefore preserved.
44. The BCP Environmental Health Team has been consulted and assessed the proposal concluding that the proposed educational use of the existing building on site by 10 pupils is unlikely to alter the noise that is already established at the academy's site associated with the existing outdoor areas. They requested to impose condition of operating hours of the proposed property between 08:00 to 16:00 Monday to Friday during term time. Use of the building outside these hours or on weekends, Bank Holidays or school holiday periods shall not be allowed.
45. Therefore, subject to aforementioned condition, the scheme is in line with the provision of Policy PP27 of the Poole Local Plan.

#### Impact on parking and highway safety:

46. Policies PP34 and PP35 of the Poole Local Plan give a number of requirements that new development should achieve with regards to highway, pedestrian and other sustainable transport matters. Among other aspects, they seek to ensure a satisfactory means of access and provision for parking, in accordance with adopted standards.
47. The level of car parking provision set within the BCP Parking Standards SPD for a school is based on the number of Full Time Employees (FTE) and in this location it is set out 0.6 per FTE, which would equate to two spaces for the three new employees.
48. No additional car parking is proposed, however, the Manorside Academy has a relatively large car park (and overflow car parking area), and it is considered that this car parking provision would meet the requirements within the BCP Parking Standards. It has been supported by a BCP Transportation Officer.
49. There is no change to the vehicle access arrangement other than the entrance gates being set back into the site and becoming automated, which raises no highway safety concerns.
50. It is therefore considered that the proposal would comply with the provisions of Policies PP34 and PP35 of the Poole Local Plan (November 2018).

#### Impact on trees

51. Policy PP27 of the Poole Local Plan requires development to respond to natural features on the site and not result in the loss of trees that make a significant contribution, either individually or cumulatively, to the character and local climate of the area.
52. There is a maturing Ash tree of importance along the southern boundary of the site with Evering Avenue. This tree provides visual amenity that contributes to the character and climate of the area.
53. The BCP Arboriculturist has been consulted who concluded that there is sufficient area for the storage and mixing of materials, and for the soakaway to the rear of the property and it is unlikely that the proposal will have an undue impact on the health or amenity of the tree.
54. The proposal would therefore be in accordance with the Policy PP27 of the Poole Local Plan (2018).

#### Biodiversity considerations:

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

56. 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 Policy PP33 – biodiversity and geodiversity, sets out policy requirements for the protection and where possible, a net gain in biodiversity.
57. The application site is located close to Bourne Valley Nature Reserve and the BCP Ecologist assessed the proposal requesting informative note to be added to the permission that if bats are found on site during construction works, all works should stop immediately, and an appropriate license should be sought from Natural England. The application also consists of 2 bat boxes – on the norther and southern elevation that would be counted towards biodiversity enhancement.
58. 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 de minimis as there is no more than 25sqm of habitat or 5m of linear habitat impacted by the development.
59. Therefore, the proposal is acceptable and in accordance with the relevant legislation and Policies PP32, PP33 and PP39 of the Poole Local Plan.

#### Waste collection considerations:

60. The proposed development is for commercial use and it would require commercial waste collections. BCP Waste & Recycling Team concluded that the developer can determine the bin size and collection frequency in consultation with their chosen waste collection provider.

#### Sustainability considerations:

61. Policy PP37 of the Poole Local Plan identifies that proposals for new residential and commercial development must contribute to tackling climate change and they would be required to meet the latest Building Regulations, therefore achieving a high level of energy efficiency and sustainability. Furthermore, in line with the provisions of Policy PP37, proposals for commercial development would also be required to meet a 'very good' BREEAM rating.
62. The development is sited in such a way that its layout, orientation and position of windows would ensure the natural light penetrates the teaching rooms and sensory room; however, it does not include any provision of renewable energy sources.
63. The proposal does not include any provision of renewable energy sources. Due to its relatively small scale which only involves replacement rear extension and internal alterations, it would not be financially feasible to deliver renewable energy on site and such a requirement would be overly onerous in proportion to the scale of the proposed scheme. Similarly, for the same reasons, it is considered that the proposal would not be likely to meet the policy required BREEAM rating.
64. Notwithstanding the above, the obvious benefits of delivering an educational use of the application building meeting needs of the existing and future communities, would outweigh the non-compliance with the provisions of Policy PP37.

#### Other considerations:

65. The neighbours raised concerns regarding commencement of works before planning permission was granted. This has been passed to planning enforcement for investigation.

Section 106 Agreement/CIL compliance:

66. The scheme is not CIL or SAMM liable as no residential unit has been created. The site is within proximity of Poole Harbour SPA and Ramsar site; however, the development, due to its small scale, is not likely to cause additional detrimental impacts on features of nature conservation interest requiring avoidance/mitigation contribution under the Nitrogen Reduction in Poole Harbour SPD.

**Planning Balance/Conclusion**

67. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications must be determined in accordance with the development plan for an area, except where material considerations indicate otherwise. The development plan in this case comprises the Poole Local Plan (2018). The proposed scheme does accord with the Development Plan as a whole. It has no materially harmful impact on the visual amenity of the area, residential amenities of the adjoining and nearby properties, subject to appropriate condition, and all other material planning matters discussed within the report above.

68. In view of the above assessment, the proposal is therefore recommended for approval, subject to conditions outlined in the report.

**Recommendation**

69. Grant, subject to the following:

**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:

Drawing no. 0050 P02 Existing Location Plan received 09/02/2026  
Drawing no. 0052 P02 Proposed Location Plan received 09/02/2026  
Drawing no. 0053 P01 Proposed Site Plan received 05/02/2026  
Drawing no. 0126 P01 Proposed Elevations received 05/02/2026  
Drawing no. 0125 P01 Proposed Plans received 05/02/2026

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

3. The use hereby permitted shall operate only during school hours, defined as 08:00 to 16:00 Monday to Friday during term time. No use of the facility shall occur outside these hours or on weekends, Bank Holidays, or school holiday periods.

Reason: To protect residential amenities and in accordance with Policy PP27 of the Poole Local Plan (November 2018).

4. The materials to be used for the external faces of the development shall be as specified on the approved plans.

Reason - To ensure a satisfactory visual relationship of the new development and that existing and in accordance with Policy PP27 of the Poole Local Plan (November 2018).

5. The use of the premises for educational purposes hereby approved shall be limited to a maximum of 10 pupils at any one time within school hours only, defined as 08:00 to 16:00 Monday to Friday during term time.

Reason: To ensure that the intensity of use of the premises remains acceptable and does not result in harm to residential amenity, in accordance with Policy PP27 of the Poole Local Plan (November 2018).

### **Informatives:**

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

2. The development hereby permitted includes work to the existing roof form of the dwelling. The applicant is advised that if bats are found on site during construction works, all works should stop immediately, and an appropriate license should be sought from Natural England. All bats are fully protected under the Wildlife & Countryside Act 1981 (as amended). Section 9 of the act makes it an offence to intentionally kill, injure or disturb a bat and to damage, destroy or obstruct access to any structure that is used by bats for roosting. Under the provisions of the Wildlife & Countryside Act 1981 (as amended) you must consult Natural England, Dorset Hampshire & Isle of Wight Team, Rivers House, Sunrise Business Park, Higher Shaftesbury Rd, Blandford Forum DT11 8ST before proceeding with the development authorised by this notice.
3. 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 provided, 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 conditions of the 'de minimis' exemption, as set out in the Biodiversity Gain Requirements (Exemptions) Regulations 2024. The conditions are that the development does not impact on a priority habitat as specified under Section 41 of the Natural Environment and Rural Communities Act 2006; that the development impacts on less than 25sqm of onsite habitat that has a biodiversity value greater than zero; and that the development impacts on less than 5m of onsite linear habitat.

## **Background Documents:**

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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: Dominika Robbins

Date: 16/04/2026

Agreed by: Katie Herrington

Date: 01/05/2026

Comment: