

Planning Committee

Application Address	41 Shillito Road Poole BH12 2BW
Proposal	Change of use from dwellinghouse (Class C3) to seven bedroom/seven person House in Multiple Occupation (Sui generis)
Application Number	P/26/01781/FUL
Applicant	ModuVie Ltd
Agent	Applecore PDM
Ward and Ward Member(s)	Newtown & Heatherlands Cllr Millie Earl Cllr Marion Le Poidevin Cllr Sandra Mackrow
Report status	Public
Meeting date	11 June 2026
Summary of Recommendation	Grant in accordance with the details set out below
Reason for Referral to Planning Committee	20+ objections have been received from properties located within a 1-mile radius from the site.
Case Officer	Carolyn Goddard
Is the Proposal EIA Development?	No

Description of Proposal

1. Change of use from a dwellinghouse (Class C3), to seven bedroom/seven person House in Multiple Occupation (Sui generis)

Description of Site and Surroundings

2. The existing property is a two storey terrace house finished in red brick with a double height front bay window below a decorative front gable and a slate tiled roof. It is located on the southern side of Shillito Road, within the Parkstone area of Poole. To the front is a boundary wall and piers in red brick which matches the brick finish of the front of the

property. The property is located within a terrace of seven dwellings which have a uniform appearance.

3. Many properties along this side of Shillito Road have informal parking areas at the rear which are accessed through an alley to the west of the terrace, or through Carnegie Close to the south.
4. The character of the area is predominantly residential comprising dwellings in a range of architectural styles and finishes. The site is well located in terms of access to public bus services; it is in close proximity to Ashley Road to the south, providing access to local shops and services.

Relevant Planning History

5. P/26/00618/PNHH - Single storey rear flat roof extension which would extend beyond the rear wall of the original terraced dwelling house by 6 metres, for which the maximum height would be 3 metres and for which the height at the eaves would be 3 metres. Prior approval not required - 23 March 2026.

6. 39 Shillito Road

P/26/00207/FUL - Alterations, loft conversion with rear roof dormer extension and a change of use from a dwelling (C3 Use) to a 7 bedroom HMO (Sui Generis Use) for a maximum occupancy of 7 people, with associated cycle and bin store. Refused 7th April 2026.

- Reasons for refusal:

- *The proposal, due to the provision of substandard communal facilities (kitchen/living room) provided within the proposed building would result in cramped and oppressive living conditions for the prospective occupiers, especially with the bedroom sizes being relatively small and not reasonably meeting the needs of the prospective occupants. Furthermore, the proposed development would be served by a small rear garden, which would not provide a sufficient external, private amenity space for the occupants of the proposed development, resulting in cramped living conditions for the prospective occupiers, contrary to the provisions of Policy PP27 (1)(d) of the Poole local plan.*
- *The proposal, due to its nature, would result in an unacceptable level of noise resulting from the over intensification of the use on site, which would be detrimental to the amenities of the adjacent neighbours, and harmful to the established character of the area, contrary to the provisions of Policy PP27(1) of the Poole Local Plan. The overintensification of the use of the site would also result in a change in the character of the local area.*

7. The development to the rear of the site in Carnegie Close relates to application reference 23740/10 - Erect 5 shop units and 18 flats (in accordance with amended drawings received on 07/11/1988. Approved 1988.

Constraints

8. Poole Harbour Nutrient Catchment Zone.

Public Sector Equalities Duty

9. 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

10. 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.
11. For the purposes of section 40 Natural Environment and Rural Communities Act 2006, in assessing this application, consideration has been given as to any appropriate action to further the “general biodiversity objective”.
12. For the purposes of this application, in accordance with section 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.
13. 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

14. BCP Highways – no objection subject to conditions to secure vehicle and cycle parking.
15. BCP Waste and Recycling - no objection.
16. Dorset Wildlife Trust - no response received.
17. BCP Ecology – no objection.
18. Poole Town Council – no response received.

Representations

19. Site notices were posted outside the site on 29 April 2026 with an expiry date of consultation of 21st May 2026.
20. As of 26 May 2026, 35 representations were received, objecting to the proposal for the following reasons:
- Building works began in April
 - There should be a limit to the number of HMOs in an area
 - Queries how seven people will use one kitchen
 - Rooms are single occupancy but have double beds
 - These are two bedroom family homes
 - Bike store in garden leaves very little amenity space, queries why a bike store is needed
 - Concerns this will lead to twelve residents
 - Concerns there will be two next door to each other
 - High potential for disturbance and anti-social behaviour which will be amplified with additional HMOs
 - There will be 8 HMOs within 100m of each other, on a busy road near to a school
 - Ruining a family community with these HMOs
 - Overdevelopment of the site
 - Child safety concerns
 - Single people should live elsewhere in flats, not in these family houses within a quite, family oriented area
 - The previous application was underhand and untransparent and people did not realise what the proposal was for
 - Concerns over activity, noise, visitors, refuse, deliveries, and general coming and going at different times of day and night in a close knit neighbourhood
 - Increased occupancy levels, refuse storage, additional vehicles, and external alterations associated with the HMO would create a visual and environmental impact that is out of keeping with the surrounding properties
 - Concerns over property prices and overconcentration
 - There will be significant traffic and parking issues, they will have cars
 - Pressure on local infrastructure and services with so many new people to the area
 - The area is not that sustainable and people need cars because trains and buses are not sufficient
 - HMOs in the area are highly transient because they are of such poor quality
 - How can a two bedroom property provide a high standard of living for seven people
 - Over intensification of the site that has and will continue to disrupt the lives of local residents
 - Only benefits are for developers.
21. The Society for Poole object to the proposal on the grounds of pressure on infrastructure and services and detrimental increase in population in an overpopulated area.
22. Officer comment: The behaviour of future occupants, house prices and any financial benefit to the developer are not planning matters and cannot be taken into consideration in the assessment of this application.

Key Issue(s)

23. The key issues involved with this proposal are:

- Presumption in favour of sustainable development
- Principle of development
- Impacts on the character and appearance of the area
- Impacts on neighbouring amenity
- Impacts on living conditions of future residents
- Impacts on highways and parking
- Biodiversity and Biodiversity Net Gain
- Sustainability considerations
- Waste collection considerations
- Heathlands, Poole Harbour and CIL contributions

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

Policy Context

25. 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.

26. These include specifically the following policies:

Poole Local Plan (Adopted 2018)

- PP01 Presumption in favour of sustainable development
- PP02 Amount and broad location of development
- PP08 Type and mix of housing
- PP27 Design
- PP28 Flats and plot severance
- 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
- PP39 Delivering Poole's infrastructure

Local documents

- BCP Parking Standards SPD (adopted January 2021)
- The Dorset Heathlands Planning Framework 2020-2025 SPD (Adopted March 2020)
- Nitrogen reduction in Poole Harbour SPD
- Poole Harbour Recreation 2019-2024 SPD

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

- Including in particular the following:
- Section 2 - Achieving sustainable development
- Section 11 - Making effective use of land
- Section 12 - Achieving well designed places

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 strong 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, 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.”

Planning Assessment

Presumption in favour of sustainable development

27. 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.
28. 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.
29. 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.
30. As of 9 February 2026, BCP Council can demonstrate a 2.55 year housing land supply against the required five year supply, which includes a 20% buffer. Consequently, in accordance with paragraph 11 of the NPPF, the relevant housing policies are considered out of date, as the local planning authority is unable to evidence a five year supply of deliverable housing sites.
31. The existing property is laid out as a 2 bedroom single dwelling (Use Class C3). There is no mechanism to secure the number of bedrooms of the existing dwelling. Under permitted

development rights afforded to the single dwelling, the use can be changed to a small HMO for a maximum of 6 people (Use Class C4) without the need for planning permission. Accordingly, the proposal results in the increase of one additional single occupancy bedroom, equivalent to one additional self-contained flat.

32. The proposed HMO is likely to be a more affordable type of housing that would provide greater choice and meet the needs of those people who might otherwise be unable to afford to rent or purchase a flat or house, whilst making an efficient use of the site and contributing towards the council's housing targets. 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.

Principle of development

33. The Poole Local Plan sets out a spatial planning framework to meet objectively assessed needs to 2033. In accordance with Policy PP01, the Council will take a positive approach when considering development proposals that reflects the presumption in favour of sustainable development contained in the NPPF. In terms of meeting housing needs, a strategic objective of the Poole Local Plan is to deliver a wide range and mix of homes in the most sustainable locations. Policy PP2 identifies the amount and broad locations of development and states that the majority of new housing will be directed to the most accessible locations within Poole, these being the town centre, district and local centres and locations close to the sustainable transport corridors.
34. The site is within a sustainable location (Zone B), with access to shops, services and public transport. As outlined by Policy PP2, the district centres play an important supporting role to the town centre, providing some of the essential services and facilities within convenient walking and cycling distance of each local community. A sustainable transport corridor is defined by the Poole Local Plan as being 400 metres either side of a road capable of extending service provision by the end of the plan period to four buses per hour (each way) or within 500 metres radius of a railway station. The intention of this policy is that within these areas the majority of higher density development will place a greater number of people within close walking distance of public transport and a range of services/facilities as a convenient alternative to use of the car.
35. This approach is reinforced by Policy PP34 which also states that new development will be directed to the most accessible locations which are capable of meeting a range of local needs and will help to reduce the need for travel, reduce emissions and benefit air quality, whilst PP35 also states that proposals for new development will be required to maximise the use of sustainable forms of travel. Significant weight therefore must be applied to the provision of additional residential accommodation which meets these policy objectives.
36. In this instance, the proposal represents a form of development located within the sustainable transport corridor as identified by Policy PP2 and indicated on the Proposals Map, being in a sustainable location close to the local services and facilities and with access to the public transport service stops (bus stations) along Ashley Road. As such, the proposed development to create additional accommodation is acceptable in this sustainable location where residential development is supported in accordance with the provisions of Policies PP2, PP34 and PP35. The principle of the development is therefore considered acceptable and is appropriate in this location.
37. Additionally, Policy PP8 states that "As a mix of all housing types and sizes are needed in Poole and in order to provide flexibility, . . . the Council does not prescribe a particular

housing mix development should follow. The mix will be considered on a case-by-case basis and will be dependent upon the context of the site and any other issues such as viability”.

38. The Poole Local Plan (November 2018) does not contain any specific planning policies relating to HMOs nor is there an Article 4 direction in place restricting the number of HMOs in the area. Moreover, HMOs are considered to provide a much-needed form of residential accommodation and tenure. The application would therefore contribute to the wide range of homes and mix of tenure in accordance with Policy PP8, as well as contribute to meeting the Council’s housing shortfall.

Impacts on the character and appearance of the area

39. Policy PP27 of the Poole Local Plan seeks to ensure that development exhibits a high standard of design that will complement or enhance Poole's character and local distinctiveness by respecting the setting and character of the site, surrounding area and adjoining buildings by virtue of function, siting, landscaping and amenity space, scale, massing, height, design details, materials and appearance.
40. The subject property is located on the south side of Shillito Road and backs onto a parking courtyard and a terrace of dwellings at Carnegie Close, which lies adjacent to the rear of the shops and services along Ashley Road to the south of the site. The property is located centrally within a terrace of seven dwellings which have a uniform appearance.
41. The proposal involves extending the property at roof level to create habitable rooms within the roof space, and the erection of a single storey rear extension to facilitate a change of use to a 7 bed HMO. It is proposed to erect a full width dormer to the main roof slope together with a roof extension on top of the dwelling’s protruding back addition. The proposed dormer and extension on top of the back addition would have flat roofs, be set above eaves level but would not project above the main ridge height. The proposed roof extension would not be visible from Shillito Road and as such the proposal would preserve the character and appearance of the street scene.
42. Due to their scale and location, the proposed dormer and roof extension would be clearly visible in public views in Carnegie Close at the rear and would stand out within the terrace which is otherwise unaltered at roof level. However, it is recognised that the proposed rear dormer and roof extension can be built within permitted development rights attributed to the property as a single dwelling. The proposed extensions would also be similar to the roof extension at 55 Shillito Road to the west of the site for which no records exist, presumably built as permitted development.
43. The proposal would also implement the previously approved larger single home extension ref: P/26/00618/PNHH for a single storey rear extension spanning six metres off the back wall. The proposal indicates that this would be carried out under permitted development regulations prior to the change of use from a C3 dwellinghouse to a C4 HMO so there is no objection to this element which would also be built within permitted development rights attributed to the property as a single dwelling.
44. Given the design and scale of the extensions, the proposal would not result in significant harm to the character or appearance of the area. Accordingly, having regard to the fallback position and in a context of varied roofscapes behind a consistent frontage, the overall character and appearance of the building and its contribution to the street scene would not be significantly altered and would overall continue to reflect local characteristics.

45. With regard to the change of use from a residential dwelling to an HMO, it is acknowledged that permitted development allows for a change of use from a residential dwelling (Class C3) to a small HMO (Class C4) for a maximum of 6 people. The intensification to be assessed in this instance therefore relates to one additional single bedroom that would be created over and above the permitted development rights for the dwelling. The change of use to a large HMO (Sui Generis) for 7 single bedrooms would increase the comings and goings of the dwelling and increase the waste storage and cycle provision required. However, that intensification is only marginally increased by one additional bedroom, such that it is not considered that the intensification of the occupation of the property would have a detrimental effect upon the character and appearance of the area.
46. With regard to the outbuilding proposed for cycle storage, this would be a single storey building erected within the rear garden adjacent to the eastern side boundary. It would be within a building of 4.4 x 3.7 metres with a shallow single pitch roof. The building would be fairly large in relation to the scale of the rear garden though would meet the requirements of the relevant policies and be akin to the outbuildings present in the rear gardens of other properties in the terrace. Therefore, it would not result in any detrimental impacts on the character and appearance of the area. The location for bin storage would be to the rear of the curtilage near to the proposed parking space however there is no bin store building proposed.
47. The proposed waste storage within the site would not result in a disproportionate demand for space and would not result in a cramped appearance. The residential use of the site would be maintained and as such, the proposed use of the building as 7 bed HMO with associated domestic paraphernalia would not cause adverse harm to the character and appearance of the area in accordance with Policy PP27 of the Poole Local Plan (2018).
48. For these reasons, it is concluded that the proposal would not have a harmful effect on the character and appearance of the property and local area and would accord with Policy PP27 of the Poole Local Plan 2018.

Impact on neighbouring amenity

49. Poole Local Plan Policy PP27 expects that all forthcoming developments are required to have a good standard of design. Sub section C of the policy requires proposals to be compatible with the surrounding uses and should not prejudice and result in a harmful impact on neighbouring residential amenity when considering levels of sunlight/daylight, privacy, noise and whether the development is overbearing or oppressive.
50. In terms of the change of use, the proposal would result in a 7 bedroom HMO on the site. As stated above, permitted development allows a change of the use of the house to a 6 person HMO and therefore the assessment in this instance relates to the impact of one additional single bedroom/person living at the property. This intensification is minor and would not have a materially detrimental impact upon the living conditions of occupants of neighbouring properties in terms of noise or disturbance.
51. The proposed dormer and extension on top of the back of the roof would not have any impact upon neighbouring properties across the road to the north, to the rear or to No 39 Shillito Road to the east. The proposed dormer and roof extension would not project beyond the rear or side elevations (respectively) and would not have an overbearing or oppressive impact upon the occupants of No 43 Shillito Road which adjoins the subject property on the western boundary, as they would be set a sufficient distance from the main sitting out area to this garden. These elements would be visible from a bedroom to the rear of number 43

Shillito Road which is recessed into the built form, however, would not cause significant harm to this neighbour. It is also recognised that the proposed rear dormer and roof extension can be built within permitted development rights attributed to the property as a single dwelling.

52. In terms of privacy, two windows are proposed to the dormer, both of which would face out over the rear of the dwelling and back garden and would serve the proposed bedroom 6 to the rear of the dormer and its proposed en-suite. There would therefore be no impacts on neighbouring privacy as the proposed outlook would be as existing and would face out over the rear. There may be some views of the neighbouring gardens however the dwelling lies within a residential area and therefore mutual overlooking between gardens is common and it is considered that this window would not significantly increase the level of overlooking over and above the relationship that already exists to a harmful level.
53. The outbuilding to the rear garden would consist of a cycle store and there would also be space for bin storage. The cycle store would be single storey and modest in height and scale, with an outlook over the curtilage of the dwelling at single storey level and would not result in any detrimental impacts on neighbouring amenity.
54. It is therefore overall considered that based on the design, scale, bulk of the proposal, and the orientation of the neighbouring buildings, the proposed development would not have an adverse effect on the living conditions of the neighbouring occupiers.
55. The proposal would therefore accord with Policy PP27 of the Poole Local Plan, which supports new development where it would not result in a harmful impact upon amenity in terms of being overbearing or oppressive for neighbouring residents.

Impacts on living conditions of future occupiers

56. The proposed HMO would have 7 bedrooms over three floors; each of with en-suite facilities. The submitted details show that all rooms would be single occupancy to accommodate seven people.
57. Each occupant would have access to appropriate bathroom facilities, with all bedrooms having an en-suite bathroom. The property would also feature a kitchen with 1 x kitchen sink with a draining board and a dish washer, 2 x ovens and hobs and 2 x fridge freezers to ensure adequate provision for all residents. When measuring the layout of the kitchen, there would be sufficient counter space to meet the requirements for seven people in order to comply with BCP Council's Amenity Standards for HMOs requirements. The kitchen leads onto a communal living area; together the kitchen and living area would be 27sqm which would be sufficient in scale for seven people.
58. The accommodation on the ground floor would comprise two bedrooms, each with a small en-suite, and the kitchen and communal space with access to the garden through a side door. The proposed first floor would have three bedrooms with ensuite facilities and second floor with two bedrooms, both also with en-suites, and an additional bathroom to the first floor. All bedrooms would have sufficient outlook from new or existing windows; the proposed rear bedroom within the roof space would have light and outlook from the proposed dormer window whilst the bedroom at the front would have light and outlook from two rooflights, positioned 1.5 metres from floor level. Whilst this outlook would be mainly to the sky, in a recent appeal decision (ref: 6002858) at 10 Sopers Lane, the Planning Inspector considered that outlook from a bedroom served solely by a rooflight would provide acceptable living conditions for future occupiers with particular regard to light and outlook.

59. The occupiers of each of the rooms would have access to the communal lounge and kitchen, as well as to a private garden of a sufficient size. Taking all the above factors into account, having regard to the level of occupation, together with the overall size and configuration of the building, the proposal is considered to provide a reasonable standard of accommodation for seven occupiers that would not result in unduly oppressive and restrictive living space for occupants of the HMO. The proposal would therefore comply with BCP's Amenity Standard Requirements for Shared House HMOs document, and Policy PP27 of the Poole Local Plan 2018, which requires satisfactory internal amenity conditions for new occupiers.

Impact on highways and parking

60. The site is located within a sustainable location (Zone B), close to the Ashley Road local centre, with good access to shops, services and public transport. BCP Highways were consulted on the application and noted that the proposal would utilise the existing rear access and parking area. The proposed car parking would meet Parking Standards SPD (2021) guidelines of one parking space per HMO, which will be conditioned to ensure that the parking remains unallocated and available for all residents and visitors.
61. BCP Highways considered that sufficient secure and covered cycle parking would also be provided to meet guidelines, with capacity for one cycle per bedroom (to total seven spaces), which would also have been secured by condition.
62. It is therefore overall considered that the proposal would be unlikely to give rise to significant highway safety concerns and would comply with Policy PP35 as well as the BCP Parking Standards SPD. The proposal is therefore supported on highway grounds subject to conditions to secure vehicle and cycle parking.

Biodiversity and Biodiversity Net Gain

63. 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 of, and where possible, a net gain in biodiversity.
64. BCP Ecology raise no objection to the proposal, subject to an informative to cease works if bats are found.
65. In addition, a 10% biodiversity net gain (BNG) is required as per the Environment Act 2021 though exemptions apply. The application form states that the proposal is a change of use and would be de minimis as the development would not affect 25 square metres of on-site habitat or 5 metres of on-site linear habitats. A de minimis exemption statement has been submitted in support which states that the development does not impact an onsite priority habitat and that the proposed extension, which can be built as permitted development (akin to householder development which are also exempt from BNG) would have a footprint of less than 25 square metres. It states that "These works can be undertaken regardless of the outcome of the proposed development and therefore are considered exempt for the same reason."
66. The footprint of the rear extension would be 19.5 square metres and the footprint of the cycle store would be 16.7 square metres which together would exceed 25 square metres,

however, as the extension is to be built as permitted development and this application is for the change of use and cycle store only it is accepted that the proposal is below the threshold and would not affect 25 square metres of on-site habitat or 5 metres of on-site linear habitats.

67. Therefore, the proposal qualifies for exemption from BNG as it de minimis as per the criteria.

Sustainability considerations

68. Being an existing building, it would be more challenging to deliver an energy efficient and sustainable development in accordance with the requirements of the latest Building Regulations. Moreso, the habitable rooms set within the ground and upper floors would have access to sufficient daylight & sunlight via the existing and new windows (on the proposed dormers), which is considered to provide enough access to natural light and therefore reducing the need to use artificial light which support the aims of Policy PP37 of Poole Local Plan.

Waste collection considerations

69. 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.
70. The proposal relates to an existing building currently being used as residential with associated amenities within the site.
71. Having been consulted, BCP Waste Authority raise no objection and advise that if the HMO generates more waste than the standard and additional allowance, the landlord/managing agent must either arrange for the removal of the waste themselves or pay a registered waste carrier to do so.

Heathlands, Poole Harbour and CIL compliance

72. The site is within 5km of a designated Dorset Heathlands SPA (Special Protection Area) and Ramsar Site, and part of the Dorset Heaths candidate SAC (Special Area of Conservation) which covers the whole of Bournemouth. As such, the determination of any application for an additional dwelling(s) resulting in increased population and domestic animals should be undertaken with regard to the requirements of the Habitat Regulations 1994. It is considered that an appropriate assessment could not clearly demonstrate that there would not be an adverse effect on the integrity of the sites, particularly its effect upon bird and reptile habitats within the SSSI. 105.
73. Therefore, as of 17th January 2007 all applications received for additional residential accommodation within the borough is subject to a financial contribution towards mitigation measures towards the designated sites. A capital contribution is therefore required and in this instance is £ £2,082, plus a £104 administration fee as per April 2026 rates. A legal agreement has been processed by the Council at the time of writing this report although needs to be finalised prior issuing a final decision.

74. In the Poole area, planning applications for residential development will have to avoid adverse effects on the integrity of Poole Harbour caused by the disturbance to protect birds. To mitigate the impact of additional visitors to the harbour we will seek contributions towards Strategic Access Management and Monitoring (SAMM) in accordance with the Poole Harbour Recreation SPD
75. Therefore, as of 17th January 2007 all applications received for additional residential accommodation within the borough is subject to a financial contribution towards mitigation measures towards the designated sites. A capital contribution is therefore required and in this instance is £743 plus a £37 administration fee as per April 2026 rates. A legal agreement has been processed by the Council at the time of writing this report although needs to be finalised prior issuing a final decision.

Nutrient Pollution in the Poole Harbour Catchment

76. The majority of nitrogen entering Poole Harbour is generated from agriculture, such as from nitrogen fertilisers and livestock manure. However, evidence gathered by Natural England and the Environment Agency indicates that a proportion of nitrogen pollution is generated from residential development within the Harbour's catchment via the discharge of treated wastewater effluent which has an adverse impact on the harbour's integrity as a habitat site.
77. Poole Harbour is an outstanding natural harbour that is designated a Site of Special Scientific Interest (SSSI), Special Protection Area (SPA) and Ramsar site for its nature conservation importance.
78. Scientific evidence has shown that high levels of nitrogen (nitrates) in the harbour, through a process known as eutrophication, is encouraging the growth of algal mats which have become widespread across the Harbour. These algal mats in turn degrade the Harbour's habitat by restricting the growth, distribution and variety of important food (invertebrates) that is available for wading birds that are protected under European law and smothering estuarine habitats.
79. An appropriate assessment must be undertaken to ensure there is no reasonable scientific doubt as to the effects of the proposal, in combination with other developments on Poole Harbour SPA & Ramsar. Natural England advise that all new residential developments within the catchment should achieve 'nutrient neutrality'. If they do not, then additional nitrate loads could enter the water environment causing significant adverse effects.
80. The applicant has submitted a copy of the Natural England approved calculation of nitrate load from the development into the Poole Harbour SPA & Ramsar, and this is considered to be correct. This demonstrates that the total annual nitrogen load to be mitigated is 0.78 TN per year. The applicant would need to provide credits for the required nitrate load to offset the impacts of the development.
81. There would be a Likely Significant Effect from the proposed development and in the absence of mitigation, it would not be possible to conclude that there would not be an adverse effect on the integrity of the Poole Harbour SPA & Ramsar. However, taking this into account, subject to a Grampian condition requiring the purchase of the required credits it is considered that the proposal would successfully mitigate the harm that would be caused by the increase of nitrate load from the development into the Poole Harbour SPA & Ramsar

and therefore is compliant with Policy PP32 Poole's nationally, European and internally important sites of the Poole Local Plan.

82. A separate Appropriate Assessment accompanies this planning decision.
83. This scheme is also liable for CIL contributions which will become due upon commencement of development.

Planning Balance / Conclusion

1. The Council cannot currently demonstrate a supply of suitable sites for housing. Furthermore, the results of the latest housing delivery test, published December 2024, confirm that an insufficient number of homes have been built in the Poole area over recent years. As a result of the shortfall, policies related to the location and supply of housing are deemed to be out of date. In such circumstances, Paragraph 11d and Footnote 8 of the NPPF apply and require that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the framework as a whole.
2. In this instance, the benefits of the proposal include the provision of one smaller unit of residential accommodation that would assist in meeting needs in the area, support for local facilities, and the creation of jobs during the construction phase.
3. The proposed development lies within a Sustainable Transport Corridor (STC), where Policy PP2 of the Local Plan says that concentrating higher density housing development will provide a focus for investment in infrastructure, such as bus services, cycling and walking facilities, enabling residents to access key facilities and services without needing to travel by car.
4. The proposal would contribute to the Framework's aim of significantly boosting the supply of homes. Although it would only deliver 7 self-contained units of accommodation, Paragraph 70 of the NPPF says that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built out relatively quickly. It goes on to say that great weight should be given to the benefits of using suitable sites within existing settlements for homes.
5. The proposal would also align with the Framework's aim to make effective use of land. Paragraph 124d) says planning decisions should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained.
6. There would be economic benefits arising from the ongoing spend of future occupants in the local area. These benefits would contribute to the Framework's aim to build a strong, competitive economy. The small scale of the scheme means, however, that these benefits would be limited, so they carry little weight.
7. In the light of the acknowledged shortfall in housing land supply, the benefit of making more effective use of the site to provide an additional 7 bedrooms of accommodation in an urban location near to sustainable transport routes carries significant weight. The proposal is therefore considered acceptable in principle, and in addition, would not result in harm to the character and appearance of the area, neighbouring amenity, or highway safety. The proposal would result in acceptable living conditions for future residents and would result in

acceptable impacts on biodiversity and sustainability grounds. The proposal would accord with the policies within the development plan and is therefore granted subject to conditions.

Recommendation

8. To Grant Planning Permission subject to;

- a) The satisfactory completion of a Legal Agreement necessary to secure the mitigation of the impact of the proposed residential development on Heathlands SAMMs and Poole Harbour Recreation SAMMs by securing the payment of financial contributions and conditions (below), AND
 - i. Financial contribution of £2,082, plus a £104 administration fee towards Heathlands Mitigation.
 - ii. Financial contribution of £743 plus a £37 administration fee towards Poole Harbour Recreation SAMMs
- b) That delegated authority be granted to the Head of Planning Operations to add/amend conditions where necessary, AND
- c) That delegated authority be granted to the Head of Planning Operations to refuse planning permission if a Legal Agreement has not been satisfactorily completed within three months of the date of this resolution, AND along with 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:
 - Block Plan
 - Location Plan
 - Cycle Store Layout & Elevations
 - PG.1172.5 - 03 D Proposed Floor and Roof Plans, Elevations & Section PlanReason: For the avoidance of doubt and in the interests of proper planning.
3. The use hereby permitted shall not be occupied by any more than 7 persons at one time.
Reason: In the interest of the quality of living accommodation provided in accordance with Policy PP27 of the Poole Local Plan 2018.
4. The car parking area to the rear of the site, as shown on the approved plan, shall be used for visitor parking and loading purposes only and shall be kept clear and always remain available for those purposes thereafter. At no time shall the parking area be used for general residents parking associated with the approved development.

Reason: In the interests of highway safety in accordance with Policy PP35 of the Poole Local Plan 2018.

5. No part of the development hereby permitted shall be occupied unless the bicycle parking facilities shown on the approved plans have first been fully constructed and laid out in accordance with the specification as set out in the approved plan. Thereafter, the approved bicycle parking facilities shall at all times be retained, kept available for use as bicycle parking and maintained in a manner such that the facilities shall at all times remain so available.

Reason: To secure the provision of a secure bicycle store and access which is safe to use and to help promote alternative sustainable means of transport in relation to the development in accordance with Policy PP35 of the Poole Local Plan 2018.

6. Prior to the property being brought into sui generis use, a management plan shall be submitted to and approved in writing by the Local Planning Authority. The management plan must include full details of the management company (or equivalent) responsible for overseeing the operation of the property, including clear contact information for residents to raise any concerns relating to the use of the premises, particularly in respect of noise. The approved management plan shall be implemented in full, prior to the property being brought into sui generis use, kept up to date as necessary, and retained for the lifetime of the development.

Reason - To preserve neighbouring amenities and in accordance with Policy PP27 of the adopted Poole Local Plan (November 2018).

7. Prior to the commencement of any development hereby approved the necessary nutrient mitigation credits to mitigate the impacts of the development on the Poole Harbour SPA and Ramsar must have been secured from an accredited nutrient provider. A copy of the Nutrient Credit Certificate demonstrating that purchase must have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that sufficient mitigation is provided against any impact which may arise from the development on the Poole Harbour SPA and Ramsar.

8. Prior to the occupation of the development hereby approved, details of all biodiversity enhancement measures shall have first been submitted to and approved in writing by the local planning authority. The full details shall in particular include technical specifications, the number, location and siting of:
 - (i) a minimum of 2 bird and bat boxes to be built into the development; and
 - (ii) a minimum of 2 swift bricks and bee bricks (or reasonable equivalent) to be built into external elevations.

No part of the development shall be occupied or otherwise brought into use unless the approved enhancements have been fully provided as approved and thereafter those mitigations and enhancements shall at all times be retained and maintained in such a condition as to enable them to continue to fully function for their intended purposes.

Reason: To ensure clarity on the extent of identified required biodiversity measures and in the interest of helping conserve and enhance the biodiversity and habitats in the locality, and in accordance with Poole Plan Policy PP33.

Informatives

1. The applicant should note and inform future residents of the approved scheme that they may be excluded by the Council from being able to purchase onstreet residents parking permits or visitors parking permits in the locality of the site. This is to encourage the use of sustainable modes of travel amongst future residents in line with Council aims to promote sustainable travel.

2. 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.

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.

4. The necessary contributions towards SAMM arising from the proposed development have been secured by a legal agreement and have been received.

5. This application is subject to a project level Appropriate Assessment in accordance with the Conservation of Habitats and Species Regulations 2017, concluding that the likely significant

effects arising from the development can be mitigated and have been mitigated ensuring there would not be an adverse effect on the identified designated sites of Nature Conservation Interest.

Background Documents:

P/26/01781/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: Carolyn Goddard

Date: 26 May 2026

Agreed by: Katie Herrington

Date: 28/05/2026

Comment: