

Borough of Poole



Planning Committee

List of Planning Applications

19 October, 2017

BOROUGH OF POOLE

Planning Committee

DATE: 19 October 2017 at 13.00

NOTES:

1. Items may be taken out of order and therefore no certain advice can be provided about the time at which any item may be considered.
2. Applications can be determined in any manner notwithstanding the recommendation being made.
3. Councillors who are not members of the Planning Committee but who wish to attend to make comments on any application on this list or accompanying agenda are required to give notice by informing the chairman or Planning and Regeneration Manager before the meeting.
4. Councillors who are interested in the detail of any matter to be considered should consult the files with the relevant officers to avoid queries at the meeting.
5. Any members of the public wishing to make late additional representations should do so in writing or by contacting their Ward Councillors prior to the meeting.
6. Letters of representation referred to in these reports together with any other background papers may be inspected at any time prior to the Meeting and these papers will be available at the Meeting.
7. For the purposes of the Local Government (Access to Information) Act 1985, unless otherwise stated against a particular report, "background papers" in accordance with section 100D will always include the case officer's written report and any letters or memoranda of representation received (including correspondence from all internal Borough Council Service Units).
8. Councillors are advised that if they wish to refer to specific drawings/plans which are not part of these papers to contact the relevant case officer at least 24 hours before the meeting to ensure these can be made available.
9. Members are advised that, in order to reduce the size of the agenda, where conditions are marked on the plans list as Standard these will no longer be reported in full. The full wording of the condition can be found either in hard copy in the Members rooms, or via the following link on the Loop
<http://bopwss3/sus/ww/Shared%20Documents/Standard%20Conditions.doc>

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ITEM NO	01
APPLICATION NO.	APP/16/01869/P
APPLICATION TYPE	Outline
SITE ADDRESS	109 Commercial Road, Poole, BH14 0JD
PROPOSALS	Outline application to partially demolish, rebuild and refurbish No.109 Commercial Road; demolish existing building at No.109a Commercial Road and erect a replacement building to form a retail unit and 9 flats with cycle and refuse stores (Amended plans received 10/08/2017)
REGISTERED APPLICANT AGENT	4 January, 2017 Mr Shukla Sibbett Gregory
WARD	Parkstone
CONSERVATION AREA	Ashley Cross
CASE OFFICER	Steve Llewellyn

INTRODUCTION

This application is brought before committee at the request of Councillor Mrs. Stribley because of the issues of parking; servicing; and access arrangements associated with the proposed development.

Recommendation for **Refuse**

THE PROPOSAL

Outline application to partially demolish, rebuild and refurbish No.109 Commercial Road; demolish existing building at No.109a Commercial Road and erect a replacement building to form a retail unit and 9 flats with cycle and refuse stores.

MAIN ISSUES

The principal issues for consideration in this case relate to:

- Principle of Development – Compliance with Policy PCS5 and Policy DM3
- Provision of a 5 Year Housing Land Supply
- Impact on Street Scene and Conservation Area
- Highway and Parking Issues
- Impact on Residential Amenity
- Affordable Housing Provision
- Flood Risk

- Air Quality Issues
- Impact on Protected Species
- Sustainability Issues
- CIL Compliance

SITE DESCRIPTION

The site is located on the north eastern side of Commercial Road within the Ashley Cross Conservation Area and forms part of the Commercial and Retail Frontage of the Ashley Cross Local Centre. The site is occupied by a two storey building that fronts onto Commercial Road and that is occupied by a Spar convenience store on the ground floor with a manager's flat and store rooms above at the first floor level. This frontage building extends over 20 metres into the depth of the site and has a hipped roof form over the initial frontage section of the building with a flat roof behind along the majority of the depth of the building with parapet upstands to the side elevations. This building is finished in brick (partially painted) and slate tiles to the roof.

To the rear of the frontage building is a detached, two-storey residential dwelling that is set within the rear section of the site which appears to be an original structure. This property has a pitched roof form with a subservient element at its south eastern end that has a lower eaves and ridge height. This property is finished in render with a slate tiled roof.

The site has vehicular access from Commercial Road that runs along the south western side of the building in the gap to No.107 Commercial Road and which accesses the rear of the site and leads to a car port structure that is located immediately adjacent to the rear boundary but outside of the site. There is no turning available on site.

The frontage building is attached to the neighbouring two-storey, semi-detached property to the north east (No.111 Commercial Road) that is a locally listed building, while to the south west are also a pair of semi-detached properties (Nos.105 and 107/107a Commercial Road). To the rear of the properties at Nos.101-107 Commercial Road is a hard surfaced yard area that was previously used for MOT testing and is now being used for open parking and which adjoins the south western boundary of the site. Until recently there was a 2 metre high block wall around the perimeter of this adjacent site abutting Old Coach Mews. To the north west of the site, is the residential development of Old Coach Mews and a turning head within that development that in time is intended to provide a turning head for a new service road off Chalice Close to improve servicing to the retail/commercial premises fronting Commercial Road.

RELEVANT PLANNING HISTORY

Application Site

No previous relevant planning history.

Nos.97 - 99 Commercial Road

2000: Erect 22 dwellings (12 houses and 10 flats) and a shop with associated parking and new access road (now known as Old Coach Mews). **Approved with Section 106 Agreement** (APP/99/11091/020/F).

Land Rear of Nos.95 - 97 Commercial Road

2011: Demolition of garage/store to rear of 95 Commercial Road and erection of 2-storey block of 2no flats and 1 house, and replacement single storey store. **Refused** (APP/11/00747/F). This application was refused for the following reasons:

- Proposal would lead to sub-standard delivery and rear servicing arrangements to Nos.97-99 Commercial Road resulting in vehicles associated with these units loading and unloading from Commercial Road to the detriment of highway safety;
- The proposal would result in a significant parking shortfall due to a loss of parking and increase in the number of residential units that would lead to vehicles parking in surrounding roads and/or the public car park and drivers trawling the area looking for parking spaces. This would be prejudicial to highway safety and the free flow of traffic on surrounding roads;
- The proposal would prejudice the implementation of the Commercial Road/Chalice Close rear service road highway improvement scheme; and
- The proposal constitutes an overdevelopment of the site with little private amenity space or setting offered to the buildings and resultant overlooking.

2014: Redevelopment of land to the rear of 95-99 Commercial Road to demolish a garage/store and erection of 2no 2-storey dwellings and replacement single-storey store. **Refused** and subsequently **dismissed at appeal** (APP/13/01257/F). This application was refused for the following reasons:

- The proposal would lead to a loss of existing parking spaces without mitigation resulting in haphazard on-street parking and drivers trawling the surrounding roads that would be prejudicial to highway safety;
- The proposal would compromise the implementation of the Commercial Road/Chalice Close rear service road highway improvement scheme;
- The proposal could prejudice rear servicing arrangements to the Commercial Road properties; and
- The proposal represents an overdevelopment of the site by reason of its design, plot sizes and lack of reasonable residential amenity and therefore fails to enhance the character and appearance of the Conservation Area.

2014 - Demolish store/garage and lean-to to rear of 95 Commercial Road and erect single storey side extension and 3 storey rear extension to form 3 flats and class A1 shop extension. **Refused** (APP/14/01368/F). This application was refused for the following reasons:

- The proposals would by virtue of their plot coverage, design, massing and proximity to neighbours result in an unsympathetic development which would not enhance or preserve the character and appearance of the street scene and Ashley Cross Conservation Area;
- The proposals due to their proximity and massing would result in a dominant and oppressive impact and give rise to overshadowing to the detriment of neighbour amenity;
- The proposal would result in a loss of existing parking spaces and displacement of the existing parking needs without mitigation and fail to provide adequate parking provision to serve the development. This would perpetuate and exacerbate existing vehicle parking impacts in the area and result in inconvenient parking and drivers trawling the surrounding roads that would be prejudicial to highway and pedestrian safety;

- The lack of parking provision for the proposed units and reduced parking provision for existing units would result in vehicles utilising the adjacent turning head for parking that would compromise the manoeuvrability of commercial and refuse vehicles within the turning head thereby prejudicing highway safety and the effectiveness of the Council's long term proposal to deliver an efficient rear servicing facility for premises fronting Commercial Road.

2016: Demolition of garage/store and lean-to to rear of 95 commercial road and erection of single storey side extension and 2 storey rear extension to form 2 flats and class A1 shop extension. **Approved** (APP/15/00168/F).

2017: Demolition of existing lean to and garage store; erect a new single storey extension to existing shop; erect a 3 storey extension, comprising 6no. 1 bedroom flats and extensions to existing flat Nos.11 & 17 Old Coach Mews, with associated access, cycle and bin stores.

Refused (APP/17/00401/F). This application was refused for the following reasons:

- The proposed development by virtue of its plot coverage, massing, design and relationship with neighbouring sites would result in overdevelopment of the plot and would fail to preserve or enhance the character and appearance of the street scene and Conservation Area;
- The proposals due to their plot coverage, massing and relationship to neighbouring sites would result in a dominant and oppressive impact and give rise to overshadowing and overlooking to the detriment of neighbour amenity;
- The proposal would fail to provide sufficient parking for the proposed and result in the loss of existing parking and displacement of existing parking needs that would result in inconsiderate parking and drivers trawling the surrounding roads that would be prejudicial to highway safety;
- The lack of parking provision would lead to drivers parking inconsiderately and taking short term parking risks within the proposed rear service road and turning head compromising the movement of large commercial vehicles and the effectiveness of the Council's long term proposal to deliver an efficient rear servicing facility for premises fronting Commercial Road.
- The lack of parking provision would increase parking demands within the Ashley Cross Local Centre area, including within the Commercial Road Public Car Park thereby affecting the availability of parking for visitors to the Local Centre and impacting upon the viability, success and function of the Local Centre.
- The proposal fails to make a financial contribution towards the Strategic Access Management and Monitoring (SAMM).

No.103 Commercial Road and Land Rear of No.105 Commercial Road

2015: Outline planning application for the demolition of the existing building and erection of a replacement building containing A3/A4 use on the ground floor with 4 self-contained flats above and a terrace of 4 dwellings at the rear with associated access, cycle and bin stores.

Refused (APP/15/00610/P). This application was refused for the following reasons:

- Inadequate parking provision that would lead to a significant increase in congestion and highway safety dangers on the surrounding roads with drivers trawling the streets looking and competing for parking spaces.
- The proposal does not provide for rear access and servicing opportunities to commercial premises fronting Commercial Road.

- The proposed development by reason of its design, appearance and layout results in an unsatisfactory layout and built form that would not preserve or enhance the character of the Conservation Area.
- The proposal represents an overdevelopment of the site that would lead to mutual and adverse overlooking of No.109a Commercial Road and a lack of amenity space to meet the needs of the future occupants.
- The applicant has failed to demonstrate that the scheme cannot provide affordable housing on site.
- The site is in an area of known surface water flooding and the application has not been supported with any information to identify the level of risk, potential depths and mechanisms for protecting the scheme.
- The proposal fails to make a financial contribution towards the Strategic Access Management and Monitoring (SAMM).
- The proposal fails to make adequate arrangements for refuse provision.

February 2016: Outline planning application for the change of use of the ground floor to an A3 use and addition of first and second floors to form 4 self-contained flats above and a terrace of 3 dwellings at the rear with associated access, cycle and bin stores (revised scheme). **Refused** (APP/16/00040/P). This application was refused for the same reasons as APP/15/00610/P.

September 2016: Outline planning application for a mixed use development consisting of changing the ground floor unit to an A3 (restaurant and café) use and addition of first and second floors to form 6 self-contained flats above and a flatted building at the rear consisting of 4 flats with associated access, cycle and bin stores. **Approved** (APP/16/00852/P).

Nos.101 - 107 Commercial Road

2017: Outline application for demolition of existing buildings, erection of a mixed use building along the frontage comprising an A3 café/restaurant on the ground floor with 16 C3 residential apartments above, erection of a detached building to the rear comprising 6 C3 residential apartments and associated access, refuse and cycle stores. This application is currently **undetermined** (APP/17/01263/P).

Land Rear of Nos.115 - 123 Commercial Road

2015: Severance of land and the erection of a terrace of 5no dwellings with associated parking, access and amenity space, including Chalice Close widening scheme. **Refused** (APP/14/01670/F). This application was refused for the following reasons:

- The scheme fails to deliver sufficient land to deliver improvements to the service arrangements for the existing Commercial Road premises.
- The proposal provides inadequate parking, access and manoeuvring space that is likely to lead to parking problems and congestion along Chalice Close to the detriment of highway and pedestrian safety.
- The scheme fails to assemble sufficient land to deliver a layout of development that provides for the adequate amenity of the future occupiers.
- The proposed layout fails to respect and retain trees that make a positive contribution towards the character, appearance and amenity of the area and Conservation Area.

- The layout fails to provide appropriate, viable and easy routes between the commercial premises and the proposed new service road that would encourage their use and be obvious to delivery drivers to achieve the purpose of providing the service road.

Conservative Club, No.19 Parr Street

2015: Erection of a building containing 3 apartments with undercroft parking, including Chalice Close widening scheme. **Refused** (APP/14/01667/F). This application was refused for the following reasons:

- The scheme fails to deliver a design and layout that would preserve or enhance the character and appearance of the Conservation Area and deliver an attractive street scene.
- The proposal fails to provide adequate access, parking and manoeuvring space or to provide adequate servicing to the detriment of highway and pedestrian safety.
- The proposed development would not front the public realm and fails to deliver a scheme that would assemble sufficient land with a layout of development that would respect the residential character of the area.
- The proposal would give rise to levels of overlooking, overshadowing and overbearing that would be detrimental to the amenities of No.2 Old Coach Mews.
- The proposal fails to make a financial contribution towards the Strategic Access Management and Monitoring (SAMM).

Land Rear of No.19 Parr Street and Nos. 115 - 119 Commercial Road

2015: Severance of the land and erection of 3 apartments and terrace of 4 dwellings with associated parking, access and amenity space, including Chalice Close widening scheme (revised scheme). **Refused** (APP/15/00747/F). This application was refused for the following reasons:

- The layout fails to facilitate efficient rear delivery access to the commercial properties fronting Commercial Road and the development that would encourage their use to achieve the provision of a rear service road.
- The scheme would be overbearing and detrimental to the future amenities of the occupants of House 4 and would give rise to levels of overlooking, overshadowing and overbearing that would be detrimental to the amenities of No.2 Old Coach Mews.
- The scheme fails to deliver a design and layout that would preserve or enhance the character and appearance of the Conservation Area and deliver an attractive street scene.
- The proposal fails to make a financial contribution towards the Strategic Access Management and Monitoring (SAMM).

2016: Severance of land and erection of 5 dwellings with associated access and parking (including Chalice Close widening scheme). **Approved** (APP/16/00553/F).

2017: Non material amendment following approval of APP/16/00553/F to change the red line site boundary and minor window and roof light changes. **Approved** (APP/17/00100/F).

Chalice Close (Rear of Nos.129 - 137b Commercial Road)

2011: Erect 2no houses and 4no duplex flats on Chalice Close and 9no new flats in existing

block. **Approved with Section 106 Agreement** (APP/10/00971/F).

Land Rear of Bricklayer's Arms

2012: Erect 2no. 2-storey semi-detached and 3no. 2-storey terraced houses. **Approved** (APP/11/01392/F).

No.35 Parr Street

2014: Demolish existing and erect replacement industrial unit at rear of main dwelling. Demolish existing two-storey extension, replace existing windows, re-render front and rear elevations, replace existing roof and erect two-storey rear extension of main dwelling. **Approved with Section 106 Agreement** (APP/13/01500/F).

PRE-APPLICATION ADVICE

PREA/16/00083: Pre-application advice was provided in relation to a slightly different scheme to that currently proposed for the alteration, extension and conversion of the existing building to form 6no 1-bed flats and 2no 2-bed flats above the retained retail unit (No.109 Commercial Road) and a 4-bed dwelling at the rear (No.109a Commercial Road), together with associated parking provision. The following comments were provided to the pre-application proposal:

- The principle of the creation of additional flats in this location is considered to be acceptable in accordance with the provisions of Policy PCS5 of the Poole Core Strategy.
- There was concern that the proposal would fail to enhance or better reveal the significance of the Conservation Area, the host buildings or the setting of the adjacent and nearby locally listed building and features and that the harm caused by virtue of the height, scale, massing, design and appearance of the proposed development would be irreversible.
- The proposals failed to understand the significance of the surrounding context or to respond to it appropriately and failed to preserve or enhance the character of the Ashley Cross Conservation Area, did not enhance or better reveal its significance and did not add to the understanding of that significance. As such, the scheme would result in harm to the significance of designated and non-designated heritage assets.
- The proposed amenity space to serve the proposed 3-bed dwelling at the rear of the site would be insufficient to meet the reasonable recreational needs of a family sized home and would benefit from little direct sunlight and be cast in shadow for much of the day.
- The proposals would result in bedrooms with a poor outlook and that would not benefit from adequate levels of light, whilst the internal layout would also give rise to unacceptable levels of mutual overlooking. As such, the proposal would result in unacceptable living conditions for the future occupants.
- The proposed dwelling at No.109a Commercial Road would not have any windows serving two bedrooms that would result in oppressive living conditions for the future occupants and an over-reliance on artificial light.
- The proposal would result in an intensification of use of the existing vehicular access and due to its narrow width, lack of adequate turning provision within the site and poor visibility at the access would result in vehicles reversing onto and off Commercial Road that would disrupt the free flow of traffic and be detrimental to highway and pedestrian safety. The access would also be used for servicing the existing retail unit and therefore

the proposal would result in conflict between vehicular movements on a regular basis.

- The proposed parking spaces would be of sub-standard dimensions and the layout would not meet design standards for efficient use with inadequate reversing/manoeuvring depth and therefore would not be usable and would consequently result in a significant shortfall in the level of parking provision in relation to parking standards. The absence of on-site parking provision would be likely to result in additional and potentially conflicting vehicle movements as drivers seek out alternative parking facilities, to the detriment of the safety and convenience of other highway users.
- It was advised that any proposal should not compromise the clear and longstanding local policy of the Council to deliver a service road to the rear of the commercial premises fronting Commercial Road from the end of Chalice Close that will connect to the existing turning head at Old Coach Mews that would enable rear servicing of the shops fronting Commercial Road. The scheme should also incorporate an efficient rear service access route and the provision of access doors to the ground floor retail/commercial unit to allow for future utilisation of the proposed rear service.
- In the event that the total gross floor space of the proposal exceeds 1,000m² then the development would be required to make a contribution towards the provision of affordable housing, subject to the viability of the scheme.
- Any future planning application should be supported by details of the location, design and access arrangements regarding the bin storage facilities together with details of the number and sizes of bins that are to be provided to serve the proposed development.
- As the proposal includes the partial demolition and/or alteration of the existing buildings, a future planning application should be supported by an ecology survey report providing details of the survey results and appropriate mitigation measures if necessary.
- The site is located within an area of known surface water flooding and a future application should be supported by a flood risk assessment and detailed drainage scheme to demonstrate that the proposed development would not be at risk of flooding and would not result in an increased flood risk elsewhere.

COMMUNITY CONSULTATION

None.

CONSULTATIONS

Transport Policy Manager: Object to the proposed development due to the lack of on-site parking provision and the resultant detrimental impacts to highway safety.

Head of Environmental Services (Air Quality): Further information should be provided of the proposed measures to mitigate the potential exposure of the future residents to the poor air quality within the adjacent Air Quality Management Area (AQMA), particularly in relation to the proposed accommodation on the first and second floors fronting onto Commercial Road.

REPRESENTATIONS

The application has been advertised by neighbour notification, site notices and a press advert. One letter of representation has been received to the proposed development that raises the following concerns/objections:

- Lack of parking in an area already congested and implications for highway.

PLANNING CONSIDERATIONS

POLICY AND GUIDANCE

STRATEGIC CONTEXT

National Planning Policy Framework (NPPF) (March 2012)

National Planning Practice Guidance (NPPG) (March 2014)

LOCAL CONTEXT

The following policies are listed as applying to this application.

Poole Core Strategy (Adopted February 2009)

PCS5	Broad Locations for Residential Development
PCS6	Affordable Housing
PCS15	Access and Movement
PCS16	The East-West Bournemouth-Poole (A35) Corridor
PCS23	Local Distinctiveness
PCS28	Dorset Heaths International Designations
PCS31	Sustainable Energy - General
PCS32	Sustainable Homes
PCS34	Flood Risk
PCS35	Energy and Resources Statements
PCS37	The Role of Developer Contributions in Shaping Places

Poole Site Specific Allocations and Development Management Policies DPD (Adopted April 2012)

Development Management Policies

DM1	Design
DM2	Heritage Assets
DM7	Accessibility and Safety
DM8	Demand Management
DM9	Green Infrastructure and Biodiversity
SSA01	Ashley Cross Local Centre

Delivering Poole's Infrastructure DPD (Adopted April 2012)

IN1	Poole's Infrastructure Delivery Framework
IN2	Developer Contributions

Supplementary Planning Document (SPD)

Parking and Highway Layout in Development (Adopted July 2011)

Supplementary Planning Guidance (SPG)

A Design Code – Adopted August 2001

Borough of Poole Characterisation Study – April 2010

Ashley Cross Conservation Area Character Appraisal and Management Plan - 2011

PLANNING JUDGEMENT

This application seeks outline planning permission to partially demolish, rebuild and refurbish the existing frontage building at No.109 Commercial Road and to demolish the existing building at No.109a Commercial Road and to erect a replacement building to redevelop the site to form a retail unit and 9 residential flats with associated cycle and refuse stores. Approval is sought for the detailed matters of access, layout and scale only with the detailed matters of appearance and landscaping reserved for later consideration. The application has been supported by a site layout plan, proposed floor plans, and indicative elevations and street scene elevation of the proposed development.

The proposed building at No.109 Commercial Road to front section of the site would be two-storeys in height with further accommodation within the roof space with a lower single storey element attached to the rear with accommodation also within roof space above. This building would accommodate a retail unit at the ground floor level with storage and a cycle store to the rear of it, whilst three flats would be accommodated at the first floor level above with a further two flats at the second floor level within the roof space. This building would be linked by a single storey, flat roofed bin store to a new two-storey building that would replace the existing building at No.109a Commercial Road to the rear section of the site that would accommodate two flats on each of the ground and first floor levels.

Principle of Development – Compliance with Policy PCS5 and Policy DM3

Given that the proposal involves flatted development it falls to be assessed against Policy PCS5 of the Core Strategy that deals with the broad locations considered acceptable for different types of residential development. Whilst this policy recognises the value of residential accommodation of all sizes and types, it seeks to target flatted and other high density residential development in areas of the town having regard to a hierarchy of criteria. The intention of this policy is to direct flats and other higher density development to sustainable locations that are well served by public transport and a range of facilities.

In considering the proposed development in relation to the hierarchy of locations for flatted development as set out in Policy PCS5 it is evident that the location of the site fails to accord with (i) (a) and (b) of the policy. In this regard, it is not located within the Town Centre Regeneration Area or other parts of the Town Centre. However, the site is located towards the centre of the Ashley Cross Local Centre which is a major local centre on a Prime Transport Corridor that is well served by a high frequency public transport service and it therefore complies with (i) (c) of the policy. Therefore, the principle of the creation of additional flats in this location is considered to be acceptable in accordance with the provisions of Policy PCS5 of the Core Strategy.

The proposed development also includes the provision of a retail unit on the ground floor

fronting onto Commercial Road. The site is located within the Ashley Cross Local Centre and forms part of the commercial and retail frontage area. In accordance with the Borough's retailing strategy as set out in the Core Strategy and Policy DM3 of the Poole Site Specific Allocations and Development Management Policies DPD, development proposals for shopping and other town centre uses within the local centres would need to demonstrate that the scale and type of development proposed is directly related to the role and function of the locality and would not adversely impact on the vitality and viability of the town centre.

In this instance, the proposed retail use would continue to support the role and function of the Ashley Cross Local Centre as a key local centre and would be of a scale and type of development that is appropriate to its context and that would support the vitality and viability of the local centre. Importantly, it would also be well below the floor space threshold (500 square metres) that is considered likely to comprise the town centre and retailing strategy for the Borough.

Provision of 5 Year Housing Land Supply

In support of the application, the applicant has argued that the Borough of Poole is falling markedly behind its own targets of 500 homes per annum regarding the delivery of new homes as set out in the Core Strategy and that there has been a continuous undersupply of housing against the objectively assessed housing need for over a decade. It is further argued that the Strategic Housing Market Assessment (SHMA) for the Eastern Dorset Housing Market Area (2015) identifies a significantly higher housing need of 710 new homes per annum (14,200 homes) over the period 2013-2033 than the current Core Strategy target of 500 homes per annum. Having regard to the identified housing need, the existing shortfall arising from the previous under-delivery of housing and the need to provide a buffer of 5% or 20%, the applicant contends that it is therefore unlikely that the Borough of Poole would be able to demonstrate a 5 year housing land supply as required by the NPPF (paragraph 47). As such, it is claimed that in accordance with the NPPF (paragraph 49) the Core Strategy cannot be considered to be up-to-date for the purposes of delivering housing supply and that in accordance with the 'presumption in favour of sustainable development' the shortfall is enough to trigger the operation of the so-called "tilted balance". This means that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits (paragraph 14 of the NPPF). The applicant therefore reasons that the application site represents a good example of brownfield land (previously developed land) where the number of dwellings can be increased in density through redevelopment and that sites such as this are integral to the supply of future housing to meet the identified housing need.

It is noted that the applicant refers to housing supply against the Eastern Dorset Strategic Housing Market Assessment (SHMA) 2015. In this regard, the Council has not yet adopted the findings of the SHMA for the purposes of assessing five year housing land supply and it is therefore premature to assess housing supply against the SHMA at the present time. It is material in this case to note that the SHMA figure has not been tested through examination and therefore limited weight can be afforded to it at the present time. The Government has been clear on this issue through Brandon Lewis' letter of December 2014, which stated that:

Many councils have now completed Strategic Housing Market Assessments either for their own area or jointly with their neighbours. The publication of a locally agreed assessment provides important new evidence and where appropriate will prompt

councils to consider revising their housing requirements in their Local Plans. We would expect councils to actively consider this new evidence over time and, where over a reasonable period they do not, Inspectors could justifiably question the approach to housing land supply.

However, the outcome of a Strategic Housing Market Assessment is untested and should not automatically be seen as a proxy for a final housing requirement in Local Plans. It does not immediately or in itself invalidate housing numbers in existing Local Plans.

Councils will need to consider Strategic Housing Market Assessment evidence carefully and take adequate time to consider whether there are environmental and policy constraints, such as Green Belt, which will impact on their overall final housing requirement. They also need to consider whether there are opportunities to co-operate with neighbouring planning authorities to meet needs across housing market areas. Only after these considerations are complete will the council's approach be tested at examination by an Inspector. Clearly each council will need to work through this process to take account of particular local circumstances in responding to Strategic Housing Market Assessments.

This clearly supports the Council's position and until such time as the Local Plan Review has been found sound at Examination the current housing requirement of 500 homes per annum is the basis upon which five year supply should be assessed. In this regard, the Council's position is that the Borough has a five year supply of deliverable housing land in accordance with paragraph 47 of the NPPF. This is set out in the 2016 Strategic Housing Land Availability Assessment (SHLAA). For the period 1 April 2016 – 31 March 2021, the 2016 SHLAA identifies a housing land supply of 6.84 years against the Council's adopted Core Strategy housing requirement plus an additional 5% buffer required by the NPPF. This uses the 'Liverpool' approach which averages out any shortfall in the early stages of the existing plan period over the remainder of the plan period. The 2016 SHLAA also identifies a housing land supply of 5.98 years against the Council's adopted Core Strategy housing requirement plus an additional 20% buffer.

The Council is currently assessing the implementation of planning permissions during the most recent monitoring period of 1 April 2016 – 31 March 2017. This will inform the 2017 SHLAA to be published later this year. Given the above, the issue of a five year housing land supply is not considered to be relevant to this application and would not have any material weight in tipping the balance in favour granting permission in this case.

Impact on the Street Scene and Conservation Area

The site is located within the Ashley Cross Conservation Area and there are also a number of designated and non-designated heritage assets in the form of listed and locally listed buildings within the surrounding vicinity of the site, including the adjacent buildings at Nos.111 and 113 Commercial Road which are locally listed. Those buildings are identified within the Ashley Cross Conservation Area Character Appraisal as positive features to the character and appearance of the Conservation Area, as are the existing buildings that currently occupy the application site. Consequently, considerable weight should be given to the conservation of the area.

In determining planning applications, the NPPF states that:

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation" (paragraph 132).Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

It is against this policy context that the proposed development must be assessed.

The current proposals have been amended significantly from those that were originally submitted that involved the demolition and alteration of a substantially greater proportion of the existing frontage building at No.109 Commercial Road and the erection of new build elements behind than is now proposed. Whilst there is no objection to the principle of making a more efficient use of the site, the original proposals failed to satisfactorily demonstrate that the quantum of development proposed could be accommodated in an acceptable form. In this regard, due to their scale, massing and overall height, together with their wider footprint, it was assessed that the new structures would fail to maintain a secondary and ancillary relationship with the frontage building and would also result in a contrived footprint and disjointed roof form that would be uncharacteristic and fail to preserve or enhance the character and appearance of the Conservation Area or better reveal its significance.

As a consequence, the proposal now seeks to substantially retain and convert the existing building at No.109 Commercial Road with the proposed demolition restricted to only the existing toilet block and redundant lift shaft that form unattractive additions to the rear elevation of the building, the loss of which would not be harmful. The conversion of the existing building would also require the removal and replacement of the existing hipped roof to the front section of the building together with the addition of a new pitched roof form behind over the existing flat roof that would provide accommodation at the second floor level, as well as the removal of some internal walls. It is evident from the indicative elevation drawings that the footprint and roof form of this proposed building has now been greatly simplified.

In terms of scale and layout, the proposed new hipped roof to the front section of the building would result in an increase to the overall ridge height and an increase to the bulk and mass of the roof form compared to that of the existing building. Nevertheless, the frontage building at No.109 would occupy the footprint of the existing building in terms of its width and depth and despite the additional bulk and massing that would arise from the proposed new roof structures the overall scale, massing and height of this building would still be commensurate with the prevailing pattern and scale of buildings in the surrounding vicinity. In addition, the new pitched roof form set behind the front hipped roof would be of a slightly lower ridge height thereby securing a subservient relationship to the frontage element of the building and enabling the building to continue to sit comfortably within the group of properties in this section of Commercial Road where the predominant building height is two-storey. Importantly, it would also follow and reinforce the linear character of the plot and the pattern of development that is prevalent in the immediate vicinity of the site. Furthermore, by retaining the proposed frontage building at No.109 Commercial Road within the footprint of the existing building, the proposal would retain the existing gap between Nos.107 and 109 Commercial Road. Gaps between buildings are an important

feature of the urban structure and grain on the northern side of Commercial Road and this would accord with the design objectives (Code 5) set out in the Conservation Area Character Appraisal that states:

Where redevelopment or extensions are proposed existing gaps between buildings should be maintained.

Whilst the detailed matter of appearance has been reserved for later consideration, the application has been supported by indicative elevations and a street scene that have evolved following discussions with the applicant and that provide a good indication of the applicant's aspirations for the detailed design of the scheme. This demonstrates that the proposed building fronting Commercial Road would retain a simplicity that would sit comfortably within the street scene, whilst providing an opportunity for it to make a more positive contribution to the character and appearance of the Conservation Area through more appropriate architectural detailing, such as the window proportions and detailing. The proposed alterations to the shopfront also provide the opportunity to deliver a shopfront with more traditional proportions and detailing. The design could also be further enhanced through the introduction of features such as a chimney and the possible re-introduction of bay windows at the first floor level that were original features of the building, but this will be the subject of a subsequent reserved matters application.

With regards to the existing building to the rear, No.109a Commercial Road, it had been originally proposed that this building would be retained, enlarged and converted into flats but the applicant now proposes to demolish this existing property and to erect a replacement two-storey building that would accommodate four flats. The existing building at No.109a Commercial Road, whilst not listed or locally listed is however identified as being a building that is a positive feature within the Conservation Area and it appears to be an original structure. The proposal would therefore result in the total loss of this building as a heritage asset. In accordance with paragraph 135 of the NPPF it is necessary to consider the impact of a proposed development on the significance of a non-designated heritage asset in determining an application and it states

In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset

The advice in paragraph 138 of the NPPF also applies and states:

Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area...should be treated either as substantial harm under paragraph 133 or less than substantial harm under paragraph 134, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area...as a whole.

Furthermore, the Ashley Cross Conservation Area Character Appraisal states that there is:

a presumption against the demolition of buildings and structures which make a positive contribution to the character and appearance of the Conservation either individually or in groups.

In this instance, the existing building at No.109a Commercial Road is of some significance to the Conservation Area as a heritage asset due to it being a historic feature and its historic role within and contribution to our understanding of the historic development of the area. However, whilst reflective of the traditional architecture it is not of any substantial significance in terms of its architectural quality and is not listed or locally listed in its own right and being set behind the main public frontage is not readily discernible from Commercial Road or the wider public realm. As a result, it is concluded that the loss of the existing building would result in less than substantial and therefore the proposal must be assessed against paragraph 134 of the NPPF which states:

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including its optimum viable use.

As stated, the proposal would result in the total loss of the existing building. It is therefore necessary to consider whether the loss of this building would be mitigated through the introduction of a replacement building that preserves or enhances the character and appearance of the Conservation Area. The design of the proposed replacement building has again been shaped through discussion with the applicant to ensure that it would be appropriate to its context. As a result, whilst the historic floor plan of the existing building would be lost, it is evident that the replacement building would be largely sited on the footprint of the existing building, albeit that it would be of a marginally wider and deeper footprint. As such, it would retain some reference to the historic siting of the existing building and would preserve the rectilinear form of the plots and built form and the well-established gap between Nos.107 and 109 Commercial Road.

The proposed replacement building would also be of a similar scale and massing to the existing building at No.109a, whilst the indicative elevations demonstrate that it would maintain the typology of a simple cottage style character and appearance and the simple architectural treatment that would reflect the traditional detailing and style of the existing building. The gap between the principal frontage building at No.109 Commercial Road and the replacement building at No.109a would also be retained except for a simple single storey, flat roofed structure. This has resulted in a development that would reflect the existing layout and the subservient relationship of the new cottage style building at No.109a with the main frontage building at No.109, as advocated by Design Code 8 of the Ashley Cross Conservation Area Character Appraisal. The historic character and setting of the building at No.109a, as a 'pepper-potted' building in a backland location to the rear of the main frontage buildings, would therefore be preserved through the sympathetic scale and layout of the proposed replacement building that would also incorporate traditional architectural detailing and features that are characteristic of the Conservation Area.

The proposed layout also retains a garden area to the north western side of the replacement building at No.109a that would form a front garden when the rear service road from Chalice Close is completed. This would respect the urban structure of the Conservation Area where residential properties are generally set behind shallow front gardens, whilst the building has also been purposely designed with windows in the north western elevation to create an active frontage facing the public realm of that new street scene when it is delivered. As a result of the above considerations, the proposed replacement building at No.109a would provide a positive contribution to that street scene when it is developed and would preserve the overall character and appearance of the Conservation Area, thereby providing an

acceptable development to mitigate the loss of the existing building and preserve the significance of the Conservation Area.

Nevertheless, as stated, in accordance with paragraph 134 of the NPPF the proposed development must also demonstrate that the harm arising from the loss of a building that is identified as making a positive contribution is weighed against the public benefits of the proposal. In support of the proposal, the applicant has set out the public benefits that it would deliver and contends that they significantly and demonstrably outweigh any perceived harm. In this regard, it is argued that the proposed development would bring forward the redevelopment of a brownfield site that is currently significantly under-used and in doing so is likely to achieve the optimum viable scale/amount of development that could be achieved on the site. The applicant has also stated that the proposals would bring forward the redevelopment of the site in a manner that would respect the characteristics of the surrounding built form and urban structure, thereby preserving and enhancing the Conservation Area.

In addition, the applicant also contends that the proposal would deliver additional homes in a sustainable location that would make a positive contribution to meeting the Borough's housing need, as well as an improved retail facility that would contribute to the vitality and viability of the Ashley Cross Local Centre. In turn, the provision of the new housing would increase the population of the local community that would contribute to spending within the local economy and add to the vitality and viability of the Ashley Cross Local Centre during both the daytime and evenings. It is also argued that the proposal provides the opportunity to deliver a more sustainable form of development that would reduce the need for non-renewable energy demands by delivering a better insulated and energy efficient building.

It is ultimately for the decision-maker to determine the weight to be applied to the balance of the judgement under consideration. However, having regard to all of the considerations set out above, it is considered that it would be reasonable to conclude that the public benefits of the proposal would outweigh any identifiable harm to the character and appearance, and thus significance, of the Ashley Cross Conservation Area in this instance.

Given the above considerations, it is accepted that the applicant has demonstrated that quantum of development that is proposed could be achieved in an acceptable manner and form of building in terms of its scale and layout that would preserve and enhance the character and appearance of the Conservation Area and without adversely affecting the setting of the adjacent and nearby locally listed buildings and features.

Highway and Parking Issues

With regards to parking provision, the proposal provides zero on-site parking provision. Instead, the applicant has stated that the site is situated within a sustainable location where the future occupants of the proposed development would have convenient access to public transport and therefore would not require use of a private car. In this respect, the applicant has stated that the site is located within the Ashley Cross Local Centre with immediate access to the services and facilities that it provides, within walking distance of Parkstone Train Station and on a bus route that is served by high frequency services covering a wide local network. It is also argued that bike ownership is supported by the proposed development through the provision of covered and secure cycle storage. The applicant has

also referred to the approval of outline planning permission (APP/16/00852/P) in September 2016 for a mixed use development including an A3 use and 10 flats with zero car parking provision, a shortfall of 8 parking spaces, on the adjacent site at Nos.103 and 105 Commercial Road to justify the absence of any on-site parking provision with this current proposal.

In accordance with the Council's adopted parking guidelines as set out in the Parking and Highway Layout in Development SPD, the proposed development would require the provision of 8 parking spaces on an unallocated basis in association with the proposed flats. Whilst it is accepted that the site is located within a sustainable location close to local shops and services and public transport facilities, it is nevertheless reasonable to assume that some owners of the proposed flats would have access to a vehicle and that adequate on-site car parking provision should therefore be accommodated. The Council's Parking and Highway Layout in Development SPD is a material consideration based on local evidence and already makes allowances for likely car ownership and the parking requirements are zoned to make allowances for the sustainable location of the different areas of the Borough. That evidence indicates that even in the most sustainable locations, and in locations such as Ashley Cross which has good access to bus and public transport services and shops and commercial facilities, residents still choose to own cars and Poole has a relatively high level of car ownership. In addition, the bus services within Ashley Cross are not all encompassing to all areas of the Borough (being generally east to west links) and the range of commercial premises within the local centre is limited in comparison to the Town Centre where a wide range of bus routes and retail/commercial facilities are available.

The absence of any on-site parking provision associated with the proposed development is likely to lead to vehicles trawling the area looking for parking spaces. Drivers may also take short term parking risks, parking in inconsiderate locations that would lead to increased highway safety dangers, would not meet the aims of reducing car trips or create a sustainable environment and safe and attractive street environments. The lack of parking provision within the development is also likely to lead to drivers parking within the proposed Chalice Close service road which forms part of a long term Council policy to deliver a rear service road to facilitate rear deliveries to properties fronting Commercial Road once it is completed. This would, in turn, block large vehicle movements along this service road and discourage its use by such vehicles, thereby defeating the object of the long term Council Policy to deliver an efficient rear service access for use by large vehicles. Drivers trawling this rear service road looking for parking spaces would also not contribute to the creation of safe and attractive streets in an area where family homes exist and where new homes are currently being constructed.

Ashley Cross has a relatively high evening and weekend demand for parking due to the popular restaurant and bar economy that exists in the area. That demand is for both on-street parking and the public car park, whilst the peak demand periods for residential parking are also in the evenings and weekends. The public Commercial Road Car Park has a principal function of serving the local businesses in the area to assist with the vitality of the local centre. That car park has 83 spaces and the Council has allowed a limited number of 41 season tickets to be made available for long term parking. There is currently a waiting list for those season tickets with, at this time, some people waiting since 2014 for a season ticket. Local streets, such as Parr Street, also currently have high car parking demands. This demonstrates the demand for long term parking in the area which would only be exacerbated by approval of residential developments with parking levels significantly below

the council's adopted parking standards. Filling Local Centre car parks with residential parking does not assist with providing customer parking for the Local Centre businesses, affecting the long term viability of local centres when parking is already at a high demand.

As stated, the applicant has referred to the approval of outline planning permission on the adjacent site at Nos.103 – 105 Commercial Road for a mixed use development including 10 flats with zero parking provision, a shortfall of 8 parking spaces. That proposal, however, offered a significant highway safety gain with the closure of an access onto Commercial Road that provided access to a car repair garage and car sales business. As such, that access would have been used by commercial service vehicles and customer vehicles on a regular basis and could have generated significant multiple vehicle trips, unlike the current single vehicle access that relates to the current application site. In approving that application, it was accepted that, on balance, the significant highway safety gain outweighed the lack of parking. Whilst the submitted plans indicate that a bollard would be located at the Commercial Road end of the existing vehicular access that runs between Nos.107 and 109, that would represent a highway safety gain, in reality that access is as a single vehicle access with limited vehicle movements taking place and therefore the blocking up of that access would not provide the same highway safety benefits as those provided by the closure of the access on the adjacent site at Nos.103 – 105 Commercial Road. As such, the highway safety gain arising from the current proposals would not outweigh the other highway safety issues arising from the significant lack of on-site parking provision.

Furthermore, the approval of outline consent on the adjacent site at Nos.103 – 105 should not be considered as setting a precedent for zero parking levels in the area as each proposal should be considered on its merits. In fact, the impact of the shortfall of 8 parking spaces in that approval which could be implemented and could lead to an increased demand on the parking in the area is a material consideration to the determination of this current proposal. In this regard, it is noted that the NPPF refers that cumulative impact of development is something to be considered.

The Council's guidance as set out in the Parking and Highway Layout in Development SPD has also been supported by Planning Inspectorate as being relevant and material. Inspectors have weighed up the benefits of providing new housing but have concluded that this should not be allowed at the expense of highway safety or the vitality and viability of local centre areas. In dismissing the appeal relating to the erection of two dwellings on land to the rear of Nos.95 – 99 Commercial Road (APP/13/01257/F), that raised similar highway impacts to the current proposal, the Inspector supported all of the highway grounds for refusal that included parking issues and noted the existing high parking demands in the area and the resultant issues and agreed that the shortfall in parking provision associated with appeal proposal would make the situation worse. There has been no material change in relevant local planning policy or SPD guidance since that time and that Inspector's decision is a material planning consideration.

Similarly, in relation to the appeal at 127 – 129 Penn Hill Avenue (Rajasthan) for the construction of a new restaurant and five flats over with zero parking provision, a shortfall of six parking spaces, the Appeal Inspector concluded:

In the absence of on-site provision, future car-owning residents would need to find places to park elsewhere in the local area. It would not be reasonable to rely

on the nearby public car park being permanently available for use by future residents as it is not in the control of the appellant and its primary purpose is to provide space for visitors to the local centre and thereby support its vitality and viability. Whilst there are no doubt some spare parking spaces available in the surrounding area at certain times...The proposal would add to this demand, and thereby exacerbate parking problems for existing residents and businesses; lead to additional vehicle movements along surrounding streets as drivers look for parking opportunities; and potentially result in inappropriate manoeuvres and parking in places that would compromise highway safety.

With regards to other highway issues, to the rear of the site is an area of Council owned land that will form part of the proposed Chalice Close service road that will facilitate rear deliveries to the properties fronting Commercial Road and subsequently alleviate some of the existing highway safety and traffic flow issues in this area. Importantly, the layout of the proposed development would not prejudice the delivery of this section of the proposed service road. Whilst the applicant appears to be willing to make a contribution towards the delivery of this rear service road this is not required in order to progress the delivery of the rear service road. Therefore, the proposal would not directly contribute to the highway safety benefits arising from the provision of the rear service road in order to outweigh the other highway concerns arising from the proposed development. If the scheme had been acceptable in all other respects, however, the retention of the access to the side of the existing buildings to facilitate pedestrian access between this future rear service road and Commercial Road would have been sought.

Importantly, the applicant has confirmed that the proposed development would include provision for access at the rear of the site to allow rear servicing to take place from the proposed Chalice Close service road in the future. This would be achieved via the pathway to the side of the proposed buildings within the site that would link the rear service road to the Commercial Road frontage. The applicant has indicated that this would be built to an adoptable standard and that the gradient from the proposed rear service road would be no steeper than 1:12. Whilst this gradient would ideally not be any steeper than 1:20 it would nevertheless be within guidance and the Transport Policy Manager has advised that it would be acceptable as pedestrian appropriate. Without the provision of this access, it is likely that delivery drivers visiting the retail unit would park on Commercial Road rather than use the rear service road when it is completed to the detriment of the free flow of traffic and highway safety along Commercial Road. The proposal also indicates that access would be provided towards the rear of the retail unit that would also encourage servicing from the future rear service road. The provision of a servicing access route to the retail unit from the rear boundary of the site (to access the future rear service road) to be available at all times could be secured by condition.

As stated, the proposal includes the provision of a bollard at the Commercial Road end of the side access that would block vehicle use of the existing access. However, the plans indicate that pedestrian and vehicular access would be maintained along the access to the side of the buildings from the proposed rear service road. This would potentially allow vehicles to park within the access, as often occurs at present, that would make pedestrian access to the proposed flats and for servicing inefficient and increase pedestrian safety dangers along this access. Whilst it is important that pedestrian access is secured from the proposed rear service road to enable deliveries to take place, vehicular access would need to be blocked off which could be achieved through the provision of bollards that could be

secured by condition. The proposal would also improve permeability between Commercial Road and the proposed rear service road, but again any benefit arising from this would not outweigh the other highway safety issues arising from the significant lack of on-site parking provision.

Impact on Residential Amenity

With regards to residential amenity, the proposal would result in an increase to the overall bulk and massing of the existing frontage building at No.109 as a result of the proposed new roof structures. However, the adjacent buildings at No.111 Commercial Road immediately adjoin this property and extend well back into that site and this increased bulk and massing would not appear overbearing or result in a material loss of outlook, especially as the roof would slope away from the mutual boundary. Any overshadowing or loss of light towards this neighbouring property would be limited to the late afternoon and evening and would be largely across the roofs of these adjacent buildings so that it would not cause any material harm. Similarly, in relation to the neighbouring property at No.107 Commercial Road, given that the side elevation of this property that faces into the application site has a blank façade, with the exception of a single high level window within the two-storey section of the building, any additional bulk and mass to the frontage building would not be overbearing or give rise to any material loss of outlook, loss of light or overshadowing.

The scale and massing of the proposed replacement building at No.109a Commercial Road within the rear section of the site would be similar to that of the existing building and given that it would be sited largely beyond the rear of these neighbouring properties at Nos.107 and 111 Commercial Road it would not cause any significant additional harm to the amenities of the occupants of those properties. The proposed buildings with the application site would also be sufficiently separated from any other properties in the immediate vicinity, including those to the rear in Old Coach Mews and those that are currently being constructed in Chalice Close (to the rear of the frontage properties at Nos.115 – 119 Commercial Road) so that they would not cause any material harm in terms of neighbouring amenity. Similarly, whilst the proposed replacement building at No.109a would be sited in marginally closer proximity to the boundary with the adjacent site to the rear of No.105 Commercial Road it would not have any materially greater impact in terms of its relationship to the dwellings that have been approved on that site by planning permission APP/16/00852/P.

In terms of overlooking issues, given that the detailed matter of appearance has been reserved for later consideration it is not possible to make any firm judgements regarding the potential impacts of the proposals. However, the applicant has submitted some indicative elevations that provide a reasonable indication of the likely design and window arrangements of the proposed buildings. Having regard to these indicative elevations and the proposed floor plans, it is evident that any windows to the south west and north east (side) elevations of the frontage building at No.109 would have an outlook onto the blank side wall and roof of the neighbouring property at No.107 or the roof slopes of the range of buildings at No.111 Commercial Road respectively and therefore would not give rise to any material loss of privacy. Whilst the proposed floor plans indicate that there would be windows in the rear elevation of the frontage building at the first and second floor levels they would be sufficiently distanced from the new dwellings that are being constructed to the rear of Nos.115 – 119 Commercial Road so that they would not cause any harmful overlooking, whilst the intervening buildings would also partially screen any views towards those

properties. The windows to the front elevation of the frontage building would provide an outlook over the public realm of Commercial Road and given the separation distance to the properties on the opposite side of the road they would not give rise to any loss of privacy due to overlooking.

With regards to the proposed new building to the rear at No.109a, it is evident that it would contain a number of windows at both the ground and first floor levels in the south west elevation that would face towards the approved development on the area of land to the rear of No.105 Commercial Road. However, this would not result in a substantially different relationship to that which already exists between that approved scheme on the adjacent site and the existing property at No.109a and which has previously been determined to be acceptable. The proposal also includes windows to the rear elevation at the ground and first floor levels that would serve kitchens and lounges that will overlook the public realm of the proposed rear service road in the future. Whilst any windows in this elevation at the first floor level would allow views towards the properties in Old Coach Mews to the rear given that this would be across a distance of approximately 18 metres at the closest point and also at an oblique angle they would not give rise to any material loss of privacy due to overlooking. The two other elevations of this proposed replacement building are shown to have blank walls and although the rear (north east) elevation would contain rooflight windows these would simply act as a source of light rather than provide an outlook.

In considering the amenities of the future occupants of the proposed development, it is evident there would be little external amenity space to serve the occupiers of the scheme but this is not unusual in an urban environment such as this. However, Ashley Cross Green is located in very close proximity (approximately 50 metres) to the north east of the site and Poole Park is also within reasonable walking/cycling distance. The proposed flats would also all benefit from a natural outlook and a reasonable level of natural light, although the windows serving the accommodation on the south western elevation of the proposed frontage building would have an outlook onto the side wall or roof of the adjacent building at No.107 at relatively close proximity which is not ideal. Nevertheless, this is a common relationship in a tightly knit and densely developed area such as this. The proposed residential accommodation, being at first floor level or above, would also still benefit from an acceptable level of light and would not give rise to such poor outlook as to render the living conditions for the future occupants unacceptable.

Affordable Housing Provision

Policy PCS6 of the Poole Core Strategy seeks the provision of affordable housing, subject to various criteria, to meet local needs on all developments of 6 dwellings or more where it is demonstrated viable to do so. However, regard is had to the Order of the Court of Appeal dated 13 May 2016 which gives legal effect to the policy set out in the Written Ministerial Statement of 28 November 2014, and the NPPG which specifies that contributions should not be sought from developments of 10 units or less, and which have a maximum combined gross floor space of no more than 1000sqm. In this case, the development is for 9 residential units and the maximum combined floor space is less than 1000sqm, and therefore notwithstanding Policy PCS6, affordable housing contributions are not sought in this instance.

Flood Risk

The site is not located within the existing Flood Zones 2 and 3 or within the area of future flood risk as identified by the Borough of Poole Flood Risk Management Strategy (FRMS) which provides a clear strategic review of flood risk and takes account of the predicted sea levels up to 2126. As such, there is no risk of tidal or fluvial flooding. The site, however, is located within an area of known surface water flooding due to problems with storm water drain capacity.

In support of the proposal, the applicant has stated that the scheme would reduce the existing level of hard impermeable surfacing on the site and replace it with a porous surface treatment, thereby allowing for better infiltration for rainwater runoff. It is also stated that, in principle, the surface water runoff would then enter an enlarged drainage system that would be sited along the length of the side access and that would act as a balancing chamber system by reducing the rate of discharge to the off-site drainage infrastructure. As such, the proposals would provide betterment over the existing surface water drainage arrangements from the site. The drainage scheme can be secured by condition and it can therefore be concluded that the proposed development would not be at risk of flooding and would not result in an increased flood risk elsewhere.

Air Quality Issues

The site is located immediately adjacent to a designated Air Quality Management Area (AQMA) on Commercial Road. It is stated by the applicant that the first floor of the existing building at No.109 Commercial Road on the front section of the site is significantly underused due to its connection to the commercial premises at the ground floor level. The current proposal, however, would introduce new exposure to the poor air quality within the adjacent AQMA in the form of the proposed residential accommodation at the first and second floor levels to the front of the proposed building.

Air quality issues can be a material consideration to the determination of a planning application, especially if the proposed development would expose people to existing sources of air pollutants for example by building new homes, workplaces or other development in places with poor air quality. The Head of Environmental Services has therefore suggested that the applicant should provide further information of the proposed measures to mitigate the potential exposure of the future residents to the poor air quality within the adjacent AQMA, particularly in relation to the proposed accommodation on the first and second floors fronting onto Commercial Road. It is also advised, however, that options could include mechanical ventilation/cooling to ensure that cleaner air can be drawn from the rear roof top of the building, furthest from the road traffic emissions, to supply the first and second floor flats. Given that appropriate mitigation measures could be implemented to ensure that the future occupants of the proposed residential flats would not be exposed to the poor air quality of the adjacent AQMA it is considered that a scheme of mitigation could reasonably be secured by condition.

Impact on Protected Species

The presence of a protected species is a material consideration when determining a planning application that, if carried out, would be likely to result in harm to a protected species or its habitat. In the vast majority of cases, it is therefore essential that the presence

or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision.

In this instance, the proposal involves the partial demolition and alteration of the existing frontage building at No.109 Commercial Road, including the roof structure, whilst the dwelling at No.109a Commercial Road on the rear section of the site would be demolished in its entirety. The proposal would therefore result in the total destruction of a bat roost or habitat in the event that they are present.

In support of the proposed development, the applicant has therefore submitted a Phase 1 and 2 Bat Survey Report. This identifies that following an internal and external inspection of the existing buildings both the flat roofed section of the frontage building (No.109) and the detached dwelling (No.109a) were assessed as holding medium potential to support roosting bats due to the presence of suitable roosting features and potential access opportunities. A dusk emergence survey and one pre-dawn re-entry survey were therefore undertaken but no bats were observed emerging or re-entering the buildings. It has therefore been concluded that the buildings do not support a bat roost. As such, the proposed development would not result in any adverse ecological impacts.

Sustainability Issues

The proposed development would be required to meet the latest Building Regulations and therefore it would be readily possible that it could achieve a high level of energy efficiency and sustainable development. The proposed development would be expected to achieve 10% of the predicted energy needs of the proposed development from the provision of renewable energy sources in accordance with the requirements of Policies PCS32 and PCS35. This can be secured by condition.

INFRASTRUCTURE AND DEVELOPER CONTRIBUTIONS

Mitigation of the impact of the proposed development on recreational facilities; Dorset Heathlands and Poole Harbour Special Protection Areas; and strategic transport infrastructure is provided for by the Community Infrastructure Levy (CIL) Charging Schedule adopted by the Council on 18th September 2012. In accordance with CIL Regulation 28 (1) this confirms that dwellings are CIL liable development and are required to pay CIL in accordance with the rates set out in the Council's Charging Schedule.

The site is within 5km (but not within 400m) of Heathland SSSI and the proposed net increase in dwellings may be acceptable subject to appropriate mitigation of their impact upon the Heathland. As part of the Dorset Heathland Planning Framework a contribution will be taken from all qualifying residential development to fund Strategic Access Management and Monitoring (SAMM) in respect of the internationally important Dorset Heathlands. The charge is based on the cost of delivering SAMM in Poole and is £355 per additional house / £242 per additional flat (plus admin fee). This proposal requires such a contribution.

The applicant has submitted a Section 111 Agreement and paid the contribution of £2,178 (plus admin fee).

The proposal therefore accords with the provisions of Core Strategy Policies PCS15, PCS28, PCS36 and PCS37; DPD Policies DM9, IN1 and IN2; and the Dorset Heathlands SPD.

FINANCIAL CONSIDERATIONS

This application currently falls into CIL Zone **C** which has a base CIL chargeable rate of **£75** per square metre of chargeable residential floor space. The precise CIL liability in respect of these proposals will be confirmed in the CIL Regulation 65 Liability Notice which will be issued as soon as practicable after the day on which a planning permission first permits development.

The CIL liability will be the product of the **chargeable residential floor space** and the base **CIL chargeable rate** indexed against the BCIS All-in Tender Price Index for November 2012.

If this development is granted permission and the dwellings built, the Council might also be eligible to receive government grant under the New Homes Bonus.

Local financial considerations are material to the decision on this application. It is a matter for the decision maker to conclude how much weight should be attached to them.

The planning merits of the scheme stand alone, and whilst these potential financial receipts are of obvious benefit to the Council, they would not outweigh the harm identified.

CONCLUSION

The proposed development would positively contribute to the Ashley Cross Conservation Area visually; and would protect neighbouring amenities. However, the absence of on-site parking provision would lead to an increase in parking demands in the area that would prejudice highway safety to an unacceptable degree due to indiscriminate parking taking place in unsafe locations, would be likely to compromise rear servicing and impact upon the viability, success and function of the Ashley Cross Local Centre. The proposals are therefore contrary to adopted planning policies and these concerns would not be outweighed by the benefits of the proposed development. The application is therefore recommended for refusal.

RECOMMENDATION

It is therefore recommended that this application be **Refused** for the following reasons:

Reasons

1. RR000 (Non Standard Refusal Reason)

The proposed development would not provide sufficient on-site vehicle parking to take account of the vehicle parking likely to be associated with the proposal, including likely car ownership levels of future occupiers in accordance with the Council's adopted Parking and Highway Layout in Development SPD. The lack of car parking in the proposal would result in vehicles trawling the nearby streets in the area looking for parking spaces and drivers may take short term risks

parking in inconsiderate and unsafe locations. Drivers trawling adjacent streets looking for parking spaces would not meet the aims of sustainable transport or create safe or attractive streets for both existing and future residents. The proposal is therefore contrary to Policies PCS15, PCS16 and PCS26 of the Poole Core Strategy (February 2009) and Policies DM7 and DM8 of the Poole Site Specific Allocations and Development Management Policies DPD (April 2012).

2. RR000 (Non Standard Refusal Reason)

The lack of parking in the proposal would lead to drivers parking inconsiderately and taking short term parking risks within the proposed rear service road and service road turning head compromising the delivery of an efficient rear service road and the movement of large commercial vehicles. Delivery of this rear service road has been a long term Council Policy to alleviate traffic flow and safety issues on Commercial Road, including those for public transport and cyclists. The proposal is therefore contrary to Policies PCS15, PCS16 and PCS26 of the Poole Core Strategy (February 2009) and Policy DM7 of the Poole Site Specific Allocations and Development Management Policies DPD (April 2012).

3. RR000 (Non Standard Refusal Reason)

The approval of this proposed development, and the cumulative effect of such proposals, with on-site parking provision below the Council's adopted standards would increase parking demands within the Ashley Cross Local Centre area, including within the Local Centre Public Car Park (Commercial Road Public Car Park), thereby affecting the availability of parking for visitors to the Local Centre and impacting upon the viability, success and function of the Ashley Cross Local Centre contrary Policies PCS22 and PCS23 of the Poole Core Strategy (February 2009).

Informative Notes

1. IN76 (List of Plans Refused)

2. IN75 (Community Infrastructure Levy - Refusal)

3. IN73 (Working with applicants: Refusal)

ITEM NO	02
APPLICATION NO.	APP/17/00951/P
APPLICATION TYPE	Outline
SITE ADDRESS	245 Blandford Road, Poole, BH15 4AZ
PROPOSALS	Outline planning application for demolition of British Legion Club house and erect 4x 1 bed houses and 4x 3 bed houses (total 8 units) with parking and new estate road.
REGISTERED APPLICANT	29 June, 2017 Carlton Developments (Poole) Ltd
AGENT	J Burgess & Associates Ltd
WARD	Hamworthy East
CASE OFFICER	James Gilfillan

INTRODUCTION

This application is brought before committee at the request of Cllr White because of the conflict with development plan policies seeking mixed use development.

Recommendation for **Grant With CIL Contribution**

THE PROPOSAL

Outline planning application for demolition of British Legion Club and erection of four 1-bed houses and four 3-bed houses (8 units in total) with parking and new estate road.

MAIN ISSUES

The principal issues for consideration in this case relate to the principle of the development; loss of community facilities; and highway safety.

SITE DESCRIPTION

The application site is on the west side of Blandford Road within the Hamworthy Local Centre. It is currently occupied by a substantial single-storey British Legion hall which has been unused for several years. The building occupies the full width of the site and extends to the rear (western) boundary.

There is an area of hard surface parking in front of the building, all of which is set behind a residential bungalow that fronts Blandford Road. Access to the site is along the south edge of the bungalow and beside the Liberal hall on the adjacent site. There is a bus stop adjacent to the access.

The local centre provides a variety of shops, cafes and takeaways. There are residential dwellings backing on to the site on Coles Avenue and Legion Road.

RELEVANT PLANNING HISTORY

None relevant on the British Legion Club building.

245 Blandford Road

2017: Demolish and erect a terrace of 4 houses with access and parking. **Under consideration.**(APP/17/00950/F)

241a - 243 Blandford Road (Liberal Club).

2017. Outline Planning application to demolish outbuildings and sections of the Liberal Hall and erect 10 houses at the rear, with parking and access from Blandford Road **Under consideration** (APP/17/00088/P)

PRE-APPLICATION ADVICE

2017: Demolish the existing Legion Club Hall and residential bungalow and erect 11 dwellings (17/00092):

- On the basis of there being an application on the adjoining site, strongly encouraged to engage with the adjoining land owner to bring forward a comprehensive scheme that would be to the benefit of both schemes such that they wouldn't be dominated by cars and roads and would instead be pleasant residential environments. Comprehensive environmental enhancements to the site frontage to improve the appearance of the area should also be incorporated.
- Whilst the Legion Hall is closed, any proposals would still need to satisfy the requirements of PCS22 before a scheme of 100% housing could be supported. As part of any comprehensive scheme with the Liberal Club site, the scheme could contribute towards the delivery of a successful development including the enhancement of the existing Liberal Club. A mixture of house sizes was appropriate.
- Some houses should front Blandford Road with front gardens and enclosure to enhance the appearance of the site, and car parking at the rear. It would be preferable to see houses fronting the access road, forming a residential street rather than a service access.
- Engagement with Poole Quays Forum is encouraged.

COMMUNITY CONSULTATION

None

CONSULTATIONS

The Transport Policy Manager: Supports the scheme as delivering sufficient parking; safe access and manoeuvring space; measures to slow vehicle speeds; acceptable gradients; and access visibility.

Head of Environmental Services: No objection subject to ensuring bins are presented to the adopted highway for collection.

Natural England: No objection subject to securing heathland mitigation.

Poole Quays Forum: Object to the failure of the scheme to include a mix of uses; replacing the community facility; not making efficient use of the land; duplication of accesses proposed on adjacent land; lack of comprehensive approach with adjoining land; negligible benefit from spend in the local centre; dominance of road; and poor design.

REPRESENTATIONS

Letters of representation have been received supporting the provision of houses on the site.

Hamside Residents Association: Object to the conflict with adopted policies, most particularly the failure to deliver mixed use; retail; or medical facilities as advocated by PQF6.

PLANNING CONSIDERATIONS

POLICY AND GUIDANCE

STRATEGIC CONTEXT

National Planning Policy Framework (Adopted March 2012)

Dorset Heathlands Planning Framework 2015-2020 SPD 2015

LOCAL CONTEXT

The following policies are listed as applying to this application.

Poole Core Strategy (2009)

PCS05	Broad Locations for Residential Development
PCS15	Access and Movement
PCS22	Local Centres
PCS23	Local Distinctiveness
PCS25	Self-Reliant Communities
PCS26	Delivering Locally Distinctive, Self-Reliant Places
PCS28	Dorset Heaths International Designations
PCS31	Sustainable Energy - General
PCS32	Sustainable Homes

Poole Site Specific Allocations & Development Management Policies DPD (2012)

DM1	Design
DM3	Shopping
DM7	Accessibility and Safety
DM8	Demand Management
DM9	Green Infrastructure and Biodiversity
SSA22	Local Centres - Priorities for Investment
SSA23	Hamworthy - Redevelopment Site

Poole Quays Forum:

PQF01	Public Realm
PQF03	High Quality Design
PQF06	Hamworthy Centre and Blandford Road
PQF07	Hamworthy Centre Environmental Improvements

PLANNING JUDGEMENT

The scheme proposes to demolish the existing British Legion Club building and erect a terrace of four 3-bed houses and a cluster of four 1-bed houses with car parking accessed from an improved access from Blandford Road. The terrace of 3-bed houses would be at the rear of the site and the cluster of 1-bed houses in the centre.

The application is in Outline form, with matters of Access; Appearance; Layout; and Scale before the Council at this time.

Access: Using the existing point of access on Blandford Road, a drive would extend into the site along the southern edge to access parking spaces in the centre of the site and adjacent to the houses at the rear. The drive would include a separate pedestrian footway and a pinch point to control vehicle speeds.

Appearance: A simple residential style of architecture replicated across the 8 dwellings using brick; composite 'slate'; and UPVC materials.

Layout: The four 3-bed houses would form a terrace with rear gardens backing onto the west boundary and parking spaces across the width of the site in front. The cluster of four 1-bed houses in the centre of the site would have small gardens; front doors facing onto the access road; and parking spaces to the east in a shared courtyard which would also accommodate car parking serving houses that are the subject of current planning application APP/17/00950/F.

Scale: Eight 2-storey dwellings with pitched roofs.

The principle of demolishing the existing building would be acceptable since, because of its siting at the rear, it makes little contribution to the appearance or character of the streetscene or public realm. However, whilst the building is currently unused, the space that it potentially provides for community activities is important and is recognised by adopted policies as being of benefit to the local centre and wider community.

Core Strategy policy PCS22 identifies development opportunities in Hamworthy Local Centre, which include residential use. Site Specific Allocation Policy SSA22 indicates that the Council will prepare a development brief for this Local Centre to seek to deliver the priorities of the Core Strategy Policy PCS22. The application site is also identified, along with neighbouring land, by SSA23 'Hamworthy - Redevelopment site' as being suitable for redevelopment that could deliver a mix of uses as set out in PCS22, and as far as practicable:

- i) delivers comprehensive redevelopment through the assembly of component sites,
- ii) Rationalise access arrangements onto Blandford Road and include appropriate servicing for new shops,
- iii) support enhancement of the Local Centre in accordance with PCS23 'Local Distinctiveness'.

This suite of policies supports development of the site where it would deliver uses and activities that enhance the vitality and viability of the Local Centre. Residential development in Local Centres supports the vitality and viability of that Centre and is development in a highly sustainable location because of the services and facilities available

in the Centre.

The adopted Poole Quays Forum Neighbourhood Plan also includes policies for the Local Centre, both in respect of land use and environmental enhancement. Those policies propose a greater degree of mixed use and support schemes that include retail or community facilities but, as with the Councils policies, they cover a larger area which also includes land on the east side of Blandford Road.

Residential use is considered to be appropriate in principle. Furthermore the site backs on to existing homes on adjoining roads and residential development would be a mutually compatible form of development.

The proposals would result in the loss of a Community facility, which the applicant argues is not required because alternative accommodation is available locally. The location is also said to be unsuitable for alternative uses. They also propose that the delivery of homes is consistent with PCS22 and would provide homes in a sustainable location that would increase footfall and 'spend' in the local centre.

The applicant has indicated that their acquisition of the site would include both the hall and the associated bungalow, which they have chosen to bring forward as two separate applications. Without a prominent street frontage and the associated passing trade and footfall, new business premises in the isolated rear part of the site are unlikely to be desirable or successful. This approach therefore significantly limits the likelihood of being able to successfully replace the British Legion Hall with an alternative commercial or community use that would contribute to; engage with; and enhance the local centre.

Development proposals will rarely comply with every provision of the development plan and it is for the decision maker to apportion appropriate weight to issues as they see fit. The provision of the proposed eight houses in such a highly sustainable location would have significant social; economic; and environmental benefits by providing a range of house sizes in an existing residential area; employment during construction; and increased spend in local commercial premises. It would remove a vacant building likely to attract anti-social behaviour and make efficient use of land in the urban area. These benefits would outweigh the loss of a community facility and the failure of the scheme to incorporate alternative community uses on the site.

The scale and appearance of the houses would be entirely appropriate. Their orientation; siting; and design would preserve the privacy of neighbours and future occupiers. They would be visible from the rear of surrounding homes and could give rise to some shading of adjacent rear gardens, however the existing building closely abuts and extends the full length of the boundaries with these rear gardens and therefore already causes shading; has a degree of dominance; and impacts on the outlook of these neighbours. The development would not therefore materially harm their existing amenities. Concerns about the removal of the building from the boundary, resulting in adjacent rear gardens being unsecured would be addressed by site hoarding/fencing during construction and subsequent boundary treatment appropriate to garden boundaries between houses.

The layout provides for enclosure at the end of the access road; development fronting and engaging with the access road to create a domestic character; passive surveillance and activity; private rear gardens; and amenity space sufficient to meet the needs of the different

sized houses. Whilst 'landscaping' is a reserved matter, adequate space is afforded by the layout to provide a landscaped setting for the development.

The scheme has been designed by the same applicant and architect as that on the site of the bungalow at No.245 Blandford Road, thereby ensuring it is wholly compatible with the layout; design; servicing; and amenity needs of this adjacent development proposal.

The proposed layout provides an opportunity to form an alternative access to the Liberal Club land to the south, which is currently the subject of application APP/17/00088/P, sharing the proposed access road. Whilst a comprehensive approach is not a prerequisite of the policies, it is advocated where practicable and application APP/17/00088/P does not currently seek to share the proposed access at 245 Blandford Road.

The scheme would preserve the residential character and appearance of the wider area; sit comfortably in the rear alongside other residential properties; and would preserve their amenity.

The proposed access would meet the needs of the development and could also accommodate the proposed development on the adjacent bungalow site, currently the subject of application APP/17/00950/F. The depth of the pavement and presence of the bus stop would provide ample visibility to allow vehicles to enter and exit safely. Sufficient parking and manoeuvring space is provided for the combination of houses proposed. A separate footway is proposed, which would provide safe access for pedestrians. A proposed 'pinch point' and narrowing of the road would encourage low vehicle speeds.

A bin collection point is identified close to the edge of the site to meet the needs of the Waste Collection Authority. In the absence of a comprehensive development with the adjoining Liberal Hall site, it is not possible to provide sufficient turning space for a refuse wagon and residents would therefore be required to present their bins on the adopted highway for collection on the relevant days. The collection point is on the site and large enough to ensure that bins would not compromise driver visibility at the access.

Site Specific policy SSA23 advocates rationalised access arrangements onto Blandford Road. The proposed access is immediately adjacent to an existing access serving the Liberal Club, proposed to be retained and used by service vehicles associated with that development. Furthermore there is another access on the southern side of the Liberal Club frontage. The allocation of this land for development therefore presumes the rationalisation of these accesses because of the negative impact that they currently have on highway and pedestrian safety, especially given the presence of the bus stop, and because of the opportunity to undertake environmental enhancements that doing so would create.

In the absence of a comprehensive approach, this rationalisation would not occur and the development would not be in accordance with adopted policy and would exacerbate existing concerns regarding the proximity and intensity of use of access on highway safety and not allow environmental enhancements. However the site is only served by a single access and by making provision for a comprehensive approach it could allow closure of other accesses, including the access serving the existing bungalow No.245, where the application (Ref:17/00950) proposes to use the access and road serving this scheme.

Because of the significance of this opportunity, the road should be adopted as Highway in

order to ensure that these benefits can be realised. This should be secured by S.106 agreement.

Being new build houses it would be readily possible to deliver energy efficient and sustainable developments in accordance with the Building Regulations. A condition could be used to secure details of provisions to meet 10% of the sites energy needs from sustainable sources on site.

INFRASTRUCTURE AND DEVELOPER CONTRIBUTIONS

Mitigation of the impact of the proposed development on recreational facilities; Dorset Heathlands and Poole Harbour Special Protection Areas; and strategic transport infrastructure is provided for by the Community Infrastructure Levy (CIL) Charging Schedule adopted by the Council on 18th September 2012. In accordance with CIL Regulation 28 (1) this confirms that dwellings are CIL liable development and are required to pay CIL in accordance with the rates set out in the Council's Charging Schedule.

The site is within 5km (but not within 400m) of Heathland SSSI and the proposed net increase in dwellings may be acceptable subject to appropriate mitigation of their impact upon the Heathland. As part of the Dorset Heathland Planning Framework a contribution will be taken from all qualifying residential development to fund Strategic Access Management and Monitoring (SAMM) in respect of the internationally important Dorset Heathlands. The charge is based on the cost of delivering SAMM in Poole and is £355 per additional house / £242 per additional flat (plus admin fee). This proposal requires such a contribution.

The applicant has indicated a willingness to enter in to a S.106 agreement to make the contribution of £2,840.00 (plus admin fee).

The proposal therefore accords with the provisions of Core Strategy Policies PCS15, PCS28, PCS 36 and PCS37; DPD Policies DM9, IN1 and IN2; and the Dorset Heathlands SPD.

FINANCIAL CONSIDERATIONS

This application currently falls into CIL Zone **C** which has a base CIL chargeable rate of **£75** per square metre of chargeable residential floorspace. The precise CIL liability in respect of these proposals will be confirmed in the CIL Regulation 65 Liability Notice which will be issued as soon as practicable after the day on which a planning permission first permits development.

The CIL liability will be the product of the **chargeable residential floorspace** and the base **CIL chargeable rate** indexed against the BCIS All-in Tender Price Index for November 2012.

If this development is granted permission and the dwellings built, the Council might also be eligible to receive government grant under the New Homes Bonus.

Local financial considerations are material to the decision on this application. It is a matter for the decision maker to conclude how much weight should be attached to them.

The planning merits of the scheme stand alone, and whilst these potential financial receipts are of obvious benefit to the Council, they would not outweigh the harm identified.

CONCLUSION

The social, economic and environmental benefits of delivering a range of housing in the local centre that would support the needs of residents and vitality and viability of the local centre and in a layout that could facilitate comprehensive development of adjoining sites and presents an attractive; active; and safe residential street; which would outweigh the failure to rationalise the accesses across the entire SSA23 policy area. The application is recommended for approval.

RECOMMENDATION

It is therefore recommended that this application be **Granted With CIL Contribution and subject to securing the following by S.106 Agreement:**

- 1. Provide construction details, drainage, lighting and materials and make the access road available for adoption as public highway.**
- 2. A financial contribution of £2,840.00 (plus admin fee) towards mitigating the harm to the Dorset Heathlands SPA and SSSI in accordance with the Dorset Heathlands Planning Framework 2015-2020 SPD 2015, Policies PCS28, PCS36 and PCS37 of the Poole Core Strategy 2009, Policy DM9 of the Poole Site Specific Allocations and Development Management Policies DPD 2012 and Policies IN1 and IN2 of the Delivering Poole's Infrastructure DPD 2012.**

Conditions

1. OL080 (Submission of Reserved Matters (3 Years))
2. OL010 (Submission of Reserved Matters)
3. PL02 (Plans Listing - Outline)
4. HW100 (Parking/Turning Provision)
5. HW090 (Access Gradient Not to Exceed 1:15)
6. HW230 (Permeable surfacing condition)
7. AA01 (Non standard Condition)

Prior to first occupation of the scheme the bin collection area shown on the approved plans shall be laid out and available for use for the presentation of bins for collection and shall be retained for that purpose.

Reason:

In order to make appropriate provision for waste collection and to preserve highway and pedestrian safety in accordance with PCS23 of the Poole Core Strategy 2009, and DM07 of the Poole Site Specific Allocations and Development Management policies 2012.

8. GN100 (No Further Windows in Specified Elevation) (North elevation)
9. GN162 (Renewable Energy - Residential) (10%)

Informative Notes

1. IN72 (Working with applicants: Approval)
2. IN74 (Community Infrastructure Levy - Approval)
3. IN43 (Section 106 Agreement)
4. IN82 (Demolition of Buildings)

ITEM NO	03
APPLICATION NO.	APP/17/00950/F
APPLICATION TYPE	Full
SITE ADDRESS	245 Blandford Road, Poole, BH15 4AZ
PROPOSALS	Demolition of the existing bungalow and garage and the erection of terrace 4 x 2 bed houses with parking to rear.
REGISTERED APPLICANT AGENT	4 July, 2017 Carlton Developments (Poole) Ltd J Burgess & Associates Ltd
WARD	Hamworthy East
CASE OFFICER	James Gilfillan

INTRODUCTION

This application is brought before committee at the request of Cllr White because of the conflict with development plan policies seeking mixed use development.

Recommendation for **Refuse**

THE PROPOSAL

Demolition of the existing bungalow and garage and the erection of terrace of four 2-bed houses with parking to rear.

MAIN ISSUES

The principal issues for consideration in this case relate to planning policy, the impact on highway safety, the Local Centre and character and appearance of the area.

SITE DESCRIPTION

The application site is on the west side of Blandford Road within the Hamworthy Local Centre. It is currently occupied by a bungalow fronting Blandford Road.

There is a vacant (British Legion) community hall and extensive hard surfaced parking behind the bungalow. Access to the site directly from Blandford Road.

The area has a mixed character, the local centre provides a variety of shops, cafe's and takeaways. There are residential dwellings backing on to the site on Coles Avenue and Legion Road.

RELEVANT PLANNING HISTORY

None on the bungalow.

The British Legion Hall

2017: Outline Planning Application to demolish the hall and erect a terrace of four 3-bed

houses and a cluster of four 1-bed houses, with parking, accessed from Blandford Road. **Under consideration** (APP/17/00951/P)

241a - 243 Blandford Road (Liberal Club)

2017: Outline Planning application to demolish outbuildings and sections of the Liberal Hall and erect 10 houses at the rear, with parking and access from Blandford Road. **Under consideration** (APP/17/00088/P)

PRE-APPLICATION ADVICE

2017: Demolish the existing Legion Club Hall and residential bungalow and erect 11 dwellings (17/00092):

- On the basis of there being an application on the adjoining site, strongly encouraged to engage with the adjoining land owner to bring forward a comprehensive scheme that would be to the benefit of both parties and their schemes such that they wouldn't be dominated by cars and roads and would instead be pleasant residential environments. Comprehensive environmental enhancements to the site frontage to improve the appearance of the area should also be secured.
- Whilst the Legion Hall was closed, proposals would still need to satisfy the requirements of PCS22 before a scheme of 100% housing could be supported. As part of any comprehensive scheme with the Liberal Club site, the site could contribute towards the delivery of a successful development and enhancement of the existing hall on that site. A mix of housing sizes is positive
- There was an opportunity to get the houses to front Blandford Road and site the parking to their rear. Together with appropriate front gardens and enclosure this would enhance the appearance of the site. It would be preferable to see houses fronting the access road, so that it is a street where people live rather than a service drive.
- Engagement with Poole Quays Forum is encouraged.

COMMUNITY CONSULTATION

None

CONSULTATIONS

The Transport Policy Manager: Supports the scheme as delivering sufficient parking, safe access and manoeuvring space; measures to slow vehicle speeds; and acceptable gradient and access visibility.

Natural England: Subject to securing Heathland mitigation contributions has no objection.

Poole Quays Forum: Object to the failure of the scheme to include a mix of uses, replacing the community facility, not making efficient use of the land, duplication of accesses proposed on adjacent land, lack of comprehensive approach with adjoining land, negligible benefit from spend in the local centre, dominance of road and poor design.

REPRESENTATIONS

Letters of representation have been received supporting the provision of houses on the site.

Hamside Residents Association: Object to the conflict with adopted policies, most particularly the failure to deliver mixed use, retail or medical facilities as advocated by PQF6

PLANNING CONSIDERATIONS

POLICY AND GUIDANCE

STRATEGIC CONTEXT

National Planning Policy Framework (Adopted March 2012)

Dorset Heathlands Planning Framework 2015-2020 SPD

LOCAL CONTEXT

The following policies are listed as applying to this application.

Poole Core Strategy (2009)

PCS05	Broad Locations for Residential Development
PCS15	Access and Movement
PCS22	Local Centres
PCS23	Local Distinctiveness
PCS25	Self-Reliant Communities
PCS26	Delivering Locally Distinctive, Self-Reliant Places
PCS28	Dorset Heaths International Designations
PCS31	Sustainable Energy - General
PCS32	Sustainable Homes

Site Specific Allocations & Development Management Policies DPD (2012)

DM1	Design
DM3	Shopping
DM7	Accessibility and Safety
DM8	Demand Management
DM9	Green Infrastructure and Biodiversity
SSA22	Local Centres - Priorities for Investment
SSA23	Hamworthy - Redevelopment Site

Poole Quays Forum:

PQF01	Public Realm
PQF03	High Quality Design
PQF06	Hamworthy Centre and Blandford Road
PQF07	Hamworthy Centre Environmental Improvements

PLANNING JUDGEMENT

The scheme proposes to demolish the existing bungalow and erect a terrace of four 2-bed houses, with access at the side to an area of parking at the rear.

The principle of demolishing the existing building would be acceptable since, because of its scale; siting; and appearance, it makes little positive contribution to the appearance and character of the streetscene and public realm.

Core Strategy policy PCS22 identifies development opportunities in Hamworthy Local Centre which includes residential use. Site Specific Policy SSA22 indicates that the Council will prepare a development brief for this Local Centre to seek to deliver the priorities of the Core Strategy Policy PCS22. The application site is also identified, together with neighbouring land, by SSA23 'Hamworthy - Redevelopment site' as being suitable for redevelopment that could deliver a mix of uses as set out in PCS22, and as far as practicable:

- i) delivers comprehensive redevelopment through the assembly of component sites,
- ii) Rationalise access arrangements onto Blandford Road and include appropriate servicing for new shops,
- iii) support enhancement of the Local Centre in accordance with PCS23 'Local Distinctiveness'.

This suite of policies supports development of the site where it would deliver uses and activities that enhance the vitality and viability of the Local Centre. Residential development in Local Centres supports the vitality and viability of that Centre and is development in a highly sustainable location because of the services and facilities available in the Centre.

The adopted Poole Quays Forum Neighbourhood Plan also includes policies for the Local Centre, both in respect of land use and environmental enhancement. These policies propose a greater degree of mixed use and support schemes that include retail or community facilities but, as with the Councils policies, they cover a larger area which also includes land on the east side of Blandford Road.

Residential use is considered to be appropriate in principle. Furthermore there is a residential property adjacent to the site and this is a feature of the area. However the site specific policy advocates that development of this site should contribute to enhancing the vitality and viability of the Local Centre. The position of this application site is entirely suited to commercial premises, in a prominent position on the roadside, adjacent to the bus stop it has the attributes that could be exploited to provide new floorspace that could improve the range of commercial activity in the Local Centre.

Whilst the site alone may be too small to deliver a community or medical facility, as advocated by the Poole Quays Forum Neighbourhood Plan, it could form part of a comprehensive development with adjoining land to deliver such a use, however as a 'stand alone' site it could still potentially deliver a mixed use development including commercial floorspace.

The provision of small family homes in a highly sustainable location, would nevertheless still have economic, social and environmental benefits. The plots would be smaller than the residential plots around them, but the policies advocate higher density development in such sustainable locations and sufficient amenity space would be provided to meet the needs of the development.

Their siting forward of the existing and adjoining dwellings would make them prominent in the street but, because of their size, they would not be detrimental to or intrusive in the streetscene. Their design would also ensure that there would be positive engagement and

passive surveillance of the road and enclosure across the frontage. The southern unit would have windows and a door in its side elevation fronting onto the access road, contributing to its domestic character.

The design of the houses is simple and traditional, but wouldn't add particular interest to or otherwise particularly enhance the appearance of the Local Centre.

The siting of the houses forward of no.247 would result in increased shading of no.247, but not to a degree that would harm its amenity since it would be mainly to its frontage. This siting would minimise the potential for overlooking from the first floor. Overlooking between the units would be similar to that found in many residential environments and it provide adequate privacy for occupiers. If this scheme and that at the rear, replacing the former British Legion Club were to occur, sufficient separation distances between the nearest properties would preserve privacy and amenity.

Small front gardens would largely preserve the contribution of the site to the appearance of the street and local centre. Some tree planting could be secured, however residential gardens do not provide the style and benefit of environmental enhancements sought by the policies, nor what could be delivered by the incorporation of active commercial frontage.

Sufficient parking, manoeuvring and access arrangements are provided to meet the needs of the development and preserve highway and pedestrian safety. In accordance with SSA23, the scheme takes the opportunity to rationalise accesses by closing the existing access serving the bungalow and sharing the access currently serving the Legion Club and proposed to also serve the development proposed under APP/17/00951/P.

Being a new build it would be readily possible to deliver an energy efficient and sustainable development in accordance with the Building Regulations. Conditions could be used to ensure use of permeable surfaces and soakaways to improve sustainable drainage and secure details of measures to generate 10% of the schemes energy needs from on site renewable sources.

INFRASTRUCTURE AND DEVELOPER CONTRIBUTIONS

Mitigation of the impact of the proposed development on recreational facilities; Dorset Heathlands and Poole Harbour Special Protection Areas; and strategic transport infrastructure is provided for by the Community Infrastructure Levy (CIL) Charging Schedule adopted by the Council on 18th September 2012. In accordance with CIL Regulation 28 (1) this confirms that dwellings are CIL liable development and are required to pay CIL in accordance with the rates set out in the Council's Charging Schedule.

The site is within 5km (but not within 400m) of Heathland SSSI and the proposed net increase in dwellings may be acceptable subject to appropriate mitigation of their impact upon the Heathland. As part of the Dorset Heathland Planning Framework a contribution will be taken from all qualifying residential development to fund Strategic Access Management and Monitoring (SAMM) in respect of the internationally important Dorset Heathlands. The charge is based on the cost of delivering SAMM in Poole and is £355 per additional house / £242 per additional flat (plus admin fee). This proposal requires such a contribution.

The applicant has not paid the contribution of £1,065.00 (plus admin fee).

The proposal therefore does not accords with the provisions of Core Strategy Policies PCS15, PCS28, PCS 36 and PCS37; DPD Policies DM9, IN1 and IN2; and the Dorset Heathlands SPD.

FINANCIAL CONSIDERATIONS

This application currently falls into CIL Zone **C** which has a base CIL chargeable rate of **£75** per square metre of chargeable residential floorspace. The precise CIL liability in respect of these proposals will be confirmed in the CIL Regulation 65 Liability Notice which will be issued as soon as practicable after the day on which a planning permission first permits development.

The CIL liability will be the product of the **chargeable residential floorspace** and the base **CIL chargeable rate** indexed against the BCIS All-in Tender Price Index for November 2012.

If this development is granted permission and the dwellings built, the Council might also be eligible to receive government grant under the New Homes Bonus.

Local financial considerations are material to the decision on this application. It is a matter for the decision maker to conclude how much weight should be attached to them.

The planning merits of the scheme stand alone, and whilst these potential financial receipts are of obvious benefit to the Council, they would not outweigh the harm identified.

CONCLUSION

Whilst the provision of dwellings in the Local centre has social, economic and environmental benefits these would not outweigh the failure to take advantage of the benefits of the location of the site to deliver a mix of uses, commercial or community premises that would enhance the vitality and viability of the Local Centre in accordance with adopted policies specific to this site. The application is recommended for refusal.

RECOMMENDATION

It is therefore recommended that this application be **Refused** for the following reasons:

Reasons

1. RR000 (Non Standard Refusal Reason)

The scheme fails to take advantage of the sites position to deliver a policy compliant mix of uses that would enhance the vitality and viability of the Local Centre and deliver environmental enhancements for the benefit of the users of the Local Centre. The scheme is therefore contrary to the provisions of Policies PCS22 & PCS23 of the Poole Core Strategy 2009; Policy SSA23 of the Poole Site Specific Allocations and Development Management Policies 2012; and Policies PQF3, PQF6 & PQF7 of the Poole Quays Forum Neighbourhood Plan 2016.

2. RR001 (SAMM)

Informative Notes

1. IN73 (Working with applicants: Refusal)
2. IN75 (Community Infrastructure Levy - Refusal)
3. IN76 (List of Plans Refused)

ITEM NO	04
APPLICATION NO.	APP/17/00088/P
APPLICATION TYPE	Outline
SITE ADDRESS	241a and 243 Blandford Road, Poole, BH15 4AZ
PROPOSALS	Outline application to demolish some buildings and replace with a new development of 10 x 3 bedroom houses with associated access and parking whilst retaining the Hamworthy Liberal Club
REGISTERED APPLICANT	2 February, 2017 Holton Homes
WARD	Hamworthy East
CASE OFFICER	James Gilfillan

INTRODUCTION

This application is brought before committee at the request of Cllr White because of the significance of proposals in the Hamworthy Local centre to local residents.

Recommendation for **Refuse**

THE PROPOSAL

Outline application to demolish some of the on-site buildings and erect ten 3-bed houses with associated access and parking whilst retaining the Hamworthy Liberal Club

MAIN ISSUES

The principal issues for consideration in this case relate to the principle of development; highway safety; and impact on the Local Centre and Community Facility.

SITE DESCRIPTION

The site is on the west side of Blandford Road, close to its junction with Coles Avenue and Hinchliffe Road. It is in the Hamworthy Local Centre, where there are a variety of shops, cafes and takeaways.

The 'L' shaped site is occupied by a large barrel-roofed Liberal Association hall. The site wraps around the rear of neighbouring Blandford Road properties and dwellings on Legion Close and Lanark Close to the west and Albany Gardens to the South. The hall extends deep into the plot and there are associated outbuildings and parking at the rear.

The British Legion Club, which has been unused for several years, occupies the adjoining site to the north and is another community building.

The majority of the site is hard surfaced and suffers from surface/storm water drainage problems.

There are two vehicle accesses to Blandford Road at the front of the site and a bus stop directly in front of the site.

RELEVANT PLANNING HISTORY

2008: Erect temporary single storey classroom block and install a 2m high galvanised fence for a period of 22 months (expiring 30 September 2010). **Approved** (APP/08/40043/F/000)

This consent was renewed in **2011** and twice in **2012**. The building ('The Gaff') has since been removed.

245 Blandford Road & British Legion Club

2017: Demolish existing bungalow and erect a terrace of four 2-bed houses. **Currently under consideration.** (17/00950/F)

2017: Demolish the British Legion hall and erect four 3-bed houses and four 1-bed houses (Outline). **Currently under consideration.** 17/00951/P

PRE-APPLICATION ADVICE

2015: Pre-app 15/00152 to erect 9 houses was considered to have merit in principle. Whilst detail was lacking, such a development could preserve residential amenity and the character of the area to the south and west. Proposed parking provision should be reviewed, specifically for the Liberal Club, and evidence of the applicant's ability to improve the access drive would be required.

COMMUNITY CONSULTATION

None prior to submission, but the applicant has subsequently met Poole Quays Forum to discuss the scheme and explore alternative proposals.

CONSULTATIONS

The Transport Policy Manager: No objection to the slight shortfalls of parking for the residential and Liberal Hall as the improvements in the parking and servicing arrangements would be of benefit. Conditions required to secure lighting and cycle storage.

The Lead Local Flood Risk Authority: No objection, surface water soakaways should be possible in this location and a reduction in hard surfaces across the site would improve natural drainage.

The Head of Environmental Services: Supports the scheme for delivering a bin collection point close to the adopted highway.

Natural England: Indicate an ecology survey should be carried out before permission is granted and requires Heathland mitigation measures are secured.

Crime Prevention and Design Advisor, Dorset Police: Has no objection, recognises that the seclusion at the rear of the Liberal Hall has resulted in crimes recently which better passive surveillance would reduce.

Wessex Water: No objection.

REPRESENTATIONS

Letters of representation have been received objecting to the size of the houses setting a precedent and causing overlooking.

The Society of Poole: Support the application for making good use of under used land.

Hamside Residents Association: Object to the loss of the Liberal Club car park; the reliance on residential development; and the failure to provide a mixed use development.

PLANNING CONSIDERATIONS

POLICY AND GUIDANCE

STRATEGIC CONTEXT

National Planning Policy Framework (Adopted March 2012)

Dorset Heathlands Planning Framework 2015-2020 SPD

LOCAL CONTEXT

The following policies are listed as applying to this application.

Poole Core Strategy (2009)

PCS05	Broad Locations for Residential Development
PCS15	Access and Movement
PCS22	Local Centres
PCS23	Local Distinctiveness
PCS25	Self-Reliant Communities
PCS26	Delivering Locally Distinctive, Self-Reliant Places
PCS28	Dorset Heaths International Designations
PCS31	Sustainable Energy - General
PCS32	Sustainable Homes

Poole Site Specific Allocations & Development Management Policies DPD (2012)

DM1	Design
DM3	Shopping
DM7	Accessibility and Safety
DM8	Demand Management
DM9	Green Infrastructure and Biodiversity
SSA22	Local Centres - Priorities for Investment
SSA23	Hamworthy - Redevelopment Site

Poole Quays Forum:

PQF01	Public Realm
PQF03	High Quality Design
PQF06	Hamworthy Centre and Blandford Road
PQF07	Hamworthy Centre Environmental Improvements

SPD

Parking and Highway Layout in Development 2011

PLANNING JUDGEMENT

The scheme proposes to demolish the outbuildings at the rear of the site and an element at the rear and side of the existing Liberal Club and to erect 10 houses with parking and form a new car park for the Liberal Hall at the rear of the hall.

The application is in Outline form, with matters of Access and Layout before the Council at this time.

Access: Alterations would be made to the two existing accesses from Blandford Road to improve their width and visibility splays. The existing drive to the rear would be widened (as a result of some of the demolitions proposed) with lighting and a pedestrian route provided. Two separate courtyards at the rear would provide parking and manoeuvring for the residents and for patrons of the Club.

Layout: The arrangement of the houses at the rear of the site as 2 terraces of 4 houses (8 in total) parallel to the southern boundary of the application site and a further pair of semi detached houses in the north west corner of the site. There would be a courtyard of parking for the houses between them and a car park for the Liberal Club along the northern boundary.

The principle of demolishing the existing outbuildings and sections of the existing building would be acceptable, since their siting at the rear makes negligible contribution to the surrounding environment. Those parts of the Club, to be demolished, are largely secondary to its function, and would not compromise the operation of the club.

The scheme has the social; economic; and environmental benefits of improving access to and the appearance of the club building; of provides family homes in a sustainable location close to services and facilities in the Local Centre; and the economic benefits of employment during the construction period and spend in the Local Centre.

Core Strategy policy PCS22 identifies development opportunities in Hamworthy Local Centre, which include residential use. Site Specific Policy SSA22 indicates that the Council will prepare a development brief for this Local Centre seeking to deliver the priorities of the Core Strategy Policy PCS22. The application site is also identified, along with neighbouring land, by SSA23 'Hamworthy - Redevelopment site' as being suitable for redevelopment that delivers a mix of uses as set out in PCS22, that as far as practicable;

- i) delivers comprehensive redevelopment through the assembly of component sites,
- ii) Rationalise access arrangements onto Blandford Road and include appropriate servicing for new shops,
- iii) support enhancement of the Local Centre in accordance with PCS23 'Local Distinctiveness'.

This suite of policies supports development of the site where it would deliver uses and activities that enhance the vitality and viability of the Local Centre. Residential development in Local Centres supports the vitality and viability of that Centre and is development in a highly sustainable location because of the services and facilities available in the Centre.

The adopted Poole Quays Forum Neighbourhood Plan also includes policies for the Local Centre, both in respect of land use and environmental enhancement. Those policies propose a greater degree of mixed use and support schemes that include retail or community facilities but, as with the Councils policies, they cover a larger area which also includes land on the east side of Blandford Road.

Residential use is considered to be appropriate in principle. Furthermore the site backs onto existing dwellings on adjoining roads and subject to layout residential development would be a mutually compatible form of development. Due to the siting of the development at the rear of the site, additional commercial premises are unlikely to be successful due to the lack of prominent street frontage, or passing trade and footfall. The scheme retains the majority of the existing Liberal Club, offers enhancements to its front elevation and provides a specific car park for users.

The principle of housing development, that retains the existing community facility is therefore appropriate as providing a mixed use development and retaining a community facility as advocated by all of the policies, including PCS25. The scheme also proposes to improve the appearance of the front elevation of the Liberal Club and include a ramped access to the front door to aid access for those with limited mobility.

As an outline application only the above matters are under consideration at this time.

The layout makes use of the southern aspect for rear gardens of the two terraces, which would abut the rear gardens of Albany Gardens to the south, providing adequate separation for privacy and amenity, provides active legible frontage facing over the parking courtyard, but with defensible space along the frontage.

The semi detached houses in the North West corner have larger gardens to reflect their orientation and ensure there is no detrimental conflict between the amenity and privacy of the occupiers of 1-5 Legion Close, to the west, due to their proximity to the common boundary, the presence of the Legion Club immediately on the northern boundary and occupiers of those proposed houses.

The layout places all of the residential development behind the parking courtyard, there is no built frontage engaging with or fronting the access road, which passes the blank flank wall of the Liberal hall and the solid side boundary wall and fence along the side of No.241 Blandford Road, a very austere and unattractive arrival to a residential development, dominated by hard surface, parked cars and at certain periods of the day a large number of vehicle movements.

The parking for the residential development would dominate the layout, not create an attractive or pleasant setting for the properties, by providing in curtilage parking, furthermore the volume of vehicle movements would be in excess of those generated by the houses due to the access drive serving the Liberal Club parking and a degree of servicing for both uses.

Appearance and Scale are 'Reserved Matters', however the scheme proposes 3-bed units. The illustrative plans show that would provide accommodation over three floors, with the 3rd floor in the roof slope, however that would be for a future application to consider. The

illustrative appearance would be acceptable, demonstrating an appropriate solution to the delivery of a 3bed house.

Landscape is a 'Reserved Matter', though the layout indicates removal of existing trees and potential landscape edge and separation between the 2 parking courtyards. Due to the poor quality of the existing trees, their loss is acceptable and could be adequately compensated for by the space identified by the layout for landscape.

Access to the site would be from the existing southern access from Blandford Road. It would be widened to improve 2-way access, visibility and service needs. The access and drive would allow vehicles to safely access the site and pass along the length of the drive, though it is noted that the access drive would be shared with pedestrians, both residents and their visitors, and users of the Liberal Club.

There would be no development fronting the access drive, creating surveillance and residential activity on to that route, or an attractive route to a residential development, nor particularly attractive for pedestrians or cyclists. Some service vehicles could use it and turn at the rear of the Liberal Club, however the Waste Collection Authority would not enter the site and rely on the provision of a refuse collection point adjacent to the public highway at the front of the site.

Policy SSA23 seeks the development of this to rationalise accesses on to Blandford Road in order to enhance highway safety and the appearance of the streetscene and public realm. In order to service the scheme the layout retains both accesses, which involves vehicles traveling in both directions across the pavement at both accesses.

The retention of the north access would create a degree of conflict with the access at 245 Blandford Road that would compromise highway and pedestrian safety. Requiring delivery/service vehicles to use the access drive to the rear of the site would exacerbate concerns about the attractiveness and safety of the route, especially serving residential properties.

It is clear that development is also being pursued on the adjoining Legion Club site and therefore comprehensive development with that site could achieve a solution that would separate any accesses for the Club and its activities from those of the residential development, with the benefit of overcoming those conflicts and enable closure of an access to this site to enhance safety and the appearance of the public realm in the local centre as advocated for the policies encouraging development of these sites.

There is a parking shortfall, compared to the adopted standards, for both the residential development and the Club. Whilst the layout of the residential parking could potentially accommodate additional spaces to achieve adopted standards, that would further exacerbate the visual impact of the car park dominating the site. This shortfall could result in overflow parking occurring in the car park for the Club and elsewhere, which could potentially raise significant site management issues. Whilst this is unlikely to cause harm to highway safety beyond the site and the location in the Local Centre might support lower car useage, it is unlikely to limit car ownership for 3-bed houses to the level of parking proposed. In this respect the scheme is poorly designed and would not create an attractive or successful residential environment.

The shortfall for the Club is approximately 10 spaces based on the guidelines for a D2 "Assembly & Leisure" use, however the actual parking demands would be reflective of the type and popularity of activities undertaken and providing parking spaces to meet peak demand is unlikely to make effective or efficient use of the land for infrequent high demand. In such instances safe on street parking is available in the vicinity that would not harm highway safety and for short periods would not harm residential amenity. There are no facilities shown for cyclists but a condition could be used to ensure provision is made.

Irrespective of the numbers, sufficient manoeuvring space is provided to ensure vehicles can enter and exit in a forward gear.

Recognising that providing space at the rear for a large service vehicle to turn was also an inefficient use of the land and would exacerbate the poor arrival to the residential properties, the site frontage is designed to allow a delivery vehicle to unload in front of the building. This would require short term management of the frontage parking spaces by the Club. That would, however, require retention of both accesses or require a reversing manoeuvre along the access road, neither of which are conducive to highway and pedestrian safety.

It would be possible to improve drainage on the site through use of soakaways; removal of the existing impermeable surfaces; and laying new permeable surfaces and drains, thereby overcoming the surface water flooding issues on the site.

Being new builds they would be readily able to deliver an energy efficient and sustainable scheme in accordance with the building regulations. The siting in the local centre would reduce reliance on the private car and a condition could be used to secure details of measures to ensure 20% of the sites energy needs is achieved by on site renewable sources.

Being an outline application, had it been acceptable in all other respects, a condition could have been attached to submission of reserved matters application for landscape and appearance to secure an ecology survey was undertaken and submitted.

INFRASTRUCTURE AND DEVELOPER CONTRIBUTIONS

Mitigation of the impact of the proposed development on recreational facilities; Dorset Heathlands and Poole Harbour Special Protection Areas; and strategic transport infrastructure is provided for by the Community Infrastructure Levy (CIL) Charging Schedule adopted by the Council on 18th September 2012. In accordance with CIL Regulation 28 (1) this confirms that dwellings are CIL liable development and are required to pay CIL in accordance with the rates set out in the Council's Charging Schedule.

The site is within 5km (but not within 400m) of Heathland SSSI and the proposed net increase in dwellings may be acceptable subject to appropriate mitigation of their impact upon the Heathland. As part of the Dorset Heathland Planning Framework a contribution will be taken from all qualifying residential development to fund Strategic Access Management and Monitoring (SAMM) in respect of the internationally important Dorset Heathlands. The charge is based on the cost of delivering SAMM in Poole and is £355 per additional house / £242 per additional flat (plus admin fee). This proposal requires such a contribution.

The applicant has not made such a contribution.

The proposal therefore does not accord with the provisions of Core Strategy Policies PCS15, PCS28, PCS 36 and PCS37; DPD Policies DM9, IN1 and IN2; and the Dorset Heathlands SPD.

FINANCIAL CONSIDERATIONS

This application currently falls into CIL Zone **C** which has a base CIL chargeable rate of **£75** per square metre of chargeable residential floorspace. The precise CIL liability in respect of these proposals will be confirmed in the CIL Regulation 65 Liability Notice which will be issued as soon as practicable after the day on which a planning permission first permits development.

The CIL liability will be the product of the **chargeable residential floorspace** and the base **CIL chargeable rate** indexed against the BCIS All-in Tender Price Index for November 2012.

If this development is granted permission and the dwellings built, the Council might also be eligible to receive government grant under the New Homes Bonus.

Local financial considerations are material to the decision on this application. It is a matter for the decision maker to conclude how much weight should be attached to them.

The planning merits of the scheme stand alone, and whilst these potential financial receipts are of obvious benefit to the Council, they would not outweigh the harm identified.

CONCLUSION

The poor layout and access arrangements resulting in an unattractive car dominated environment, with a level and layout of parking likely to result in friction between occupiers and the failure to achieve a layout that accommodates policy compliant rationalisation of accesses and the environmental benefits that would bring for the appearance of the streetscene and local centre and highway and pedestrian safety, would not outweigh the benefits of the scheme. The application is recommended for refusal.

RECOMMENDATION

It is therefore recommended that this application be **Refused** for the following reasons:

Reasons

1. RR000 (Non Standard Refusal Reason)

Due to the layout of the houses and parking; the lack of active and residential frontage to the access road; and the mix and volume of vehicle movements along the access road, the scheme would not provide an attractive residential environment. The scheme is therefore contrary to the provisions of Policies PCS05, PCS23 & PCS26 of the Poole Core Strategy 2009; Policies DM07, DM08 of the Poole Site Specific Allocations and Development Management Policies 2012; and Policy PQF3 of the Poole Quays Forum Neighbourhood Plan 2016.

2. RR000 (Non Standard Refusal Reason)

The scheme fails to rationalise accesses on to Blandford Road and make the improvements to highway and pedestrian safety and environmental enhancements required by the adopted policies supporting development of this site. The scheme is therefore contrary to the provisions of Policies PCS22, PCS23 & PCS26 of the Poole Core Strategy 2009; Policy SSA23 of the Poole Site Specific Allocations and Development Management Policies 2012; and Policies PQF3 & PQF7 of the Poole Quays Forum 2016.

3. RR001 (SAMM)

Informative Notes

1. IN76 (List of Plans Refused)

2. IN73 (Working with applicants: Refusal)

3. IN75 (Community Infrastructure Levy - Refusal)

ITEM NO	05
APPLICATION NO.	APP/17/01070/P
APPLICATION TYPE	Outline
SITE ADDRESS	9 Martello Road South, Poole, BH13 7HF
PROPOSALS	Demolish existing dwellinghouse and erect 3 dwelling houses.
REGISTERED APPLICANT	20 July, 2017 Brownseabuilt Ltd
AGENT	Evans & Traves LLP
WARD	Canford Cliffs
CASE OFFICER	Steve Llewellyn

INTRODUCTION

This application is brought before committee at the request of the applicant with the agreement of Councillor Pawlowski.

Recommendation for **Refuse**

THE PROPOSAL

Outline application to demolish the existing dwelling and erect 3no dwellings with associated vehicular access.

MAIN ISSUES

The principal issues for consideration in this case relate to:

- Impact on Street Scene and the Character of the Area
- Highway Issues
- Impact on Protected Trees/Landscaping Issues
- Impact on Residential Amenity
- Sustainability Issues
- CIL Compliance

SITE DESCRIPTION

The site is located on the east side of Martello Road South and occupies a large corner plot at its junction with Oratory Gardens. The site has a frontage of approximately 35 metres to Martello Road South and approximately 50 metres to Oratory Gardens. It is currently occupied by a detached single storey bungalow that is finished in render with a concrete tiled pitched roof above. It has an elongated footprint and is set back from both road frontages with a narrow elevation to Martello Road South and much wider elevation facing Oratory Gardens.

The site is enclosed by a low stone wall to the frontage with Martello Road South that gently rises in height across the width of the site towards the junction with Oratory Gardens that is set back behind a grassed verge. The site is heavily screened from Martello Road South by dense and mature tree and landscape screening so that the existing dwelling has a fairly limited visual presence within Martello Road South with any views being restricted to those that are available into the site along the driveway or at the junction of the site with Oratory Gardens where the site frontage is more open. There is a vehicular access at the southern end of the site frontage to Martello Road South that is shared with No.11 Martello Road South.

The boundary to Oratory Gardens is also enclosed by a low stone wall that gradually decreases in height to the west with a dense hedge behind and above. Whilst this boundary treatment screens the existing dwelling to some extent, it is clearly more visible above this hedge within the street scene of Oratory Gardens than it is within Martello Road South. There is a small group of three Silver Birch trees in the north western corner of the site that are clearly evident within the streetscene of Oratory Gardens. The site is subject to a Tree Preservation Order (TPO No. 7/1998 – Individual and Group Order).

To the south of the site, the dwelling that formerly occupied No.11 Martello Road South has been demolished and the currently vacant plot benefits from planning permission for a block of flats. On the opposite side of Martello Road South, a large detached dwelling and garage have been demolished at No.8 Martello Road South and the site is being redeveloped with the construction of three detached houses and is at a relatively advanced stage. To the south of that site is land that has been severed from the former dwelling at No.8 Martello Road South and that is currently vacant but benefitting from planning permission for the erection of a block of 8 flats with basement parking. The section of Martello Road South between its junctions with Western Road and Oratory Gardens is of a mixed character comprising of blocks of flats and detached dwellings and is evolving in terms of its character and pattern of development with recent planning permissions having been granted and development taking place on several sites (Nos.8 and 11 and Land Adjacent to No.8 Martello Road South). To the north of the junction with Oratory Gardens, the character of Martello Road South changes and remains one of detached dwellings set within substantial sized and well landscaped/trees plots.

To the east of the application site, No.10 Oratory Gardens is occupied by a single storey bungalow that has an elongated footprint that spans much of the width of the site that is set in a large plot and that is enclosed to the frontage by a dense and high hedge. The development within Oratory Gardens is characterised by large detached dwellings comprising of bungalows, split level properties and two-storey houses set within spacious plots. The dwellings generally have a footprint that occupies much of the width of their plots and that are predominantly of a traditional style of architecture. Landscaping is a key feature of this street scene with plots being screened by mature trees and well established hedges and planting along the front boundaries that form a dominant feature that contributes to the spacious and low density character of Oratory Gardens.

RELEVANT PLANNING HISTORY

Application Site

No previous relevant planning history.

No.8 Martello Road South

2016: Demolition of existing dwelling and subdivision of the site and erection of 3no new detached dwellings with integral garages. **Approved** (APP/16/01390/F).

2017: Variation of Condition Nos.2 and 6 of Planning Permission APP/16/01390/F as described in that Description of Development to update the approved plans to allow for the flat roof on House 2 to become a terrace. This application is currently **undetermined** (APP/17/01216/F).

Land Adjacent to No.8 Martello Road South (Land Severed from No.8 Martello Road South)

2016: Erection of a block of 8 apartments with basement parking accessed from Martello Road South. **Approved** (APP/16/00631/F).

2017: Variation of Condition 2 of planning permission APP/16/00631/F to substitute approved plans. This application is currently **undetermined** (APP/17/00467/F).

No.11 Martello Road South

March 2017: Outline consent for demolition of the existing dwelling and the erection of a 3 storey block of 9 flats with associated car parking, bin and cycle stores. **Approved** (APP/16/01880/P).

August 2017: Reserved Matters application following approval of Outline Application 16/01880/P to address the scale and appearance of the building and landscaping on the site. **Approved** (APP/17/00868/R).

2017: Demolish existing house and erection of a 14 unit apartment building with associated access and parking. This application is currently **undetermined** (APP/17/00785/F).

PRE-APPLICATION ADVICE

None.

COMMUNITY CONSULTATION

None.

CONSULTATIONS

Transport Policy Manager: Support, subject to conditions requiring the provision of the access, turning space and garaging/vehicle parking within the site and the provision of pedestrian visibility splays prior to the first occupation of the dwellings.

Natural England: No objection subject to the applicant making the necessary contribution to deliver the required avoidance/mitigation of the potential impact of the development on the quality of the heathland interest features of the Dorset Heathlands Special Protection Area (SPA) and Dorset Heaths Special Area of Conservation (SAC). In addition, it is advised that

the site lies close to Poole Bay Cliffs SSSI but the proposal would not have a significant effect on the interest features of this designated site provided that it is carried out in strict accordance with the details of the application. They also refer to Standing Advice on protected species.

REPRESENTATIONS

Representations have been received in response to the proposed development which raise the following concerns:

- The proposal would result in the loss of trees that would add to the considerable loss of trees associated with other developments in the immediately adjacent area and would diminish the character and appearance of the area. The proposal includes the unnecessary removal of two Western Red Cedars which, if retained, would not prevent the proposed construction work. However, their removal would reduce the contribution of the group of trees of which they form a part.
- Trees are proposed to be removed prior to the commencement of construction works which creates the possibility that the trees could be removed without the development proceeding.
- The plans indicate that the existing hedge on the Oratory Gardens frontage would be retained but is unclear whether the hedge on the eastern boundary of the site would be retained. The hedge provides screening to No.10 Oratory Gardens, which would be overlooked if it were removed.

PLANNING CONSIDERATIONS

POLICY AND GUIDANCE

STRATEGIC CONTEXT

National Planning Policy Framework (NPPF) (March 2012)

National Planning Practice Guidance (NPPG) (March 2014)

LOCAL CONTEXT

The following policies are listed as applying to this application.

Poole Core Strategy (Adopted February 2009)

PCS05	Broad Locations for Residential Development
PCS15	Access and Movement
PCS23	Local Distinctiveness
PCS28	Dorset Heaths International Designations
PCS31	Sustainable Energy - General
PCS32	Sustainable Homes
PCS35	Energy and Resources Statements
PCS37	The Role of Developer Contributions in Shaping Places

Poole Site Specific Allocations and Development Management Policies DPD (Adopted April

2012)

Development Management Policies

DM1	Design
DM7	Accessibility and Safety
DM8	Demand Management
DM9	Green Infrastructure and Biodiversity

Delivering Poole's Infrastructure DPD (Adopted April 2012)

IN1	Poole's Infrastructure Delivery Framework
IN2	Developer Contributions

Supplementary Planning Document

Parking and Highway Layout in Development (Adopted July 2011)

The Dorset Heathlands Planning Framework 2015-2020 (Adopted November 2015)

PLANNING JUDGEMENT

This application seeks outline planning permission to establish the principle of the demolition of the existing bungalow and the severance of the existing site to erect three detached dwellings with associated vehicular access. The application seeks approval of the detailed matters of access and landscaping only with the detailed matters of layout, appearance and scale reserved for later consideration. The application has been supported by a site layout plan which clearly indicates the proposed location of the vehicular accesses to serve the proposed dwellings, as well as landscaping proposals. The submitted plans also provide indicative details for the siting of the proposed dwellings and driveway layouts. Whilst the detailed matter of layout has been reserved for later consideration, along with scale and appearance, it is nevertheless considered that the submitted site plan provides a good indication as to how the applicant is likely to seek to sever the existing site to create three plots.

Principle of Development and Impact on Character of the Area

Policy PCS05 of the Poole Core Strategy requires that residential proposals involving plot severance need to demonstrate that sufficient land can be assembled to accommodate a type, scale, density and layout of development which preserves or enhances the residential character of the area, and would not harm the amenities of local residents. In accordance with this policy, the design of the proposed buildings should contribute positively to those attributes of a particular street which distinguish it and establish the specific character of the area.

This stance is reinforced by Policy PCS23 of the Core Strategy which also 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, density, massing, height, design details, materials and appearance.

The objectives of Policies PCS5 and PCS23 are in line with the Government's planning policy as set out in the NPPF which indicates that private residential gardens are not included within the definition of previously developed land (brownfield land). In relation to development, such as that proposed, it seeks to safeguard residential gardens and encourages local planning authorities to adopt policies "to resist inappropriate development of residential gardens, for example where development would cause harm to the local area" (paragraph 53). It continues by stating that it is necessary to ensure that developments "respond to local character" and "reflect the identity of local surroundings and materials" and that it is "visually attractive" with appropriate landscaping (paragraph 58 of the Framework) and that "it is...proper to seek to promote or reinforce local distinctiveness" (paragraph 60). Furthermore, Paragraph 64 makes it clear that "Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions".

The site is located within an established residential area where the principle of residential development is accepted. Whilst the proposal would result in the demolition of the dwelling that currently occupies the site, it is not considered to be of such architectural merit or particular value in terms of its contribution to the character and appearance of the street scenes of Martello Road South and Oratory Gardens and the surrounding area that would preclude its demolition. Therefore, in principle, its demolition is not considered to be harmful.

The section of Martello Road South between its junctions with Western Road and Oratory Gardens is of a mixed character and is an evolving street scene and pattern of development given the planning permissions that have recently been granted and are currently being implemented. To the north of the junction with Oratory Gardens, the character of Martello Road South changes and clearly remains one of detached dwellings set within large landscaped plots. Similarly, the street scene of Oratory Gardens, to which the application site has a frontage, is also characterised by detached dwellings of a variety of styles and designs but predominantly of a traditional style of architecture, that are set within spacious plots. Landscaping is a key feature of this street scenes of both Martello Road South and Oratory Gardens with plots being screened by mature trees and well established hedges and planting along the front boundaries that form a dominant feature that contributes to the spacious and low density character of Oratory Gardens. This allows the properties to appear nestled within their plots and creates a verdant character to the street scenes.

In considering the principle of the proposed sub-division and development of the site with the erection of three dwellings, whilst the detailed matter of layout has been reserved for later consideration it does seek approval of the access to the site. This includes the retention of the existing vehicular access from Martello Road South that is shared with the adjacent site at No.11 and the formation of a single new access from Oratory Gardens that would split to serve two separate driveways. The applicant has also stated in the submitted Planning Statement that the existing access would continue to serve one dwelling whilst the proposed new access from Oratory Gardens would serve two dwellings. Given that the access points, if approved, would be fixed in the locations indicated on the submitted plans and having regard to the other constraints within the site to development such as the trees that are to be retained, it is considered that this provides a good indication that the site is likely to be sub-divided in the manner, or very similar manner, to that shown albeit indicatively.

On this basis, it is evident that the proposed development would result in the creation of three plots that would be substantially smaller and narrower than other plots within the immediate surrounding vicinity of the site that form the predominant character and prevailing pattern of development. Whilst the proposed scheme would not be dissimilar in terms of the plot sizes and density of development to the dwellings that are currently being constructed on the opposite side of the road at No.8 Martello Road South, that development is clearly an exception to the prevailing pattern of development, particularly in terms of plot size. In addition, the development at No.8 Martello Road South is situated within that section of Martello Road South between its junctions with Western Road and Oratory Gardens which, as stated above, is of a mixed character comprising of flatted development and detached dwellings in varying plot sizes. The proposed scheme, as indicated on the submitted site layout plan, would also result in only one of the proposed plots having a frontage to Martello Road South that would be unaltered from the existing situation and given the dense and mature tree and landscape screening that would be retained on the site frontage the resultant plot subdivision and additional dwellings within the site would not be readily perceived within the street scene of Martello Road South. Therefore, the proposal would not manifest itself in any significant harm to the visual amenities of the streetscene of Martello Road South.

In contrast, however, there are clear differences in the character of that part of Martello Road South between the junctions with Western Road and Oratory Gardens and the character of Oratory Gardens. In this regard, there is considerably greater consistency to the pattern and type of development within Oratory Gardens comprising of detached dwellings set within substantial and spacious plots that are well landscaped/treed, thereby providing a sylvan character to the street. The proposed sub-division of the site, as indicated on the submitted plans, would also differ in terms of its relationship to Oratory Gardens as all of the proposed plots would have a frontage to this street scene and given the location of the proposed new vehicular access it is evident that the proposed dwellings on Plots 2 and 3 would front Oratory Gardens. The proposal would therefore result in the creation of three plots that would be considerably narrower than other plots in the immediate vicinity within Oratory Gardens. In this respect, the width of Plots 2 and 3 at approximately 13m and 16m respectively would be substantially narrower than the frontages to other properties within this street scene that are typically between 30-45m in width. The proposed development would therefore be at odds with the established prevailing pattern and grain of development within Oratory Gardens.

Furthermore, it is also evident from the submitted site layout plan that the proposed dwellings would need to be sited in closer proximity to each other than is characteristic of the built development within Oratory Gardens. In this regard, the indicative layout shows that gaps of only 2m would be achieved between the proposed dwellings that would be significantly less than the more spacious gaps of approximately 7-8 metres that generally tend to exist between the dwellings within Oratory Gardens. Whilst the scale of the proposed dwellings is not for determination as part of this application, on the basis of the indicative footprints it is apparent that they are most likely to be a minimum of two-storeys in height as they would otherwise be significantly smaller and out of keeping with other surrounding dwellings that would be harmful to the character and appearance of the surrounding area in itself. Despite the screening provided by the boundary hedge that would be retained to this frontage, with the exception of that section that would be removed to form the new vehicular access, the proposed dwellings would be visible within the street scene of Oratory Gardens above this hedge. As such, it would be visibly evident that they would

occupy considerably narrower plots with limited separation between the proposed dwellings. The proposed development would therefore appear as a cramped form of development that would fail to reflect the well defined spatial relationship that exists between dwellings and would be uncharacteristic of the pattern of development within Oratory Gardens.

Overall, the proposal would represent an inappropriate and cramped form of development that would appear incongruous in its setting and at odds with the established prevailing pattern of development within Oratory Gardens that is predominantly characterised by detached dwellings set within spacious and well landscaped plots. The proposed development therefore fails to assemble sufficient land in order to deliver a development of a type, scale, density and layout that would preserve the residential character of the area, contrary to the provisions of Policies PCS5 and PCS23 of the Poole Core Strategy.

Access Arrangements and Parking Issues

With regards to the proposed access arrangements, there is currently a vehicular access that is located towards the southern end of the site frontage to Martello Road South that is shared with the adjacent site at No.11 Martello Road South. It is proposed that this existing vehicular access would be retained to serve the proposed dwelling on Plot 1 whilst the formation of a single new vehicular access along the frontage to Oratory Gardens that would split to serve two separate and gated driveways is proposed to serve the dwellings on Plots 2 and 3. Given that the existing vehicular access would be retained to serve a single dwelling, the proposal would not result in an intensification of the number of vehicle movements from this existing access and therefore it would not give rise to any additional risk to highway safety. In relation to the proposed new vehicular access to Oratory Gardens, the proposal includes the provision of adequate pedestrian visibility splays for vehicles exiting the site to safeguard pedestrian movements across the entrance.

On the basis of the submitted plans, the driveway for Plot 1 would provide an adequate area to allow vehicles to turn on-site and exit in a forward gear. The indicative layout, however, does not include the provision of on-site turning areas to the driveways to Plots 2 and 3 that would require vehicles to reverse in or out of the site. Nevertheless, given that Oratory Gardens is not a classified, together with the provision of pedestrian visibility splays and the relatively low number of vehicular and pedestrian movements that are likely to take place along it, this would be acceptable in terms of highway safety. As such, the proposed access arrangements are acceptable and would not result in any detriment to highway and pedestrian safety.

In terms of parking provision, the submitted plans indicatively show that each of the proposed dwellings would have a garage and parking provision on the driveway and therefore an adequate level of on-site parking provision could be accommodated to meet the Council's adopted parking guidelines as set out in the Parking and Highway Layout in Development SPD (Adopted 2011). The transport/highway needs of the proposed development would therefore be met.

Landscaping and Impact on Protected Trees

The application seeks to establish the details of the landscaping of the site and in support of the proposals a topographical survey indicating existing landscape features and those that

are to be retained and removed, together with a landscaping scheme, have been submitted.

The site contains a number of mature trees of mixed species that are the subject of a Tree Preservation Order. The most significant trees within the site are located adjacent to the frontage boundary with Martello Road South that provide significant screening for the site from the road and that maintain the treed aspect to the site that is a characteristic feature of the street scene and surrounding area. To a lesser extent, the group of Birch trees in the north eastern corner of the site on the frontage to Oratory Gardens and a group of three Western Red Cedar trees within the rear garden of the property are also important and of amenity value. The trees within the site positively contribute towards the setting of the site and sylvan character of the street scene and surrounding area.

The proposal includes the removal of two of the three Western Red Cedars (T1 and T2b) in the rear garden of the property, together with a small Cherry tree. The remainder of the trees would be retained. The Western Red Cedars that are proposed to be removed, despite being tall, are screened to a large extent by the group of trees adjacent to the western boundary of the site with Martello Road South but are visible from Oratory Gardens to a much greater extent. An Arboricultural Impact Assessment has been submitted which identifies that the mutual proximity of these trees has resulted in imperfect growth habits. As a result, it is accepted that the removal of the lesser quality tree (T1) and the southern stem (T2b) would leave the single tree stem (T2a), which is the best of the three trees, as an individual specimen and allow it to continue to provide a similar level of visual amenity and to improve as a specimen over time without competition for resources. In mitigation for the removal of these protected trees, it is proposed that six new trees of a heavy standard size (Birch and Scots Pine) would be planted in two groups of three towards the southern boundary of the site that would provide an element of screening to the site to the south (No.11), as well as providing some landscape interest and future tree cover and amenity value in the wider area. The small Cherry tree that is proposed to be removed is not of any significant value and its loss is not resisted.

The remainder of the important trees within and adjacent to the site would be retained. The application has been supported by an Arboricultural Impact Assessment that identifies the potential tree sensitive operations that could have an adverse impact on those trees that are to be retained, based on the indicative site layout plan, together with tree protection measures that would need to be implemented to ensure that there would not be any unacceptable harm arising from the demolition and construction works. This report adequately demonstrates that the proposed development can be achieved without detriment to the important trees that are to be retained, although it would be necessary for an Arboricultural Method Statement relating to the final detailed layout, scale and appearance of the dwellings to be secured by condition.

In terms of general landscape planting (shrubs and hedges), the submitted plans show that the existing hedges along the southern, eastern and northern boundaries of the site would be retained with the exception of that section of the hedge to the northern boundary that would need to be removed to facilitate the formation of the new vehicular access off Oratory Gardens. It is also proposed that new hedge planting would be provided to infill the boundary at the north western corner of the site at the junction of Martello Road South and Oratory Gardens that is currently open, as well as to either side of the splays to the proposed new vehicular access whilst mixed shrub planting would be provided to separate the driveways to Plots 2 and 3. Importantly, the proposals would also retain the dense and

mature trees and lower storey shrub/landscape planting to the Martello Road frontage. Whilst the proposals do include the removal of some existing landscape planting this would be limited to hedge and shrub planting within the site itself that would not adversely affect the visual amenities of the site. The submitted landscape proposals therefore adequately show that the landscaping of the site would be sufficient to enhance the setting of the proposed dwellings and preserve the character and appearance of the street scenes of Martello Road South and Oratory Gardens.

Impact on Residential Amenity

Given that the detailed matters of layout, appearance and scale have been reserved for later consideration it is not possible to make any firm judgements of the potential impact of the proposed dwellings on the privacy and amenities of the occupants of the neighbouring and nearby properties. However, the layout, appearance and scale of the proposed development and its consequent relationship with the neighbouring properties can be controlled through the assessment of the submission of these details at the reserved matters stage to ensure that no material harm to neighbouring privacy and amenity would occur.

The proposed landscaping scheme, however, does retain the existing hedges to the southern and eastern boundaries of the site with No.11 Martello Road South and No.10 Oratory Gardens respectively that would help to preserve some of the privacy to the neighbouring occupants.

Sustainability Issues

Being new build houses, they would be required to meet the latest Building Regulations, therefore achieving a high level of energy efficiency and sustainability. The Energy and Resources statement submitted as part of this application sets out how the proposed development could comply with the requirements of Policies PCS32 and PCS35 to achieve 10% of the predicted energy needs for the proposed dwellings. This can be secured by condition.

INFRASTRUCTURE AND DEVELOPER CONTRIBUTIONS

Mitigation of the impact of the proposed development on recreational facilities; Dorset Heathlands and Poole Harbour Special Protection Areas; and strategic transport infrastructure is provided for by the Community Infrastructure Levy (CIL) Charging Schedule adopted by the Council on 18th September 2012. In accordance with CIL Regulation 28 (1) this confirms that dwellings are CIL liable development and are required to pay CIL in accordance with the rates set out in the Council's Charging Schedule.

The site is within 5km (but not within 400m) of Heathland SSSI and the proposed net increase in dwellings may be acceptable subject to appropriate mitigation of their impact upon the Heathland. As part of the Dorset Heathland Planning Framework a contribution will be taken from all qualifying residential development to fund Strategic Access Management and Monitoring (SAMM) in respect of the internationally important Dorset Heathlands. The charge is based on the cost of delivering SAMM in Poole and is £355 per additional house / £242 per additional flat (plus admin fee). This proposal requires such a contribution.

The applicant has submitted a Section 111 Agreement and paid the contribution of £710.00 (plus admin fee).

The proposal therefore accords with the provisions of Core Strategy Policies PCS15, PCS28, PCS36 and PCS37; DPD Policies DM9, IN1 and IN2; and the Dorset Heathlands SPD.

FINANCIAL CONSIDERATIONS

This application currently falls into CIL Zone **A** which has a base CIL chargeable rate of **£150** per square metre of chargeable residential floor space. The precise CIL liability in respect of these proposals will be confirmed in the CIL Regulation 65 Liability Notice which will be issued as soon as practicable after the day on which a planning permission first permits development.

The CIL liability will be the product of the **chargeable residential floor space** and the base **CIL chargeable rate** indexed against the BCIS All-in Tender Price Index for November 2012.

If this development is granted permission and the dwellings built, the Council might also be eligible to receive government grant under the New Homes Bonus.

Local financial considerations are material to the decision on this application. It is a matter for the decision maker to conclude how much weight should be attached to them.

The planning merits of the scheme stand alone, and whilst these potential financial receipts are of obvious benefit to the Council, they would not outweigh the harm identified.

CONCLUSION

The proposed access arrangements would not cause any detriment to highway and pedestrian safety, whilst the proposals for the landscaping of the site would preserve the setting of the site and its contribution to the sylvan character of the street scenes of Martello Road South and Oratory Gardens.

The principle of the proposed development to demolish the existing dwelling; sub-divide the site; and erect three detached dwellings, however, is not considered to be acceptable. In this respect, the proposal would result in plots that are substantially smaller and narrower than other plots that are characteristic of Oratory Gardens with limited separation between the proposed dwellings. As such, the proposal would appear as a cramped form of development that would fail to reflect the well defined spatial relationship that exists between dwellings and would be uncharacteristic of the prevailing pattern of development within Oratory Gardens. The proposed development therefore fails to assemble sufficient land in order to deliver a development of a type, scale, density and layout that would preserve the residential character of the area, contrary to the provisions of Policies PCS5 and PCS23 of the Poole Core Strategy.

Whilst the proposed development would result in the provision of two additional dwellings towards meeting Poole's identified housing need it is not considered that this would provide sufficient benefit to outweigh the identified harm to the character and appearance of Oratory

Gardens and the surrounding area.

RECOMMENDATION

It is therefore recommended that this application be **Refused** for the following reasons:

Reasons

1. RR000 (Non Standard Refusal Reason)

The proposed development by reason of the subdivision of the site to form three residential plots would result in uncharacteristically small and narrow plots and result in a cramped form of development that would fail to reflect the well defined spatial relationship that exists between dwellings and would be inconsistent with and fail to respect the prevailing and established pattern of development of Oratory Gardens. The proposal therefore represents an inappropriate form of development that fails to assemble sufficient land in order to deliver a development of a type, scale, density and layout that would preserve the residential character of the area, contrary to the provisions of Policies PCS5 and PCS23 of the Core Strategy (February 2009).

Informative Notes

1. IN76 (List of Plans Refused)
2. IN75 (Community Infrastructure Levy - Refusal)
3. IN73 (Working with applicants: Refusal)

ITEM NO	06
APPLICATION NO.	APP/17/01055/F
APPLICATION TYPE	Full
SITE ADDRESS	22 De Haviland Close, Wimborne, BH21 1XU
PROPOSALS	New four bedroom dwelling on land of 22 De Haviland Close
REGISTERED APPLICANT	26 July, 2017 Mrs Eatough
AGENT	Flaxton Engineering Ltd
WARD	Merley & Bearwood
CASE OFFICER	Chloe Oliver

INTRODUCTION

This application is brought before committee at the request of Councillor Mrs Newell because of the concerns of local residents about car parking; harm to the character of the area; and the house being 'overbearing'.

Recommendation for **Grant With CIL Contribution**

THE PROPOSAL

New four bedroom dwelling on land of 22 De Haviland Close

MAIN ISSUES

The principal issues for consideration in this case relate to:

- Principle of the development
- Impact upon the streetscene and character of the area
- Impact on neighbouring privacy and amenities
- Parking provisions and highway safety

SITE DESCRIPTION

The application site is flat and laid mainly to lawn and currently forms the southern half of the curtilage of no.22 De Haviland Close, a two-storey detached house. The site is unenclosed other than for a low brick wall along its eastern boundary with no.20. The area is characterised by clusters of detached bungalows; chalet bungalows and houses. The site currently contributes to the open and spacious character of De Haviland Close.

RELEVANT PLANNING HISTORY

The application site was indicated as 'public open space grassed for adoption' on the 1980

planning permission for 'plots 306 to 310 Oakley Garden Village' (now 22-30 De Haviland Close). The land was never formally adopted, and was instead integrated into the curtilage of no.22 De Haviland Close.

1989: Single storey extension at side to extend lounge. **Approved** and implemented (25573/0)

PRE-APPLICATION ADVICE

February 2017: An additional dwelling on the plot could be supported in principle, however since no details were provided of the layout or design of the proposed dwelling it was not possible to support the proposal in detail. Detailed proposals were subsequently submitted and were considered largely acceptable. Some alterations were suggested to improve the appearance of the house and its relationship with neighbours. Revised car parking provision would be required to comply with adopted parking standards, but should be achievable. (PREA/17/00007)

COMMUNITY CONSULTATION

None.

CONSULTATIONS

Transport Policy Manager: The existing house would retain sufficient parking and the new access is acceptable. It would require a dropped kerb and a visibility splay to see vehicles coming round the corner. The two parking spaces provided by the garage and driveway meet adopted guidelines. Support subject to conditions.

REPRESENTATIONS

Representations have been received from neighbouring residents. One neighbour supports the proposal, but others raise the following concerns:

- The proposals are Intrusive; out of character with other properties in De Haviland Close; and would be detrimental to the character; appearance; and openness of the area
- The proposed fencing and planting would not provide privacy for residents and the fence would be visually intrusive and oppressive
- Loss of privacy from rear and side windows to the front windows of adjacent homes
- Proposal sits in line with one part of cul-de-sac, but not the other adjoining part
- The house would be overbearing and oppressive; would harm the outlook from adjacent houses and front garden; and would cause loss of light to no.20

PLANNING CONSIDERATIONS

POLICY AND GUIDANCE **STRATEGIC CONTEXT**

National Planning Policy Framework (Adopted March 2012)

LOCAL CONTEXT

The following policies are listed as applying to this application.

Poole Core Strategy (Adopted February 2009)

PCS05	Broad Locations for Residential Development
PCS08	Lifetime Homes
PCS23	Local Distinctiveness
PCS24	Design and Access Statements
PCS28	Dorset Heaths International Designations
PCS31	Sustainable Energy - General
PCS32	Sustainable Homes
PCS37	The Role of Developer Contributions in Shaping Places

Supplementary Planning Document

SPD1	Parking & Highway Layout in Development
SPD3	Dorset Heathlands Planning Framework (2015-2020)

Poole Site Specific Allocations & Development Management Policies DPD (Adopted April 2012)

Development Management Policies:

DM1	Design
DM7	Accessibility and Safety
DM8	Demand Management

PLANNING JUDGEMENT

Policy PCS5 of the Poole Core Strategy states that residential proposals involving plot severance will only be permitted where sufficient land can be assembled to accommodate a type, scale, density and layout of development which preserves or enhances the area's residential character and does not harm the amenities of local residents. It also requires the design of buildings to contribute positively to those attributes of a particular street which distinguish it, including building materials, height, roof form, fenestration, site coverage, car parking arrangements, spacing of buildings, retention of front and rear gardens, tree cover and other vegetation.

Principle of Severance

The curtilage of no.22 is significantly larger than any other plot in De Haviland Close. The proposed severance would create a plot similar in width to the retained curtilage and commensurate with other plots in De Haviland Close. Whilst shallower than adjacent plots, it would not be out of keeping, given the variety of plot sizes and shapes within the cul-de-sac. The proposed house would be similar in appearance and scale to no.22 and the layout of the plot would reflect the existing open character of the frontage. The proposed house would therefore reflect the character; appearance; and materials of adjacent houses; provide off-road parking to the front and would therefore comply with the requirements of PSC5. The principle of the plot severance is therefore acceptable.

Impact on the Streetscene and Character of the Area

The proposal would reduce the current openness of the site but would retain an open frontage, which is an important characteristic of the cul-de-sac. The proposed house would integrate well, given its similar design to existing houses within the cul-de-sac and, whilst it would obstruct some longer views within the cul-de-sac, it would not materially harm the overall character of the street. The gap between the proposed house and the southern boundary would allow the retention of some longer views and would retain some of the openness. Given the presence that the application site has within the streetscene, the proposed hedge to the southern boundary would provide a softer appearance. The fencing, whilst not typical of the cul-de-sac, could already mostly be erected as 'Permitted Development', and with the existing and proposed landscaping, would provide a balance which the streetscene could accommodate without causing harm. The proposal would retain the residential character of the area.

Impact on Neighbouring Amenities and Privacy

The proposed house would not be overbearing to neighbouring properties, given its separation from the site boundaries and from adjacent houses. There would be some shading to the existing house at no.22, but this would be to a blank side elevation and a small area of the garden and therefore would not give rise to material harm. There would also likely be some late afternoon shading to no.20 but this would be mainly to the front garden and would not materially harm their amenities.

The proposed ground floor windows would not give rise to any loss of privacy. First floor windows on the west (front) and south (side) elevations would have views across the public realm, and so would contribute to existing mutual overlooking. A landing window on the north (side) elevation could give rise to harmful direct overlooking of the private rear garden of no.22 and it would therefore be appropriate to condition this window to be obscure glazed. Bedroom and bathroom windows on the east (rear) elevation would overlook the front garden of no.20 but, since this is already open and therefore less private, this would not give rise to a harmful loss of privacy. Whilst the bathroom window could potentially have oblique views into no.20 it can be presumed that this window would be obscure glazed without the need for this to be secured by condition, whilst the separation distance and oblique relationship of the bedroom windows would ensure that there would be no overlooking from these into no. 20.

Parking Provisions and Highway Safety

The existing house at no.22 would retain its current parking arrangement. The proposed new access would be to the west of the site, at its northern end in an optimum position away from the existing junction. A visibility splay that meets the requirements of Transportation Services has been identified on the plans for vehicles leaving the drive. This would also help preserve the openness to the front of the site and can be secured by condition. There would be one parking space in the proposed garage and one space on the driveway and this complies with the requirements of the Parking SPD.

Other matters

The proposals indicate that they could potentially satisfy the 10% renewable energy

requirement of Policy PCS32 by incorporating solar PV panels on the roof. The provisions of this policy can be secured by condition.

Due to the nature of the plot subdivision, it would be possible to collect refuse and recycling from the kerbside in the usual manner.

INFRASTRUCTURE AND DEVELOPER CONTRIBUTIONS

Mitigation of the impact of the proposed development on recreational facilities; Dorset Heathlands and Poole Harbour Special Protection Areas; and strategic transport infrastructure is provided for by the Community Infrastructure Levy (CIL) Charging Schedule adopted by the Council on 18th September 2012. In accordance with CIL Regulation 28 (1) this confirms that dwellings are CIL liable development and are required to pay CIL in accordance with the rates set out in the Council's Charging Schedule.

The site is within 5km (but not within 400m) of Heathland SSSI and the proposed net increase in dwellings may be acceptable subject to appropriate mitigation of their impact upon the Heathland. As part of the Dorset Heathland Planning Framework a contribution will be taken from all qualifying residential development to fund Strategic Access Management and Monitoring (SAMM) in respect of the internationally important Dorset Heathlands. The charge is based on the cost of delivering SAMM in Poole and is £355 per additional house / £242 per additional flat (plus admin fee). This proposal requires such a contribution.

The applicant has submitted a Section 111 Agreement and paid the contribution of £355 (plus admin fee).

FINANCIAL CONSIDERATIONS

This application currently falls into CIL Zone **C** which has a base CIL chargeable rate of **£75** per square metre of chargeable residential floorspace. The precise CIL liability in respect of these proposals will be confirmed in the CIL Regulation 65 Liability Notice which will be issued as soon as practicable after the day on which a planning permission first permits development.

The CIL liability will be the product of the **chargeable residential floorspace** and the base **CIL chargeable rate** indexed against the BCIS All-in Tender Price Index for November 2012.

If this development is granted permission and the dwellings built, the Council might also be eligible to receive government grant under the New Homes Bonus.

Local financial considerations are material to the decision on this application. It is a matter for the decision maker to conclude how much weight should be attached to them.

CONCLUSION

The proposal would assemble sufficient land for a single plot severance; would be of a design; scale; and layout that would integrate well into the streetscene and preserve the character of the area, with no harm to neighbouring properties and would provide a safe

access with two off road parking spaces. The application is therefore recommended for approval.

RECOMMENDATION

It is therefore recommended that this application be **Granted With CIL Contribution**

1. GN150 (Time Expiry 3 Years (Standard))

2. GN050 (Matching Materials)

3. GN090 (Obscure Glazing of Window(s))

Both in the first instance and upon all subsequent occasions the first floor landing window on the north elevation shall be glazed with obscure glass in a form sufficient to prevent external views and shall either be a fixed light or hung in such a way as to prevent the effect of obscure glazing being negated by reason of opening.

Reason -

To protect the amenity and privacy of the adjoining properties and in accordance with Policy DM1(v) of the Site Specific Allocations & Development Management Policies (April 2012).

4. GN162 (Renewable Energy - Residential) (10%)

5. AA01 (Non standard Condition)

The boundary treatments shall be erected in accordance with the details indicated on the approved plans prior to the first occupation of the dwelling, hereby approved, and shall thereafter be maintained for a period of five years and thereafter retained.

Reason: To avoid loss of privacy to adjoining properties and in accordance with Policy DM1(v) of the Poole Site Specific Allocations and Development Management Policies DPD (April 2012).

6. HW100 (Parking/Turning Provision)

7. HW200 (Provision of Visibility Splays)

8. HW230 (Permeable surfacing condition)

9. PL01 (Plans Listing)

Informative Notes

1. IN72 (Working with applicants: Approval)

2. IN74 (Community Infrastructure Levy - Approval)

3. IN81 (SAMM Approval)

4. IN13 (Kerb Crossing to be Lowered)

ITEM NO	07
APPLICATION NO.	APP/17/01145/F
APPLICATION TYPE	Householder
SITE ADDRESS	142 Clarendon Road, Broadstone, BH18 9HZ
PROPOSALS	Part demolition of existing ground floor rear extension and construction of new two storey rear extension.
REGISTERED APPLICANT AGENT	10 August, 2017 Mr & Mrs Sampson Mr Knowles
WARD	Broadstone
CASE OFFICER	Monika Kwiatkowska

INTRODUCTION

This application is brought before committee because of its proximity to a Councillor's home.

Recommendation for **Grant with Conditions**

THE PROPOSAL

Part demolition of existing ground floor rear extension and construction of new two storey rear extension.

MAIN ISSUES

The principal issues for consideration in this case relate to:-

- Impact on the character and appearance of the area
- Impact on the neighbouring amenity
- Impact on parking

SITE DESCRIPTION

No.142 Clarendon Road is a detached two-storey house on the north side of Clarendon Road. The street comprises a mixture of two-storey houses; bungalows; and chalet bungalows in a variety of different materials and styles. There is off-road parking along the driveway leading to the detached garage at the rear. There are trees in the rear garden but these are not protected by any Tree Preservation Order.

The site slopes down to the rear and the rear garden is terraced. The site is enclosed by tall timber fences and mature vegetation to the rear and side and there is a low wall to the front boundary.

RELEVANT PLANNING HISTORY

None on the application site

144 Lower Blandford Road:

2014: Alterations and extensions to existing bungalow Reconfiguration of roof including construction of dormers and insertion of roof lights Raised patio and conservatory at rear.
Approved (APP/14/00079/F)

PRE-APPLICATION ADVICE

None

COMMUNITY CONSULTATION

None

CONSULTATIONS

None

REPRESENTATIONS

None

PLANNING CONSIDERATIONS

POLICY AND GUIDANCE STRATEGIC CONTEXT

National Planning Policy Framework (Adopted March 2012)

LOCAL CONTEXT

The following policies are listed as applying to this application.

Poole Core Strategy (Adopted February 2009)
PCS23 Local Distinctiveness

Poole Site Specific Allocations and Development Management Policies DPD (Adopted April 2012)

DM1 Design
DM8 Demand Management

Parking and Highway Layout in Development SPD (Adopted July 2011)

PLANNING JUDGEMENT

Impact on the character and appearance of the area:

As the house is set back from the highway and the site levels drop towards the rear, the proposed two-storey rear extension would have minimal impact on the streetscene and would preserve the residential character of the area. The proposal would compliment the existing house and the appearance of the area by the use of matching materials.

Impact on the neighbouring amenity:

The proposal would project 5.7m beyond the existing ground floor rear elevation with first-floor footprint set back by 1.5m to ensure the proposal would have no harmful impact on the amenities of adjacent residents. Because of the orientation of the site; the separation distance between the dwellings; and the set back design of the first floor extension, the proposal would not give rise to harmful levels of overshadowing of No 144 Clarendon Road. There would be some late afternoon loss of light to the rear of no.140 but this would not materially harm the amenities of the occupiers. The inset first floor element would not appear overly dominant when viewed from the neighbouring dwellings given the separation distance between them; the presence of outbuildings in the rear gardens; and the staggered siting of the dwellings within their plots.

The proposal would introduce additional windows in the side elevation facing no.144. Roof lights and a ground-floor window to the kitchen would preserve the privacy of the neighbours. A high-level first-floor bedroom window and an obscure glazed secondary window to a bedroom, both of which would face no.144, would similarly preserve the privacy of the occupants of no.144. The obscure glazing should be secured by condition since this window would otherwise afford direct views towards a dormer bedroom window at no.144.

A proposed ground floor window in the side elevation, facing no.140 would be behind the existing boundary fence and would not give rise to any loss of privacy by the adjacent resident. First floor windows in the side elevation facing no.140 would serve bathrooms and would face the blank elevation of No 140. The proposed obscure glazing of the en-suite bathroom window would prevent oblique views towards the rear amenity area of No 140 and its obscure glazing can be secured by condition.

The proposed window in the rear elevation would afford some oblique views across neighbouring gardens. This level of overlooking would not be dissimilar to that which is currently experienced with the existing first floor windows at rear of no.142 and it is common in the suburban areas such as this one. The mature boundary treatment between the dwellings and the outbuildings in the rear gardens would also serve to restrict these views. As such, the proposed first floor bedroom window would not be harmful to the amenities of the neighbours.

Impact on parking:

The proposal would retain the existing driveway parking spaces. The proposals require the demolition of the existing garage at the rear and the loss of the garage parking space. The remaining off-road parking provision would nevertheless be sufficient for a dwelling of this size and in accordance with the adopted Parking and Highway Layout in Development SPD.

Other considerations:

The proposal would result in the loss of one of the trees in the rear garden of the application site. This tree is not protected by the tree Preservation Order and as such, it could be removed by the applicant without seeking the permission from the Council.

CONCLUSION

The proposal complies with relevant policies and is therefore recommended for approval.

RECOMMENDATION

It is therefore recommended that this application be **Granted with Conditions** subject to the following:

Conditions

1. GN150 (Time Expiry 3 Years (Standard))

2. AA01 (Non standard Condition)

The materials and finishes to be employed on the external faces of the development hereby permitted shall be as specified in the application form.

Reason -

To ensure a satisfactory visual relationship of the new development and that existing and in accordance with Policies PCS23A and PCS5(v) of the Poole Core Strategy (February 2009).

3. GN090 (Obscure Glazing of Window) (first floor bedroom window, serving Bedroom 3, on the side elevation facing No 144 Clarendon Road)

4. GN090 (Obscure Glazing of Windows) (first floor bathroom windows on the side elevation, facing No 140 Clarendon Road)

5. PL01 (Plans Listing)

Informative Notes

1. IN72 (Working with applicants: Approval)

ITEM NO	08
APPLICATION NO.	APP/17/01177/F
APPLICATION TYPE	Full
SITE ADDRESS	311 and Rear of 309 Blandford Road, Poole, BH15 4HP

PROPOSALS	Variation of condition 2 of planning permission APP/16/01007/F as described in that description to revise the list of approved plans to reflect revised materials used on unit 1.
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REGISTERED APPLICANT AGENT	16 August, 2017 Metroball Ltd Venice designs
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WARD	Hamworthy East
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CASE OFFICER	Eleanor Godesar
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INTRODUCTION

This application is brought before committee because it is close to the home of a Councillor

Recommendation for **Refuse**

THE PROPOSAL

Variation of condition 2 of planning permission APP/16/01007/F as described in that description to revise the list of approved plans to reflect revised materials used on unit 1.

MAIN ISSUES

The principal issues for consideration in this case relate to:

- Impact on the setting and character of the site and surrounding area
- Section 106 Agreement/CIL compliance

SITE DESCRIPTION

The application site is on the southwest side of Blandford Road. The immediate area comprises a mixture of detached and semi-detached houses and bungalows in a variety of styles.

There are several protected trees located toward the west of the site and several along the northern boundary.

RELEVANT PLANNING HISTORY

2014: Sever land to rear of No's 309 and 311 and construct two detached 4-bedroom houses together with associated car parking accessed from Blandford Road was **refused**

(APP/14/00706/F).

2016: Application to demolish existing bungalow (No.311) and erect 3no. dwellings at 311 Blandford Road and to R/O 309 and 311 Blandford Road (Revised Scheme) was **approved** (APP/15/01685/F).

2016: Application to remodel and extend existing bungalow at 311 Blandford Road and erect 3 no. dwellings to R/O 309 and 311 Blandford Road was **approved** (APP/16/00407/F).

2016: Application to demolish existing buildings and erect a pair of semi-detached 2 storey dwellings, 1 x two storey detached dwelling and 1 x single storey dwelling with accommodation in roof space (four in total) and 1 x detached garage was **approved** (APP/16/01007/F).

2017: Non material amendment following approval of APP/16/01007/F to incorporate minor change to elevations to show full cladding was **refused** (APP/17/00990/F) for the following reason:

‘The proposals would be of substance and significance by virtue of seeking to introduce design features and materials in a manner not considered previously and contrary to the condition securing an acceptable solution. As such the proposals are not non-material’

PRE-APPLICATION ADVICE

None

COMMUNITY CONSULTATION

None

CONSULTATIONS

Natural England: No comment

REPRESENTATIONS

A representation has been received raising concern about fencing along the north western boundary.

PLANNING CONSIDERATIONS

POLICY AND GUIDANCE

STRATEGIC CONTEXT

National Planning Policy Framework (Adopted March 2012)

LOCAL CONTEXT

The following policies are listed as applying to this application.

Poole Core Strategy (Adopted February 2009)

PCS05	Broad Locations for Residential Development
PCS15	Access and Movement
PCS23	Local Distinctiveness
PCS26	Delivering Locally Distinctive, Self-Reliant Places
PCS28	Dorset Heaths International Designations
PCS31	Sustainable Energy - General
PCS32	Sustainable Homes
PCS35	Energy And Resources Statements

Poole Site Specific Allocations & Development Management Policies DPD (Adopted April 2012)

DM1	Design
DM7	Accessibility and Safety
DM8	Demand Management
DM9	Green Infrastructure and Biodiversity

Supplementary Planning Document

SPD1	Parking & Highway Layout in Development
SPD3	Dorset Heathlands Planning Framework (2015-2020)

PLANNING JUDGEMENT

The principle of the development has been accepted on previous applications and has now been constructed.

The NPPF states that it is necessary to ensure that developments “respond to local character” and “reflect the identity of local surroundings and materials” and that it is “visually attractive” (paragraph 58 of the Framework) and that “it is...proper to seek to promote or reinforce local distinctiveness” (paragraph 60). Furthermore, Paragraph 64 makes it clear that “Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions”.

The current application seeks to regularise the unauthorised materials which have already been used in the construction of the house at 'Unit 1'. This house fronts Blandford Road and the approved plan (APP/16/01007/F) specifies that the walls of the house should be constructed with buff brick to a height just above the ground floor windows and fibre-cement timber effect cladding above. As built, 'Unit 1' house is fully clad with fibre-cement timber effect cladding.

'Unit 1' is visually prominent in the Blandford Road streetscene, which is characterised by dwellings predominantly in brick; tile; and render, including a number of locally listed buildings on the opposite side of Blandford Road. As such, the fully clad treatment of 'Unit 1' is a significant and idiosyncratic departure from this character which neither preserves nor enhances the established character and appearance of the street.

INFRASTRUCTURE AND DEVELOPER CONTRIBUTIONS

Mitigation of the impact of the proposed development on recreational facilities; Dorset Heathlands and Poole Harbour Special Protection Areas; and strategic transport infrastructure is provided for by the Community Infrastructure Levy (CIL) Charging Schedule adopted by the Council on 18th September 2012. In accordance with CIL Regulation 28 (1) this confirms that dwellings are CIL liable development and are required to pay CIL in accordance with the rates set out in the Council's Charging Schedule.

The site is within 5km (but not within 400m) of Heathland SSSI and the proposed net increase in dwellings may be acceptable subject to appropriate mitigation of their impact upon the Heathland. As part of the Dorset Heathland Planning Framework a contribution will be taken from all qualifying residential development to fund Strategic Access Management and Monitoring (SAMM) in respect of the internationally important Dorset Heathlands. The charge is based on the cost of delivering SAMM in Poole and is £355 per additional house / £242 per additional flat (plus admin fee). This proposal requires such a contribution.

The applicant has submitted a Section 111 Agreement and paid the contribution of £1065 (plus admin fee).

The proposal therefore accords with the provisions of Core Strategy Policies PCS15, PCS28, PCS 36 and PCS37; DPD Policies DM9, IN1 and IN2; and the Dorset Heathlands SPD.

FINANCIAL CONSIDERATIONS

This application currently falls into CIL Zone **C** which has a base CIL chargeable rate of **£75** per square metre of chargeable residential floorspace. The precise CIL liability in respect of these proposals will be confirmed in the CIL Regulation 65 Liability Notice which will be issued as soon as practicable after the day on which a planning permission first permits development.

The CIL liability will be the product of the **chargeable residential floorspace** and the base **CIL chargeable rate** indexed against the BCIS All-in Tender Price Index for November 2012.

If this development is granted permission and the dwellings built, the Council might also be eligible to receive government grant under the New Homes Bonus.

The planning merits of the scheme stand alone, and whilst these potential financial receipts are of obvious benefit to the Council, they would not outweigh the harm identified.

CONCLUSION

Cladding all of the elevations of Unit 1 in fibre-cement wood effect cladding represents a significant departure from the prevailing style; materials; and character of nearby dwellings and creates a prominent and visually intrusive feature in the streetscene. As such, the proposal would not preserve the established character and appearance of the area.

RECOMMENDATION

It is therefore recommended that this application be **Refused** for the following reasons:

Reasons

1. RR000 (Non Standard Refusal Reason)

Full cladding of Unit 1 would be a significant departure from the prevailing style and materials of nearby dwellings. As such, the proposal would fail to preserve the character and appearance of the area and would be contrary to Policy PCS 23 of the Poole Core Strategy adopted 2009, and DM 1 of the Poole Site Specific Allocations and Development Management Policies adopted 2012.

Informative Notes

1. IN73 (Working with applicants: Refusal)

2. IN76 (List of Plans Refused)

3. IN75 (Community Infrastructure Levy - Refusal)

4. IN81 (SAMM Approval)

The necessary contributions towards SAMM arising from the proposed development have been secured by a S.111 agreement and have been received.