Planning Decision, grant of outline consent (for information only)

Application No: APP/17/01146/P

TO:

Mr Dear
Borough of
Poole Upton
House
Upton Country
Park Poole
BH17 7BJ

Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) (England) Order 2015
Town and Country Planning (General Permitted Development) (England) Order 2015

GRANT OF OUTLINE PLANNING PERMISSION

This permission does not carry any approval or consent which may be required under any enactment, by-law, order or regulation (eg in relation to Building regulations or the Diversion of Footpaths etc) other than Section 57 of the Town and Country Planning Act, 1990.

Applicant: Mr Dear
Case Officer: Eleanor Godesar
Det Level: Fully Delegated

Location of Development:

Whitecliff Pavilion, Whitecliff Road, Poole, BH14 8DB

Description of Development:

Outline planning application for: Alterations and extension to existing building to improve current sports changing facilities, public toilets and cafe

In pursuance of their powers under the above mentioned Act, The Borough of Poole Planning Authority HEREBY GRANT OUTLINE PLANNING PERMISSION for the development described above in accordance with the details given in the application numbered above.

Signed

Planning and Regeneration Manager
Date of Decision: 03/10/2017

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Subject to the following condition(s):-

1 No development shall commence on site until details of the access, layout, scale and external appearance of the development, landscaping of the site and flood protection and resilience measures (in respect of which approval is expressly reserved and are hereinafter called 'the reserved matters') have been submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Part 3 of the Town and Country Planning (General Development Procedure) Order 2015.

2 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission and the development hereby permitted shall be begun before the expiration of 2 years from the final approval of reserved matters, or, in the case of approval on different dates, the final approval of the last such matters to be approved.

Reason -
This condition is required to be imposed by the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51(2) of the Planning and Compulsory Purchase Act 2004

3 Pursuant of discharging conditions 1 and 2, the reserved matters shall be in accordance with the following approved plans:

Location Plan 1:1250 received 4 August 2017
Site Plan 1:500 received 4 August 2017

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

4 The use hereby permitted shall not operate and no deliveries taken at or despatched from the site otherwise than between 8:00 and 18:00 on Mondays to Saturdays inclusive, and 9:00 and 17:00 on Sundays, Bank and other national Public Holidays.

Reason -
In the interest of the amenities of adjoining and nearby residential properties and in accordance with Policy DM1(v) of the Site Specific Allocations & Development Management Policies (April 2012).

NOTE: THIS CONDITION HAS BEEN VARIED AND THE OPERATING HOURS HAVE NOW BEEN EXTENDED. PLEASE SEE APPENDIX G FOR FULL DETAILS.

5 The finished floor level of the extension hereby approved shall be set no lower than levels of the existing building.

Reason -
In order to prevent risk from flooding and in accordance with Policy PCS34 of the Poole Core Strategy (February 2009).

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6 5 trees, of a size and species and in a location to be agreed in writing with the Local Planning Authority, shall be planted in accordance with BS3936, BS4043, BS4428 and BS8545 within 12 months following implementation of this permission. The trees shall be thereafter maintained for a period of five years including the replacement of any trees, or any trees planted in replacement for it, which die, are removed or become damaged or diseased within this period with trees of a similar size and of the same species, unless the Local Planning Authority gives written consent to any variation. The Local Planning Authority shall be notified in writing when the trees have been planted so that compliance with the condition can be confirmed.

Reason -
In order to preserve the visual amenities which at present exist on the site and to ensure that as far as possible the work is carried to current best practice, in accordance with Policy PCS5(ii) (v) of the Poole Core Strategy Adopted February 2009 and DM1 (ii) and (iii) of the Site Specific Allocations & Development Management Policies (April 2012).

7 The materials to be used for the external wall and roof shall be similar in colour and texture as the existing building.

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

Informative Note(s):-

1. In accordance with the provisions of paragraphs 186 and 187 of the NPPF the Borough of Poole (BoP) takes a positive and proactive approach to development proposals focused on solutions. BoP work with applicants/agents in a positive and proactive manner by;
- offering a pre-application advice service, and
- advising applicants of any issues that may arise during the consideration of their application and, where possible, suggesting solutions.

Also:
- in this case the applicant was advised of issues after the initial site visit
- the application was considered and approved without delay

Please see Additional Information/Notes below

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990
- If this is a decision on a planning application relating to the same or substantially the same land and development and is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice
- If an enforcement notice is served relating the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.
- If this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of

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this notice.

- If this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.
- If this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If you want to appeal against your local planning authority's decision [excluding householder applications and advertisement applications] then you must do so within 6 months of the date of this notice.
- Appeals can be made online at: https://www.gov.uk/planning-inspectorate.
  If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can now allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

Purchase Notices

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that the owner can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (that is, where the land is situated in a National Park, the National Park authority for that Park, or in any other case the district council (or county council which is exercising the functions of a district council in relation to an area for which there is no district council), London borough council or Common Council of the City of London in whose area the land is situated). This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter I of Part VI of the Town and Country Planning Act 1990.

Additional Information/Notes

- These notes DO NOT apply to Decisions for Work on Protected Trees.
- Your planning application has been determined and the Decision Notice is above these notes.
- These notes are intended as helpful advice before you proceed further. PLEASE READ THEM CAREFULLY.
- Keep the decision safely - it may be needed when you sell your property.
- Make sure everyone has a copy who needs it. Most importantly make sure your builder or contractor has a copy to work from on the site.

PLANNING PERMISSION GRANTED?
Conditions:

- If permission has been granted you will see that it maybe subject to Conditions. They are an integral part of the Decision and are important because they describe how the Council requires you to carry out the approved work or operate the premises. It is YOUR responsibility to comply fully with them.

- Please pay particular attention to those Conditions which have to be met before work commences, such as obtaining approval for the siting and levels of buildings and the protection of trees on the site.

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- If you do not comply with all the conditions in full this may invalidate the permission.

Informative Notes:

- Informative Notes do not form part of the Decision itself but are included as helpful advice and guidance.

OTHER LEGISLATION:

- This Notice is a decision under the Planning Acts only. It should not be taken to imply that the scheme meets the requirements of any other Agency which may be involved. Please make sure that you have obtained all the approvals you need before starting work. If you are in any doubt you should obtain professional advice.

Changes to Plans:

Should you wish to change your plans for any reason, including the need to meet requirements of other legislation, it is important that you notify the Local Planning authority before carrying on with work. Many amendments can be quickly agreed but more substantial ones may require a fresh application and could even prove to be unacceptable.