Notice of Planning Committee

Date: Thursday, 26 November 2020 at 10.30 am

Venue: Virtual Meeting via MS Teams

Membership:

Chairman:
Cllr D Kelsey

Vice Chairman:
Cllr S McCormack

Cllr S Baron
Cllr S Bartlett
Cllr D Borthwick
Cllr S Bull
Cllr M Davies
Cllr N Decent
Cllr B Dion
Cllr P R A Hall
Cllr P Hilliard
Cllr T Johnson
Cllr M Le Poidevin
Cllr T O'Neill
Cllr A M Stribley

All Members of the Planning Committee are summoned to attend this meeting to consider the items of business set out on the agenda below.

The press and public are welcome to view the live stream of this meeting at the following link:

https://democracy.bcpcouncil.gov.uk/ieListDocuments.aspx?MId=4401

If you would like any further information on the items to be considered at the meeting please contact: Democratic Services or email democratic.services@bcpcouncil.gov.uk

Press enquiries should be directed to the Press Office: Tel: 01202 454668 or email press.office@bcpcouncil.gov.uk

This notice and all the papers mentioned within it are available at democracy.bcpcouncil.gov.uk

Available online and on the Mod.gov app

GRAHAM FARRANT
CHIEF EXECUTIVE

18 November 2020

Maintaining and promoting high standards of conduct

Declaring interests at meetings

Familiarise yourself with the Councillor Code of Conduct which can be found in Part 6 of the Council's Constitution.

Before the meeting, read the agenda and reports to see if the matters to be discussed at the meeting concern your interests

Do any matters being discussed at the meeting relate to your registered interests?

Disclosable Pecuniary Interest

Yes

Declare the nature of the interest

Do NOT participate in the item at the meeting. Do NOT speak or vote on the item EXCEPT where you hold a dispensation

You are advised to leave the room during the debate

Local Interest

Yes

Declare the nature of the interest

Applying the bias and pre-determination tests means you may need to refrain from speaking and voting

You may also need to leave the meeting. Please seek advice from the Monitoring Officer

No

Do you have a personal interest in the matter?

Yes

Consider the bias and pre-determination tests

You may need to refrain from speaking & voting

You may also need to leave the meeting. Please seek advice

No

You can take part in the meeting speak and vote

What are the principles of bias and pre-determination and how do they affect my participation in the meeting?

Bias and predetermination are common law concepts. If they affect you, your participation in the meeting may call into question the decision arrived at on the item.

Bias Test

In all the circumstances, would it lead a fair minded and informed observer to conclude that there was a real possibility or a real danger that the decision maker was biased?

Predetermination Test

At the time of making the decision, did the decision maker have a closed mind?

If a councillor appears to be biased or to have predetermined their decision, they must NOT participate in the meeting.

For more information or advice please contact the Monitoring Officer (susan.zeiss@bcpcouncil.gov.uk)

Selflessness

Councillors should act solely in terms of the public interest

Integrity

Councillors must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships

Objectivity

Councillors must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias

Accountability

Councillors are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this

Openness

Councillors should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing

Honesty & Integrity

Councillors should act with honesty and integrity and should not place themselves in situations where their honesty and integrity may be questioned

Leadership

Councillors should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs

AGENDA

Items to be considered while the meeting is open to the public

1. Apologies

To receive any apologies for absence from Members.

2. Substitute Members

To receive information on any changes in the membership of the Committee.

Note – When a member of a Committee is unable to attend a meeting of a Committee or Sub-Committee, the relevant Political Group Leader (or their nominated representative) may, by notice to the Monitoring Officer (or their nominated representative) prior to the meeting, appoint a substitute member from within the same Political Group. The contact details on the front of this agenda should be used for notifications.

3. Declarations of Interests

Councillors are requested to declare any interests on items included in this agenda. Please refer to the workflow on the preceding page for guidance.

Declarations received will be reported at the meeting.

4. Confirmation of Minutes 7 - 10

To confirm and sign as a correct record the minutes of the Meeting held on 5 November 2020.

5. Public Issues 11 - 14

To receive any requests to speak on planning applications which the Planning Committee is considering at this meeting.

Please Note: In accordance with paragraph 13 of the Protocol for Public Statements, the Chairman has agreed that public statements relating to the applications referred to at agenda items 6a and 6b, will be received as one, with a maximum of 6 statements from objectors and 6 statements from applicants/supporters, each statement consisting of no more than 450 words.

The deadline for the submission of requests to speak is 12 noon on Wednesday 25 November 2020. Requests should be submitted to Democratic Services using the contact details on the front of this agenda.

Further information about how public speaking is managed at virtual meetings is contained in the Protocol for Public Speaking at Planning Committee which is included with this agenda sheet and is available on the Council's website at the following address:

https://democracy.bcpcouncil.gov.uk/documents/s18186/Protocol%20for%20Public%20Statements%20at%20Planning%20Committee.pdf

Note: The public speaking procedure is separate from and is not intended to replicate or replace the procedure for submitting a written representation on a planning application to the Planning Offices during the consultation period.

6. Schedule of Planning Applications

To consider the planning applications as listed below.

See planning application reports circulated at 6a-6g, as updated by the agenda addendum sheet to be published on 25 November 2020

Councillors are requested where possible to submit any technical questions on planning applications to the Case Officer at least 48 hours before the meeting to ensure this information can be provided at the meeting.

The running order in which planning applications will be considered will be as listed on this agenda sheet.

The Chairman retains discretion to propose an amendment to the running order at the meeting if it is considered expedient to do so.

Members will appreciate that the copy drawings attached to planning application reports are reduced from the applicants' original and detail, in some cases, may be difficult to read. The submitted drawings can be viewed by using the relevant planning register for this meeting, online at:

https://planning.christchurchandeastdorset.gov.uk/search.aspx?auth=1&AspxAutoDetectCookieSupport=1

https://www.bournemouth.gov.uk/planningbuilding/CurrentPlanningApplications/PlanningApplicationRegister.aspx

https://www.poole.gov.uk/planning-and-building-control/planning/planning-applications/find-a-planning-application/

Councillors are advised that if they wish to refer to specific drawings or plans which are not included in these papers, they should contact the Case Officer at least 48 hours before the meeting to ensure that these can be made available.

Development Plans for the BCP Council area are available to view online at:

https://www.bournemouth.gov.uk/planningbuilding/PlanningPolicy/Local-Plan-Documents/Local-Plan-Documents.aspx

https://www.poole.gov.uk/planning-and-building-control/planning-policy-and-guidance/

https://www.christchurch.gov.uk/planning-buildings-land/planning-policy/christchurch/christchurch-borough-council-local-plan.aspx

a)	**Christchurch Police Station, Barrack Road, Christchurch, Dorset, BH23 1PN** (Christchurch Town) 8/18/3263/FUL Erection of 130 residential dwellings, 39 units of age-restricted sheltered accommodation (C3), and 612 m2 of flexible commercial/community space (A1, A2, A3, A4, B1, D1 (Museum only) use classes), new road between Bargates and Barrack Road, new vehicular access from Barrack Road (to serve sheltered accommodation only), new private and semi-private gardens, public open space, hard and soft landscaping, surface vehicular parking and residential garages, following the demolition of the Police Station and Magistrates' Court, nos. 23 and 41 Barrack Road, former Goose and Timber public house, and ancillary buildings and structures.	15 - 180
b)	**Christchurch Police Station, Barrack Road, Christchurch, Dorset, BH23 1PN** (Christchurch Town) 8/18/3264/DCONS Erection of 130 residential dwellings, 39 units of age-restricted sheltered accommodation (C3), and 612 m2 of flexible commercial/community space (A1, A2, A3, A4, B1, D1 (Museum only) use classes), new road between Bargates and Barrack Road, new vehicular access from Barrack Road (to serve sheltered accommodation only), new private and semi-private gardens, public open space, hard and soft landscaping, surface vehicular parking and residential garages, following the demolition of the Police Station and Magistrates' Court, nos. 23 and 41 Barrack Road, former Goose and Timber public house, and ancillary buildings and structures.	181 - 194
	ADJOURNMENT The Committee will adjourn for at least 30 minutes after considering items 6a and 6b and will not reconvene before 1pm.	
c)	**Carisbrooke, 172 Canford Cliffs Road, Poole, BH13 7ES** (Canford Cliffs) APP/19/01569/F Demolition of existing buildings and erection of assisted living/extra care accommodation (class C2) with communal facilities and car parking.	195 - 226
d)	**Joseph Steps Building, West Undercliff Promenade, Bournemouth** (Westbourne and West Cliff) 7-2020-5162-D	227 - 242

	Alterations and extensions to building to provide lifeguard facilities to include boat storage, training/ meeting rooms, viewing balcony, installation of photo voltaic panels, erection of pole mounted turbines and a flagpole.	
e)	**7 Chaddesley Glen, Poole, BH13 7PA** (Canford Cliffs) APP/20/00677/F Demolish existing building and erect block of 8 flats with basement parking.	243 - 262
f)	**80 Fernside Road, Poole, BH15 2JL** (Oakdale) APP/20/00765/P Demolish existing and erect a block of 9 1-bed flats with parking, bin and cycle storage	263 - 302
g)	**53 Southcliffe Road, Christchurch, BH23 4EW** (Mudeford, Stanpit and West Highcliffe) 8/20/0682/CONDR Demolish existing buildings and erect block of 10 apartments with basement parking. Variation of condition 2 (Approved Plans) of App. 8/16/1842/FUL for additional details/minor amendments. Reconfiguration of basement entrance element of building at both basement and ground floor level. Changes to ground floor plan of the building in vicinity of the ramp. Single storey projection on north east elevation between two approved masonry buttresses and beneath approved balcony. Insertion of further buttress features on ground floor. Changes to window details including - Insertion of obscure glazed windows in western elevation, two new windows in north elevation, two roof lights in south elevation and flat roof skylights. Reduction of hardstanding in front entrance forecourt area. Small patio areas to some of the ground floor units .	303 - 328

No other items of business can be considered unless the Chairman decides the matter is urgent for reasons that must be specified and recorded in the Minutes.

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL

PLANNING COMMITTEE

Minutes of the Meeting held on 05 November 2020 at 1.00 pm

Present:-

Cllr D Kelsey – Chairman

Cllr S McCormack – Vice-Chairman

Present: Cllr S Baron, Cllr S Bartlett, Cllr M Davies, Cllr N Decent, Cllr P R A Hall, Cllr P Hilliard, Cllr T Johnson, Cllr M Le Poidevin, Cllr T O'Neill, Cllr A M Stribley and Cllr K Wilson

Also in attendance:

59. Apologies

Apologies were received by Cllr S Bull.

60. Substitute Members

Notification was received from the nominated representative of the relevant Political Group Leader that Cllr K Wilson would substitute for Cllr S Bull for this meeting of the Committee.

61. Declarations of Interests

The following declaration if interest on planning application 6a was made:

Cllr S Baron, who is also a Ward Councillor for Parkstone, declared that due to his strong opinion on the site and application he would not participate as a member of the Committee for item 6a and would instead speak in objection of the application as Ward Councillor.

62. Confirmation of Minutes

The minutes of the meeting held on 15 October 2020 were approved for signing as a correct record.

63. Public Issues

There were several public statements received relating to the applications considered by the Planning Committee. As per the Protocol for Public Speaking, the Democratic Officer read out the written statements before the Chairman invited those Ward Councillors who had requested to speak, to address the Committee.

64. Schedule of Planning Applications

The Committee considered planning application reports, copies of which had been circulated and which appear as Appendices A & B to these minutes in the Minute Book. There was no update sheet in relation to the applications. The Committee considered the planning applications as set out in Minutes 65-66.

65. The Sloop, 5 Commercial Road, Poole, BH14 0HU

(Parkstone)

APP/19/01401/P

Outline application to demolish existing pub, outbuilding and 2no flats and erect a block of 4no studio flats, 60no 1-bedroom flats, 9no 2-bedroom flats and 1no 3 bedroom flat with parking, cycle and refuse storage.

- IN OBJECTION –

  None

- IN SUPPORT –

  Matt Annen – Pure Town Planning
  Mark Adams – AJ Developments

- WARD COUNCILLORS –

  None

RESOLVED that the application be refused planning permission, contrary to the recommendation as set out in the report, for the following reasons:
The application was contrary to PP27 (1a) and would result in an overdevelopment of the site, while being excessive in its density.
The application was contrary to the Poole Parking SPD and would result in a lack of parking.
The application was contrary to PP27 (1d) and would provide inadequate living conditions for future occupiers.
The application was contrary to PP30 and NPPF Para NDHA and would see the loss of a non-designated heritage asset.
The application was contrary to PP32 on the grounds of Heathland Mitigation and with reference to Poole Harbour.

Voting:

For – 6

Against – 4

Abstain – 0

NOTE: Cllrs M Davies and N Decent missed sections of the presentation, public statements and debate due to technical issues. Therefore, neither Councillor voted on this item.

66. Durley Chine Depot, West Undercliff Promenade, Bournemouth

(Westbourne and West Cliff)

7-2020-18384-S

Demolition of four buildings (public toilet block, a former beach office, a storage block and a portacabin block) and eleven beach huts. Construction of a new 2 storey Environmental Education Visitor Centre, staff welfare building, Cafe and replacement Public WCs- Regulation 3.

- IN OBJECTION –

  None

- IN SUPPORT –

  BCP Council – applicant.

- WARD COUNCILLORS –

  None

RESOLVED that the application be granted planning permission, in line with the recommendations as set out in the report, for the following reasons:

Voting:

For – 11

Against – 0

Abstain – 1

NOTE: Cllr M Davies missed part of the presentation, public statements and debate due to technical issues and therefore did not vote on this item.

The meeting ended at 2.55 pm

CHAIRMAN

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PLANNING COMMITTEE

PROTOCOL FOR PUBLIC STATEMENTS AT MEETINGS

(ARTICLE 16: COVID-19 INTERIM DECISION MAKING ARRANGEMENTS)

This protocol makes provision for public statements to be taken into account in the decision making process at virtual meetings of the Planning Committee. It enables objectors and applicants/supporters to submit a written statement on planning applications for consideration at the meeting where they would normally submit a request to attend and speak at a physical meeting. These statements will be read out at the meeting on their behalf.

This protocol is separate from and is not intended to replicate or replace the procedure of submitting a written representation on a planning application to the Planning Offices during the consultation period.

1. Objectors and applicants/supporters, including Parish or Town Council representatives, who wish to provide a written statement to be read out on their behalf at the Planning Committee must submit this to Democratic Services by 12noon on the day before the meeting.

2. There will be a maximum of two statements from objectors and a maximum of two statements from applicants/supporters on each planning application considered by the Committee. Each statement may consist of up to 450 words.

3. Statements will be accepted on a first come, first served basis. Statements will not be accepted once the limit has been reached. Objectors, and applicants/supporters with similar views are encouraged to co-ordinate in advance in the production of statements.

4. Statements will be read aloud by the Democratic Services Officer once the Presenting Officer has completed their presentation on each planning application.

5. Ward Councillors who have referred an application to the Planning Committee for decision will be expected to attend and speak at the meeting wherever possible, to explain their reasons for the call in. Other Ward Councillors may also wish to attend and speak at the meeting.

6. Any Ward Councillor attending and speaking at the meeting must also submit a written version of what they intend to say to Democratic Services by 12noon on the day before the meeting. In the event of a Ward Councillor not being able to access the meeting at the appropriate time for any reason, this statement will be read out on their behalf to ensure their views can be taken into account. Statements may consist of up to 900 words.

7. Any member of the Planning Committee who has referred an application to the Committee for decision and who has a predetermined view on that application may speak as a Ward Councillor in accordance with the provisions in this protocol, but will not be able to participate in the discussion or vote as a member of the Committee.

8. Written statements should refer to planning related issues as these are the only matters the Committee can consider when making decisions on planning applications.

Statements must direct points to reinforcing or amplifying the planning representations already made to the Council in writing. Guidance on what constitutes planning considerations is included at the end of this document. Statements must not include derogatory or defamatory comments.

9. Anyone submitting a written statement who wishes to provide still photographs or illustrations (a maximum of five) to be displayed on screen while their statement is being read aloud must submit these to Democratic Services by 12noon TWO DAYS before the meeting.

10. Presentations other than those by the Presenting Officer(s) will not be facilitated at the meeting.

11. Any updates on planning applications to be considered by the Committee will be published by Democratic Services as soon as possible after 12noon on the day before the meeting.

12. In considering each application the Committee will normally consider contributions from people in the following order:

    - Presenting Officer(s)
    - Objectors
    - Applicant/Supporters
    - Ward Councillors (for the avoidance of doubt and for the purposes of this protocol, the term 'ward councillor' means a councillor who is not a member of the planning committee)
    - Questions and discussion by Members of the Planning Committee, which may include points of clarification from Officers, leading to a decision.

13. Exceptionally, in cases of significant major planning applications the Chairman of the Planning Committee may exercise discretion in respect of provisions within this protocol. Arrangements will be agreed in advance in consultation with Planning Services and Democratic Services.

14. Please note that virtual meetings of the Planning Committee are recorded for live and subsequent broadcast by the Council, and will be published on the Council's website for a minimum of six months after the meeting date. Agenda, reports and broadcasts can be accessed using the following link:
    https://democracy.bcpcouncil.gov.uk/ieListMeetings.aspx?CId=290&Year=0

For further information about public statements at Planning Committee please contact democratic.services@bcpcouncil.gov.uk

This Protocol has been adopted in accordance with the provisions of Article 16 of the Council's Constitution - Covid-19 Interim Decision Making Arrangements.
A copy of the Council's Constitution can be accessed using the following link:
https://democracy.bcpcouncil.gov.uk/ieListDocuments.aspx?CId=151&MId=4091&Ver=4&Info=1

The National Planning Portal provides the following guidance on material planning considerations:

‘A material consideration is a matter that should be taken into account in deciding a planning application or on an appeal against a planning decision. Material considerations can include (but are not limited to):

- Overlooking/loss of privacy
- Loss of light or overshadowing
- Parking
- Highway safety
- Traffic
- Noise
- Effect on listed building and conservation area
- Layout and density of building
- Design, appearance and materials
- Government policy
- Disabled persons' access
- Proposals in the Development Plan
- Previous planning decisions (including appeal decisions)
- Nature conservation

However, issues such as loss of view, or negative effect on the value of properties are not material considerations.’

https://www.planningportal.co.uk/faqs/faq/4/what_are_material_considerations

Adopted by the Planning Committee on 21 May 2020

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PLANNING COMMITTEE

Application Address	Christchurch Police Station, Barrack Road, Christchurch, Dorset, BH23 1PN
Proposal	Erection of 130 residential dwellings, 39 units of age-restricted sheltered accommodation (C3), and 612 m2 of flexible commercial/community space (A1, A2, A3, A4, B1, D1 (Museum only) use classes), new road between Bargates and Barrack Road, new vehicular access from Barrack Road (to serve sheltered accommodation only), new private and semi-private gardens, public open space, hard and soft landscaping, surface vehicular parking and residential garages, following the demolition of the Police Station and Magistrates' Court, nos. 23 and 41 Barrack Road, former Goose and Timber public house, and ancillary buildings and structures.
Application Number	8/18/3263/FUL
Applicant	Aster Homes Ltd
Agent	Savills
Date Application Valid	27 November 2018
Decision Due Date	26 February 2019
Extension of Time Date (if applicable)	
Ward	Christchurch Town
Report status	Public
Meeting date	26 November 2020
Recommendation	Approve subject to S106 to cover the following Heads of Terms; • 31% Affordable Housing including social rented, intermediate and home ownership. • HIPs financial contribution of **£700,000** and HIPs management plan

	• Heathland SAMM contribution - **£50,711.00** • Education contribution - **£251,966.40** • Financial contribution for re-positioning and additional Surveillance cameras **- £25,000** • Land to be given over for highway adoption with those areas identified on a plan (roads including on-street parking bays, road turning areas, footways and cycleways). • Toucan crossing across Barrack Road adjacent to the Fountain roundabout • Double pedestrian crossing across Barrack Road adjacent to the Fountain roundabout • Toucan crossing across Bargates adjacent to the Fountain roundabout • 2 x Vehicle Activated Signs - **£14,000** • Bus stop, shelter and associated works, including Real Time Information on Barrack Road • Traffic Regulation Orders – Legal fees, signage and road marking, “No right turn” orders for accesses off Barrack Road, parking restrictions and on-street parking bays within the site and Beryl bike scheme parking bays. - **£10,000** • Residential Travel Plan • S278 agreement for works to the highway • Permissive route for pedestrians and cyclists to rear of Block A linking Bargates to Barrack Road. and the conditions as set out in Recommendation section of report.
Reason for Referral to Planning Committee	The application was heard by Planning Committee on 20 February 2020 in the wider public interest. This is a major application where BCP Council has an interest in part of the land within the application site. It has been brought back to Planning Committee to provide further clarification on the main following issues; • Five year housing land supply • Biodiversity • Policy LN1- Residential unit sizes and HQI’s • Residential amenity • Education contribution

Case Officer	Sophie Mawdsley

DESCRIPTION OF DEVELOPMENT

1. The application seeks permission for the 'Erection of 130 residential dwellings, 39 units of age-restricted sheltered accommodation (C3), and 612 m2 of flexible commercial/community space (A1, A2, A3, A4, B1, D1 (Museum only) use classes), new road between Bargates and Barrack Road, new vehicular access from Barrack Road (to serve sheltered accommodation only), new private and semi-private gardens, public open space, hard and soft landscaping, surface vehicular parking and residential garages, following the demolition of the Police Station and Magistrates' Court, nos. 23 and 41 Barrack Road, former Goose and Timber public house, and ancillary buildings and structures'.

2.

Site Area	2.17ha
No of dwellings	169 dwellings 116 market housing (including 39 age restricted units) and 53 affordable units
No of affordable dwellings	31% = 53 units (31 x 1 beds, 16 x 2 beds and 6 x 3 beds)
Commercial	612 m^2 of flexible commercial/community space (A1, A2, A3, A4, B1, D1 (Museum only)
Parking	185 spaces including surface and basement parking

3. As part of the application the existing Police Station and Magistrates Court buildings, the residential properties No 23 and No 41 and the former public house (Goose & Timber) on Barrack Road will be demolished.
4. The sheltered housing with an age restriction would provide independent apartments along with a communal lounge, communal gardens, a guest suite and parking. This accommodation would be restricted to persons aged 55 + and managed and operated by a retirement management company.
5. The proposed commercial space would front the Fountain roundabout. The flexible space allows for a range of different uses depending on market conditions. At the current time, there is interest from Discover Science Christchurch to develop the space as an interactive science museum/centre.

6. During the application process, in response to the consultation responses, the representations from local residents and negotiation with the case officers, revisions have been made to the proposed plans and supporting documents. The main changes included:
    - Provision of a new bus stop and shelter on Barrack Road
    - Provision of a pedestrian crossing on Bargates
    - Additional parking spaces and cycle lane around Barrack Road frontage
    - Revisions to the design and materials of a number of the buildings
    - Revisions to the Biodiversity and Enhancement Mitigation Plan and landscape enhancements including enlargement of the ecological corridor.
    - Increase of finished floor levels of Blocks A and B in the interests of flood mitigation.
7. In September 2020, a number of the plans and supporting information were updated and revised and a 21 day consultation period took place. The changes to the plans are set out in the covering letter (with amendment details) but include;
    - Internal layout changes
    - Window reconfiguration
    - Parking and path layout
8. The Biodiversity Mitigation Plan has been revised to take account of the fact that BCP Council is no longer signed up to the Dorset Biodiversity Protocol. Schedules of the accommodation have been submitted to show an assessment against the HQI indicators of unit size and private open space provision across the development.
9. A Screening Opinion request was submitted to the Council on 13 March 2018 to determine whether the application required an Environmental Impact Assessment under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.The Screening Opinion concluded the following;
    - The development was not Schedule 2 development
    - The site was not within a sensitive area
    - The development does not exceed the applicable threshold in Schedule 2
    - Taking all relevant considerations into account the development is considered likely to not have significant environmental effects.
10. Therefore, the development is not EIA development and an Environmental Statement is not required with the planning application.

KEY ISSUES

11. Principle of development
12. Housing delivery and efficient use of land
13. Commercial uses
14. Mix of housing and Affordable Housing
15. Infrastructure and Planning Obligations
16. Layout, form and visual amenity
17. Heritage
18. Residential Amenity, noise and lighting
19. Open space provision and recreation
20. Access, parking and impact on local transport network
21. Trees, Biodiversity and Ecological considerations
22. Flood risk and surface water management

PLANNING POLICIES

23. In accordance with Section 70(2) of the Town & Country Planning Act 1990 (as amended) and Section 38 (6) of the Planning and Compulsory Purchase Act 2004, the application is to be determined in accordance with the development plan, unless material considerations indicate otherwise.

Development Plan

24. The site is identified in the Christchurch and East Dorset Local Plan – Part 1 Core Strategy (April 2014) as a Town Centre Strategic Site under Policy CH1 (Christchurch Town Centre Vision). The Local Plan was formally adopted in 2014 having been found sound by a Planning Inspector and is the development plan for the district. As the development plan it is the starting point for the application of Section 38 above. The Local Plan has established the principle of development on the site.

Local Plan Policy CH1: Christchurch Town Centre Vision

25. CH1 states:-

‘Christchurch will continue to act as the key town centre in the Borough and will be the main focus for retail development. Future growth and development will be based around promoting the town centre as a place to shop, participate in leisure activities, enjoy culture, access key services, and enjoy good food and drink. The attractive and historic environment of Christchurch town centre will contribute to its future vitality and viability whilst creating a vibrant multi-functional centre serving the needs of the local community and visitors alike.

The Town Centre sits at the top of the Christchurch town centre hierarchy (Policy KS6), is well served by public transport and has the most development

opportunities. The retail offer will be enhanced and the shopping environment improved to provide a more pleasant and pedestrian friendly townscape. Improvements in public transport services will be supported in conjunction with localised infrastructure improvements. Essential services and facilities will also be enhanced within the centre serving residents and local visitors to the town.

To achieve this vision:

1. Retail uses will be expanded and enhanced to promote the vitality and viability of the centre. The Town Centre will accommodate in the region of 7,500sqm of new comparison retail floorspace and 2,300sqm net convenience floorspace to meet future requirements to 2028.

2. Residents of the Borough will continue to have access to a variety of community services and cultural facilities; important town centre uses (such as the Regent Centre, the Central Library) will be retained and where possible enhanced. There is a need to expand the health and fitness offer in the town centre.

3. Expansion of evening economy uses such as restaurants/cafés/pubs will be encouraged especially along Church Street. This will enhance the vitality of the centre, making it a more vibrant place in the afternoon and evening hours.

4. The following sites have been identified as strategic sites that will play a pivotal role in delivering the Town Centre Vision and Key Strategy:

- The Magistrates' Court Site
- Saxon Square
- The Lanes
- Land between Bridge Street, Stony Lane South and the Civic Offices
- Stony Lane

5. The strategic sites set out above will be brought forward in accordance with site specific allocations and further detail will be set out in a Site Allocations Development Plan Document. The Site Allocations DPD will also set out how flood risk will be managed for these strategic sites.

6. High density residential development will take place alongside the projected requirement for retail to provide a balanced, mixed use environment in areas outside those affected by high flood risk.

7. The Town Centre will seek to accommodate new office development which complements the overall retail strategy and the vitality and viability of neighbouring centres.

8. Townscape quality will be enhanced by sensitive development and improvements incorporating the built form and the spaces between, including

streets, squares, parks, waterfront and car parks. Only high quality development proposals that respect and enhance the historic character of the centre, and improve ease of movement and legibility, will be permitted.

Improvements to the linkage between the High Street and Bargates will be promoted in an effort to increase the flow of pedestrians between the shopping areas.

9. To minimise congestion and air pollution, the use of sustainable modes of transport will be encouraged. Christchurch Town Centre benefits from a comprehensive public transport network providing links both within the Borough and its surrounding areas via bus and rail services.

10. The Council will ensure that adequate parking levels are maintained within the Town Centre so as not to adversely affect vitality and viability.

More effective management of car parks will reduce pressure on 'core' car parks. A strategic signing strategy will also assist in making the best use of town centre car parks and in reducing congestion.'

26. **Other relevant policies from the Development Plan**

KS1: Presumption in favour of Sustainable Development

KS2: Settlement Hierarchy

KS3: Green Belt

KS4: Housing Provision

KS5: Provision of employment land

KS6: Town Centre Hierarchy

KS7: Role of Town and District Centres

KS9: Transport Strategy and Prime Transport Corridors

KS10: Strategic Transport Improvements

KS11: Transport and development

KS12: Parking provision

HE1: Valuing and Conserving our Historic Environment

HE2: Design of new development

HE3: Landscape Quality

LN1: The size and type of new dwellings

LN2: Design, layout and density of new housing development

LN3: Provision of Affordable Housing

LN6: Housing and Accommodation proposals for Vulnerable People

LN7: Community Facilities and Services

ME1: Safeguarding biodiversity and geodiversity

ME2: Protection of the Dorset Heathlands

ME3: Sustainable development standards for new development

ME6: Flood Management, Mitigation and Defence

PC1: Christchurch and East Dorset Employment Land Hierarchy

Saved policies -

ES10: Loss of public houses

T12: Rear servicing for Bargates

T14: Cycle routes

H12: Infill development

H16: Crime prevention and design

BE4: New development in conservation areas

BE5: Setting of conservation areas

BE15: Setting of listed building

ENV5: Drainage of new development

P2: Magistrates Court site car park

P5: Loss of town centre car parking

Supplementary Planning Documents and other material documents

27. Christchurch Magistrates Court Site Development Brief (November 2003)

Dorset Heathlands Planning Framework 2020 to 2025 SPD (March 2020)

Affordable Housing SPD (December 2018)

Five year housing land supply 2019 – 2024 (May 2020)

Central Christchurch Conservation Area Appraisal (2005)

Christchurch Borough-wide Character Assessment (2003)

28. The Development and Planning Brief prepared for the former Magistrates Court site, police station and adjoining land at Barrack Road and Bargates in Christchurch was adopted in November 2003 and has been available to view on the Council website for a number of years. The Planning Brief provides a

framework for landowners and prospective developers to inform and deliver the development of this important site. The former Magistrates Court site has been identified by the (former) borough council as a unique opportunity in the heart of Christchurch for the development of a comprehensive and high quality mixed use scheme.

The National Planning Policy Framework 2019

29. Paragraph 11 sets out the presumption in favour of sustainable development. Development plan proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent or relevant policies are out-of-date then permission should be granted unless any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF. The relevant sections are;

Section 2 Achieving sustainable development
Section 5 Delivering a sufficient supply of homes
Section 6 Building a strong, competitive economy
Section 9 Promoting sustainable transport
Section 11 Making effective use of land
Section 12 Achieving well-designed places
Section 14 Meeting the challenge of climate change, flood risk and coastal change
Section 15 Conserving and enhancing the natural environment
Section 16 Conserving and enhancing the historic environment

30. Section 2 Achieving sustainable development

*For **decision-taking (**Paragraph 11) this means:*
c) approving development proposals that accord with an up-to-date development plan without delay; or
d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date(7), granting permission unless:
i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Footnote 7 - (7) This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a 5 year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the

previous 3 years. Transitional arrangements for the Housing Delivery Test are set out in Annex 1.

Developer Contributions

31. As a Local Plan Strategic Site, the site is zero rated for Community Infrastructure Levy (CIL) charges. This is due to the need to avoid double counting of contributions required to mitigate the impact of residential development on protected European Heathlands where significant sites are required to provide SANGs, where heathland mitigation is also part of the monies collected via CIL. Developer contributions will instead be sought through a s106 agreement.
32. Contributions which are being sought on this site and that will be discussed further on in the report include; Heathland Infrastructure Projects, Strategic Management and Monitoring for Heathland, education, surveillance cameras and transport/highway improvements.

RELEVANT PLANNING APPLICATIONS

33. 8/18/3264 – Demolition within Conservation Area

REPRESENTATIONS

34. In addition to letters to neighbouring properties, a site notice was posted outside the site on 03 December 2018 with an expiry date for consultation of 24 December 2019 and an additional site notice erected on 24 January 2019 and with an expiry date of 27 February 2019. A press advert was publicised on 29 January 2019.
35. Following revisions to the proposals, a re-consultation process took place in October and November 2019 for local residents and consultees. Following receipt of some amended plans and updated supporting documents including a Biodiversity Mitigation and Enhancement Plan and Accommodation schedules a further re –consultation took place for 21 days on 18 September 2020.
36. In total, after 3 rounds of consultation, 134 letters of objection have been received, 3 petitions with a total of 900 signatures (objecting to loss of Pit Site car park and impact on local businesses), 16 letters of comment and 144 letters of support. Some residents have written in more than once on the application.
37. The following are the main objections and comments to the proposal in summary;

- Congestion of local highway network
- Loss of public car parking spaces
- Insufficient permit holder spaces and long term parking

- Need more parking to support retailers, hotels, restaurants and other commercial enterprises
- Inadequate parking on the site for future residents
- Implications for road safety around the development
- Displacement of parking to residential roads
- Businesses will suffer from staff being unable to park
- Island and pedestrian crossing on Barrack Road result in further congestion and bottlenecks.
- Increased noise and air pollution
- More street light pollution
- Loss of privacy and overlooking
- Loss of outlook for neighbouring dwellings
- Local schools oversubscribed
- Local surgeries/dentists oversubscribed
- No requirement for further retail space
- Lack of green space
- Lack of open space
- Lack of public space
- Overdevelopment and exceeds allocated site in Local Plan
- No up to date Masterplan for site
- No biodiversity net gain
- Loss of ‘green lung’ to rear of Twynham Avenue and loss of wildlife
- Loss of trees and impact on root protection areas of remaining trees
- Loss of hedgerow
- Buildings too high
- Destroy character of town
- Contaminated land
- Archaeological impacts
- Design not high quality and does not respect surroundings in terms of bulk, scale and height.
- Types of properties not appropriate
- Impact on environment and implications for climate change

- Does not preserve or enhance character of the Conservation Area
- Loss of public house on Barrack Road within the Conservation Area
- Increased flood risk and drainage issues
- Shared ownership not affordable
- Lost opportunity for public or community use on the site
- Wildlife corridor result in antisocial behaviour and tipping
- Requirement for more age restricted properties?
- No pull in for bus stop
- Decisions being made without local community involved
- Amendments not address issues raised by local people
- Housing will create ghetto
- Impact on ecology and diversity not been addressed
- Minimum living standards not been addressed
- Championing of cycling had unintended consequence of making it more dangerous for pedestrians.
- No mention of stag beetles in BMEP
- Previous Committee decision flawed

38. Support

- Create homes close to railway station and on major bus routes
- Impressive scheme and visually enhance area
- Well thought out scheme
- Loss of parking provided in other car parks
- Needed in ‘gateway’ to the town
- Current site is a health hazard
- Provide much needed housing
- Proposed development unlikely generate more traffic than previous uses
- Provision of affordable housing
- Quality housing and urban design to a tired and underused area
- Site currently is an eye sore, needs regenerating
- Tidy overgrown brownfield site
- Provide employment

- Science museum would be a great asset to town
- Housing for elderly close to amenities
- Well positioned near the High Street
- Community more important than car park provision

CONSULTATIONS (summary – please see separate document for fuller responses)

Historic England (HE)

39. 'On the basis of the information available to date, HE do not wish to offer any comments'.

Environment Agency (EA) (07/10/20)

40. 'The EA confirm, as per letter dated 14 January 2020, that they have no objection to the proposed development providing that that the finished floor levels will be set at or above 3.6mAOD, and the recommended informatives'.

South West Water (SWW)

Asset Protection

41. 'SWW advise that no development will be permitted within 3 metres of the water main. The water main must also be located within a public open space and ground cover should not be substantially altered. Should the development encroach on the 3 metre easement, the water main will need to be diverted at the expense of the applicant.

Clean Potable Water

42. South West Water is able to provide clean potable water services from the existing public water main for the above proposal'.

Natural England (NE)

43. Initially objected on 1/04/2019 on grounds of

- Lack of information regarding the proposed Heathland Infrastructure Projects
- Welcomed submission of BMEP but not approved by Natural Environment Team at (former) Dorset County Council.

44. Natural England withdrew their objection in 2019; however, they commented on the lack of a Certificate of Approval from NET for the BMEP.

45. They also made the following comments; 'Natural England have been working with the Council and applicant to develop appropriate mitigation in the form of Heathland Infrastructure Projects (HIPs), these have been identified in the submitted Heathland Infrastructure Project Scheme document (dated 22 July 2019). This document has been informed by advice from Natural England and BCP Council as the landowner and organisation responsible for the delivery of the HIPs. The BCP Landscape and Countryside Team Leader Mr Ottaway,

should be consulted on the mitigation proposals with any changes incorporated to reflect his comments.

46. Natural England advise that there is sufficient capacity within the identified HIPs sites for the proposed development and that they are located in areas where they will intercept new residents as well as a greater proportion of existing residents. The HIPs measures, including capital works and ongoing maintenance to achieve the objectives set out in the HIP Scheme document are required to mitigate for the impacts and should be secured by your authority prior to completion of the Habitats Regulations Assessment. It is expected that HIP provision should be delivered in advance of occupation of dwellings, as early as is reasonably possible, to ensure that enhancements are as established and that there is no likely adverse effect on the Dorset Heaths.

47. In addition, Natural England understands that the authority will secure a contribution for Strategic Access Management and Monitoring (SAMM) through a suitable legally binding agreement with the applicant, this requirement has been identified by the applicant in section 7.0.

48. Providing that the measures within the HIPs Scheme document submitted are fully secured within a section 106 agreement between the applicant and the authority which ensures the Council will deliver the agreed mitigation prior to first occupation and that the appropriate level of SAMM payments are secured, Natural England advise that the applicant will have demonstrated to the authority that it has mitigated the effects arising from the development on the Dorset Heaths.

49. In the light of the recent ECJ ruling (People Over Wind & Sweetman v Coillte Teoranta (Case C-323/17)) which concluded that the avoidance/mitigation, e.g. as set out in the Dorset Heathlands Planning Framework (2015 – 2020) SPD, cannot be taken into consideration when considering the Likely Significant Effects of proposals on European wildlife sites (and Ramsar sites as a matter of Government policy). Natural England advise your authority to seek legal opinion of the requirement to undertake an Appropriate Assessment of the application under Reg 63.

Millhams North

50. Natural England advise that the proposals for the enhancement of public access to the Millhams North as complementary to its designation as Common Land by enabling better access for the local people of Christchurch to the Common Land at Millhams North. There is no doubt that this is a high quality area of countryside which is little used by local people. No changes are proposed which would restrict access to the commoners to access and graze the land in line with their rights. Natural England is also aware of the natural function of the land as part of the River Avon floodplain, particularly affecting the site in winter. We do not consider that this would act as a barrier to its effectiveness as a HIP'.

Natural England comments received 19 October 2020

51. Natural England are fully aware that BCP Council is not signed up to the Dorset Biodiversity Protocol and BCP have a Biodiversity Project Officer who has assessed the BMEP. Their latest comments are based on this position.

52. Natural England have stated; 'No objection - The authority has received an updated Biodiversity Mitigation and enhancement plan (Aug 2020).

Biodiversity Enhancement - It is a requirement of all development to enhance the natural environment, as stated in the NPPF (2018 as amended), paragraphs 8, 170 and 175. Without enhancement, the development would not be complying with National Policy (NPPF 2018 as amended). Natural England advise that the document:

• Biodiversity Mitigation & Enhancement Plan (BMEP) 28 Aug 2020

Provides evidence of mitigation of identified impacts as well as suitable biodiversity enhancement proposals. Natural England advise that if these measures are secured through a planning condition the planning authority will have met their duties under Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 and Regulation 9(5) of The Conservation of Habitats & Species Regulations 2010.

In respect of other matters relating to the mitigation of European protected sites Natural England have previously advised that the mitigation measures, if secured by the authority would be adequate to demonstrate no adverse effect on the integrity of the designated sites'.

Dorset Wildlife Trust (DWT)

53. DWT in their initial response from January 2019 raised a number of concerns including;

- No Certificate of Approval from NET for the BMEP
- Stag beetle survey required
- Demolition of structures already taken place
- Buffer around trees or clearance carried out outside bird breeding season
- Wildlife corridor not adequate to compensate for overall biodiversity loss and no information on its future management and maintenance.
- Proposal should provide a SANG

DWT comments received 23 December 2019

54. DWT stated; 'We note that an updated Ecological Assessment and Mitigation, Compensation and Enhancement Strategy has been submitted, as well as an updated Biodiversity Mitigation and Enhancement Plan (BMEP). However, the accompanying BMEP guidance states under Section A, Paragraph 7.2 that BMEPs should not be used or made publicly available to view unless they are

accompanied by a Certificate of Approval provided by the Natural Environment Team (NET) at Dorset Council.

The NET are listed as a consultee but have not yet provided a response. It is vital that this independent scrutiny of the BMEP is undertaken, to ensure adequate mitigation, compensation and net gains for biodiversity is secured. We therefore urge the council to require the developers to send the BMEP to NET with the appropriate fee. We also recommend that permission is not granted until a Certificate of Approval is provided for any submitted BMEP, and its implementation secured through a planning condition.

Although reference is made to trees providing suitable opportunities for nesting birds and roosting bats within the Ecological Assessment, only a safeguarding strategy for roosting bats is outlined in the BMEP. Furthermore, although the bat surveys did not identify roosting bats within the buildings, the Ecological Assessment outlines a suitable safeguarding strategy for demolition works, which again has not been captured within the BMEP. We would therefore like to ensure safeguarding is clearly in place for nesting birds in trees to be felled, as well as for roosting bats in the buildings to be demolished. The Ecological Assessment states that gardens "*…will allow usage of the site* [by foraging bats] *to continue in the future*". However, gardens as a foraging resource cannot be relied upon as adequate compensation for the loss of habitat and thus cannot be secured; many people do not have natural greenspace within their gardens, choosing to have gardens requiring little maintenance.

Reference is made to a sensitive lighting scheme in both the Ecological Assessment and the BMEP. The former however includes detail which has not been included within the latter. We therefore suggest that the details of a sensitive lighting scheme is secured through a planning condition. The revised Landscape Plan (dated 30th October 2019) includes planting of *Rosa rugosa*, and invasive non-native plant species listed under Schedule 9; Part II of the *Wildlife & Countryside Act 1981 (& as amended)*. We would therefore want to see this species removed from the proposed planting list'.

DWT comments received 20 October 2020

55. 'The revised Landscape Plan (dated 5th Feb 2020) illustrates the proposed wildlife area as referenced by the submitted BMEP under sub-section 4.3.1. DWT note the wildlife area has been extended along the north-western boundary as per our previous comment. However, no indication of the width of this area is provided in either document, only that the area measures 696m² in size (or c ha) in the submitted BMEP. Using the scale provided on the Landscape Plan, it appears that the wildlife area is 10m wide in places but appears much narrower for the most part of its length. DWT therefore seeks clarification on the proposed width of the wildlife area and justification provided on the reasons the area is not at least 10m wide along its full length as recommended.

Furthermore, no indication has been provided regarding the ongoing maintenance of the wildlife area, only that 'The Wildlife Area sits entirely outside of private ownership and will be managed with all other areas of Open Space on site, thereby ensuring its continued presence and quality'. DWT recommend that a detailed management plan is produced outlining the proposed management prescriptions for habitat features within the wildlife area, to ensure these are appropriately maintained for the benefit of biodiversity as suggested by the submitted BMEP.

DWT note that the revised Landscape Plan still includes planting of Rosa rugose and therefore again recommend this species is removed from the proposed planting list.

DWT welcome the mitigation strategy outlined in sub-section 4.2.5 of the submitted BMEP in respect of stag beetles. DWT note the proposal to perform stag beetle walkover surveys prior to vegetation clearance and during construction to safeguard against the killing of any adults or larvae on-site, as recommended in our previous response.

DWT recommend the implementation of the mitigation, compensation and enhancement measures outlined under Section 4.0 of the submitted BMEP are secured through a planning condition'.

BCP Biodiversity Project Officer

56. The following comments were received on 5 October 2020: 'The details laid out in section 4.0 Mitigation, Compensation and Enhancements and map in Appendix 1 are fine and should be secured by condition for all to be delivered'.

Dorset Council Archaeologist

57. 'The application is accompanied a document produced by Bournemouth Archaeology that is entitled 'Former Christchurch Magistrates and Police Station Development Site, Bargates, Christchurch - Archaeological Evaluation, Written Scheme of Investigation' (document ref: BUARC/2018/0210.1). This document explains the archaeological background to the site and its environs, including the description of two previous archaeological evaluations on the site, both of which identified archaeological remains.

The document then proposes further archaeological work as mitigation for the proposed development's impact on those remains. In my opinion, what is described here is appropriate, and this work should be secured by condition if consent is granted'.

NHS Dorset (DCCG)

'Principle of development and provision of affordable housing

58. The importance of living in good quality and affordable housing is associated with numerous positive health outcomes. Public Health Dorset support the

principle of providing high quality affordable homes, including homes suited to the needs of older people.

59. DCCG assume that, in accordance with Policy LN3 (Provision of affordable housing) of the Christchurch and East Dorset Local Plan Core Strategy, the affordable housing provided on site will be secured for people in housing need in perpetuity, and will be made available to those with a local connection to Christchurch to ensure that it contributes to meeting both the current and future housing needs of the local community.

60. The applicant notes in the Design & Access Statement that Policy LN1 is a relevant planning policy consideration. We assume that the proposals will comply with the requirements of Policy LN1 (The size and type of new dwellings) of the Christchurch and East Dorset Core Strategy which stipulates that all new housing will be built to meet minimum living space standards. Ensuring new housing provides adequate internal living space is an important component of housing quality which in itself is an important determinant of health.

Access to greenspace/public open space

61. Access to, and engagement with, the natural environment (including urban greenspace), is associated with numerous positive health outcome. There is consistent evidence that having access to parks and playgrounds is associated with increased physical activity and reduced risk of obesity. DCCG support the proposed provision of an enhanced, 'light controlled' pedestrian crossing to enable occupants of the proposed development to access areas of greenspace to the south of the A35.

62. The proposed 1 bedroom flats in Block A do not appear to benefit from any shared outdoor space and the proposed development does not provide shared space for allotments/food growing. Across the proposed development overall there appears to be limited provision of green/public open space, barring a central area which appears to be accessible only from a central car parking area. Given the numerous benefits to physical and mental health associated with adequate access to publicly accessible greenspace (of a variety of types and scales) we would support measures to incorporate these features into the proposed development. Providing infrastructure (e.g. outdoor seating areas, shared growing space, and play equipment) has been shown to facilitate engagement with outdoor spaces and DCCG would encourage incorporation of these features into the proposed landscape plan, along with provision of shared outdoor space to serve the proposed flats in Block A.

Provision for walking and cycling

63. There is a wealth of evidence to show that investing in infrastructure to support walking and cycling can increase physical activity across all age groups. DCCG encourage the inclusion of the pedestrian link (omitted after pre-

application consultation) from the proposed development site to Twynham Avenue (which appears to benefit from existing parking restrictions to mitigate the risk of vehicle overcrowding). This would allow occupants of the proposed development to access a shorter walking route to Christchurch Station as well as providing a more direct route for pedestrians from the High Street to reach the same location via the development site. DCCG encourage the installation of appropriate signage and lighting to encourage pedestrian movement through the proposed development.

64. To ensure that the proposed development prioritises pedestrian movements within the site (as a means of enabling physical activity and securing the health and wellbeing benefits associated with it) DCCG encourage the inclusion of appropriate traffic calming and lighting measures to reduce vehicle speeds within the site and encourage walking/cycling. This seems particularly relevant for the road that will connect the A35 and B3073 on either side of the site where excess vehicle movements could impact on the health and wellbeing of residents through noise, air pollution and discouragement of pedestrian use.

65. DCCG welcome the measures proposed in the submitted Travel Plan to encourage sustainable travel choices. Suggest that this also makes reference to encouraging car club use which could further encourage sustainable travel choices by occupants of the proposed development.

Climate change

66. The impact of climate change poses risks for public health and DCCG would encourage the inclusion of measures to both mitigate and adapt to those impacts. The proposed development offers opportunities to do so through generation of renewable energy, rainwater harvesting and maximising provision of green infrastructure.

Social value

67. DCCG recognise the opportunity that development of the site could offer to support the local economy and providing local employment opportunities. If the proposal is approved we would encourage consideration of providing employment for local people during construction and/or apprenticeships or other routes to accessing employment. Employment is recognised as an important determinant of health and the development could provide an opportunity to influence this and/or support the local supply chain'.

Further comments NHS Dorset (DCCG)

68. 'Stour Surgery does not have capacity to register these patients in our current building. Is there funding to help us enlarge the surgery? If not what is the plan to accommodate these patients with a local GP?'

Natural Environment Team - Dorset Council (NET)

69. In December 2018 the Natural Environment Team commented that the BMEP had not been submitted to them for review and approval under the Dorset Biodiversity Protocol.

70. In February 2020 NET stated in their consultation response; “The revised plan for the ecological corridor is an improvement on the original proposal and the increased length and width of such is welcome. However, concern remains where the width of the corridor is reduced to 3m due to the lack of certainty of successful mitigation both to compensate for the loss of existing on-site habitat and its long-term ecological function. Smaller width areas are likely to be difficult to maintain and manage appropriately for wildlife. I note the comments by the ecological consultant highlighted by the agent, and whilst we appreciate that there are no existing direct links to adjacent green infrastructure or natural habitats, the area does provide an island /stepping stone in the urban landscape and as such is an important ecological feature. The green corridor is the only means, given the quantum of development, by which the loss of the existing habitat can be mitigated, which we are not entirely confident of and which means that the development will also fall short of realising a net gain for biodiversity. This may therefore, call into question full compliance with the mitigation hierarchy set out in the NPPF.

If however, the authority are minded to grant permission based upon the current proposals, the BMEP should be amended to show the improved corridor provision and should include an additional commitment to produce a detailed design and management regime of the corridor to be submitted to the authority for approval. The certified BMEP should then be made a condition of the permission’.

Christchurch Town Council

71. ‘Raise OBJECTION for the following reasons:

a. The proposed development results in a loss of public car parking capacity serving the town centre with no provision for replacement parking either on the proposed site location or within the vicinity and does not provide for any commuted infrastructure contributions in lieu of on or off-site provision contrary to saved Policy P5 of the Christchurch Borough Council Local Plan 2001;

b. The proposed development creates an unsympathetic relationship along the western boundary with Twynham Avenue residents. The proposed green strip along this boundary has been significantly reduced and given the proposed development along this boundary it shall result in an adverse relationship with the existing occupiers of Twynham Avenue contrary to saved policy H12 of the Christchurch Local Plan 2001 and HE2 of the Christchurch and East Dorset Local Plan -Part 1 Core Strategy’.

Dorset Council - Former Lead Local Flood Authority (LLFA)

72. Revised comments received 7 February 2020 – 'In the absence of information about Ground Water (GW) levels, the applicant has presented a backup strategy in the form of an attenuated discharge to Wessex Water (WW) SW Sewers. LLFA understand that GW monitoring is being commissioned for the site, if they are found to be favourable then infiltration at the site could proceed and detailed designs produced at Discharge of Conditions (DoC) / detailed design stage accordingly. However, in the event that GW levels are too high, a proposed attenuation system has been demonstrated as feasible.

In support of the revised, provisional drainage design the applicant has submitted a breakdown of impermeable areas post development and calculated brownfield discharge rates in a way that accords with the CIRIA SuDS manual. Attenuation volumes and indicative layouts have been provided to facilitate acceptable discharge rates that broadly accord with expected rates from the site and may offer some betterment beyond the current baseline scenario.

The applicant has demonstrated a viable drainage strategy and provided the necessary detail to substantiate this. We therefore have no objection to the application subject to the conditions and informatives at the end of this letter being included on any permission granted.

The applicant has still not presented a drainage system which offers any multifunctional benefit. The drainage systems proposed offers no amenity, no ecological and no water quality benefit. This does not accord with paragraph 165 of the National Planning Policy Framework and is particularly disappointing given the loss of some green areas within this site and the close proximity to Christchurch harbour.

We are content that the drainage system proposed will work, but do not consider that it accords with best practice or policy regarding SW management.

We note that future maintenance and ownership of the proposed infrastructure has not been addressed but are content for this to be dealt with by way of the condition(s) below. To ensure that the above elements are properly considered, and a detailed design provided, we recommend the following conditions be attached to any permission granted (Conditions #19 & #20 below)'.

Conservation Officer for former Christchurch East Dorset Partnership (CO)

73. 'The area of Christchurch known as Bargates has a well-documented history that can be researched in various places that explain the development of a typical Saxon town as is Christchurch. Christchurch has a strong sense of place and this is displayed within the material and textures used in the construction of the vernacular architecture.

With the obvious exceptions such as the Priory, The Castle and the remains of the Constables House, high quality brickwork has been the precedence. It is unusual to encounter such an avoidance of freestone architectural detailing in a town that is within reach of limestone, sandstone and green sand building

material options. Classical architecture styles and themes that have carried across the Georgian period into the Victorian era and into the recent 20th century have maintained a continuity of local brickwork style in texture and bond.

Typically, buildings display a Flemish bond with burnt headers or decorated headers to present the de rigueur checkerboard brick pattern. Christchurch brickwork is a significant driver that should be at the forefront of any major development and the choices are vast. The dimensions, clay choice and firing temperature of the brick material are where control should be a focus.

Mortar joints and bedding mortar to be compatible with the low fired, soft clay bricks. The standard approach being to insist upon a lime based mortar. This detail also requires a specialist focus to ensure that the mortar is not uniform throughout and is chosen or selected to compliment the various brick colour and textures that the palette will comprise of.

If the design of the dwelling asks for stone sills or lintels, then these should be stone and not composite elements. Genuine or authentic compound brick arches or lintels to be insisted upon as a specification condition. The use of creasing tiles or plain tiles to add string courses or platt bands is suitable and calls for expertise within the craft of the bricklayer or mason. Rusticated or ashlar facing is not a usual handling of the façade of Christchurch. This is usually displayed in a better grade of brick and with detailing to the quoins. Either being proud of the façade or by being a slightly different shade of brick. The recent trend to paint brickwork within Christchurch should be avoided at all cost and the brickwork if beautiful, should remain and any further painting of nearby extant dwellings to be carefully controlled. Once painted, the character has diminished significantly.

There are a few properties within the existing building stock of Christchurch that are rendered. These are rendered over the brick and do have a gentle ashlar incised texture. If a rendered façade assists with the theme of ongoing development of the new estate, the render material and skill that is required to produce an indented ashlar is to be conditioned or controlled by sample panels prior to application. This can look awful and inappropriate if not managed.

Roof cover can be natural slate/Plain clay tiles or pan tiles. The selection and options are vast. Recently Spanish slates have proven themselves to be acceptable but great care to be taken in the selection to ensure minimum iron content and that they are true riven slates rather than sawn. Obviously avoid fake chimneys, grp (glass reinforced plastic) chimneys are an insult to any house and town planners need to steer designers away from these as an option. They do not age comparably with the genuine materials that they hope to emulate.

Cast iron rainwater goods, black-gunmetal. No plastic. External joinery including doors and windows-Good quality sustainable sources such as joinery grade Douglas fir. Painted. This to follow through on soffits, barge boards and timber fascia.

The concept buildings as proposed are well proportioned and offer a variety of styles and sizes that complement the historic development of Christchurch. A varied and interesting roof scape will positively enhance this area of the town.

In order to deliver this estate, sacrifices will be required. One being the older public house called the Goose and Timber. A commercial building that seems to have lost the sense of place that other buildings within the town have managed to retain. They have also maintained or retained their community which is not the case here.

A prime regeneration project with nearby amenity and with a mixed commercial/residential use. Within the adjacent conservation area stands a listed building. The clock chain factory. This building should be used as design lead to offer solutions to the symmetry issues that do occur within some of the concept designs.

Summary

Bricks to be taken from a palette of reds through to buff. Including snapped or burnt headers. To be low fired soft clay. Mortar to be taken from a palette of colour and texture that compliments the soft clay bricks. To be a true lime mortar comprising of sharp sand/stone dusts and either hydraulic lime or putty lime. Sharp sand/stone dust 2.5 :1 part hydraulic lime, No cement or additives. Sharp sand/stone dust 3: 1part putty lime.

The above are industry standard mortar proportions and should not be ignored. The use of pigments within any mortar has a very short life as the pigment being water soluble will leave the set mortar and bring about a colour change that will be incompatible with the building elements. An exemplar panel of the built brickwork to be installed prior to specifications being set is a usual way of controlling the quality. This set of dwarf walls to be on site and maintained throughout the build phase and only removed once all brickwork is signed off. This helps broadcast the intention and the focus of the council to ensure that this is a quality regeneration project within the heart of Christchurch.

Supportive of the scheme'.

BCP Trees and Landscape

74. The Tree Officer who initially considered the proposal raised the following concerns in December 2018;

- Significance of tree cover has not been set out
- No attempt has been made to identify the actual RPA's
- All significant trees shown for retention have some form of development within the minimum radial RPA as shown and this requires detailed on-site assessment and interpretation of the data.

- Proposals would lead to the loss and damage to trees

75. BCP Tree and Landscape Officer made the following additional comments on 18 December 2019; 'The tree concerns raised by the previous Tree and Landscape officer in their comments dated 10/12/18 and during the meeting held in March 2019 appear to remain. The placing of dwellings and/or parking just outside the root protection areas of the retained TPO trees on site appears unchanged in the updated arboricultural assessment and method statement, ref: 17301-AA6-PB, dated 15/11/19. Therefore, harmonious relationships will not be created with the following trees, Norway (T11), Cherry (T50), Sycamore (T51), Sycamore (T21) and Yew (T25). The tree numbering is per the tree report. To date the Council has received no evidence as to why the protected Norway Maple (T10) needed to be removed. While the proposed planting of a new tree is welcomed, appropriate tree species suitable for the site are still to be confirmed, again as discussed in the March meeting'.

BCP Environmental Health (EH)

Contaminated Land

76. 'There is believed to be some former historic contaminative uses on site, but the site is not classed as contaminated. However our standard contaminated land condition should be applied'.

Noise

77. 'The development should be conditioned in line with the noise report. The development must be built to the specifications set out in the Noise Impact assessment - Technical Report: R7574-1 Rev 0. This report demonstrates that with some mitigation, including acoustically rated glazing and ventilation, in the habitable rooms of the residential dwellings (as shown in Glazing Zones Plan), would comply with maximum internal levels of 35 dB LAeq during the daytime, 30 dB LAeq at night, and 45 dB LAmax,f at night for regular events.

The plans show some commercial units and flats that might have external plant associated with it. The noise from any plant in the development must be controlled to 5 dBA below the typical background level when measured at the façade of any noise sensitive property. The proposed retail units have residential above them. Therefore deliveries and waste collection from the retail units should be limited by condition so that they do not occur between 19:00h and 07:00h'.

Construction and demolition

78. 'A construction method statement needs to submitted and agreed by the LPA before construction commences. It needs to detail how nuisances (noise, odour, dust, smoke) will be avoided. A demolition method statement needs to be submitted and agreed by the LPA before demolition commences'.

CCTV

79. ‘Currently BCP have a camera sited in Pitside Car Park. It is an important camera for providing unique coverage of specific locations that are relevant to our aims and objectives and its loss will adversely affect our operations. Due to the height of the development the field of view of this camera will be obscured. To replace these lost views the existing camera will need to be relocated, and two additional cameras will need to be installed. The Environmental Health Department require a one-off contribution towards the cost of relocation of the camera and additional installation of 2 additional cameras, estimated at £25,000’.

BCP Planning Policy (PP)

Housing Provision:

80. ‘A total of 170 dwellings are appropriate in this town centre location which will make an important contribution towards the Core Strategy housing requirement set out in Policy KS4. This is also consistent with Policy CH1 of the adopted Core Strategy which seeks to accommodate high density residential development alongside the projected requirement for retail floorspace’.

SHMA Mix:

81. ‘In measuring the mix for open market housing against the 2015 SHMA there is an over provision of 1 bed properties and an under provision of 3 bed properties. However, in this town centre location, where higher density development is appropriate, a higher number of 2- and 1-bed properties may be appropriate. The same imbalance exists with an over provision of 1 bed affordable properties and under provision of affordable 3 beds. Is there any potential for this mix to be revisited to establish a better balance of housing provision?

The submitted application proposes 31% affordable housing which takes into account the vacant building credit as set out in the NPPF. In this instance it has been agreed that a vacant building credit applies and a calculation has been submitted as part of the application’.

Flood risk:

82. ‘The FRA now identifies that the south east corner of the site is located within Flood zone 3 and flood zone 2 when climate change is taken into account to 2126. Development located within this part of the site includes residential and commercial so the 2126 scenario should be applied.

The Magistrates Court Site is identified as a strategic site in Policy CH1 of the adopted Core Strategy (2014) and as pivotal in delivery of the town centre vision. On this basis it is not necessary to undertake a sequential approach to consider alternative sites. However, there is not a detailed allocation in the adopted Core Strategy and the BCP Local Plan is at an early stage of preparation. Therefore, it

is necessary to undertake a sequential approach within the site to locate development outside flood risk affected areas in accordance with the NPPF.

The 2019 SFRA identifies the south east corner of the site including the Pit Site car park within flood zone 3a (2133). Additionally, the edge of the Police Station site adjacent to Barrack Road is affected by flood zone 3'.

Heathland Mitigation:

83. 'The adopted Core Strategy (2014) Policy ME2 requires that development between 400m and 5km provide mitigation to avoid adverse impacts on the heathland. For residential development of 40 or over the Core Strategy sets out a requirement to provide Suitable Alternative Natural Green Space. However, through the adopted Heathlands SPD there is flexibility on town centre sites to deliver an appropriate package of heathland infrastructure projects subject to agreement with the council and in consultation with Natural England.

Eco Support Ltd has prepared a heathland mitigation strategy and management plan document on behalf of Aster Homes dated July 2019. The following HIPs projects are proposed:

1) **Millhams Common** (3.5ha) (located 300m from the development site)
- Phased delivery with 169th dwelling

2) **Bernards Mead** (6.52ha) (located 1.4km from the development site)
- Phased delivery prior to first occupation.

3) **Land off the Merdians** (3ha) (located 670m from the development site)
- Phased delivery with 85th dwelling.

The management plan sets out a programme for the management and maintenance of these HIPs projects in perpetuity. The costs for the delivery and management and maintenance of the HIPs schemes are the responsibility of the developer and will be secured though legal agreement. BCP will maintain land ownership of the HIPs and undertake management and maintenance. This package of HIPs projects has been developed with the applicant, BCP and Natural England and subject to Natural England's final confirmation I consider it to be an appropriate package of mitigation for this scheme'.

Open Space Provision:

84. 'Policy HE4 of the adopted Core Strategy sets out requirements for on-site open space. As part of the submitted scheme there is no identifiable open space to address Local Plan requirements. If the approach is to utilise or enhance off site provision in this town centre location then this needs to be made clear'.

Retail Provision:

85. ‘The Magistrates Courts Site is located within the Christchurch Town Centre Primary Shopping Area. As such the site is located, ‘in centre’ for retail purposes and is highly appropriate to accommodate new retail development. In order to deliver the Christchurch Town Centre Vision in the region of 7,500 sqm of comparison and 2,300sqm of convenience floorspace is required in the town centre by 2028. The town centre has limited opportunities to accommodate this floorspace and the Magistrates Court Site is a key site to deliver a significant part of this requirement as part of a mixed use scheme. The ‘Magistrates Court Site’ is identified as a ‘Strategic site’ in Policy CN1 ‘Christchurch Town Centre Vision’ and is to perform a key role in delivering retail requirements for the town centre. The Council is also now progressing a Local Plan Review and undertook Issues and Options consultation in the summer of 2018. As part of a mixed used scheme with residential, it is currently proposed that the Magistrates Court Site is allocated for 1,250sqm of A1-A5 floorspace. The emerging BCP Local Plan now superseded the Christchurch Local Plan Review and this site will be considered further through the BCP Local Plan process.

The submitted application proposes only 612sqm of commercial floorspace for flexible commercial/community space (A1, A2, A3, A4, B1, D1 (Museum only) use classes). In accordance with the Core Strategy and emerging Local Plan evidence base the A1 – A3 uses are welcomed as they will deliver additional retail floorspace. It is also acknowledged that the B1 and D1 uses will also enhance the town centre as a whole. It is also acknowledged that recent changes in retailing have led to some uncertainty over the future direction of growth in the high street. Nonetheless, the level of provision is significantly below the 1,250 sqm of A1 – A5 which was agreed previously. The result of this low level provision will mean that it will be more difficult to find opportunities in the Town Centre to deliver retail / food and beverage floorspace requirements for the town centre as identified in Policy CH1 and KS8 of the Core Strategy.

In this regard Paragraph 85 of the NPPF sets out a requirement to,

‘*Allocate a range of suitable sites in town centres to meet the scale and type of development likely to be needed, looking at least 10 years ahead. Meeting anticipated needs for retail, leisure, office and other main town centre uses over this period should not be compromised by limited site availability…..’*

It is disappointing that the application includes no retail assessment or in-depth assessment of the likely occupiers that could be attracted to the site and town centre. Therefore, there is no robust justification for the level of retail provision currently being proposed. Comments about retail provision are extremely light and refer to a concern of Bargates businesses that there may be an adverse risk of trade draw from existing businesses. Additional retail development in this location presents an opportunity to create better pedestrian linkages between the

High Street and Bargates and improved footfall which I would anticipate having a positive impact on existing retailers in the town'.

CIL / S106 use / vacant building credit:

86. 'In accordance with the adopted CIL Charging Schedule infrastructure and 123 list requirements should be through S106 and the development should be zero rated for CIL'.

BCP Education Team

87. 'BCP Council has a statutory duty to secure sufficient and suitable school places for Bournemouth, Christchurch and Poole resident children of statutory school age. One of the most important but also challenging roles for BCP Council is to ensure that there are enough school places in the correct area for parents to access them.

To enable the Council to consider and plan for the impact of new housing development, a modelling tool is used by BCP Council to forecast the number of children that are likely to be generated from housing developments across the conurbation. The model has been applied to the submitted scheme. The development is comprised of market homes, social / affordable / intermediate rented homes and affordable ownership homes. For modelling purposes these have simply been categorised as market homes and affordable homes, as the following table shows. Taking into account the phasing of the site all homes are considered as being delivered for the start of the 2022/23 academic year (September 2022).

The following figures are used to calculate the anticipated number of children to be generated from each housing type. These figures are the averages taken from the two most recent new build surveys conducted in Poole. No such surveys have been conducted in Christchurch and Bournemouth so the Poole surveys are used as an indicator to be applied across the BCP area. The surveys were completed by occupants of new homes built between 01/04/04 and 31/03/07 (findings published 2007), and 01/04/13 and 31/03/16 (findings published 2016). The outcomes of the two surveys were combined and then averaged out in order to provide a larger sample size.

Type of Home	Children per Market Home	Children per Affordable Home
1 Bed Flat	0.00	0.00
2 Bed Flat	0.12	0.70
3 Bed Flat	0.12	2.33
4 Bed Flat	0.12	2.33
1 Bed House	0.00	0.00
2 Bed House	0.10	0.75
3 Bed House	0.50	1.93

4 Bed House	0.50	2.40

Modelling anticipates that **39 children** will be generated by the proposed 131 new homes'.

Phasing of development

88. 'The 39 children anticipated to be generated from the development, when apportioned accordingly across the age spectrum using the latest mid-year population estimates as published by government, equates to 2 children per year of age (with a further year having 3 children). This single year with one additional child distorts the projections somewhat so it is reasonable to assume that the development will generate 2 children per year of age across the full 0 – 18 age spectrum.

The total numbers of places anticipated to be generated from the proposed development of 131 new homes are as follows:

10 x Early Years places
14 x Primary places
10 x Secondary places
4 x Post-16 places

The pupil place planning function must also plan for pupils who have Special Educational Needs or Disabilities (SEND). Using the January 2019 BCP School Census as a basis, 15% of children in BCP have SEND. Of this 15%, 9.4% attend specialist schools. When applying these percentages to the number of primary and secondary school children generated by the proposed development, no specialist places are anticipated to be required. Specialist Education places are all-through places (i.e. one place covers primary and secondary)'.

'View of BCP Council Pupil Place Planning function on the impact of a development of 131 new homes on school place planning

Compulsory school age year groups – the current context

89. The closest BCP Primary phase schools to the site (measured by safe walking route) are Christchurch Infant School, Christchurch Junior School and Twynham Primary School. All three schools are generally popular and oversubscribed.

Nationally, demand for Secondary places is increasing. Across BCP Council as a whole, additional Secondary places are forecast to be needed for 2022/23 and 2023/24; there are also shortfalls in some BCP School Place Planning Areas in 2021/22 and 2024/25. The Christchurch Planning Area is forecast to have a shortfall in Secondary places over a five year period from 2020/21 to 2024/25. The closest Secondary school to the site (measured by safe walking route) is Twynham School; this school is popular and oversubscribed. Housing development during the phase indicated for the proposed development will mean

that further new Secondary phase school places would be needed in addition to the extra capacity needed to meet increased demand from the current population. Mitigation will be required for the places needed as a result of the proposed development.

Early years provision – the current context

90. Prior to the formation of BCP Council in April 2019, Dorset County Council (DCC) provided the pupil place planning responses in relation to major developments in Christchurch. The original pupil place planning assessment carried out by DCC sought education contributions for the primary, secondary and post-16 phases. No early years funding was sought. In order to ensure some continuity from the original pupil place planning assessment carried out by DCC, early years funding shall not be sought through a S.106 agreement in relation to this proposed development'.

Mitigation

91. 'School places are categorised as site-specific infrastructure to be funded through S.106 Obligations. Therefore, BCP Council will expect the developer to mitigate the full costs of all additional pupil places required as a result of the proposed development, or by any variation to it, through S.106. Again in order to maintain some continuity from the original assessment made by DCC, the costings used by DCC have been applied to the contribution calculations. The required contribution breakdown is highlighted below:

Phase	**Number of Places**	**Cost per Place**	**Total Cost**
Primary	14	£9,937.50	£139,125.00
Secondary	10	£22,525.00	£225,250.00
Post-16	4	£22,427.00	£89,708.00
Total		**£454,083.00**	

Any changes or further information regarding the housing mix of the proposed development will need to be reassessed and these results could change significantly'.

BCP Highways (HA)

92. Previous detailed comment made in June 2019 focused on the following issues;

- Layout car dominated and more needed to be done to promote walking and cycling. Use of shared surfaces. Require a shred cycle/footway around Barrack Road linking to Bargates.
- Vehicle route running through site from Barrack Road to Fairmile could be used as a short cut.
- Retirement flat vehicle entrance unnecessary

- Junction with Block A and commercial premises could cause conflicts – require barrier.
- High speeds on Barrack Road – require speed reduction measures.
- Bus stop should be provided
- Layout shows limited casual on street parking. Disabled parking needs to be increased.
- Rear servicing for premises on Bargates – ease congestion
- Loss of public parking –Magistrates car park has low demand but Pit Site Car Park has a higher demand. They are both long stay and do not encourage sustainable forms of transport. No objections to reduction in the long stay car parks.
- Overall increase in traffic flow on wider highway network would not be considered significant to warrant refusal.

93. **Further consultation comments received 20/10/2019**

- Shared cycle/footway needs extending along entire Barrack Road frontage.
- Retirement flat entrance been retained. Needs to be left had turn only.
- Pedestrian environment should be the priority in layout of residential highway layouts. The central street materials should be changed.
- Concerns of high turnover of parking for commercial premises – condition to restrict A1 food retail use.

Comments received <u>22/10/2020</u>

94. 'In traffic and highway layout terms the resubmission is similar to the previous submission and therefore the Highway Authority's previous comments still stand but they've been further summarised below, with some alterations/additions. The scheme amendments have no significant highways impact to those considered as part of the previous submission. It is assumed that the applicant's previous submitted Transport Assessment and highways technical notes are to be considered as relevant to this new submission.

The summary below contains details of proposed conditions and S106 clauses. The proposed conditions have been reworded from our previous comments to take account that the development may come forward in differing phases. It is therefore important to ensure that conditions reflect potential phased piecemeal development and that they secure delivery of appropriate highway details, highway infrastructure, parking and delivery of roads/footways to serve the development if it possibly progresses in phases. This phasing was not reflected in the Highway Authority's previously suggested conditions'.

<u>Highway Mitigation measures</u>

95. ‘If the same package of highway improvements and mitigation measures, both to encourage sustainable modes of transport and for highway safety reasons is now proposed then the Highway Authority can offer support to the proposal. The physical measures are shown on the drawing *Proposed Off Site Highway Improvements Drawing No. 15-167/012 Revision E dated June 18* produced by Odyssey and contained within the *Odyssey Technical Note – Response to BCP Highways* dated September 2019. The measures include:

1. New Toucan crossing across Barrack Road adjacent to the main residential road vehicle access. This crossing will provide a link with the existing recreation ground cycle/footway path opposite the site.
2. New double Pedestrian crossing across Barrack Road adjacent to the Fountain Roundabout
3. New Toucan crossing across Bargates adjacent to the Fountain Roundabout
4. New Bus stop and shelter, with Real Time Information, on Barrack Road
5. Widened footway to provide a shared cycle/footway along the Barrack Road/Fountain Roundabout frontage of the site.
6. 2 x Vehicle Activated Signs to be located on Barrack Road to encourage reduced vehicle speeds.
7. A vehicle proof barrier/feature in the centre of Barrack Road to prevent right turn into the rear car park area of the retail unit’s car parks.
8. A Residential Travel Plan containing measures to encourage sustainable transport including a 3 month free bus or rail voucher per household.

The existing buildings and car parks on the site may generate some pedestrian movement but the proposal is likely to generate significantly more movements, including from unaccompanied children and older members of the community which places a further emphasise on the requirement for the above highway safety measures.

The physical highway works will need to be subject to a S278 agreement which should be referred to within a S106 agreement.

Grampian conditions should also be imposed which can also refer to phasing of the mitigation measures in accordance with the demands placed by various parts of the development as they are occupied.

For the Vehicle Activated Signs (VAS) we propose that a sum of £15,000 is secured through the S106 for the provision of these signs by the Council with appropriate clauses linking the VAS signs to be used on roads within this development location.

Any vehicle exiting the developments various accesses onto Barrack Road and wishing to turn right would have to cross 4 lanes of traffic which could cause

safety issues. Therefore all vehicles exiting onto Barrack Road should turn left only. Appropriate Traffic Regulation Orders, signage and road markings will be required to ensure that drivers turn left on exiting.

In addition to the above “No Right” turn works there are various others Traffic Regulation Orders (TRO’s) with legal fees, signage and road markings required as part of the proposal including TRO’s on all the roads within the site to cover no parking and the provision of a limited amount of on-street parking bays with time limited parking (to prevent commuter parking) and Beryl bike hire scheme bays. A contribution of £10,000 should be secured through a S106 for these TRO requirements’.

Layout

96. ‘Roads within the site have been designed to encourage slow speeds. The Aspire Architects plan *Proposed Site Plan Boundary and Hard Landscaping Drawing No. ASP.16..014.002.5 Revision Dated 25/7/18* indicates a variety of materials to be used for the internal road surfacing and these will encourage slow speeds and make drivers aware of the change in road environment to one of residential with pedestrian priority. The final road surfacing construction will be agreed as part of the S38 road adoption process but the materials should follow a variety of materials as indicated on the aforementioned drawing.

The vehicle accesses off Barrack Road and Bargates should all take the form of continuous footway/cycleway across these accesses. At these accesses the development access carriageway should be at the same level and of the same material as the footway/cycleway which crosses it. This places an emphasis that pedestrians and cyclists have priority and would also slow vehicles, in addition to giving an indication to drivers that they are entering a residential and lower road category area than the main road. **The site plan does not indicate such access construction for the accesses and for the avoidance of doubt this plan should be amended to show the continuous footway/cycleway.** If revised plans are not forthcoming then a condition could be imposed i.e. *notwithstanding the approved plans of the construction and layout details of the first 6m of each vehicle access into the site shall be submitted and agreed*. This would also cover the area into the vehicle access to the commercial unit rear parking which would not be fully covered by road adoption construction approval.

It’s important to ensure the highways are constructed to the appropriate standards and also that appropriate highways are delivered for each phase of development should the development come forward in a piecemeal fashion. A condition is proposed to cover these matters.

A S106 clause will be needed to give over roads and footways for adoption as part of a S38 process, including the land forming the proposed widening of the footway around the site. We would not propose adoption of the car park and servicing area to the rear of the proposed commercial units but to aid pedestrian and cycle permeability permissive routes through this area should be secured via S016 legal agreement.

There is a cycle store proposed along the line of what would be a proposed permissive route link through this rear commercial servicing area to Bargates. This cycle store should be relocated although this could be dealt with by condition if revised plans are not forthcoming. A Parking and Servicing Management Plan condition is detailed below which also seeks details of cycle parking and this could cover this matter'.

Parking

97. 'The site is close to the town centre and the new bus stop/shelter, widened footway/cycle and new formal crossings will aid links to sustainable modes of transport encouraging lower car use and car ownership. The commercial units are likely to attract shoppers/patrons already using existing town centre parks for links trips to other Town Centre commercial units and therefore no specific general parking for these units is required (see Use Class condition comment below), although **some disabled appropriate parking bays should be provided in the rear car park** as the nearest disabled parking opportunities are not close by for patrons/shoppers visiting these units. This could be conditioned if the plans are not amended at this time. These disabled bays should be time limited to prevent all day commuter parking. With the addition of some disabled parking bays to the rear of the commercial units the parking provision for the various uses within the site would be considered acceptable. A condition is proposed below to ensure a Parking and Servicing Management Plan is agreed which will also cover phasing of the parking delivery to ensure each phase of development is provided with the appropriate parking as it comes forward. This agreed management plan can also cover disabled parking provision, cycle parking provision and how the commercial units will be serviced by delivery type vehicles.

There is a risk that if an A1 Food Retail (convenience store type use) were to locate within the proposed commercial units then this could generate a specific high vehicle parking demand as a destination and a quick vehicle trip turnover at the Barrack Road vehicle access. With this type of use drivers may choose to enter the rear parking area to seek parking, despite there being no or limited parking for such a use, and then they may take short term parking risks in this rear area parking in unauthorised spaces or vehicle manoeuvring areas. This could cause highway safety and congestion issues. **We therefore seek that a condition is imposed to prevent a Food Retail/Convenience Store type use operating from these commercial units'.**

Loss of Public Parking

98. ‘Comments are broadly the same as those initially provided.

In anticipation of the loss of public parking when the site was to be brought forward for development the previous Local Highway Authority, Dorset County Council, undertook a review of and made amendments to public parking in Christchurch Town Centre. As a result an **additional 105 public parking spaces** were provided. The existing Council controlled “Pit Site” Public Pay Display car parking bays to be lost as a result of the proposal is circa 69 spaces (some bays are currently fenced off for safety reasons).

The “Bargates” car park is currently operated as a Public Pay and Display car park under a licence agreement with the owner of that car park. There is no obligation for the owner to continue that agreement and therefore that car park can be closed off to the public by the owner, regardless of whether this planning application receives consent or not. The fact that that car park can be closed to the public by the owner and the parking spaces removed from public use is a material consideration. This Bargates car park removal has not therefore been considered as loss of public parking which can be controlled. Again though, as referred above, 105 additional public parking spaces have been created in anticipation of the development of the whole site.

There are existing electronic Parking Signs on roads in the area associated with the Bargates and Pit Site public car parks. These signs will requiring removal/amendment to remove reference to these car parks otherwise drivers may be direct to the development site to seek public parking. Alteration/removal of these signs could be dealt with by planning condition’.

Traffic Generation

99. ‘There are 2 car parks on the site and other uses which could be brought back into operation. Vehicle trip generation from the proposal on the highway network would not therefore have a significant impact on the highway network compared with what could be existing and when the above package of mitigation measures to encourage sustainable transport modes and the sites location close to town centre amenities, which encourages fewer car trips/lower car ownership, are is also considered. There are also significant highway safety benefits to the wider public as a result of the safety mitigation measures being required to mitigate the impact of the proposal’.

100. **CONSTRAINTS ON THE SITE**

- Town Centre Strategic Sites
- Town Centre Boundary

- Conservation Area
- Listed Buildings
- Tree Preservation Order
- SFRA FZ3a 2126
- SFRA FZ2 2126
- Primary Shopping Frontage
- Primary Shopping Area
- SSSI Impact Risk Zone
- Highways Inspected Network
- Heathland 5km Consultation Area
- Airport Safeguarding
- Wessex Water Sewer Flooding
- Contaminated Land - Medium Risk

PLANNING ASSESSMENT

100. The assessment of the proposal will need to cover and take account of the following key aspects;

- Site and surroundings
- Principle of Development
- Housing Delivery
- Effective use of land
- Housing Mix and Affordable Housing
- Age restricted sheltered accommodation
- Commercial uses
- Infrastructure and Planning Obligations
- Design and Layout
- Heritage Assets
- Archaeology
- Residential Amenity (including lighting and noise)
- Open space provision and recreation
- Access, parking and local transport network
- Flood Risk and surface water management
- Contaminated Land
- Biodiversity and ecological considerations (including trees and Heathland Mitigation)

Site and Surroundings

101. The application site lies within the town centre of Christchurch and occupies a site of 2.17ha. The majority of the site has been formally occupied by the Magistrates Court, Police Station, Bargates Car Park and the former Goose and Timber pub. The north western section of the site comprises part of the rear gardens of 43 – 47 Barrack Road. This area is characterised by a number of trees and shrubs. There are two existing public car parks on the site, Pit Site car park and Bargates car park.

102. Ground levels are generally consistent within the site; however there is an increase of 3 metres from Barrack Road up to the northern part of the site. The site occupies a prominent position adjacent to the busy Fountain roundabout. This locality has a mixed character, including residential dwellings, commercial and retail units along Bargates which is the secondary shopping core, recreation space and New Zealand Gardens on the corner of Sopers Lane and Barrack Road.

103. The Conservation Area boundary dissects the site running around the perimeter of the Pit site car park and then along the Barrack Road frontage. It covers the gardens and recreation area opposite the site and part of Magdalen Lane and Riverdale Lane. The adopted Conservation Area Appraisal (para. 28 above) states; '*The Barrack Road entry route to the town forms one of the most important gateways to Christchurch, From this direction, the first glimpses of the Priory Tower are seen within the context of heavily mature tree lined gardens….The townscape is dominated by open sided views towards Fountain Roundabout. The height and over landscaped nature of this traffic interchange make it particularly prominent'.* The document goes onto say that the openness in the foreground of the Police Station and car park can be unnerving. It identifies that the Pit site car park significantly weakens the townscape and does not contribute positively to the character of this part of the conservation area.

104. To the east of the application site but outside of the Conservation Area are three Grade II listed buildings. The Former Fusee Watch and Clock Fusee Chain Factory which dates from 1845, No 22 Bargates and No 24 Bargates form a group of heritage assets. Opposite the site on the small traffic island at the junction with the Roundabout is the listed cattle trough and drinking fountain. Beyond this on the north east side of Bargates is Priory Sports, a Grade II listed building. On the southern side of Barrack Road is the Grade II listed Stour Cottage dating from 1830. This building is currently used as a youth and community centre.

105. As the Design and Access Statement states; '*The area is characterised by low and medium rise development with the prevailing building height of 2 -3 metres, with a number of buildings creating the equivalent of modern 4 storeys due to more substantial floor to ceiling heights'.* Bargates has a tight knit pattern of development with a mix of building styles but it has a coherent and

strong sense of enclosure along the street. Barrack Road, has a more spacious character but still a strong development pattern, especially along Twynham Avenue to the north east of the application site which is characterised by predominantly traditional detached residential two storey properties. There have been some larger buildings and blocks of flats developed towards the junction with Stour Road.

Principle of development

106. Local Plan Policy KS2 sets out the settlement hierarchy for Christchurch (and East Dorset). Christchurch is identified as a 'main settlement' which will provide the major focus for community, cultural, leisure, retail, utility, employment and residential development. Local Plan Policy KS6 sets out the town centre hierarchy for Christchurch (and East Dorset). Christchurch is identified as a 'town centre'. The supporting text (Paragraph 4.27) confirms that Christchurch town centre is the main retail centre (in Christchurch) and will be the focus for future retail development.

107. Policy KS7 on the role of town centres advises these are to be the focal point of commercial, leisure and community activity. Their vitality and viability will be strongly supported. Town and District centre boundaries are identified in the area chapters of the Core Strategy, and these will be the focus for town centre uses, including employment, retail, leisure and entertainment, arts, culture, religion, health, tourism, places of assembly, community facilities and higher density housing.

108. Local Plan Policy CH1 outlines the Christchurch Town Centre Vision and sets out ten supporting criteria with the objective of achieving this vision. This includes the identification of five strategic sites including the Magistrates Court Site. Local Plan Policy CH2 sets out a defined Town Centre Boundary for Christchurch which covers the entire site and this will be the focus for town centre uses including retail, cultural and higher density residential development, inter alia. Local Plan Policy CH3 sets out a defined Primary Shopping Area and the Retail Frontages for Christchurch, where new retail development will be concentrated.

109. NPPF Paragraph 85 sets out that planning decisions should support the role that town centres play at the heart of local communities by taking a positive approach to their growth, management and adaptation, and recognises that residential development often plays an important role in ensuring the vitality of centres and encourages residential development on appropriate sites.

110. The application site is located entirely within the settlement of Christchurch and Town Centre policy area. As such, the principle of development is established in line with Local Plan policies KS2, KS6 and CH1. A number of local representations set out that the proposals are not acceptable in principle because the Application Site extends beyond the

boundaries of the Magistrates Court Site as indicated in Local Plan Map 5.1 (p.48). The residual land within the Application Site is also entirely within the designated Christchurch Town Centre boundary and therefore, clearly, also benefits from the establishment of the principle of development under policy KS2.

111. Essentially, there is no policy requirement, given the town centre location, for the application site to be confined solely to the boundary of the Magistrates Court Site as indicated in Map 5.1. As will be seen, the larger site allows the more effective and efficient use of land within the town centre, delivers additional benefits in relation to affordable housing for example and avoids the potential sterilisation of land in a highly sustainable location within the town centre.

Housing Delivery

112. Local Plan Policy KS4 (Housing Provision in Christchurch and East Dorset) sets out that approximately 8,500 new homes will be provided in the plan area between 2013 and 2028. This will comprise 5,000 homes within the existing urban areas and a further 3,465 provided as new neighbourhoods.

113. There is a presumption in favour of sustainable development within the NPPF. Paragraph 11 of the NPPF states that where policies which are most important for determining the application are out of date, planning permission must be granted unless policies in the Framework provide a clear reason for refusing the development proposals. Following the publication of the Housing Delivery Test in February 2019, the Council cannot currently demonstrate a five year land supply with a 20% buffer applied. In high level terms, the Housing Delivery Test compares the net homes delivered over three years to the homes that should have been built over the same period (the housing requirement).

114. The '5 Year Housing Land Supply' document has been updated in 2020 and now only considers the housing supply in the former Christchurch Borough Council area of the adopted Core Strategy (2014). The document confirms that in the next five years of the plan period, the housing supply is 1,668 set against a target of 2,094. This results in a shortfall of 426 dwellings over the Core Strategy target which includes a 20% buffer and the previous shortfall of the Core Strategy target. This equates to a 5 year supply of **3.98 years.**

115. The CLG Housing Delivery Test also sets out that Bournemouth and Poole had 20% buffers applied. As such, the delivery of 170 additional dwellings through the development of a Local Plan Strategic Site would clearly assist BCP towards meeting its housing delivery requirements.

116. Given the lack of a 5 year housing land supply and Footnote 7 to paragraph 11, the 'titled balanced' is engaged. Given that part of the site lies

within the Conservation Area and an area of flood risk, footnote 6 of paragraph 11 is applicable;

*For **decision-taking** this means:*

(c) Approving development proposals that accord with an up-to-date development plan without delay; or

(d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date [7], granting permission unless:

(i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed [6]; or

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

117. Footnote 6 states; 'The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 176) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 63 in chapter 16); and areas at risk of flooding or coastal change.'

118. NPPF Section 11 is clear that planning should make effective use of land. Paragraph 117 sets out that planning decisions should promote an effective use of land in meeting the need for homes. Paragraph 122 sets out that planning decisions should support development that makes efficient use of land, taking into account the availability of land suitable for accommodating it.

Effective Use of Land

119. A significant number of representations set out that the proposal represents over-development of the site and that the proposed built densities are not appropriate. However, Officers are firmly of the view that this is not in fact the case. Local Plan Policy LN2 sets out that on all sites, the design and layout of new housing development should maximise the density of development to a level which is acceptable for the locality. Proposals for high density developments will be acceptable in town centres, inter alia, where this form of development will not have an adverse impact on the character of the area.

120. The Local Plan identifies a series of Prime Transport Corridors in Policy KS9 of the Local Plan. This includes the A35 (Barrack Road) on the southern boundary of the site and the B3073 (Bargates) to the east. The site effectively sits at the junction of these two Prime Transport Corridors in the town centre. Objective 6 of the Local Plan is to reduce the need for our communities to travel, and to do so more easily by a range of travel choices. In this, development will be located in the most accessible locations, focused on prime transport corridors and town centres

121. Policy KS9 requires that development will be located along and at the end of the Prime Transport Corridors in the most accessible locations and supported by transport improvements that will benefit existing and future communities. Higher density development will be located in an around town centres and Prime Transport Corridors in order to reduce the need to travel. This is further emphasised in Policy LN2 which states that proposals for high density developments will be acceptable in town centres and along the Prime Transport Corridors where this form of development will not have an adverse impact on the character of the area and where residents have the best access to facilities, services and jobs.

122. The proposal is a mixed-use scheme on a Local Plan Strategic Site which will provide 169 new homes on mostly previously developed land that is currently partly derelict and having a negative impact on the townscape and character of the Conservation Area. Substantial weight should therefore be given by decision makers to this in line with NPPF Paragraph 118 criterion (c).

123. The proposal promotes the redevelopment of currently under-utilised land and buildings. This is illustrated by the currently vacant former civic buildings and the 'dead' open space surrounding them. The proposal therefore considered to be in line with NPPF Paragraph 118 criterion (d) which sets out that planning decisions should encourage multiple benefits from both urban and rural land including through mixed-use schemes.

124. The Magistrates Court Development Brief (2003) is clear that the built density of the site should be urban and not suburban. The proposed built density across the Application Site equates to 77.9 dwellings per hectare which is considered to be a suitable urban density for a town centre site and is supported by Policy KS9 & LN2. Essentially, it is considered that the scheme sets out a suitable built density which represents an efficient and optimal use of previously developed land in a town centre. Local Plan policy CH1 criterion 6 sets out that high density residential development will take place in the town centre.

125. NPPF Section 5 (Paragraph 59) sets out to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed. Paragraph 63 sets out that to support the re-use of brownfield land, where

vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount.

126. Paragraph 123 sets out that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. It is strongly considered that the proposed layout, numbers of housing and density of this development is suitable for this town centre location and given the shortage of housing, optimal use of the application site is being secured and will make a valuable contribution to housing supply and delivery in Christchurch and the wider BCP area.

Housing Mix and Affordable Housing

127. Local Plan Policy LN3 requires the provision of up to 40% affordable housing on previously developed land. Where a lower level of affordable housing is offered, this must be supported by clear and robust evidence that will be subject to verification. Objective 6 of the Core strategy allows for 35% affordable as an average across the plan area and para 4.17 of the CS states that: The need to provide affordable housing is a key objective of the Core Strategy and a target that 35% of all housing should be affordable is set. This is below the percentage requirements for affordable housing set in Policy LN3 as an acknowledgement that not all sites will be able to meet these requirements due to financial viability.

128. The overall provision of affordable housing is 53 dwellings which equates to 31%. In calculating the affordable housing for this development, there are a number of existing buildings on the site which need to be taken into account in applying the Vacant Building Credit (VBC). The floorspace of existing buildings within the application site the VBC equates to a 9% reduction from a clear site and hence 31% is considered to be a policy compliant overall level of affordable housing. The scheme is therefore considered to be compliant with local and national planning policy taking into account both the Local Plan target of 40% affordable housing and the VBC (NPPF Paragraph 63).

129. The proposed split between rented (social/affordable/intermediate) and affordable home ownership (shared ownership and help to buy), which equates to 45% and 55% respectively, is not in strict accordance with Local Plan Policy LN3 which seeks a 70% and 30% split weighted in favour of rented affordable housing. However, the Council's Strategic Housing and Private Sector Manager has confirmed the mix of housing is acceptable as well as the locations of the different tenures across the site.

130. The proposed Housing Mix for both Market and Affordable tenures is set out below:-

Unit Type	Market Housing (Nos. of Units; %)		Affordable Housing (Nos. of Units; %)		Total Site Numbers (Nos. of Units; %)	
1 bed flat	35	30.2%	31	58.5	66	38.8
2 bed flat	51	43.6%	10	18.9	61	35.9
2 bed house	6	6%	6	11.3	12	7.7
3 bed house	19	16.3%	6	11.3	25	14.7
4 bed house	3	4.3%	0	0	3	2.9
5 bed house	2		0	0	2	
Total	116	100%	53	100	169	100

131. The proposed Affordable Housing Mix is as follows:

Unit Type	Social, Affordable or Intermediate Rent (Nos. of Units; %)		Affordable Home Ownership (Nos. of Units; %)	
1 bed flat	15	62.5	16	55.2
2 bed flat	4	16.7	6	20.7
2 bed house	2	8.3	4	13.8
3 bed house	3	12.5	3	10.3
Total	24	100	29	100

132. Local Plan Policy LN1 requires sites for housing to reflect local housing needs as identified in the Strategic Housing Market Assessment (SHMA), subject to site specific circumstances and the character of the local area. The Eastern Dorset SHMA (2015) (Tables 50 and 51, p.139) sets out that for market housing in Christchurch the estimated housing mix is circa 7% (1 bed), 43% (2 bed), 40% (3 bed) and 10% (4 bed).

133. For affordable housing in Christchurch the estimated housing mix is circa 46% (1 bed), 30% (2 bed), 21% (3 bed) and 2% (4 bed). The SHMA therefore sets a clear requirement in Christchurch for market housing to provide a predominant (80%+) mix of 2 and 3 bedroom dwellings, and for affordable housing to provide a predominant (75%+) mix of 1 and 2 bedroom dwellings.

134. The proposed market housing mix broadly accords with the SHMA in terms of providing 65% two and three-bedroom dwellings. The provision of 1 bedroom dwellings is in excess of the SHMA but given the application site's town centre location where higher density housing is sought in policy, a higher proportion is considered acceptable in this instance. The proposal sets out an acceptable provision of 4 bedroom market dwellings.

135. The proposed affordable housing mix is acceptable providing 89% smaller (1 and 2 bedroom) dwellings. Whilst this is slightly weighted towards smaller dwellings than the Eastern Dorset SHMA, and hence a slightly lower level of 3 and 4 bedroom dwellings, this is considered to be an acceptable mix when likewise taking the town centre location into account.

136. Policy LN1 also refers to new housing being built to minimum living standards and the Homes and Communities Agency Housing Quality Indicators in relation to private open space, unit sizes, unit layout and accessibility within the unit. These HQI's have been somewhat overtaken by the National Described Space Standards (NDSS) - March 2015. The National Planning Policy Guidance states; *'Local planning authorities will need to gather evidence to determine whether there is a need for additional standards in their area, and justify setting appropriate policies in their Local Plans.*' Currently the Local Plan has not adopted these Standards and the only reference in adopted policy is to the above HQI's.

137. The applicant has undertaken an assessment since the previous Committee in February 2020 of the unit sizes and private open space requirements of the HQI's and the submitted scheme. They have set out in Schedule M the area of each house and flat and looked at both the HQIs and NDSS. The evidence shows that all of the units meet the unit sizes for the HQI which is the standard in the adopted Policy LN1 and with exception of 5 units, they meet the National Space Standards as well.

138. The HQI's look at private open space and again the applicant has provided an assessment of scheme and the provision of private open space. The HQI document includes the following definitions;

139. Private open space – *open space accessible only to the resident. It includes garden, roof terraces, patios, yards and balconies.*

Shared open space - *accessible to a restricted group of residents. It includes communal or shared gardens or courtyards. Any unit located more than 10m from the shared space (as measured from the closest entrance door) should not be considered to share the open space.*

140. The assessment has concluded that all of the houses exceed the standard of private open space between 8m² and 20m². 19 of the houses have between 21m² and 50m² of private open space and 23 of the houses have private open space between 51m² and 200m². However, none of the flats or flats above garages (FOGS) have private open space. Within the development there are amenity areas for the occupiers of the flats and FOGS and whilst technically they do not count as 'shared open space' as the space is beyond 10 metres from the closest entrance door, the layout clearly shows the future occupiers will have access to suitable shared open space. Furthermore, the site is in close vicinity to public open space at New Zealand recreation ground, Druitt Gardens and Milhams Common and the proposal involves improved pedestrian links to these areas.

141. With regards to unit layout and accessibility, Policy LN1 does not refer to the relevant sections of the HQIs for these two factors. As set out in Indicator 6 – Unit Layout, checking the layout and usability is a detailed task and looks at whether specific furniture usually found within lounges, bedrooms and dining rooms and so on can be adequately accommodated. Examining the proposed floor plans of the residential flats and houses, these show that the residential units can accommodate adequate and appropriate furniture for occupiers and they provide layouts which are legible and useable. The HQI for Accessibility within the unit is assessed both at the site (external) and the unit (internal) level. Part M of the Building Regulations 2010 covers access to and use of buildings and new development will be subject to the criteria set out in this Approved Document. The Design and Access Statement refers to the use of continued flat surfaces across the site and a range of routes to ensure easy access on pavements and into buildings for all users including those with mobility impairments. In the broader sense, the site is considered to be in a highly accessible location and the highway proposals will allow for greater and safer pedestrian movement from the site to the town centre. The scheme is considered to provide acceptable living conditions for occupiers.

142. When originally introduced by the Government in 2007, the Homes and Communities Agency Housing Quality Indicators were an overall assessment of the quality of a scheme. Aspects of the HQIs are now rather dated – one of the locational amenities criteria is whether there is a public telephone nearby for example. Policy LN1 refers to just 4 of the HQI's it is noted that there is a range of other indicators within the HQIs and when taken together they provide an overall score for a development. There is therefore difficulty in using these indicators in isolation to assess if a development is acceptable.

143. Whilst there may be a technical shortfall in shared open space and unit layout, it is strongly considered by Officers that this scheme overall provides suitable accommodation living space standards for future occupiers within a sustainable town centre location. Therefore, even if there is a technical failure against Policy LN1, when considering the scheme against the development plan as a whole, the benefits of the development including the provision of housing, affordable housing and regeneration of a derelict site in the heart of the town significantly and demonstrably outweighs the a technical breach of the HQIs. It is the firm judgement of the Officers that a technical breach of policy LN1 does not mean that the proposal is not in accordance with the Development Plan as a whole.

Age-restricted sheltered accommodation

144. The proposal includes 39 market 1 and 2 bedroom sheltered apartments which will be age restricted (likely to be 55 years) and as outlined in paragraph 4, the retirement block R on the proposed plans would provide independent apartments along with a communal lounge, communal gardens, a guest suite and parking. This accommodation would be managed and operated by a retirement management company.

145. The pre-amble to Local Plan Policy LN6 (Housing and Accommodation for Vulnerable People) states that to achieve sustainable and inclusive communities, larger scale development should make provision for older and vulnerable people. Schemes should create opportunities for older and vulnerable people to live securely, independently and inclusively within communities. The NPPG states that the location of housing is a key consideration for older people who may be considering whether to move and factors include the proximity of sites to good public transport, local amenities, health services and town centres.

146. This site is considered to be in a very good location for the proposed sheltered accommodation, with easy access to a wide range of facilities in the town centre as well as good public transport links. The Planning Statement submitted with the application covers the provision of the age restricted accommodation and highlights the findings of the Communities and Local Government Committee' report 'Housing for older people' 2018. Specialist housing can promote the health and well-being of older people; social isolation can lead to poor mental health and physical health; there should be wide range of housing to accommodate older people's needs and preferences.

147. The SHMA 2015 has identified that the total number of people aged 55 years and over is expected to increase by 30% over the period 2013-2033 and there is likely to be an increased requirement for specialist housing options moving forward. The documents suggests that specialist housing should be split 50:50 between the affordable and market sectors. It is appreciated that there is no specified affordable units within the sheltered accommodation; however given that affordable housing is being provided on the wider site and is policy compliant, this is not considered to be a constraint for the development.

Commercial uses

148. The application site is positioned within the Town Centre Primary Shopping Area and as identified within the consultation response from the Policy team, the Christchurch Town Centre Vision seeks to deliver in the region of 7,500 sqm of comparison and 2,300 sqm of convenience floorspace in the town centre by 2028. The Magistrates Court site provides the opportunity to help accommodate this level of growth given the constraints within the town centre. The scheme proposes 612sqm of flexible commercial floorspace and there have been concerns raised that this is not sufficient given the Local Plan policies and evidence for the need for retail space in the town centre.

149. However, it is clearly recognised that there are empty premises within the town centre and with national changes in retailing, there are uncertainties surrounding the uptake and growth of retail in the town centre. The data and assumptions underpinning the proposed retail expansion in the Core Strategy dates back to 2012 and it is apparent that there have been significant changes

in town centre retailing since that time. The Development and Planning Brief does not specify an amount of retail/commercial floorspace but states that a maximum of 1000sqm of retail floorspace would be supported. There is no specific reference to D1 or museum uses in the Brief; however there is mention of community facilities and since 2005 when the Brief was published there have been changes in the pattern of retailing nationally. The document does state that the Council will welcome innovative and deliverable proposals for the future use of the site. In addition, as the more recent development plan document, the proposed D1 use is supported by Policy CH1 for example and this takes precedence.

150. The Local Plan Review refers to the provision of retail floorspace within A1, A2, A3, A4 and A5 use classes of 1250sqm for the Police/Magistrates site. However, this Local Plan Review is not being taken forward and therefore is given limited weight. The evidence underpinning this requirement is the Bournemouth, Christchurch and East Dorset Joint Retail and Leisure Study 2017. The report concludes that the existing vacant units in Christchurch Town Centre and Highcliffe District Centre could accommodate up to 1,600sqm and new sites would be identified to accommodate around 5,700sqm up to 2028. The Police site is one of 5 sites identified with potential for development to provide retail capacity.

151. Given the lack of five year housing land supply, there is less weight to be attached to policies KS8 and CH1, requiring a certain amount of A1 – A5 space within the Town Centre when balanced against the provision of housing in the town centre, which is considered to be a significant benefit, outweighing the shortfall of commercial floorspace proposed.

152. The proposed flexible space in terms of allowing a number of future commercial uses including A1, A2, A3, A4 and B1 and D1 are all compliant with the range of town centre uses listed in Policies KS7, CH1 and CH2. There is therefore policy support for all of the proposed uses. The proposed flexible permission will help to ensure the maximum flexibility so the non-residential space can adapt as different future users come forward and thereby offer greater opportunity for sustaining the economic and social benefits of this part of the scheme. It is considered that although it would have been preferable to secure a greater proportion of retail floorspace as part of the proposal, the scheme would still make a valuable contribution to enhancing the vitality and viability of the centre.

153. Since February 2020 and the ongoing national crisis we all find ourselves in, there are clearly changing market conditions for town centres and retail activities. However, planning decisions still need to be made in the context of the Development Plan and the NPPF (2019). There has been changes in the General Permitted Development Order and the Use Class Order from September 2020. The former Classes A1/2/3 & B1 now all fall within a new Class E enabling greater flexibility to change between these

commercial uses. Class D1 has also been changed and now Museums (D1) now fall within F1 (c) Learning and non-residential institutions covering a range of public and community uses. For any planning applications submitted before 1 September 2020, the Use Classes in effect when the application was submitted will be used to determine the application however. Therefore, this application must be determined accordingly but consideration given to the fact that the proposed commercial uses will be interchangeable into the future. It is not considered appropriate to restrict the uses by condition as this is a town centre location, the proposed uses are policy-compliant for the town centre location and it gives a wide opportunity to deliver potential social and economic benefits by providing flexibility for future users and occupiers.

154. Currently there is strong interest from Discover Science Christchurch. This use which would fall within the D1 (museum) category (future Class F1) could provide Christchurch with an exciting opportunity for a cultural and scientific asset that will benefit not only residents of BCP of all ages but it is likely to draw visitors into the area from further afield. The plans currently show separate units and further planning permission would be required if changes to the floor area of the commercial premises would be needed in the future.

155. The proposed commercial spaces will create a positive, active frontage to the Fountain roundabout at a key gateway into the town centre and also create a much improved link between the High Street and Bargates. The proposed pedestrian crossings on Barrack Road which will be discussed in further detail later on in the report will ensure there is greater permeability between the High Street and this site and also creating an alternative and more attractive access to Bargates than the existing underpass which has the potential to have economic benefits to the businesses within this secondary shopping area.

156. It is considered that whilst the provision of commercial floorpsace does not meet the aspirations of policy CH1, the current policies do not provide a specific figure of retail floorspace for the application site to provide. As outlined above the scheme will provide floorspace for uses acceptable in this town centre location and therefore is considered to be in accordance with the Development Plan as a whole. It is consistent with the recent changes the Government has made to the Use Classes Order to provide more flexibility and enhance the viability of town centres.

Infrastructure contributions/Planning Obligations

157. The site is exempt from the CIL regime adopted by the preceding authority as the site is providing over 40 dwellings. The adopted CIL charging schedule states that; ‘Residential on sites of 40 or more dwellings where on-site SANG is required are zero rated for CIL due to viability implications of SANG provision and a contribution towards SANG will be secured’. Consideration has been given to other forms of infrastructure and whether any contributions can be secured for education and health services through S106.

Health

158. NHS Dorset Clinical Commissioning Group has sought a contribution of £13,600 towards a surgery or a number of surgeries in the catchment area of Christchurch. These representations constitute material considerations in principle. However, such contributions may only be required if they meet all legal/policy tests relevant to seeking such contributions.

159. In order for the Council to require the applicant to enter into a section 106 obligation to make such payments, the contributions must meet the requirements of Regulation 122 (2) of the Community Infrastructure Levy Regulations 2010 (as amended) which are also reflected in government policy in the NPPF at paragraph 56 and the NPPG.

160. Regulation 122 (2) provides that:

A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is—

(a) necessary to make the development acceptable in planning terms;

(b) directly related to the development; and

(c) fairly and reasonably related in scale and kind to the development.

161. Having carefully reviewed the consultation responses provided by DCCG officers do not consider that the information provided demonstrates that the need for the contributions has been clearly justified or evidenced as being directly related to the development or fairly and reasonably related in scale and kind to the development. It cannot be concluded that it is necessary to make the development acceptable in planning terms at this time.

162. There is currently no established Local Plan policy or SPD for seeking these forms of contributions towards health infrastructure. They do not form part of the Regulation 123 List for CIL adopted by the preceding Council and the List notes that these are expected to be delivered by the Health Authority. Planning Policy have confirmed that the improvement in health infrastructure is important for the local area and this will be addressed as part of the preparation of a BCP Local Plan and it is understood that Government is drafting a strategy for NHS funding from developers nationwide. However, at this stage it is not considered reasonable to try and secure a contribution. It is not considered that the development is contrary to policy LN7 as the policy does not provide a mechanism for securing any contribution or an evidence base and as outlined above it would not meet Regulation 122(2) of the CIL Regs.

Education

163. Policy LN7 (Community Facilities and Services) seeks to ensure the provision of facilities and services for the community such as education and health centres. The Department of Education have recently published

guidance ‘Securing developer contributions for education’ (2019) which states; ‘There is an expectation that developers must mitigate the costs of the school places for which they generate a need’. BCP Education Authority have assessed the proposal and requested a contribution of £454,083.00 towards primary and secondary school places based on the number of pupils the development is likely to generate.

164. As above with regards to the health contribution, Policy LN7 refers to the provision of education services. However, there is minimal information on the amount and what any contribution would be spent on. The Draft Infrastructure Delivery Plan which was created alongside the Core Strategy was never formally adopted. This document does refer to enhancing and extending education facilities within the Christchurch area; however as this was not adopted, it is being given limited weight in the determination of this application.

165. The CIL Regulation 123 list does not specifically include the allocated site providing any specific education provision. However, it refers to a proportionate contribution towards education which must be agreed by the Education Authority and the Planning Authority. It is fully recognised that BCP Education Authority have provided a figure based on current need; however this figure is considerably higher than what is likely to be secured if the application was CIL liable. Bearing in mind the tests for a planning obligation in paragraph 160 above, any contribution must be fairly and reasonably related in scale and kind to the development and must be mitigating the impacts of the development on education provision in the locality and not using the development to address pre-existing issues. Where the LPA exempts a development from CIL because it recognises the costs of delivering adequate SANG provision for larger sites, it is a challenging position to require an education contribution which significantly exceeds what would have been payable under CIL.

166. The applicant is of the view that there is not a demonstrable need for further primary school places given the current capacity and also a high proportion of the numbers of children that would move to the affordable units are already within the schools within Christchurch. There has been no viability assessment submitted as part of the proposals; however the applicant has stated making a contribution of the requested amount would affect the provision of affordable housing and viability of the scheme. Since the previous Committee report was published and a contribution in the region of £200,000 was considered to be appropriate, further negotiations have taken place with the applicant, Planning Officers and BCP Education. It has been agreed that a final contribution of **£251,966.40** will be secured. At this point, this contribution could be used for any school with the pupil place planning area and this includes Highcliffe, The Grange and Twynham and Avonbourne Boys/Girls school.

167. The Government's position on planning obligations is set out in the National Planning Practice Guidance. The advice is clear that policies for planning obligations should be set out in Plans and examined in public. Policy requirements should be clear so that they can be accurately accounted for in the price paid for land. The Guidance continues that it is not appropriate for plan-makers to set out new formulaic approaches to planning obligations in supplementary planning documents or supporting evidence base documents, as these would not be subject to examination. In the circumstances it is considered unreasonable to refuse this application based on the reduced amount of the education provision given the current policy position. As the formation of the BCP Local Plan proceeds, education provision is clearly something that will need to be addressed and evidenced and adopted through the Local Plan process.

Dorset Heathland

168. The site is within 5km and beyond 400m of Town Common which is designated SSSI and forms part of the Dorset Heathlands Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar. In accordance with the Local Plan and Dorset Heathlands Framework, a contribution of £700,000 will be secured as a contribution towards the enhancement and management of the three proposed Heathland Infrastructure Projects (HIPs). This is in addition to the SAMM contribution which is calculated as £263 per house and £179 per flat. This provision and the rationale will be discussed in paragraph 388 – 400.

Surveillance cameras

169. In order to continue providing security and surveillance of this part of the town centre, the existing surveillance camera at Pitside Car Park will need to be relocated and two additional cameras would need to be installed. The applicant has confirmed they are willing to make the financial contribution of £25,000 to secure this provision. This planning obligation is considered to meet the three tests set out in Regulation 122 (2) as the development means the existing camera can no longer function and given the increased commercial premises and residential properties in this location there is a need for 2 additional cameras.

Design and Layout

170. Local Plan Policy HE2 (Design of New Development) sets out the design of development must be of a high quality, reflecting and enhancing areas of recognised local distinctiveness. To achieve this, development will be permitted if it is compatible with or improves its surroundings in terms of design criteria (as set out). Local Plan Policy HE3 (Landscape Quality) sets out that development will need to protect and seek to enhance the landscape character of the area.

171. The NPPF (Section 12) sets out that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Paragraph 124 sets out that good design is a key aspect of sustainable development. Paragraph 130 sets out that where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.

172. A significant number of local representations set out that the design of the proposal is poor quality and/or inappropriate for the area. Officers are firmly of the view, for the reasons set out in this section of the Committee Report, that the scheme is a very well realised and very well designed scheme which will be a significant asset to the character and appearance of this key town centre gateway site and moreover, is a considerable improvement over the current situation.

173. The proposed site layout is, essentially, based on a straightforward concept with larger residential blocks located adjacent to the southern and eastern boundaries along the Prime Transport Corridors and smaller residential buildings in the rest of the site which decrease in scale westwards towards Twynham Avenue. The proposal reflects the wider 'grain' of the area with larger buildings sited facing Barrack Road and Fountain Roundabout with smaller buildings and a more intimate street scene to the north and west of the application site. As such, this is considered to be an acceptable configuration in terms of the siting of larger scale buildings along the main thoroughfares into the town centre where existing development is a greater scale and bulk and smaller residential buildings into the site reflecting the existing local townscape.

174. There are two main access routes into the site, one each on Barrack Road and Bargates. There is no through road across the site to prevent creating a ratrun to avoid the Fountain roundabout. There is access to the rear of Block A and this would also allow pedestrian and cycle access to Bargates. The western portion of the site does not provide a through route to existing residential areas to the west such as Twynham Avenue. It is considered that the layout provides appropriate vehicular and pedestrian permeability to and from the centre of the site to the eastern boundary and between Bargates and Barrack Road.

175. The Magistrates Court SPD (Paragraph 5.13) sets out that good public space enhances the town's image and will help to change how it is perceived. In line with the supporting criteria, public space within the development is provided in the form of streets, courtyards and a green. The proposal includes a sequence of open spaces on an east-west axis. This includes large courtyards to the rear of Block A and within the internal space of Block B, a smaller public meeting space on the main route across the site and a 'hidden' grassed square in the westernmost part of the site. The courtyards are

considered to be suitably urban in character. These provide opportunities for informal social interaction.

176. The notion of including spill-out areas for potential A3 and A4 uses to the rear of Block A was discussed in detail at the pre-application stage. However, it was determined during pre-applications discussions that servicing access, parking and ensuring good amenity for future residential occupiers should take priority in this area.

177. The supporting Planning, Design and Access Statement (PDAS) sets out (Paragraph 2.12):

'Within the historic town centre, building facades generally front onto the pavement edge, helping to create a continuous frontage and a strong sense of enclosure. This sense of enclosure is reduced beyond the historic centre due to the residential nature of the areas with housing set back behind front gardens (1-3.5m) behind a low wall or hedge. This relationship to street and the scale of buildings helps to create a variety of street enclosures, which combine to help create a sense of place and also a hierarchy to the streetscape.'

178. It is considered that the proposal successfully creates a suitably robust sense of enclosure throughout the site that provides for urban, rather than suburban, streets in line with the Development Brief SPD.

179. Block A provides a stepped building line which curves around the apex of the site from the Conservative Club on Bargates onto Barrack Road. Blocks R a and b both of which face onto Barrack Road, are progressively stepped back but provide the new 'strong' frontage sought in the Development Brief SPD.

180. The Magistrates Court SPD sets out with regard to scale and massing:

- *The area is characterised by low and medium rise development with the prevailing building height at 2 to 3 storeys*
- *New development on the site should be on average 3 storeys in height with the opportunity to increase this at the apex of the site adjacent to Fountain roundabout to create an appropriately designed landmark building.*

181. The proposal includes habitable buildings ranging in scale from 2 storeys to 3.5 storeys. In line with the SPD there is a suitable transition in scale and massing across the site with the largest to the east (at the apex of the site) to modest 2 and 2.5 storey dwellings in the western portion of the site. The scale and massing of the proposed residential blocks along Barrack Road are considered to be a suitable design response with a transition from 3.5 storeys to 2.5 storeys westwards, which in conjunction with deeper building setbacks provide a suitable increased sense of enclosure when moving eastwards towards the Fountain roundabout.

182. The proposed buildings at the apex of the site provides a landmark building (Block A) which would terminate views from the High Street. The proposal maximises views across Barrack Road and onto the recreation ground through the scale and siting of the larger residential blocks. The proposal also provides, by virtue of the massing of the buildings, a greater degree of enclosure to the wider Barrack Road street scene in contrast to the modern, open design of the former police station site.

183. The proposal provides a continuous building frontage at the apex of the site between the Conservative Club and the existing Pit car park access (which is to be retained). The ground floor of this block provides suitable surveillance of the street through glazed shop fronts. No blank facades face key areas of the public realm. The main service yard is to the rear of Block A which would serve the flexible commercial units and retain access to the Conservative Club. Any views of the service yard, either from the gap between Blocks A and C, and Block A and the Conservative Club are essentially oblique.

184. The proposal applies good urban design practice including well-designed buildings at key corners within the application site. Notable corner buildings include the two 3.5 storey residential buildings of significant massing facing Barrack Road either side of the new through route, and the NE facing (rear) corner of the main retirement block which effectively 'turns' the corner into the rear lane through the subtle use of ground floor fenestration which suggests a building converted from a prior commercial use.

185. All of the 35 proposed houses have private rear gardens. The size of each garden is considered to be adequate taking into account the size of the dwelling and the town centre location. The larger retirement block (A) facing Barrack Road has a large front garden for communal use by residents. The open area around the two protected trees adjacent to Block B is semi-private space for residents of that block.

186. Residential dwellings in Block A (which faces Fountain roundabout) do not include any private amenity space. It is considered that balconies would not be appropriate on the front elevations of this building given its design concept and the requirement to preserve or enhance the Christchurch Conservation Area. On the rear elevations, Juliet balconies are proposed although they do not provide any external space. However, prospective residents would benefit from close siting to the public park opposite this Block.

187. The supporting Planning, Design and Access Statement (PDAS) sets out (Paragraph 4.14) sets out that the proposed development respects the architectural detailing and language within the town centre and proposes a traditional style of architecture using traditional materials. This assessment is supported by the Conservation Officer's consultation response above (para. 103).

188. Essentially, it is considered that the form and fabric of the proposed buildings has drawn from the existing historic housing and other notable buildings to create a well-considered and well-realised design form. The modestly scaled terraced houses at the western end of the site reflect the vernacular cottages found in Silver Street and other lanes in proximity to the Priory. The dwellings with first floor accommodation above integral garages reflect similar existing residential typologies in Ducking Stool Lane amongst others. The more formal houses in the centre of the site reflect the historic houses in Millhams Street with their formal frontages, small front gardens and mix of roof forms, materials and roof ridge heights. The proposed larger buildings fronting Barrack Road and Fountain roundabout generally have a simple formality which reflects notable existing buildings such as the Kings Arms Hotel.

189. It is considered that the proposed architecture clearly takes its cues from the form and fabric of the historic town centre and will thereby complement its appearance. The resulting strong sense of enclosure, traditional vernacular and generally formal interfaces between the public and private realms avoids the obvious tensions that a more contemporary scheme (which the Development Brief SPD allows for in principle) would likely have with the town's historic form and fabric. The proposal also, correctly, avoids the trap of setting out a more suburban street scene with large detached houses such as that found in streets immediately to the west. The overall character of the proposal is appropriately urban and dense in line with the aims and objectives of the Local Plan policies relating to town centres and Prime Transport Corridors as well as the Development Brief SPD.

190. It is considered that the successful execution of the proposal will depend to a large extent on the quality of the built materials utilised. The proposed larger blocks facing Fountain roundabout and Barrack Road are either within the town centre conservation area or abut its boundary and hence are within its setting. It is expected that due to the strategic location and prominence of the site it is expected the final materials must be of a suitably high quality and this can be secured by condition.

191. The Conservation Officer from the former CEDDC has provided a detailed note on the design and the use of appropriate materials. Given the strategic importance of the application site, the Conservation Officer has advised the following for those buildings impacted by heritage assets:

- Bricks to be low-fired soft clay taken from a palette of reds through to buff
- Flemish bond brickwork with burnt or decorated headers
- Lime-based mortar with no cement or additives
- Where proposed, real stone sills or lintels (rather than reconstituted stone products)
- Positive use of creasing tiles or plain tiles or platt bands

- No painted brickwork, fake chimneys
- Cast iron, black gunmetal rainwater goods and sustainable source timber materials
- High quality metal framed doors & windows on ancillary style dwellings
- Natural slate, plain clay or pan tiles are suitable roofing materials; Spanish slates to be used only if true riven

192. The application form confirms that materials will include brick, slate and tile roof tiles, timber and UPVC windows & doors, and timber fencing. As such, taking the comments of the CBC Conservation Officer into account, in this instance it is considered appropriate to secure suitable materials and brick bonds conditions for those buildings sited within, or the setting of, heritage assets including the Christchurch Town Centre Conservation Area.

193. The proposed hard landscaping includes a mix of surfaces comprising cobbles, block paving, permeable tarmac (coloured and black), paving and new brick walls. Essentially, the proposed hard landscaping is considered to be suitable for the site and can be secured through suitable conditions.

Heritage Assets

194. Local Plan Policy HE1 (Valuing and Conserving our Historic Environment) sets out that heritage assets are an irreplaceable resource and will be conserved and where appropriate enhanced for their historic significance and importance locally to the wider social, cultural and economic environment. The Policy states that; '*The significance of all heritage assets and their settings (both designated and non-designated) will be protected and enhanced especially elements of the historic environment which contribute to the distinct identity of the area'*. The Conservation Area boundary includes the Pit site car park and the front boundary with Barrack Road. However, clearly the site has a significant impact on the wider setting of the Conservation Area.

195. The Christchurch Central Conservation Area Appraisal and Management Plan was adopted by the council in September 2005. The Pit Site Car Park and Magistrates Court Site is identified as a development opportunity site:-

'The Magistrates Court Site Development Brief prepared by Christchurch Borough Council outlines in detail the aspirations for this site. Comprehensive development of this site in line with the development brief would enhance the street scene and tighten the, at present, loose townscape. It would also help knit the fabric of the town back together by improving the visual and physical links between Bargates and the High Street. This would have significant enhancement potential for the conservation area and its important boundary with Bargates'.

196. NPPF Annex 2: Glossary sets out that the setting of a heritage asset is: "*The surroundings in which a heritage asset is experienced. Its extent is not*

fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral."

197. A statutory duty exists under section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 ('the Act') for the local planning authority in considering whether to grant planning permission for development that affects a listed building or its setting to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72(1) of the Act requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. These requirements necessitate considerable importance and weight being given to any heritage harm identified.

198. There are a number of listed buildings in proximity to the application site as outlined in paragraph 246. The supporting Heritage Statement (Milton, September 2018) sets out that;

'the removal of the former Police Station and Magistrates Court buildings would significantly improve the setting of the Fusee Building and that pulling the built development further away and forming a cobbled pedestrian access and shared surface yard to the west of the Fusee building would provide greater openness, thereby increasing the prominence of the listed building and enabling a much greater appreciation of it. The northern end of proposed Block B would drop down to 2½ storeys with a hipped roof in order not to dominate the listed building from the west. The scale and siting of the development to the west would sustain the natural light into the listed building, a key feature of its significance, by avoiding overshadowing from new buildings'.

199. Officers consider that the design response to the setting of the Fusee building is suitable. It is noted that the proposal through the introduction of a new shared surface route opens up new views of the Fusee building which is an improvement to the current setting where views are obscured by vegetation. Given the separation distances, it is considered that the proposal would not have a harmful impact on the setting of the listed buildings sited on Bargates including 22 and 24 Bargates which are the closest to the scheme. Given the separation distance and Barrack Road being sited between the proposal and the listed Stour Cottage, it is considered that the proposal would have a neutral impact and therefore no harm is caused to the setting of this listed building.

200. The proposed siting and more specifically the positioning of buildings fronting Barrack Road and Fountain roundabout are considered to enhance the character and appearance of the Conservation Area. Currently, the site is dominated by unsympathetic hard surfacing and car parking. The Conservation Area Appraisal states; '*Views north out of the conservation area*

are poor with the police station having a negative impact and electricity pylons forming the backdrop. The Pit Site car park to the corner of Barrack Road, Fountains Way and Bargates significantly weakens the townscape and does not contribute positively to the character of this part of the conservation area'.

201. The development and the strong buildings along the Fountain roundabout and down Barrack Road will create a positive frontage to the townscape and therefore is a positive enhancement to the Conservation Area, complying with the statutory test. The scale of the buildings are considered appropriate. There are larger scale buildings along Sopers Lane with the former Telephone Exchange building and a 2½ storey new building has previously been approved by Planning Committee adjacent to 1 High Street opposite the site. The Travel Lodge building on the opposite side of Fountain roundabout is a building of greater scale and mass within the locality and is of a design which detracts from the character of the Conservation Area.

202. The former Goose and Timber Public House lies just outside the Conservation Area and as such its removal does not form part of the separate Conservation Area Consent. However it is considered to be a non-designated heritage asset. The NPPF in paragraph 197 states; '*The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect 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'.*

203. The supporting application document 'Assessment of Significance' identifies the former Goose and Timber Public House, dating from the mid C19th and considered it to be a non-designated heritage asset. This building which fronts Barrack Road is a two storey, painted brick with a slate roof and a parapet to the front roof. It is currently closed and boarded up. The public house used to be part of the row of development along the Barrack Road frontage within the application site prior to the development of the Police site and Magistrates Court in the 1960s. Once this built form, including many villas were lost, the Goose and Timber Public House has become quite isolated. The above document refers to the public house as having local interest due to its social history 'as a vestige of the Victorian suburb within this part of Barrack Road'. However, it considers that it is of limited architectural historic interest and given its isolated position does not make a positive impact on the character and appearance of the Conservation Area.

204. It is Officers view that the loss of this non-designated heritage asset is outweighed by the re-development of this important gateway site and the proposed layout and form of buildings would make positive contribution to the Conservation Area. The former CED Conservation Officer made the following comments; '*In order to deliver this estate, sacrifices will be required. One being the older public house called the Goose and Timber. A commercial*

building that seems to have lost the sense of place that other buildings within the town have managed to retain. They have also maintained or retained their community which is not the case here'.

205. The loss of this building would result in substantial public benefits that outweigh the removal of this non-designated asset. By re-developing this site and creating much needed housing and in particular a proportion of affordable housing as well as attracting investment into the town with the commercial premises it is considered the loss of the Goose and Tiber public house can be justified. The proposed positioning of buildings fronting Barrack Road and Fountain roundabout are considered to enhance the character and appearance of the Conservation Area. Currently, the site is dominated by unsympathetic hard surfacing and parking. The Conservation Area Appraisal states; '*Views north out of the conservation area are poor with the police station having a negative impact and electricity pylons forming the backdrop. The Pit Site car park to the corner of Barrack Road, Fountains Way and Bargates significantly weakens the townscape and does not contribute positively to the character of this part of the conservation area'.* The loss of this building will facilitate the redevelopment of this strategic site and provide a positive frontage on one of the main routes into Christchurch town centre. Therefore, this forms the balanced judgement as required by paragraph 196 of the NPPF. Whilst policy HE1 does not refer to the loss of heritage assets and states that they should be protected or enhanced, there is no reference to this building being locally listed and little reference to it in SPDs or the Local Plan. The Conservation Area Appraisal refers to it as follows (under its former name); 'Although the Wellington Public House is stranded on this side of the road, its strong gable profile dominates the view along Barrack Road into the conservation area'. It could be said that the loss of this building was contrary to policy HE1; however given the NPPF wording as outlined above, it is considered its loss when taking into consideration the benefits of the scheme is acceptable. Overall, the development is still considered to be in accordance with the Development Plan as a whole.

206. As such, subject to suitable conditions, and taking into account the public benefits of the proposal (*see the Planning Balance section of this Committee Report*), the proposal does not result in harm to the designated heritage assets and therefore accords with Local Plan Policy HE1, NPPF Paragraphs 189-190, 192-194, 196-197 and 200 and Sections 66(1) and 72(1) of the Planning (Listed Building and Conservation Areas) Act.

207. In reaching this decision the Council has had due regard to the statutory duty in Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which states that "*In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority… shall have special regard to the desirability of*

preserving the building or its setting or any features of special architectural or historic interest which it possesses."

208. In reaching this decision the Council has had due regard to the statutory duty in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which states that "*with respect to any buildings or other land in a conservation area, … special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area*."

Archaeology

209. A Written Scheme of Investigation has been submitted as part of the application documentation. This document covers the historical background of Christchurch and confirms that the town has a medieval origin and the area is nationally significant for its prehistoric settlement. Archaeological investigations have taken place on the site in 2005 and 2015 and post-medieval deposits including walls, foundation, drainage features and surfaces are present on the site which is to be expected. The area currently used for the Pit Site car park had the most significance with medieval features being identified.

210. Given the archaeological potential and large areas of the site having not been fully evaluated given the presence of buildings and restricted access, mitigation measures have been put forward to ensure further trial trench evaluation takes place following the demolition of the buildings. The WSI confirms that if significant archaeological remains are identified further phases of mitigation may be required, potentially in the form of excavation and or a watching brief during groundworks. Dorset Council's Senior Archaeologist considers the above to be appropriate and suggests a condition in order to secure the proposed mitigation measures.

Residential Amenities

211. Policy HE2 'Design of New Development' states; '*Development will be permitted if it is compatible with or improves its surroundings in: relationship to nearby properties including minimising general disturbance to amenity'.*

212. Being a town centre brownfield site, the proposed development will create new built relationships with the surrounding residential properties. Twynham Avenue lies to the north west of the site and there is currently a buffer between the rear gardens of these dwellings and the existing car park. As such, the outlook from the rear of properties is enclosed and relatively quiet given their proximity to Bargates and the town centre. This area formed part of the rear gardens of the villas along Barrack Road, No's 43 – 47 and is currently overgrown with shrub and a number of trees but offers a distinct separation between the residential dwellings and the car park and wider former Police Station site.

213. The proposed development will change this relationship and the outlook between the sites. The proposed layout sees two sets of terraced dwellings

along this northern boundary and units 9 to 13 at right angles to the boundary with the properties at No 19 and No 21 Twynham Avenue. There is a distance of approximately 27 - 31 metres between the existing properties and the rear of the new dwellings and a 5 to 10 metre ecological landscaped buffer along this boundary. Therefore, notwithstanding the town centre location, the scheme has secured suburban building-to-building distances and thereby retains acceptable privacy to neighbours in Twynham Avenue. The removal of one unit in order to increase the ecological corridor has also improved the relationship between proposed Unit 9 and No 19.

214. This built relationship is considered to be acceptable in this town centre locality and it is noted the properties on the western side of Twynham Avenue have a similar back to back built relationship with those on Stour Road. Units 1 to 8 are 2-storey properties measuring 8.2m and 8.6 in height with standard first floor windows at first floor level on their rear facades. This would result in a typical residential relationship of the rear of the proposed 2-storey dwellings facing the rear of existing single- and 2-storey dwellings on Twynham Avenue over a distance in excess of 20m. This is a common arrangement seen across the town and is acceptable. Bearing in mind the town centre location and the emphasis on increased density for the site in adopted policies, achieving this relationship shown is a significant benefit for neighbouring properties. It is considered that the layout of the development has plainly met the test in Policy HE2 to minimise the impact on residential properties surrounding the site.

215. The redevelopment of this site will result in changes to the nature and levels of activity east of the Twynham Avenue properties' rear boundaries. The additional built form closer to these rear boundaries and the loss of some trees and vegetation result in changes to the environment. However, the site is allocated in under Policy CH1 for high density residential development and it is acceptable for residential development to adjoin existing dwellings as this is the pattern of residential development across the town. Ordinary residential occupation of a dwellinghouse is acceptable adjoining an existing dwelling. The proposal has had regard to the resulting relationships and the proposed layout and design of the properties and their separation from existing properties noted is considered to minimise future disturbance to amenity, taking account of this urban town centre location, thereby complying with Policy HE2.

216. Surereed Court is a two storey block of 4 flats positioned on the existing access to the site from Bargates and will be sited on the western boundary of the development and it would be bordered by the main access from Bargates and the access road to an area of parking to serve part of Block C. The outlook from the flats within Surereed Court is primarily to the redundant poor quality buildings and the car park. A greater level of built form will be visible from the flats throughout the building; however it is not considered that the occupiers would be significantly adversely affected by the scheme. Block B is

the closest building and the western end of this is two and half storey in height which would look towards the side of Surereed Court. There is one first floor window and a front door on this southern end of the building. There is 9.2metres between the buildings so there would be a degree of mutual overlooking between the properties; however the existing building on site has large areas of glazing which currently afford views directly towards the flats. These flats do not have any external private amenity space that would be overlooked.

217. Whilst the car park and wider site has been under used for some time and activity levels and movements reduced as result, this would not be the case when the premises were still in full use and occupied. This is a town centre location and a level of activity and noise is to be reasonably expected. Moreover, the majority of the site would be in residential use. The surrounding residential units will experience changes in activity, noise and movement. The relationship between the new properties and those in Twynham Avenue are common found in urban area and the noise and activity associated with typical domestic use is a compatible use to adjoin other dwellings. There is no evidence to demonstrate unreasonable levels of noise and disturbance to existing residents from adjoining a new dwelling as opposed to a car park. The positioning of Block B and Terraces K and H which lie close to Surereed Court and Marion Court will result in additional noise and activity over and above the existing situation; however, again this relationship is not uncommon in a town centre.

218. Marion Court and the associated parking lies within proximity of the north east boundary. This is a three storey building with garages at ground floor level and there are small balconies at first and second floor level facing the application site. Unit 26 which is a two storey detached property and its rear garden is proposed adjacent to this boundary. There is a proposed distance of approximately 23 metres back to back which again is considered to be a suitable distance for this town centre location. There is a first floor bay window and standard window on the southern elevation of the two storey building adjacent to Marion Court and a distance of 13 metres between No 26 and this building. However, given its position, it is already is open to views from the access road and parking area so this relationship is not considered to be significantly harmful. The adjacent building to this is a flat roofed garage building.

219. No 43 Barrack Road is a large detached villa. Its plot will be severed; however the resulting rear garden would still measure in excess of 35 metres. No 45 would have a rear garden of 26 metres and 43 would see its rear amenity space reduced to 25 metres. This level of amenity space is considered to be sufficient and still enables these villas and plots to retain their spacious character. It is considered there would not be a significant impact on

the residential amenity of these two buildings and the layout minimises general disturbance to their amenity.

220. The proposed dwellings within the site are all considered to have adequate private amenity spaces and the built relationships between the buildings and the gardens are appropriate. Plot sizes correspond to the footprint of the dwellings. The gardens for units 1 to 13 on the north western boundary are modest; however for these 2 and 3 bedroom properties within a town centre location they are considered to be acceptable. The pockets of open landscaped areas allow for occupiers and visitors to engage with each other and the larger space in front of terraces E and F towards the western corner of the site provides additional amenity for the surrounding occupiers. The shared surface and reduced dominance of the car will enable pedestrians to be able to interact outside of their homes in a safe environment.

Noise and Lighting

221. Block A includes a mix of commercial and residential purposes and BCP Environmental Health have made comments on this relationship. It is not uncommon to see residential units above retail, offices and cafes within town centre locations. However, it is still important to ensure the living conditions of future occupiers are acceptable. Deliveries and waste collections should be restricted to cause minimal disruption within the external courtyard behind Block A. It is not considered appropriate to restrict hours of use or opening as this is a town centre location and could restrict future occupiers investing and occupying the units.

222. The application is accompanied by a Noise Assessment which has addressed the impact of the ambient noise on the proposed dwellings; the impact of noise from new plant on noise sensitive receptors; and the potential noise impact from the nearby Christchurch Conservative Club. Ambient noise levels have been determined on site, with measurements taken at 5 locations and it was determined that road noise from A35 and the Fountain roundabout was the dominant source of noise throughout the evening. The report suggests that to minimise any noise on future occupiers acoustically rated glazing and ventilation are put in place for the residential properties with properties in Zone 1 (along Barrack Road and Fountain roundabout frontage and front elevation of Block B) which are a higher specification of glazing. This mitigation is secured by condition (#22) as can be seen below in the report.

223. The redevelopment of this town centre site will result in additional lighting within the area. Currently most of the site is not in use, with the exception of the two public car parks, and as such provides limited light pollution bearing in mind the town centre location. It is clear that with the additional built form and range of uses across the site there will be an increase in external lighting on the adopted highways and in private car parking areas and lighting from within the commercial and residential buildings. A plan accompanies the application indicating the proposed locations of new street

light columns. Notwithstanding this submission, a condition has been suggested to secure precise details of the lighting on the road network within the development and therefore the Local Authority will have control over the type, position and level of illumination of the proposed lighting. Given this town centre location a certain amount of lighting is to be expected and with the proposed condition in place it is considered that suitable mitigation for any light pollution impacts from the development on the neighbouring residents would be controlled to ensure the impact on neighbouring living conditions is acceptable.

224. The wildlife area along the boundary with the properties in Twynham Avenue will provide some screening from the increase in light levels and the properties would face the rear of proposed residential properties. The properties close to the Bargates access will notice an increase in light levels on the site; however given the proximity to the existing building which when in use would have resulted in some light pollution and the car park, the occupiers amenities are not considered to be harmed. For future occupiers, especially those within the flats close to the commercial premises within Block A will be subject to certain levels of external lighting and noise within the courtyard area. However, this relationship is not uncommon and with lighting covered by condition it is considered to be acceptable.

225. Having had careful regard to the impact of the development on neighbouring residential properties and the future occupiers of the proposed properties, in terms of loss of privacy, loss of outlook, noise and disturbance and light pollution it is considered that the layout has seen to minimise general disturbance to amenity in the context of this being a town centre location and designated for high density mixed use development in the Local Plan. The proposed development has been designed in a way which respects living conditions at existing properties and limits the extent of impacts to an acceptable degree. It is therefore considered to comply with Policy HE2 of the Core Strategy.

Open space provision and recreation

226. Policy HE4 of the Local Plan deals with Open Space provision and set out the recommended Open Space Standards from the 2007 Open Space, Sport and Recreation Study. If an application is CIL liable, then provision for open space is secured through this process. In this case, the application is not CIL-liable and as such, this provision needs to be considered. This development is not providing any formal open space within the site. Given the majority of the site is defined as ‘brownfield’, it is within a town centre location and aims to make efficient use of the land, it is not considered appropriate to insist that space is provided within the application site. The recommended accessibility standard for certain areas such as recreation grounds, amenity green space, active sports space and children and young person’s space is set out in the table within the policy (p.164).

227. The site is within 200m of the recreation space (measured from north-west boundary) and New Zealand Gardens on the opposite side of Barrack Road which also contains a children's play area. The site is 300 metres from Druitt Gardens, within approximately 650 metres of The Quomps, within 670 metres of the open space at the Meridians to the south west and 1200m from the skate park adjacent to 2 Riversmeet Leisure Centre. Given its central location, it is considered that future residents would have adequate access to a variety of open space areas. Furthermore, there is a modest open area within the western part of the site for amenity purposes.

228. The current Local Plan policy lacks clarity on how to calculate the provision of open space required for developments. This policy was looked at as part of the Local Plan Review; however given no further work is being done on this, it is being limited weight. It is considered that given the site's location and proximity of different types of open space to the development, no additional financial contribution is required. BCP Council's Landscape and Countryside Team Leader considers that there is no demonstrable need for more formal open space, play facilities and sports pitches in the immediate vicinity. The main value to the wider community is the off-site HIPs contributions to enhance existing open spaces, which occupiers would have access to.

Access, parking and impact on local transport network

Loss of car parks

229. A significant level of representation has been received with regards to the loss of the BCP Council owned Pit site car park and the Dorset Council owned Bargates car park.

230. It is important to understand the status of the car parks and the decisions that have already been made by the preceding Christchurch Borough Council. In late 2017, the preceding Council made the decision to sell the car parks and a parking study was undertaken to look at the impact of the loss of the parking spaces on the town centre. A Task and Finishing Group was set up to look at the options available to ensure there was sufficient car parking provision in the town. A number of options were considered including the addition of another level of parking on the Bypass (Waitrose) car park. The Council made the decision to spend £300,000 to rearrange and update the existing car parks in the town centre which resulted in an additional 105 parking spaces being provided across the remaining town centre car parks along with rearrangement of short and long stay spaces and improvements to the lighting on the lower level parking at Saxon Square which was previously underutilised.

231. Contracts have been exchanged on the sale of the Pit Site car park (and it is understood the remainder of the site) to the applicant. In addition, Dorset Council is under no obligation to retain the Bargates car park as a car park if this development does not come forward, so its potential loss is not

considered to be a material constraint on this development, particularly in light of the extent of the additional town centre car parking provision already provided by the preceding Council. It should also be appreciated that the agreement the Council has entered into to sell the Pit site car park is legally binding.

232. The determination of this planning application is separate to the decision of the preceding Council decision to sell the Pit Site car park. Notwithstanding this application, the Council has made the decision to dispose of the car park and has been satisfied that suitable alternative provision has been provided and moreover this decision (Nov. 2017) was made on the basis of a relatively recent town centre car parking assessment. Christchurch Borough Council has been committed to the redevelopment of the Pit Site car park in planning policy since 2003 when it adopted the Christchurch Magistrates Court Site Development Brief. In the interim no policy has been adopted seeking to retain the car park from development. The BCP Parking Manager has confirmed that current occupancy levels in Christchurch Town Centre car parks are low due to the impact of Covid-19 which is unsurprising.

233. A Strategic Car Park review across BCP Council is being undertaken, (currently paused due to Covid-19) and this will broadly indicate if current levels of parking are adequate for the Council to meet its priorities. It is clear that the current situation has changed the picture of parking needs and there could be changes to town centres in general; however it is considered that the loss of these two car parks would not undermine the parking provision in the town centre as compensatory provision elsewhere within the town centre has already been provided by the preceding Council. With the Government and Councils striving to increase the use of sustainable forms of transport and decrease congestion, this scheme is acceptable in this regard.

234. Saved policy P2 of the Local Plan refers to the extension of the Magistrates car park to meet needs for long-stay car parking for town centre employees (para. 7.76). These saved policies were adopted in 2001 and it would appear that in the intervening 19 years, the need for such long-stay town centre car parking for employees on this site was not of such importance to the preceding Council to carry out the car park extension in the policy. It is also noted that this requirement to retain the site for long-stay commuter parking was not carried forward into the Core Strategy (CS) policies adopted in 2014. Provision of additional long-stay commuter parking fails to encourage channel shift to other sustainable forms of commuting transport and is likely to lead to additional peak-time vehicle commuting to the town centre, adding to the existing congestion problems and adding to the impacts on air quality for residents. It would also run counter to Objective 3 of the Core Strategy that the impact of carbon emissions from transport will be reduced by more sustainable patterns of development in accessible locations, and by encouraging travel by bike, on foot, or by public transport.

235. Policy CH1 advises that the Council will ensure that adequate parking levels are maintained within the Town Centre so as not to adversely affect vitality and viability. Whilst Policy P2 was 'saved' as part of the Core Strategy and thereby remains part of the development plan, there is an apparent conflict between its requirements and Policy CH1's allocation of the land as a key site for delivering the town centre vision.

236. Where there is a conflict between policies in the development plan, the principle is that the most recent document takes precedence. Therefore the CS policies will carry greater weight. With regard to the test in Policy CH1 that adequate parking levels are maintained within the town centre, Members can be reassured that the decisions of the preceding Authority to dispose of the car parks and provide alternative provision elsewhere in the town centre were informed by up-to-date assessments of town centre car parking.

237. Saved Policy P5 refers to development affecting public parking spaces and any spaces lost shall be replaced either on-site or within the vicinity of the site to the satisfaction of the Local Authority. As outlined above, studies were undertaken by the preceding Authority and alternative arrangements made and provided within town centre car parks to the satisfaction of the preceding Council.

238. This application is to be determined on its own merits and it provides a significant opportunity to revitalise an empty and vacant prominent site in the town centre. This is a sustainable location and BCP Highways have stated; *'Both car parks have parking regimes as long stay car parks but this can have the effect of acting as a commuter car park with more than 4 hours parking being allowed. This does not encourage sustainable modes of transport amongst town centre workers who may find the car parks convenient'.* The level of parking provision on the site will be discussed in detail below.

239. Contractually, there is a requirement for an access road between Barrack Road and Bargates across the site and this has affected the layout. However, as paragraph 2 of the Highway Technical Note confirms, providing the road was constructed as a through link, temporary traffic measures could be used to prevent vehicles crossing the site. The site plan shows how large planters have been positioned within the access road. This prevents vehicular access but still allows pedestrian and cycle access across the site, improving permeability but also assisting safer routes through the town centre for non-vehicular traffic. In the longer term, this allows flexibility for the Council and Highway Authority who will have adopted the road to make any necessary changes if the Fountain roundabout is re-designed.

Access and traffic flows

240. There are four vehicular access points onto the site. The two main ones are on Barrack Road and Bargates. The existing access to the Pit Site car would be used to serve the residential units and commercial units in Block A.

There would be a further access to the retirement flats off Barrack Road. Consideration was given to providing sole access to the retirement flats and the basement parking from within the site. However, given the changes in ground level this was considered not to be feasible.

241. Given the four lanes of traffic on Barrack Road, it is considered for highway safety reasons that the three accesses onto Barrack Road must be left hand turn only. A new physical island is proposed to control this from the access closest to the roundabout. This restriction is considered necessary in order to retain the flow of traffic on both sides of the highway and to ensure highway safety for all users.

242. The Transport Assessment concludes that there would be a net reduction in traffic generation when compared to the existing permitted uses. It is appreciated that since the closure of the Police Station and Magistrates Court, vehicle movements have lessened. Nonetheless the traffic levels associated with the development would comply with the guidance in para. 109 of the NPPF in not having a severe impact on the road network. BCP Highways have no objections to the increased vehicular movements associated with the development.

Parking and cycle provision on site

243. The proposed development provides 185 parking spaces for all the residential units and the commercial premises. 3 spaces are allocated behind the commercial units, 24 basement parking spaces are provided beneath the retirement building and 161 are surface parking across the rest of the development. There is also provision for flexible on-street parking which provides spaces for deliveries, visitors and so on. With regards to disabled parking, the Technical Note confirms that 5 of the 37 retirement spaces, 16 of the 74 flat spaces and 12 of the 77 house spaces are suitable disabled parking which equates to 20% of provision across the site.

244. Overall, the allocated and non-allocated provision is considered to meet the requirements of the Dorset Residential Parking Guidelines. This is a sustainable town centre location and it is recognised that this scheme provides valuable opportunities to allow people to access facilities and services either by foot, cycle bus or train.

245. A Travel Plan has been submitted with the proposals. The document aims to help and encourage people to make informed choices about their travel for work or leisure purposes. Currently the TP will be used to inform the preparation of travel information to be given to residents in the form of ‘Welcome Travel Packs’. A Travel Plan Coordinator is likely to be appointed and funded by the developer and it is envisaged that the TPC would be appointed prior to occupation of the development and would be funded for five years. The final Travel Plan can be secured through the S106 or by condition.

246. Within the courtyard to the rear of Block A, cycle parking would be provided for the commercial premises and there is cycle parking provision for residents of Blocks B and C on the ground floor of the buildings. On the ground floor of block R a, the sheltered age restricted accommodation, there is a dedicated space for mobility scooters for residents.

Permeability, pedestrian and cycle links

247. The layout offers a number of pedestrian links through the site. The main one being through from Bargates to Barrack Road despite the lack of vehicular access directly across the site. There are proposed new links to the town centre with the pedestrian crossings and a new bus stop providing access to other parts of Christchurch and across the conurbation and beyond.

248. There are a number of highway improvements proposed to improve the pedestrian and cycling environment for future residents and also which would have wider benefits for existing residents and visitors to Christchurch and this part of the town centre. The following measures will be secured through the s106 Agreement and are considered to meet the CIL Regs (122) (2);

- The path around the Barrack Road and Fountain roundabout frontage of the site widened to allow for a shared pedestrian and cycle path.
- New toucan crossing on Barrack Road in front of the retirement block
- New signalised crossing on junction of Barrack Road with Fountain roundabout.
- Pedestrian/cycle priority across access junctions – carriageway would be raised for depth of the pedestrian/cycle path provision to create a flush surface
- New bus stop on Barrack Road
- New toucan crossing on Bargates

249. In order to overcome issues of flood risk, the ground floor levels of a number of buildings along Barrack Road frontage and within Block A have needed to be raised. This has had an impact on the entrances to the commercial premises. The plans have been amended to show the path being split along the frontage of the Fountain roundabout. One section would be raised up to facilitate ramped access into the commercial units and the lower level would continue to provide a pedestrian and cycle path around the front. This is not ideal, as it divides this space; however given the flood constraints it is considered necessary and is not considered to severely restrict the flow of movement of pedestrians and cyclists. There would be pedestrian and cycle access through the rear parking and access area of Block A to further facilitate permeability from Barrack Road to Bargates.

250. In conclusion, it is considered that the parking provision, road layout and provision of additional measures such as the bus stop and pedestrian

crossings are appropriate for this town centre site and will promote sustainable travel. Christchurch town centre does have a busy road network; however this proposal offers the opportunity to improve permeability between the High Street and Bargates and Barrack Road which currently are divided with the Fountain roundabout.

Flood Risk and Surface Water Management

251. The majority of the application site lies outside of the current and future flood zones. However, the updated Flood Risk Addendum which uses the most recent SFRA (Strategic Flood Risk Assessment) work produced by the Council identifies that the south-east corner lies within the existing Flood Zone 2 and also within future flood extents of future Flood Zone 2 and 3 up to 2126. The data shows the site is more at risk from tidal events compared to fluvial.

252. The NPPF and Policy ME6 stipulate that the Sequential Test, which directs development to the areas with least flood risk must be undertaken. However, paragraph 162 of the NPPF states that sites which have been allocated in the Local Plan and been through this process previously do not need to pass the Sequential Test again. The majority of this site has been allocated in Policy CH1 and all of the site lies within the designated town centre in the Local Plan. There is an adopted Development Brief and this includes the area at risk of flooding in the future. Therefore it is not necessary to carry out the Sequential Test again at this decision making stage. However, as referred to by BCP Planning Policy, given part of the site is at risk there is an expectation that a sequential approach should have been adopted for the layout and positioning of development within the site to minimise the risk of flooding to the proposed development.

253. Having regard to the SFRA Level 2, the design flood level must be 3.24m AOD for Zone 3 and 3.42m AOD for Zone 2 and it is recommended that a minimum of 300mm freeboard is included above this level. The south-east corner of the site has both residential and commercial uses and the floor levels of a number of the buildings within this part of the site did not take sufficient account of the future flood levels. Given this and the potential for flood water to enter the ground floor of Blocks B and C of the residential units as the floor levels were not high enough, the Environment Agency initially objected.

254. However, the plans have been amended and all the floor levels within this part of the site are now set at 3.6AOD. This is in line with the EA's Standing Advice that Finished Floor Levels (FFL) should be set in accordance with the future tidal flood levels in Christchurch Town Centre. The FFLs are now above the design flood level for their lifetime (2126). The Environment Agency are now satisfied and have removed their objection.

255. Looking at the Exception Test which needs to be passed if development cannot be located in zones with a lower risk of flooding, the wider sustainability benefits need to be considered and whether the development would be safe

for its lifetime. This development would provide a significant amount of housing and a policy-compliant proportion of this would be affordable housing. Furthermore, moving Blocks B and C and part of Block A away from the frontage of the Fountain roundabout and Barrack Road would have significant consequences for the overall layout and quantum of the development and the impact on the townscape and Conservation Area. Given the revisions to the floor levels of these buildings and wider improvements to this important gateway site in the town, it is considered that moving the buildings completely out of the future flood zones would not be appropriate. It has been accepted by the Environment Agency that a 3.6AOD FFL will protect the future occupiers of the buildings for its lifetime (100 years). Therefore, it is concluded that the Exception Test has been passed and flood risk is no longer a constraint on the development.

256. With regards to surface water management, the Lead Flood Authority has stated; '*The site is also only at limited risk of pluvial (SW) flooding, with areas prone to ponding on Barrack road, beginning to encroach on the site from 1 in 30-year rainfall events upwards. The risk to the site is therefore considered low, although we note that the low lying and flat nature of the surrounding area may lead to slack flows within surrounding drainage systems, whilst the nearby Main Rivers may cause back water effects to result. This may result in lack of capacity in sewer systems during periods of high rainfall in winters and localised sewer flooding. Equally, raised Ground Water (GW) during winter and high tide, is highly probable given the site's location near to the sea and two Main Rivers, both of which have large catchment areas'.*

257. The National Planning Policy Framework (NPPF), requires all major development proposals to take due consideration of SW management and should offer a Drainage Strategy that does not create or exacerbate off site worsening and should mitigate flood risk to the site.

258. The proposals include 13 attenuation tanks across the site of different sizes and a network of surface water pipes. The surface water from the main adoptable road that bisects the site from north to south connecting is proposed to be discharged directly to the existing Wessex Water Surface Water sewer manhole. Additional percolation tests have been recently carried out in ensure the capacity of the tanks is suitable. This strategy is considered to be appropriate and would not worsen the surface water discharge on the site. The Lead Flood Authority are now satisfied with the scheme subject to conditions.

259. The NPPF in paragraph 168 refer to major development strategies where possible making multifunctional benefits, for example the chosen surface water management method providing amenity or ecological benefits. The proposed use of attenuation tanks on this site does not provide wider benefits; however as it is a town centre brownfield site it is considered to be challenging to provide such wider benefits which are more appropriately

applied to larger greenfield developments. Given the topography of the site, any amenity areas associated with surface water would have to be situated on the Barrack Road frontage and this would significantly affect the design, layout and impact on the townscape and Conservation Area. For this town centre site, the urban drainage solutions proposed are considered acceptable.

Contaminated land

260. As confirmed by BCP Environmental Health the site is not classified as being contaminated. However, it is advised that there may be some former historic contaminative uses on site. Therefore, it is considered appropriate to include a condition requiring remediation measures if any contaminated land is found during demolition and construction.

Biodiversity and Ecological considerations

261. The application is accompanied by a document 'Ecological Assessment and Mitigation, Compensation and Enhancement Strategy' which has been updated in October 2019 in response to consultation responses. The Assessment has been undertaken by a qualified Ecologist from the Consultants Ecosupport Ltd. Policy ME1 refers to surveys involving consultation with Natural England, Dorset Wildlife Trust and Dorset County Council. Whilst it is not apparent that these bodies were involved in the initial surveys, the updated document has had regard to and taken on board the consultation comments from Natural England, Dorset Wildlife Trust and the Natural Environment Team at Dorset Council. Engagement at the initial stages was considered to be proportionate to the biodiversity interest of the site.

262. Surveys have been undertaken on the site in 2015, 2016, 2017 and 2018 including habitat surveys, assessment of the buildings and trees for bats, surveys for badgers and reptiles. The general conclusion was of a site of relatively low ecological value; however the potential for various protected species to be present was identified. A large part of the site is covered in hard standing with a number of vacant buildings. However, along the northern western boundary of the application site there is an existing area of trees and scrub which according to the document above is managed intermittently on an annual basis.

263. Since the Planning Committee in February 2020, there has been a change circumstances with regards to the Dorset Biodiversity Protocol and the Natural Environment Team at Dorset Council. BCP Council are not signed up to the Protocol and have not been since April 2019. The Protocol originally related to Dorset County Council and the District Authorities. The two Unitary Authorities were not signed up and used their own professional Biodiversity Officers. Therefore, with the formation of BCP Council. This Protocol is no longer necessary. However, until recently NET were still providing guidance and would provide Certificates of Approval for Biodiversity and Mitigation

Enhancement Plans that were submitted to them by applicants. This service no longer exists and as such BCP Biodiversity Officers will use their expertise to provide responses on biodiversity issues. In this particular case, the BCP Biodiversity Project Officer has assessed the scheme in relation to biodiversity issues and is fully aware of all the consultation responses and representations received regarding this matter.

264. The BMEP was updated to reflect the latest comments from NET; however it has now been re-submitted (dated 28 August 2020) in a new format to take account of the fact that BCP are not signed up to the Dorset Biodiversity Protocol. The main revision to the document is the change in wording from 'ecological corridor' to 'wildlife area'.

265. Concerns from local residents have been raised with regards to the loss of this particular area and the implications for the wildlife using it. No 43 Barrack Road and its garden behind is part of this area and is covered by a Tree Preservation Order. The proposals do result in the loss of some of this substantial garden area and its replacement with built form. This is an acceptable form of development across the Local Plan area where 5,000 dwellings are proposed within the existing urban boundaries.

266. Dorset Wildlife Trust have expressed their opinion that the originally proposed 4m width corridor along the rear of Terraces A and B was insufficient and does not compensate sufficiently for the loss of this space and it was not of an appropriate width to work effectively as a wildlife corridor. It is appreciated that this pocket of undeveloped land does provide potential habitats for foxes, nesting birds, stag beetles and an area for foraging bats; however it does not have any specific designations and there are no specific Dorset Environmental Records Centre (DERC) records for protected species on the site, confirming the relatively low ecological value assessment. Nor does the land form part of any existing or proposed ecological corridor, nor would an ecological corridor on the site link to any of the existing or proposed ecological corridors.

267. The Biodiversity Mitigation and Enhancement Plan covers the survey findings and proposes a number of mitigation and compensation measures and enhancement measures to improve the ecological value of the site. Mitigation measures proposed for bats include the following;

- Hedgerow replacement
- Wildlife area along western side boundary and to include bat boxes within this space.
- Appropriate lighting scheme

268. Mitigation measures for other protected species and their habitats include the following;

- Updated badger survey to be undertaken a maximum of 1 month prior to site clearance works commencing.
- Any active red fox dens will be excluded with one-way gates and closely monitored.
- Demolition to take place outside of the bird nesting season or demolition to be preceded by nesting bird survey.
- Clearance of vegetation undertaken sensitively to ensure protection of any reptiles and any nesting birds (detailed methodology set out in BMEP).
- Protective fencing around all retained trees
- Any excavations be covered nightly or a suitable escape ramp to prevent entrapment.
- Provision of wildlife area (log piles, wildflowers, bird and bat boxes, trees and hedging)
- Tree and hedgerow replacement
- Provision of a Construction Environmental Management Plan (CEMP) – cover all phases of construction to ensure protection of on-site and surrounding environments.
- Provision of a Landscape Environmental Management Plan (LEMP) – management strategy for all on-site landscaped areas to secure long term value.

269. All of the above measures are outlined in the BMEP and this Plan can and will be secured by condition.

270. With regards to stag beetles which are a 'priority species' and the comments from DWT, the BCP Biodiversity Officer has confirmed that stag beetle surveys are difficult as grubs are only found by digging up an area. One option is to dig up tree stumps that they may be associated with and relocate. However, the main way to address this species is by the creation of a new habitat and the BMEP clearly identifies 3 log piles within the proposed wildlife area to provide sheltering, hibernating and foraging opportunities for a range of wildlife including Stag Beetles. Further to this, the BMEP states;

'Due to the legal status of Stag Beetles, immediately prior to the first stage of vegetation clearance commencing a dedicated walkover will be undertaken by a suitably experienced Ecologist. Any accessible deadwood will be identified. During the vegetation clearance in the winter months, this will be left in situ, highlighted by the Ecologist, to prevent any impacts to hibernating wildlife. During the subsequent spring vegetation clearance, deadwood (both above and below ground) will then be carefully collected by/under the full supervision of the Ecologist and relocated to the location of the future Wildlife Area (see Section 4.3.1), due to the usage of deadwood by Stag Beetles for egg laying. This will then be suitably safeguarded with fencing and information signage during

construction activities, and incorporated into the proposed log piles within the Wildlife Area upon its creation. This will ensure the protection of any larvae that may be present, which can occupy such habitat for many years prior to emergence as an adult specimen for breeding. During the pre-commencement survey the Ecologist will also catch, by hand, any adult Stag Beetles identified. These will be placed in a suitable container and released immediately into the retained deadwood area. The supervising Ecologist will then remain vigilant during all subsequent vegetation clearance to ensure all uncovered deadwood and any adult Stag Beetles are similarly protected'.

271. Whilst the habitat loss on the site is being partially mitigated for on site, further off-site compensation is required. This includes;

- Approximately 932 native species whips to be planted at Bernards Mead HIPs site
- Approximately 500m² of land at Berneads Mead HIPs site will be seeded with native wildflower mix
- Grassland currently regularly managed at Berneads Mead will enter into a reduced mow regime

272. Paragraph 170 of the NPPF refers to plans and decisions minimising impacts on and providing net gains for biodiversity. Biodiversity net gain can be achieved on-site, off-site or through a combination of on-site and off-site measures such as habitat creation, enhancing existing habitat networks, street trees, sustainable drainage systems and installing bird and bat boxes. The following enhancement measures have been incorporated into this scheme;

- 10 bat bricks in the new buildings
- 10 swallow nest cups within eaves of properties
- 5 swift bricks in new properties
- A bee brick in each new dwelling
- A bee post within the wildlife area

273. In addition to the on-site enhancement measures, ecological enhancements will be carried out within the HIPs sites (see below). Some of these works are also considered to be part of the compensation measures for the impacts of the scheme on the area along the north western boundary on the application site. These include;

- Currently regularly managed grassland will enter into a 'reduced mow' regime
- Drainage works will increase water inundation of existing reed beds
- Planting of trees
- Native wildflower seeding

274. The proposed wildlife area along the western boundary has been revised in its length and width in response to the consultation responses. It is now 5 metres in width to the rear of properties but now extends fully along the north-west boundary and extends up to 10 metres in certain sections. It will contain bat boxes, log piles for stag beetles, native hedging and bird boxes.

275. In their most recent comments, Dorset Wildlife Trust refer to the updated wildlife area still not being of a sufficient width. However, the updated BMEP has been considered by the BCP Biodiversity Officer and it is considered that this wildlife area is sufficient and this amount of space taken together with the other mitigation and compensation strategies is acceptable.

276. Paragraph 175 of the NPPF states that;

'When determining planning applications, local planning authorities should apply the following principles:

(a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;

(c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons [58] and a suitable compensation strategy exists; and

(d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

Footnote (58) For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat

277. Dorset Wildlife Trust, in their comments make reference to ensuring safeguarding is clearly in place for nesting birds in trees to be felled, as well as for roosting bats in the buildings to be demolished. The emergence surveys undertaken on the buildings did not identify any bats; however 4 trees were identified with low potential for roosting bats. The BMEP in paragraph 4.2.6 states that all mature and part mature trees that require removal will be soft felled as per the best practice guidelines associated with the protection of bats. If evidence of bats is identified during this process, a Phase II Bat Survey will be undertaken and if necessary an EPSL from Natural England would be applied for. In terms of demolition, this should as far as possible be limited to outside of the bird nesting season and if this is not possible, a Phase II Nesting Bird survey must be undertaken prior to demolition. The BMEP now refers to a 5 metre buffer zone around any active nests as suggested by DWT.

Vegetation clearance will take place between November and February to avoid the bird nesting season and if this is not all possible, a nesting bird survey would be undertaken prior to any clearance occurring and a 5 metres buffer would be in place until the chicks have fledged and the nest is no longer active.

278. Further to scrutiny of the proposals by the BCP Biodiversity Project Officer since the previous February 2020 Committee resolution, it is considered that this proposal does not result in having an adverse impact to biodiversity. The scheme incorporates adequate mitigation and compensation measures having regard to the loss of trees, hedgerows and the existing area of garden land within the site. The development does not result in the loss of irreplaceable habitats and biodiversity improvements are integrated into the scheme as outlined in previous paragraphs. With regards to the long term management of the wildlife area and the comments made by Dorset Wildlife Trust in their most recent response, a Landscape Environmental Management Plan will be secured by condition which will provide a management strategy for all on-site landscaped area to secure their long term value. It is considered to be compliant with Policy ME1 of the Core Strategy.

279. Your BCP Biodiversity Project Officer has carefully looked at this Mitigation and Enhancement Plan and they consider it to be acceptable. It is considered that with the revised BMEP secured through condition, the principles set out in paragraph 175 of the NPPF are met. This BMEP will be secured by condition.

280. There has been reference to Natural England's Standing Advice in the correspondence with the Council and representations. The NPPG states that Planning Authorities use the Standing Advice to avoid the need to contact Natural England for an individual application for each application. In this particular instance Natural England have been consulted and re-consulted on the application and have provided a detailed response. Natural England did not refer to their Standing Advice. Therefore, the Council will have regard to the bespoke responses of Natural England in determining the application.

281. Policy ME3 refers to national sustainable development standards and seeks development to incorporate carbon emissions reduction, water and energy efficiency measures. However, there is reference to the Code for Sustainable Homes and BREEAM standards, both of which are no longer applicable. The National Planning Practice Guidance states; '*The National Planning Policy Framework* expects *local planning authorities when setting any local requirement for a building's sustainability to do so in a way consistent with the government's zero carbon buildings policy and adopt nationally described standards.'* However, policy ME3 does not reflect this and therefore it is considered this policy should be given less weight and officers do not suggest insisting on a specific standard for sustainable construction.

282. Notwithstanding this, the scheme does provide environmental benefits such as through improving sustainable transport by the provision of a new bus stop, cycle routes and improved pedestrian crossings into the town centre and neighbouring green spaces. A travel plan will also be secured to encourage future occupiers to reduce their reliance on the car. There is investment into three areas of publically accessible green space and biodiversity enhancements on the site and within the three HIPs. The scheme would allow for energy efficiency measures to be incorporated and the applicant is encouraged to go beyond the standards as set out in Part L of the Building Regulations.

Trees and Soft Landscaping

283. A number of trees are being removed from the site to facilitate the development. In terms of Tree Preservation Orders, there is a blanket TPO over the parcel of land adjacent to the north west boundary and a number of protected trees across the site including a cherry (T50) and sycamore (T51) close to the south west boundary; a Norway maple (T11) on the north eastern boundary; and a sycamore (T21) and yew (T25). The majority of the trees being removed are category C trees and include apples, cherry, sycamore, Monterey pine, an oak and wingnut. The arboricultural impact assessment submitted with the application has fully assessed all the trees on the site.

284. There are no in-principle objections from the BCP Council's Tree Officer; however concerns have been raised with regard to the proximity of a number of the trees to the proposed buildings and the potential for future conflict between the trees, their canopies and future occupiers.

285. Tree 21 (Sycamore) is adjacent to Block B. The part of the building that would be adjacent to the tree is mainly a communal corridor. At ground floor level, Flat 8 is a 2-bed unit. One of the 2 bedrooms (Bed 1) would have an aspect towards the tree but all other rooms would have unhindered outlook and light ingress so it is not considered that any unreasonable effects would be encountered that would justify an application for future tree works. At 1st floor level Bed 1 for Unit 17 is dual aspect, and the bathroom is not a habitable room. At 2nd floor there are no windows on that elevation.

286. Tree 25 (Yew) is due north of the corner of Block C and would not therefore create any shadowing for that property, nor be a significant presence in the outlook from the homes within it. Within Block C, the ground floor is parking. The 1st and 2nd floor accommodation will enjoy light penetration from multiple aspects so there is limited concern that any concern from future residents would justify subsequent tree works.

287. Tree 50 (cherry) appears to be well spaced from the dwellings around it and would provide an attractive feature in the outlook from them. It is considered that the front aspect of units 30 and 31 would not be adversely

affected by the presence of this tree and given its position outside of any private amenity areas it would be under limited pressure for future work.

288. It is also considered that the proposed planting does not include sufficient native or appropriate species. However, the applicant has agreed that alternative native species plants can be introduced into the landscaping scheme. The existing gingko trees are being retained around the edge of the fountain roundabout and it is proposed that a few more are planted closer to the Bargates frontage. The BMEP identifies that the loss of all category B trees will be mitigated by replacement planting, which equates to 52 trees. Whilst the existing hedgerow along the northern edge of Bargates car park will be removed, it is proposed to plant approximately 310m of mixed, native species hedgerow around the boundaries.

289. The overall soft and hard landscaping is vital for this development in order to achieve a valuable piece of townscape that makes a positive contribution to the wider urban environment. Notwithstanding the submitted details, further landscaping details and the future management of the site will be secured by condition. The development is considered to be acceptable with regards to the relationship of built form with the mature trees on site and is therefore compliant with policy ME1. Natural features on the site including the trees, hedgerows and wildlife area have been taken into account in this proposal (policy HE3). The NPPF in paragraph 170 highlights the wider benefits of natural capital such as trees and this proposal whilst resulting in the loss of some trees on the site, provides the opportunity for additional planting which will enhance the new development and environment within this urban area.

Dorset Heathlands

290. The application site lies within 5km but beyond 400m of Dorset Heathland which is designated as a Site of Special Scientific Interest and as a European wildlife site. The proposal for a net increase in residential units is, in combination with other plans and projects and in the absence of avoidance and mitigation measures, likely to have a significant effect on the site. It has therefore been necessary for the Council, as the appropriate authority, to undertake an appropriate assessment of the implications for the protected site, in view of the site's conservation objectives.

291. The appropriate assessment has concluded that the mitigation measures set out in the Dorset Heathlands 2015-2020 SPD can prevent adverse impacts on the integrity of the site. The SPD strategy includes Heathland Infrastructure Projects (HIPs) and Strategic Access Management and Monitoring (SAMM).

292. The provision of SANGS (Suitable Alternative Natural Greenspace) is one of the key tools in mitigating the adverse impacts of development on the Dorset Heaths. For major developments over 40 dwellings (as stated in the CIL Charging Schedule) it is expected that SANGS will be provided on site and this is

emphasised in Policy ME2 which states; ‘it is expected that the provision of SANGS will form part of the infrastructure provision of that site’. In this specific case given that this is an urban brownfield site close to the town centre, there is limited opportunity to provide the SANG on site. However, it has been agreed with the applicant, Natural England and the Council that this development can provide for 3 HIPs (Heathland Infrastructure Projects) in lieu of a SANG. The 3 sites will provide enhanced recreational opportunities for residents of the proposed development and existing residents in the local area. The enhancement and long term management of the three sites will provide alternatives to the Dorset Heathlands for new residents.

293. **Milhams Common** – This existing ‘Access Land’ as defined under the Countryside and Rights of Way Act 2000 is also subject to Commoners’ grazing rights. It is sited adjacent to the Waitrose public car park and the A35 bypass. There is existing pedestrian access from the end of Beaconsfield Road. The total area is 3.5ha and is 300m from the application site. The site consists of wet grassland adjacent to the River Avon. The River Avon and Avon Valley is designated as a SSSI, SAC and Ramsar and also forms part of a SPA. It is within the ownership of BCP Council but is currently underused given the poor access and lack of information and signage explaining its status.

294. It is proposed to enhance access to the site with a new a new access point from the footpath adjacent to the A35 and the planning application for this new gate and access point onto the land (reference 8/19/1376) was approved by Planning Committee and the decision issued on 06/05/2020. In addition, information signage will be installed at the access points outlining the walking routes and the code of conduct. A mown grass footpath around the perimeter of the site will be created along with two benches and a new mixed waste bin will be positioned within the car park. The management of the HIP will be based upon continued livestock grazing as is currently undertaken and given its existing status as publically accessible land, the proposed changes are not considered to impinge on the Commoners’ grazing rights. Natural England have stated that the proposals for this land are complimentary to its designation as Common Land by enabling better access for local people.

295. It is recognised that this site does become flooded as it acts as the floodplain. Natural England does not consider that the natural function of the land as part of the floodplain acts as a barrier to its effectiveness as a HIP. Officers are also of the view that this land for most parts of the year remains accessible and provides an acceptable alternative for people to visit rather than the Dorset Heathlands.

296. **Berneads Mead** – This existing is located to the north west of the application site and is within 1.4km walking distance. The River Stour runs along the western boundary and it consists of amenity grassland which is already subject to regular management. There is an existing footpath running from the southern end of the site. The surveys have confirmed that this site is well used, predominantly for dog walking.

297. As part of the enhancement of this space, visitor signage will be installed at two of the access points into the site with 1.45km of hoggin pathway created. An undulating dog training/play area and a dedicated dog access point into the river will be installed and two mixed waste bins will be positioned at two of the entrances.

298. **Land off the Meridians** – this proposed HIP is an area of existing public open space 670m south west from the application site. The River Stour runs along 3 of its boundaries and it consists of managed dry amenity grassland in the north and west grassland and scrub in the centre and south. There is a grassed circular footpath and a small 6 space capacity car park. The visitor survey suggested low usage with local people using it to exercise their dogs.

299. The proposals for this space including re-surfacing the access track and car park and the car park extended to provide 3 additional spaces. A cycle parking facility would be installed and the pathways improved to allow improved access. Information signage will be included, the provision of a mixed waste bin and stone boulders will be positioned to provide seating along with a carved wooden otter sculpture to provide a focal point for the site.

300. The financial contribution associated with all elements of the HIP site delivery is £700,000.00 which has been agreed with the Applicant, BCP Council and Natural England. The contribution, proposals and long term management of the three HIPs (80 years) will be secured via the s106 agreement. BCP Council will be responsible for delivering the capital works as set out in the HIPs document; however some flexibility will be written into the Legal Agreement to allow any required updates and changes to the proposed strategy.

301. BCP Council as the 'Competent Authority' under the Habitat Regulations has carried out an Appropriate Assessment to determine whether the development will result in significant adverse impacts upon European designated sites. It has been established that with the provision of the HIPs and their long term management and the SAMM payment secured through the S106 agreement, the proposed development would not result in significant increases in pressure on the integrity of the Dorset Heathlands. Consideration has also been given in the Appropriate Assessment to the specific impact on Milhams Common which is designated in its own right. The proposed works to this land are not considered to significantly affect the integrity of this area which is SSSI, SAC and Ramsar and which also forms part of the Solent SPA.

302. The current application is recommended for approval subject to the completion of a S106 to secure the £700,000 contribution for the HIPs and their management and also the necessary contribution towards Strategic Access Management and Monitoring in accordance with the Dorset Heathlands SPD. This SAMM contribution complies with Regulations 122 and 123(3) of the Community Infrastructure Levy Regulations 2010 (as amended). With this mitigation secured the development will not result in an adverse effect on the integrity of the designated site and is therefore in accordance with policy ME2.

Summary

303. The proposal, by virtue of the quality of the scheme, would result in a development with significant benefits to the character and appearance and setting of the Conservation Area and the town centre. It would provide considerable economic and potentially cultural benefits in a sustainable, accessible central location. It will contribute a significant number (169 dwellings) towards the BCP five year housing land supply. The proposal is in line with the density guidance in the Magistrates Court Site Development Brief. It is considered that the proposal optimises the development potential of the site taking into account the existing built form and density levels in Christchurch Town Centre and thus represents an effective and efficient use of land in line with the NPPF. The market and affordable housing mix is broadly in line with the Eastern Dorset SHMA. The proposal provides an Affordable Housing contribution compliant with local and national guidance. Whilst the affordable tenure mix does not strictly comply with the SHMA, BCP Housing Officer considers the mix to be acceptable.

304. The Council has secured the following contributions to provide mitigation and benefits to the overall area;

- 31% affordable housing (53 dwellings)
- **£251,966.40** for secondary education
- **£700,000** financial contribution for the provision and management of 3 HIPs allowing for improved access to existing open spaces within the area
- Provision of bus stop and highway improvements on Barrack Road
- 3 Pedestrian crossings
- **£25,000** for additional surveillance cameras
- Cycle path around Barrack Road and Fountain roundabout

Planning Balance

305. In the absence of relevant up to date development plan policies, given the lack of a five year housing land supply, the balance is tilled in favour of sustainable development and granting planning permission except where the benefits are significantly and demonstrably outweighed by the adverse impacts or where specific policies in the NPPF provide a clear reason for refusal.

306. The social benefits of allowing this development is the significant contribution of 169 homes to the housing land supply, including 53 affordable units. A mix of 1, 2, 3 and 4 bedroom units would be provided within a town centre location on a brownfield site which has been identified for development since 2003. The area of land outside of the allocation is still within the town centre area for Christchurch and under policies KS2, KS7 & CH1 of the Local Plan it is in an area where high density residential development is promoted.

This is coupled with investment into the HIPs, which will be a benefit not just to the future occupiers of the site but to the wider general public. Economically, the construction phase will result in employment opportunities and the investment into the commercial premises is considered to improve the viability and vitality of the town centre. The improved pedestrian links from the High Street to the other side of Fountain roundabout will encourage people to access this site and Bargates which offers further retail opportunities and economic and social benefits in improving linkages across the town centre.

307. The above benefits are weighed against the potential adverse impacts of the proposal. The development of the gardens and space to the rear of 46 and 47 Bargates will result in the loss of an overgrown area and a number of category B and C trees will be felled to facilitate the development. Whilst BCP Highways have no objections to the scheme, the representations have clearly shown there are strong concerns around the loss of public parking. This issue is addressed in paragraphs 281 to 291 and the preceding Council has already mitigated the impacts of the loss of the public car parking in other sites across the town centre.

308. The loss of the former closed Public House, The Goose and Timber is a potential negative; however this development would result in substantial public benefits that outweigh the removal of this building. By re-developing this site and creating much needed housing and in particular a proportion of affordable housing as well as attracting investment into the town with the commercial premises it is considered the loss of the Goose and Timber public house can be justified.

309. It is considered that an education contribution can be reasonably secured as part of the development. A contribution of **£251,966.40** has been agreed with the applicant and this contribution will be towards secondary provision across a number of schools in the pupil place planning area. A lower education contribution in this case is not considered to outweigh the benefits of the redevelopment of this key strategic site.

310. Having had regard to the significant number of representations and the advice of the various consulted parties, Officers consider that the benefits of the scheme significantly and demonstrably outweigh the identified impacts. It is clear there are some weaknesses with the scheme in that it does not fully comply with all of the HQI's referred to in Policy LN1. However, a technical failure against this policy is not considered to override the benefits of the scheme. It is recognised that the development provides a smaller proportion of retail floorspace than would be expected given the requirement of 9,800sqm of comparison and convenience floorspace required for the whole of the town centre as set out in policy CH1. However, overall, the proposal represents sustainable development, which accords with National Planning Policy Framework and the Local Development Plan when taken as a whole, and as such approval is recommended subject to completion of a suitable worded

S106 agreement. Even if the proposal were not found to comply with the development plan as a whole the recommendation would remain to grant planning permission given the lack of 5 year housing land supply tilts the balance in favour of the scheme as set out in paragraph 116.

311. This assessment exercise has involved considering the acceptability of the proposal in relation to the Development Plan, taken as a whole, and all other materials considerations. All of the foregoing factors have also been considered in relation to the social, economic, and environmental benefits to be provided by the proposal.

RECOMMENDATION

312. **A) GRANT permission with the following conditions and completion of a Section 106 Agreement, which are subject to alteration/addition by the Head of Planning provided any alteration/addition does not go to the core of the decision.**

313. Section 106 Agreement Heads of Terms:

- 31% (53 units) of affordable Housing including affordable rented, intermediate and home ownership.
- HIPs financial contribution of £700,000 and HIPs management plan
- Heathland SAMM contribution of £50,711 plus administration fee
- £251,966.40 contribution for secondary education within Pupil place planning area
- £25,000 financial contribution for re-positioning and additional Surveillance cameras
- Land to be given over for highway adoption with those areas identified on a plan (roads including on-street parking bays, road turning areas, footways and cycleways).
- Toucan crossing across Barrack Road adjacent to the Fountain roundabout
- Double pedestrian crossing across Barrack Road adjacent to the Fountain roundabout
- Toucan crossing across Bargates adjacent to the Fountain roundabout
- £14,000 - 2 x Vehicle Activated Signs
- Bus stop, shelter and associated works, including Real Time Information on Barrack Road

- £10,000 **-** Traffic Regulation Orders – Legal fees, signage and road marking, “No right turn” orders for accesses off Barrack Road, parking restrictions and on-street parking bays within the site and Beryl bike scheme parking bays.

- Residential Travel Plan

- S278 agreement for works to the highway

- Permissive route for pedestrians and cyclists to rear of Block A linking Bargates to Barrack Road.

- Highway Phasing Strategy based on Phasing Plan ASP.16.014.002.11 to include the following:
  - New Toucan crossing across Barrack Road adjacent to the main residential vehicle access – to be delivered prior to occupation of any unit within either Phases 1,3 or 4
  - New double Pedestrian crossing across Barrack Road adjacent to the Fountain Roundabout – to be delivered prior to occupation of or bringing into operation any unit within the Phase 2
  - New Toucan crossing across Bargates adjacent to the Fountain Roundabout - to be delivered prior to occupation of any unit within either Phases 2,3 or 4
  - New Bus stop and shelter, with Real Time Information, on Barrack Road - to be delivered prior to occupation of any unit within either Phases 1,3 or 4
  - A vehicle proof barrier/feature in the centre of Barrack Road to prevent right turn into the rear car park area of Phase 2 – to be delivered prior to occupation of or bringing into operation any unit within the Phase 2
  - Widened footway to provide a shared cycle/footway along the Barrack Road/Fountain Roundabout frontage of the site – the total length of widened footway/cycleway bounding each phase shall be delivered prior to occupation of any unit within that phase.

CONDITIONS

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

   Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

ASP.16.014.001.1 Location Plan
ASP.16.014.001.2 B AMENDED Block Plan
ASP.16.014.002 G AMENDED Proposed Site Plan
ASP.16.014.002.1 E AMENDED Key Plan
ASP.16.014.002.2 D AMENDED Tenure Plan
ASP.16.014.002.3 D AMENDED Heights Plan
ASP.16.014.002.5 D AMENDED Boundary & Hard Landscaping Plan
ASP.16.014.002.6 D AMENDED Materials
ASP.16.014.002.8 C AMENDED Parking Layout
ASP.16.014.002.11 Phasing Plan

ASP.16.014.100 B AMENDED Proposed Plans - Terrace A
ASP.16.014.101 A AMENDED Proposed Roof Plan - Terrace A
ASP.16.014.102 A AMENDED Proposed Elevations - Terrace A
ASP.16.014.103 A Floor Plans Units 5 - 8 (Terrace B)
ASP.16.014.104 Roof Plan Units 5 - 8 (Terrace B)
ASP.16.014.105 Elevations Units 5 - 8 (Terrace B)
ASP.16.014.106 C AMENDED Proposed Plans - Terrace C (Ground Floor)
ASP.16.014.107 C AMENDED Proposed Plans – Terrace C (First Floor)
ASP.16.014.108 B AMENDED Proposed Plans – Terrace C (Second Floor)
ASP.16.014.109 B AMENDED Proposed Plans – Terrace C (Roof Plan)
ASP.16.014.110 C AMENDED Proposed Elevations –Terrace C (Front (NE) & Side (SE))
ASP.16.014.111 C AMENDED Proposed Elevations – Terrace C (Rear(SW) & Side (NW))
ASP.16.014.112 D AMENDED Proposed Plans Terrace D (Ground & First Floor)
ASP.16.014.113 C AMENDED Proposed Plans - Terrace D (Second Floor & Roof)
ASP.16.014.114 D AMENDED Proposed Elevations – Terrace D (Front (SW) & Side (NW) & (SE))
ASP.16.014.115 D AMENDED Proposed Elevations – Terrace D (Rear (NE) & Side (SE) & (NW))
ASP.16.014.125 A AMENDED Proposed Elevations - Terrace F (Rear (SE) & End (SW))
ASP.16.014.116 C AMENDED Proposed Plans - Terrace E (Ground Floor)
ASP.16.014.117 B AMENDED Proposed Plans – Terrace E (First Floor)
ASP.16.014.118 A AMENDED Proposed Plans - Terrace E (Roof)
ASP.16.014.119 A AMENDED Proposed Elevations - Terrace E (Front (NW) & Side (NE))
ASP.16.014.120 A AMENDED Proposed Elevations – Terrace E (Rear (SE) & Side (SW))

ASP.16.014.121 C AMENDED Proposed Plans –Terrace F (Ground Floor)

ASP.16.014.122 B AMENDED Proposed Plans -Terrace F (First Floor)ASP.16.014.123 A AMENDED Proposed Plans – Terrace F (Roof)
ASP.16.014.124 A AMENDED Proposed Elevations - Terrace F (Front (NW) & End (NE))
ASP.16.014.135 A AMENDED Proposed Elevations - Unit H Terrace (Rear (NE) & Side (SE))
ASP.16.014.126 D AMENDED Proposed Plans - Terrace G (Ground Floor)
ASP.16.014.127 B AMENDED Proposed Plans - Terrace G (First Floor)
ASP.16.014.128 A AMENDED Proposed Plans - Terrace G (Roof)
ASP.16.014.129 A AMENDED Proposed Elevations – Terrace G (Front (SW) & Side (NW))
ASP.16.014.130 A AMENDED Proposed Elevations – Terrace G (Rear (NE) & Side (SE))
ASP.16.014.131 C AMENDED Proposed Plans – Terrace H (Ground Floor)
ASP.16.014.132 B AMENDED Proposed Plans - Terrace H (First Floor)
ASP.16.014.133 A AMENDED Proposed Plans - Terrace H (Roof)
ASP.16.014.134 A AMENDED Proposed Elevations - Terrace H (Front (SE) & Side (NW))
ASP.16.014.136 C AMENDED Proposed Plans - Terrace I (Ground Floor)
ASP.16.014.137 A AMENDED Proposed Plans – Terrace I (First Floor)
ASP.16.014.138 A AMENDED Proposed Plans -Terrace I (Second Floor)
ASP.16.014.139 A AMENDED Proposed Plans - Terrace I (Roof)
ASP.16.014.140 B AMENDED Proposed Elevations – Terrace I (Front (NE) & Side (NW))
ASP.16.014.141 B AMENDED Proposed Elevations – Terrace I (Rear (SW) & Side (SE))
ASP.16.014.142 B AMENDED Proposed Plans - Terrace J (Ground & First Floor)
ASP.16.014.143 A AMENDED Proposed Plans - Terrace J (Second Floor & Roof)
ASP.16.014.144 B AMENDED Proposed Elevations - Terrace J (Front (SW) & Side (SE))
ASP.16.014.145 B AMENDED Proposed Elevations - Terrace J (Rear (NE) & Side (NW))
ASP.16.014.146 C AMENDED Proposed Plans - Terrace K (Ground & First Floor)
ASP.16.014.147 B AMENDED Proposed Plans - Terrace K (Second Floor & Roof)
ASP.16.014.148 B AMENDED Proposed Elevations – Terrace K (Front (SE) & Side (SW))
ASP.16.014.149 B AMENDED Proposed Elevations - Terrace K (Rear (NW) & Side (NE))
ASP.16.014.151 C AMENDED Proposed Elevations - Unit 14 (All)

ASP.16.014.200 B AMENDED Block A Proposed Ground Floor Plan
ASP.16.014.201 B AMENDED Block A Proposed First Floor Plan
ASP.16.014.202 B AMENDED Block A Proposed Second Floor Plan
ASP.16.014.203 B AMENDED Block A Proposed Third Floor Plan
ASP.16.014.204 B AMENDED Block A Proposed Roof Plan
ASP.16.014.205 D AMENDED Block A - Proposed Elevations - Sheet 1
ASP.16.014.206 D AMENDED Block A Proposed Elevations 2
ASP.16.014.300 B AMENDED Block B Ground Floor Plan
ASP.16.014.301 A Block B First Floor Plan
ASP.16.014.302 A Block B Second Floor Plan
ASP.16.014.303 A Block B Third Floor Plan
ASP.16.014.304 B AMENDED Block B Roof Plan
ASP.16.014.305 C AMENDED B - Proposed Elevations- Sheet 1
ASP.16.014.306 B AMENDED Block B Elevations Sheet 2
ASP.16.014.400 C AMENDED Block C Proposed Ground Floor Plan
ASP.16.014.401 A Block C Proposed First Floor Plan
ASP.16.014.402 A Block C Second Floor Plan
ASP.16.014.403 A Block C Third Floor Plan
ASP.16.014.404 B Block C Roof Plan
ASP.16.014.405 C AMENDED Block C - Proposed Elevations - Sheet 1
ASP.16.014.406 B AMENDED Block C Elevations - Sheet 2
ASP.16.014.500 A Car Ports
ASP.16.014.501 A Car Ports
ASP.16.014.502 A Car Ports D
ASP.16.014.600 B AMENDED Materials Key Sheet 1 - Block A
ASP.16.014.601 B AMENDED Materials Key Sheet 2 - Block A
ASP.16.014.602 B AMENDED Materials Key Sheet 1 - Block B
ASP.16.014.603 A Materials Key Sheet 2 - Block B
ASP.16.014.604 C AMENDED Block C - Key Sheet 1
ASP.16.014.605 C AMENDED Block C Key Sheet 2
ASP.16.014.606 Header Detail Sheet
ASP.16.014.607 A AMENDED Brick Detail Sheet
ASP.16.014.700 A AMENDED Existing Cross Section Retaining Wall
ASP.16.014.701 A AMENDED Proposed Cross Section Retaining Wall
ASP.16.014.702 New Retaining Wall and Buttress Details
ASP.16.014.800 Sub-Station Plans and Elevations
5742-03-AC-10 G Lower Ground Floor Plan Block R (A)
5742-03-AC-11G - Ground Floor Plan Block R (A)
5742-03-AC-12G - First Floor Plan
5742-03-AC-13F - Second Floor Plan Block R (A)
5742-03-AC-20F -East and West Elevations Block R (A)
5742-03-AC-21 F Age Restricted Housing South and North Elevations Block R (A)
5742-03-AC-15G – Block R (B) Ground Floor Plan
5742-03-AC-16F – Block R (B) First Floor plan

5742-03-AC-17G - Block R (B) Second Floor Plan
5742-03-AC-18E - Block R (B) Roof Plan
5742-03-AC-23G Block R (B) East and west Elevations
5742-03-AC-24G ¬- Block R (B) North and South elevations
5742-03-AC-27-B Site Section

15-167/SK005 C Preliminary Site Levels
15-167-016 C AMENDED Proposed Foul Water Drainage Strategy
15-167-015 D AMENDED Soakaway Catchment Areas
15-167-007 G AMENDED Proposed Surface Water Drainage Strategy
747_LANDP000_rev08 Landscape Plan
747_LANDP001 6 AMENDED Residential and Shared Landscape Scheme
747_LANDP002 5 AMENDED Retirement and Affordable
747_LANDP003 6 AMENDED Block B & C rear landscape scheme
747_LANDP004 6 AMENDED Services & Retail Rear Landscaping scheme
15-167/012G Proposed Site Access Arrangements
15-167/022G Highway Improvements
15-167/SK008C Location of Casual Visitor Parking

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

3. The 39 sheltered apartments in Block R as shown on the approved plan shall only be occupied by persons of age 55 years or over.

   Reason: The education contribution has been assessed on the above grounds.

4. Other than those required for the erection of tree protection, before any equipment, materials or machinery are brought onto the site for each phase of development (as identified by Phasing Plan ASP.16.014.002.11), a pre-commencement site meeting between the Tree and Landscape Case Officer and Site Manager shall take place to confirm the methods of protecting those trees that are proposed to be retained on and adjacent to the site during development in accordance with the arboricultural assessment and method statement ref: 17301-AA5-PB, dated 20/09/19 and Tree Protection Plan ref: 17301-BT6.

   The tree protection as confirmed at the meeting and in writing by the Local Planning Authority shall be put in place prior to commencement of development for each phase of development and retained until the relevant phase and adjacent phase of development is completed. Nothing

shall be placed, nor shall any ground levels be altered or excavations made, within the tree protection zones fencing, nor shall any ground levels be altered or excavations made without the written consent of the Local Planning Authority.

Reason: This meeting is required prior to commencement of development in the interests of tree protection.

5. Before any development takes place on the site (excluding demolition), a scheme indicating the phasing of all the proposed highway works on and off the site in connection with the phased completion of the residential units and commercial premises shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the agreed phasing scheme.

   Reason: To ensure the highway works are implemented in accordance with the development of the site and made available prior to the completion of the unit.

6. No development shall take place on each phase of the development, as identified by the approved Phasing Plan (ASP.16.014.002.11) including any works of demolition, until a Construction Method, Access and Environmental Management Plan in relation to that Phase has been submitted to, and approved in writing by, the local planning authority.

   The approved CMAEM Plan shall be adhered to throughout the demolition and construction period. The above Plan shall provide for:

   i. the parking of vehicles of site operatives and visitors

   ii. loading and unloading of plant and materials

   iii. storage of plant and materials used in constructing the development

   iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate

   v. wheel washing facilities

   vi. measures to control the emission of dust and dirt during construction

   vii. If applicable, method for demolition, including timing and a scheme for recycling/disposing of waste resulting from demolition and construction works

   Reason: This information is required prior to commencement to safeguard the amenity of the locality.

7. Prior to the commencement of development (including demolition) a scheme on any individual phase of the development hereby approved, as identified by the approved Phasing Plan (ASP.16.014.002.11), shall be submitted to the Local Planning Authority to deal with potential contamination of the land within that phase. Such scheme shall include the following actions and reports, which must be carried out by appropriately qualified consultant(s):

   (a) A Preliminary Risk Assessment (site history report), which shall, by reference to site layout drawings of an appropriate scale, include a history of the site, past land uses, current and historical maps, site plans, locations of any known spillages or pollution incidents and the location and condition of old tanks, pits, fuel or chemical storage areas, and site reconnaissance to produce a conceptual site model and preliminary risk assessment.

   (b) A Field Investigation (site investigations) and Detailed Quantitative Risk Assessment (based on the information contained in the site history report), will be required where the appointed consultant and/or the Local Planning Authority anticipate that contamination may be present in, on or near the proposed development area. The site investigation report must characterise and identify the extent of contamination, identify hazard sources, pathways and receptors and develop a conceptual model of the site for purposes of risk assessment.

   (c) Before any works commence on the relevant phase should (in the opinion of the Local Planning Authority) investigation works be required, consultants appointed to carry out intrusive site investigation work must submit their sampling strategy to the Local Planning Authority for written approval.

   (d) Where contamination is found in the relevant phase which (in the opinion of the Local Planning Authority) requires remediation, a detailed Remediation Strategy for that phase, including effective measures to avoid risk to future and neighbouring occupiers, the water environment and any other sensitive receptors when the site is developed, shall be submitted to and approved in writing by the Local Planning Authority.

   (e) No development shall occur until the measures approved in the remediation strategy have been implemented in accordance with the remediation statement to the satisfaction of the Local Planning Authority. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development on that phase other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority.

(f) If, during works on a phase contamination is encountered within that phase which has not previously been identified, the additional contamination shall be fully assessed and an appropriate remediation strategy submitted to and approved in writing by the Local Planning Authority.

(g) On completion of all the works detailed in the agreed Remediation Strategy for a phase, a Remediation Verification Report must then be completed by the environmental consultant(s) who carried out the remediation work confirming that they have supervised all the agreed remediation actions and they have been carried out to the point of completion. This report must be submitted to and approved in writing by the Local Planning Authority.

Reason: This information is required prior to commencement to safeguard the amenity of the locality and future residents.

8. No development above DPC (damp proof course) of any building hereby permitted shall take place until samples of all materials and finishes to be employed on the external faces of that building shall have been submitted to and approved in writing by the Local Planning Authority. Further to this, panels of the brickwork for Blocks A, B and Ra and Rb shall be erected on the site for the inspection of the Authority, this panel to be made at least ten courses high and in a manner that illustrates the style envisaged for the jointing and its colour. All works shall be undertaken strictly in accordance with the details as approved.

   Reason: To protect the visual amenities of the townscape and the character and appearance of the Conservation Area.

9. Notwithstanding the submitted plans, no development within any individual phase as shown on the approved Phasing Plan (ASP.16.014.002.11) above DCP (damp proof course) shall take place until full details of both hard and soft landscape works within that phase have been submitted to and approved in writing by the Local Planning Authority. These details shall include hard surfacing materials; means of enclosure; details of boundary planting, schedules of plants (noting species, plant sizes and proposed numbers/densities where appropriate).

   All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development and the planting carried out in the first planting season following completion of the development or its first occupation, whichever is the sooner. Any planting found damaged, dead or dying in the first five years following their planting are to be duly replaced with appropriate species.

All hard and soft landscape works shall be carried out in accordance with the approved details for that phase. The hard landscaping works shall be carried out prior to the occupation of any part of the development within that phase and the soft landscaping within the first planting season following completion of the development within that phase or the first occupation of any unit within that phase, whichever is the sooner. Any planting found damaged, dead or dying in the first ten years following their planting are to be duly replaced with appropriate species.

Reason: To ensure the long term establishment, maintenance and landscaping of the site which is necessary to preserve the amenity of the site and the wider townscape.

10. No development above DPC shall take place within any individual phase identified in the approved Phasing Plan (ASP.16.014.002.11) until a Landscape Environment Management Plan covering that phase has been submitted to and approved in writing by the Local Planning Authority. The Plan must include a long term management strategy for all on site landscaped areas within that phase and will cover trees, hedges, wildflower areas, bat and bird boxes, log piles and bee posts. The development of each phase shall be carried out in accordance with the approved details.

    Reason: To protect and manage the soft landscaped areas and promote to biodiversity within the local environment.

11. Prior to commencement of development (excluding demolition) for each phase identified on the Phasing Plan (ASP.16.014.002.11) full plans and particulars showing the final siting of the services and soakaways for that phase shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved detail.

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

12. Upon completion of the top coat of the full length of the internal road between Barrack Road and Bargates, the planters as shown on the approved plans (or any other highway feature as agreed in writing by the Local Planning Authority) shall be put in place and retained as such so as to prevent the passage of motorised vehicles.

    Reason: In the interests of highway safety.

13. All highways within the development hereby approved shall be constructed to an adoptable BCP standard. Prior to the commencement of any highway works within any phase of the development as identified on the

approved Phasing Plan (ASP.16.014.002.11), full details and specifications of construction, materials, drainage, street furniture and lighting associated with roads, footways, parking areas, pedestrian routes and the first 6m of any vehicle access shall be submitted to and approved in writing by the Local Planning Authority. Development of each phase shall be carried out in accordance with the approved details and retained as such thereafter.

Reason: In the interests of highway safety

14. Prior to the occupation or operation within any individual phase as identified on the approved Phasing Plan (ASP.16.014.002.11), a Parking and Service Management Plan for that phase shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include where necessary and appropriate details of; phasing of the car parking implementation, provision of disabled parking for the commercial units, servicing of the commercial units by delivery vehicles and details of all cycle parking. Development of each phase shall be carried out in accordance with the approved details.

    Reason: In order to minimise long term commuter parking within the development, to ensure parking is delivered in accordance with the associated phases of development being brought into operation, to encourage cycling as a sustainable mode of transport and to ensure efficient and safe servicing of the commercial units.

15. Prior to the occupation or operation of any individual phase as identified on the approved Phasing Plan (ASP.16.014.002.11) details of a scheme to amend/remove existing electronic car park signage associated with the existing Bargates and Pit Site pay and display car parks shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

    Reason: In the interests of highway safety and to ensure the provision of appropriate safe access is provided to each phase of development prior to occupation of that phase.

16. No works shall take place (excluding demolition) within individual phase of the development hereby permitted as identified on the approved Phasing Plan (ASP.16.014.002.11) until the applicant has secured the implementation of a programme of archaeological work in respect of that phase in accordance with a written scheme of investigation in accordance with the Bournemouth Archaeology document ‘Archaeological Evaluation’ which has been submitted and approved in writing by the Local Planning Authority (or the Local Planning Authority has confirmed that no such scheme is required for that phase). This scheme shall cover archaeological fieldwork together with post-excavation work and

publication of the results. All works for each phase shall be carried out in accordance with the approved details.

Reason: To protect the archaeological interests of the site.

17. No development (excluding demolition) shall take place within each phase identified on the approved Phasing Plan (ASP.16.014.002.11) until a detailed surface water management scheme for that phase, which (dependant on Ground Water monitoring) accords with the following documents and includes how surface water will be managed during construction of that phase, has been submitted to and approved in writing by the Local Planning Authority:

    Proposed Surface Water Strategy – Odyssey – Rev G (15.01.2019[2]) – Ref No: 15-167/007

    Flood Risk Assessment (FRA) & Drainage Strategy (DS): Rev B (30/10/2018) – Ref No: 15-167

    Letter: Re: Infiltration testing - From Craig Pennel (T&P Regen) to Daniel O'Shea (Drew Smith Group) – 12/07/2019 – Ref No: CS/J/0134_CP_DO

    Drawing: Soakaway Catchment Areas – Odyssey – Rev D (20/09/2019) – Ref No: 15-167/015

    The Scheme must be based upon the hydrological and hydrogeological context of the development and includes clarification of how surface water is to be managed during construction. The surface water management scheme for each phase shall be fully implemented in accordance with the approved details before the phase is completed.

    REASON: To prevent the increased risk of flooding, to improve and protect water quality, and to improve habitat and amenity.

18. No development shall take place (excluding demolition) within any individual phase as identified on the approved Phasing Plan (ASP.16.014.002.11) until details of maintenance & management of both the surface water sustainable drainage scheme and any receiving system in relation to that phase has been submitted to and approved in writing by the Local Planning Authority. The scheme for each phase shall be implemented and thereafter managed and maintained in accordance with the approved details. These should include a plan for the lifetime of the each phase, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime in respect of each phase.

REASON: To ensure future maintenance of the surface water drainage system, and to prevent the increased risk of flooding.

19. Notwithstanding the submitted lighting scheme on plan 100005.1300.001 P01, no development above DPC (damp proof course) within any individual phase as identified on the approved Phasing Plan (ASP.16.014.002.11) shall take place until full details and phasing of a lighting scheme for the phase shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme for each phase shall be carried out in accordance with the approved details and phasing and thereafter retained unless prior written agreement is given by the Local Planning Authority.

    Reason: In the interests of amenity, design, highway safety and ecological interests.

20. The development of each phase hereby approved as identified on the approved Phasing Plan (ASP.16.014.002.11) shall be carried out in accordance with the Biodiversity Mitigation and Enhancement Plan (BMEP) dated 28/08/20 and the Summary of Mitigation Proposals received on 03/02/2020. Thereafter the approved mitigation measures within each phase shall be permanently retained in accordance with the approved details, unless otherwise first agreed in writing by the local planning authority.

    Reason: In the interests of securing biodiversity mitigation and benefits as part of the scheme.

21. The development of each phase hereby approved as identified on the approved Phasing Plan (ASP.16.014.002.11) must be built to the specifications set out in the Noise Impact Assessment - Technical Report: R7574-1 Rev 0 unless otherwise agreed in writing by the Local Planning Authority.

    Reason: In the interests of residential amenity

22. There shall be no deliveries or waste collection from and to the commercial units within Block A as shown on the approved plans outside of the hours 19:00h to 07:00h every day of the week.

    Reason: In the interests of residential amenity

23. Notwithstanding the submitted plans, prior to the commencement of development (excluding demolition) of each individual phase of development as identified on the approved Phasing Plan (ASP.16.014.002.11) the existing and proposed ground levels on the site

and finished floor levels of all the buildings within that phase (related to ordnance datum or fixed point within the site) shall be submitted to and approved in writing by the Local Planning Authority. All works within each phase shall be undertaken in strict accordance with the details as approved.

Reason: To protect the buildings from flood risk.

Informatives;

1. Pollution Prevention during Construction
   Safeguards should be implemented during the construction phase to minimise the risks of pollution and detrimental effects to the water interests in and around the site. Such safeguards should cover the use of plant and machinery, oils/chemicals and materials; the use and routing of heavy plant and vehicles; the location and form of work and storage areas and compounds and the control and removal of spoil and wastes. We recommend the applicant refer to our Pollution Prevention Guidelines, which can be found at:
   https://www.gov.uk/guidance/pollution-prevention-for-businesses

2. If any controlled waste is to be removed off site, then site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably authorised facility. If the applicant require more specific guidance it is available on our website https://www.gov.uk/how-to-classify-different-types-of-waste

3. The applicant has provided a S106 dated (to be confirmed) to secure the Head of Terms as set out in this report.

B) If the section 106 legal agreement in recommendation A) above is not completed in accordance with the Heads of Terms the application shall be refused.

Background Papers

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CONSULTATION RESPONSES 8/18/3263

Historic England (07/11/2019)

1. On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

Environment Agency

2. Comments received **11/12/2019.** We **object** to the proposed development on **flood risk grounds.** We have reviewed the supporting statement and Flood Risk Addendum, May 2019, Odyssey, Ref AK/AK/Reports/15-167 -17_RevA . We acknowledge that the flood risk information has used the Councils latest Strategic Flood Risk Assessment and this confirms future flood risk to the site. Please note that we have local flood risk standing advice that can currently advise what appropriate finished floor levels (FFL's) should be set, in accordance with the future tidal flood levels in Christchurch Town Centre. This advice confirms to yoru Authority that if finished floor levels of new residential development are set at or above 3.6 metres above ordnance datum (mAOD) they will be above the design flood level for their lifetime, therefore we consider them acceptable. However, we note that in section 2.11 of the FRA that the proposed finished floor levels on elements of the scheme are below 3.6mAOD, so are not above the design flood level with an appropriate allowance for climate change.

3. The FRA states: Currently proposed FFL's for dwellings marked as:
    - *'A' is 3.145m AOD*
    - *'B' is 3.370m AOD*
    - *'C' is 3.570m AOD*

4. Therefore, we would recommend that the finished floor levels of the development are raised above 3.6mOAD. If the developer cannot achieve this then they will need to justify the planning reasons for why this cannot be achieved, as elements of the scheme can be considered unsafe for its lifetime therefore contrary to National Flood Risk Policy. The FRA confirms that using the SFRA climate change allowances that flood water could enter the ground floor flats, with water depths of up to 275mm (dwellings 'A') and 50mm (dwellings 'B').

5. If the applicant cannot design flood risk out of the development than it would then be for your planning authority to determine the wider planning merits of scheme, and the acceptability of any reasons for not meeting the advised 3.6mAOD FFL

EA comments received 14/01/20)

6. Following review of the updated documents that confirm that the finished floor levels will be set at or above 3.6mAOD we can **withdraw our objection.** The

plans submitted confirm that all of the habitable accommodation will be set at or above 3.6mAOD. This therefore confirms that the development will accord with our Local Flood Risk Standing Advice for this part of Christchurch.

EA comments received 07/10/20.

7. We can confirm, as per our letter dated 14 January 2020, that we have no objection to the proposed development providing that that the finished floor levels will be set at or above 3.6mAOD, and the recommended informatives.

South West Water (03/11/19)

8. **Asset Protection**
9. Please find attached a plan showing the approximate location of a public 3"CI water main in the vicinity of the above proposed development. Please note that no development will be permitted within 3 metres of the water main. The water main must also be located within a public open space and ground cover should not be substantially altered.
10. Should the development encroach on the 3 metre easement, the water main will need to be diverted at the expense of the applicant.
11. The precise position of water mains must be ascertained by hand digging trial holes after first contacting Bournemouth Water, who will give such information as is available regarding the general location of the mains in the area. No liability is accepted for the accuracy of any information given as to the position or existence of water mains. In particular, service pipes are not generally shown on mains records, but their presence should be anticipated and precautions taken to avoid damage.
12. Clean Potable Water
13. South West Water is able to provide clean potable water services from the existing public water main for the above proposal. The practical point of connection will be determined by the diameter of the connecting pipework being no larger than the diameter of the company's existing network.

Natural England
Comments received 04/01/2019

Objection, further information required

14. The application site is within the vicinity (within 5 km and beyond 400m) of Town Common which is notified as a Site of Special Scientific Interest (SSSIs) for the special interest of its heathland habitats and associated plant and animal species. Town Common is also part of the Dorset Heathlands Special Protection Area (SPA) and Dorset Heaths Special Area of Conservation (SAC) and Ramsar.

15. Natural England's advice to the authority is that the proposal will have a Likely Significant Effect on the European and International wildlife sites arising from the

increase in residential units and hence increase in urban related pressures, such as recreational access.

16. In the light of the recent ECJ ruling (People Over Wind & Sweetman v Coillte Teoranta (Case C-323/17)) which concluded that the avoidance/mitigation, e.g. as set out in the Dorset Heathlands Planning Framework (2015-2020) SPD, cannot be taken into consideration when considering the Likely Significant Effects of proposals on European wildlife sites (and Ramsar sites as a matter of Government policy). Natural England advise your authority to seek legal opinion of the requirement to undertake an Appropriate Assessment of the application under Reg 63.

17. Proposals to mitigate for the impact on the protected heathland through a contribution to Heathland Infrastructure Projects (HIPs) is a suitable mechanism, however there is no information regarding the specific HOIPs proposed. Due to the scale and localised impact of the development, without knowledge of the specific projects this contribution will go towards Natural England cannot conclude that the development will have no likely significant effect on the heathlands.

18. Natural England has previously discussed proposals to open access onto the nearby common land along the River Avon with the Council and would be happy to provide further advice on this proposal or identifying other suitable HIPs.

19. Natural England welcome the submission of a Biodiversity Mitigation and Enhancement Plan (BMEP), however this is not accompanied by a Certificate of Approval from the Dorset County Council Natural Environment Team (DCC NET). In this case, we recommend permission is not granted until the BMEP has been approved by DCC NET.

20. Provided the implementation in full of a DCC NET approved BMEP is secured through a condition as part of the grant of planning permission, Natural England agree with the opinion of the Natural Environment Team of Dorset County Council that the planning authority will have met their duties under Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 and Regulation 9(3) of The Conservation of Habitats & Species Regulations 2017.

NT comments received (19/12/19)

21. **Objection withdrawn, subject to securing mitigation**

22. Natural England welcome the submission of a Biodiversity Mitigation and Enhancement Plan (BMEP), however this is not accompanied by a Certificate of Approval from the Dorset County Council Natural Environment Team (DCC NET).

In this case, we recommend permission is not granted until the BMEP has been approved by DCC NET.

23. Provided the implementation in full of a DCC NET approved BMEP is secured through a condition as part of the grant of planning permission, Natural England agree with the opinion of the Natural Environment Team of Dorset County Council that the planning authority will have met their duties under Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 and Regulation 9(3) of The Conservation of Habitats & Species Regulations 2017.

24. Natural England have been working with the Council and applicant to develop appropriate mitigation in the form of Heathland Infrastructure Projects (HIPs), these have been identified in the submitted Heathland Infrastructure Project Scheme document (dated 22 July 2019). This document has been informed by advice from Natural England and BCP Council as the landowner and organisation responsible for the delivery of the HIPs. The BCP Landscape and Countryside Team Leader Mr Ottaway, should be consulted on the mitigation proposals with any changes incorporated to reflect his comments.

25. The submitted visitor surveys provide detail on the current level of relevant use of the sites which has then been used to assess available user capacity. This capacity is based on the levels of use of the Dorset Heaths and aims to recreate a similar experience in terms of density of visitors. Natural England advise that there is sufficient capacity within the identified HIPs sites for the proposed development and that they are located in areas where they will intercept new residents as well as a greater proportion of existing residents.

26. The HIPs measures, including capital works and ongoing maintenance to achieve the objectives set out in the HIP Scheme document are required to mitigate for the impacts and should be secured by your authority prior to completion of the Habitats Regulations Assessment. It is expected that HIP provision should be delivered in advance of occupation of dwellings, as early as is reasonably possible, to ensure that enhancements are as established and that there is no likely adverse effect on the Dorset Heaths.

27. Implementation may be subject to approvals from other authorities (Highways, or Environment Agency for example) and Natural England appreciate that flexibility may be required in the approach to meeting the objectives within the scheme document. The section 106 should make provision for BCP, as the managing organisation, to agree modifications of the HIPs scheme document with Natural England over the duration of 80 years from operation.

28. In addition, Natural England understands that the authority will secure a contribution for Strategic Access Management and Monitoring (SAMM) through a suitable legally binding agreement with the applicant, this requirement has been identified by the applicant in section 7.0.

29. Providing that the measures within the HIPs Scheme document submitted are fully secured within a section 106 agreement between the applicant and the authority which ensures the Council will deliver the agreed mitigation prior to first occupation and that the appropriate level of SAMM payments are secured, Natural England advise that the applicant will have demonstrated to the authority that it has mitigated the effects arising from the development on the Dorset Heaths.

30. In the light of the recent ECJ ruling (People Over Wind & Sweetman v Coillte Teoranta (Case C-323/17)) which concluded that the avoidance/mitigation, e.g. as set out in the Dorset Heathlands Planning Framework (2015 – 2020) SPD, cannot be taken into consideration when considering the Likely Significant Effects of proposals on European wildlife sites (and Ramsar sites as a matter of Government policy). Natural England advise your authority to seek legal opinion of the requirement to undertake an Appropriate Assessment of the application under Reg 63.

Millhams North

31. We have been asked by your authority to provide advice on the improvements proposed for Milhams North (Common). The Register of Common Land and Village Greens held by Dorset Council details who has rights to use it, and what those rights are. Natural England advise that the proposals for the enhancement of public access to the Millhams North as complementary to its designation as Common Land by enabling better access for the local people of Christchurch to the Common Land at Millhams North. There is no doubt that this is a high quality area of countryside which is little used by local people. No changes are proposed which would restrict access to the commoners to access and graze the land in line with their rights. Natural England is also aware of the natural function of the land as part of the River Avon floodplain, particularly affecting the site in winter. We do not consider that this would act as a barrier to its effectiveness as a HIP. The proposal for the stepped access will improve the access route onto the Common, providing an alternative to the regularly flooded right of way off Beaconsfield Road.

NE comments received <u>19/10/20</u>

32. **No objection**

33. The authority has received an updated Biodiversity Mitigation and enhancement plan (Aug 2020).

Biodiversity Enhancement

34. It is a requirement of all development to enhance the natural environment, as stated in the NPPF (2018 as amended), paragraphs 8, 170 and 175. Without enhancement, the development would not be complying with National Policy (NPPF 2018 as amended). Natural England advise that the document:

    - Biodiversity Mitigation & Enhancement Plan (BMEP) 28 Aug 2020

35. Provides evidence of mitigation of identified impacts as well as suitable biodiversity enhancement proposals. Natural England advise that if these measures are secured through a planning condition the planning authority will have met their duties under Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 and Regulation 9(5) of The Conservation of Habitats & Species Regulations 2010.

36. In respect of other matters relating to the mitigation of European protected sites Natural England have previously advised that the mitigation measures, if secured by the authority would be adequate to demonstrate no adverse effect on the integrity of the designated sites.

Dorset Wildlife Trust (03/01/2019)

37. The survey report states that "stag beetle records are present within the local area (although no such records exist from the site itself and no individuals have been recorded on site during any of the ecological surveys)". However, we have been shown some photographic evidence of stag beetles (a 'Section 41' species under the 2006 NERC Act) in the scrub area of the site, as well as the immediately adjacent gardens, and whilst we welcome the intention to remove any suitable deadwood found to the ecological corridor, we believe that it would be worthwhile to conduct a specific stag beetle survey immediately before any clearance work is done in the area of scrub, to avoid the possibility of killing any beetles or larvae on the site.

38. With regards to clearance of vegetation and felling of trees, it is stated that if clearance is not possible outside of the bird breeding season then the process must be preceded by a breeding bird survey by a qualified ecologist, and if active nests are found then a work must cease within a minimum three metre buffer until all the young have left the nests. We would suggest that a 3 metre buffer is insufficient to ensure no disturbance so that the adults will not desert the nest, and that this should be extended to a minimum of 5 metres.

39. It is also of concern that certain elements of the suggested mitigation process have clearly already been negated by actions of the developers which have already taken place. For example the garage of 41 Barrack road together with all the derelict outbuildings have already been demolished, and the ecological report states "It is understood that this was undertaken outside of the bird nesting season." i.e. this was clearly done In the absence of the ecologist. Likewise para 6.9 on page 55 states that the pile of rubbish close to the garage of 41 Barrack Road "will be sensitively dismantled by hand /under the supervision of an ecologist, avoiding the hibernation season". However para 5.5 on page 50 states that "During the demolition of the garage, the rubbish pile was removed. It is understood that this was undertaken outside of the hibernation period."

40. Again this implies that the ecologist was not present. This does not give confidence, in the absence of a signed agreement and requirement for photographic evidence from NET that any mitigation work will be carried out as specified.

41. Our major concern is with the proposed 'ecological corridor' which is intended as 'enhancement'. Considering the area of natural habitat which is to be lost under this development we do not believe that the corridor as proposed is nearly adequate to compensate for the overall biodiversity loss. In fact we cannot find any quantitative data within the report or BMP about this corridor. There is no indication of its length or how wide it is, but from the map shown in the appendix of the report it appears to be in the region of 3-4 metres wide, and only runs for part of the length of the western boundary of the site. We would suggest that such a corridor should be a minimum of 10-12 metres wide and should be extended along the north-western boundary. This corridor is supposed to incorporate a number of native and non-native tree species, wildflower grassland planting, plus a native hedgerow and some log piles for invertebrates. These are all laudable suggestions, but it would be quite impossible to incorporate all of those features into a corridor of that width. There is also no mention of how this corridor will be protected and maintained into the future, or how any maintenance work will be funded. It should require a funded management plan which is separate from the cutting of more formal grass and landscaped areas around the development.

42. In our opinion, as proposed, the mitigation and enhancement measures do not adequately compensate for the overall biodiversity loss, and so a further compensation payment may be required as calculated through the Dorset Biodiversity Compensation Framework. This can be resolved by ensuring that the BMP is sent to NET for consideration and a final calculation.

43. Finally we are concerned at the suggested mitigation for potential increased recreational pressure on the Dorset Heaths SAC /Dorset Heathlands SPA/Ramsar Sites. A residential development of this size should require a dedicated SANG, but the proposal states that mitigation will be achieved via securing enhancements to a number of nearby public open spaces, with final details to be agreed through the planning process. Whereas a new SANG can also incorporate many biodiversity features, the proposed enhancement of public open spaces will not necessarily increase biodiversity benefits, but is likely to be largely based on improving recreational and sports facilities. It is imperative that Natural England is consulted before planning permission is granted, and are satisfied that the proposals will be adequate to mitigate any adverse impacts on the nearby international sites.

DWT Revised comments received 23/12/2019

44. We note that an updated Ecological Assessment and Mitigation, Compensation and Enhancement Strategy has been submitted, as well as an updated

Biodiversity Mitigation and Enhancement Plan (BMEP). However, the accompanying BMEP guidance states under Section A, Paragraph 7.2 that BMEPs should not be used or made publicly available to view unless they are accompanied by a Certificate of Approval provided by the Natural Environment Team (NET) at Dorset Council.

45. The NET are listed as a consultee but have not yet provided a response. It is vital that this independent scrutiny of the BMEP is undertaken, to ensure adequate mitigation, compensation and net gains for biodiversity is secured. We therefore urge the council to require the developers to send the BMEP to NET with the appropriate fee. We also recommend that permission is not granted until a Certificate of Approval is provided for any submitted BMEP, and its implementation secured through a planning condition.

46. Although reference is made to trees providing suitable opportunities for nesting birds and roosting bats within the Ecological Assessment, only a safeguarding strategy for roosting bats is outlined in the BMEP. Furthermore, although the bat surveys did not identify roosting bats within the buildings, the Ecological Assessment outlines a suitable safeguarding strategy for demolition works, which again has not been captured within the BMEP. We would therefore like to ensure safeguarding is clearly in place for nesting birds in trees to be felled, as well as for roosting bats in the buildings to be demolished. The Ecological Assessment states that gardens "*…will allow usage of the site* [by foraging bats] *to continue in the future*". However, gardens as a foraging resource cannot be relied upon as adequate compensation for the loss of habitat and thus cannot be secured; many people do not have natural greenspace within their gardens, choosing to have gardens requiring little maintenance.

47. Reference is made to a sensitive lighting scheme in both the Ecological Assessment and the BMEP. The former however includes detail which has not been included within the latter. We therefore suggest that the details of a sensitive lighting scheme is secured through a planning condition.

48. The revised Landscape Plan (dated 30th October 2019) includes planting of *Rosa rugosa*, and invasive non-native plant species listed under Schedule 9; Part II of the *Wildlife & Countryside Act 1981 (& as amended)*. We would therefore want to see this species removed from the proposed planting list.

DWT comments received 20/10/2020

49. DWT have previously commented on 3rd January and 18th December 2019 outlining concerns regarding the potential impacts of this development upon biodiversity. DWT note the submission of a revised *Biodiversity Mitigation & Enhancement Plan* (BMEP) (Ecosupport Ltd, dated August 2020). However, some of our previous concerns appear to have still not been addressed,

specifically in relation to the width of the proposed wildlife corridor (now termed area) and the inclusion of an invasive non-native species in the planting scheme.

50. Wildlife corridor/area

51. The revised Landscape Plan (dated 5th Feb 2020) illustrates the proposed wildlife area as referenced by the submitted BMEP under sub-section 4.3.1. DWT note the wildlife area has been extended along the north-western boundary as per our previous comment. However, no indication of the width of this area is provided in either document, only that the area measures 696m² in size (or c ha) in the submitted BMEP. Using the scale provided on the Landscape Plan, it appears that the wildlife area is 10m wide in places but appears much narrower for the most part of its length. DWT therefore seeks clarification on the proposed width of the wildlife area and justification provided on the reasons the area is not at least 10m wide along its full length as recommended.
52. Furthermore, no indication has been provided regarding the ongoing maintenance of the wildlife area, only that 'The Wildlife Area sits entirely outside of private ownership and will be managed with all other areas of Open Space on site, thereby ensuring its continued presence and quality'. DWT recommend that a detailed management plan is produced outlining the proposed management prescriptions for habitat features within the wildlife area, to ensure these are appropriately maintained for the benefit of biodiversity as suggested by the submitted BMEP.
53. DWT note that the revised Landscape Plan still includes planting of Rosa rugose and therefore again recommend this species is removed from the proposed planting list.
54. DWT welcome the mitigation strategy outlined in sub-section 4.2.5 of the submitted BMEP in respect of stag beetles. DWT note the proposal to perform stag beetle walkover surveys prior to vegetation clearance and during construction to safeguard against the killing of any adults or larvae on-site, as recommended in our previous response.
55. DWT recommend the implementation of the mitigation, compensation and enhancement measures outlined under Section 4.0 of the submitted BMEP are secured through a planning condition'.

BCP Biodiversity Project Officer received 06/10/2020

56. The details laid out in section 4.0 Mitigation, Compensation and Enhancements and map in Appendix 1 are fine and should be secured by condition for all to be delivered.

Dorset Councils Archaeologist

57. The application is accompanied a document produced by Bournemouth Archaeology that is entitled 'Former Christchurch Magistrates and Police Station Development Site, Bargates, Christchurch - Archaeological Evaluation, Written Scheme of Investigation' (document ref: BUARC/2018/0210.1). This document explains the archaeological background to the site and its environs, including the description of two previous archaeological evaluations on the site, both of which identified archaeological remains.

58. The document then proposes further archaeological work as mitigation for the proposed development's impact on those remains. In my opinion, what is described here is appropriate, and this work should be secured by condition if consent is granted.

59. I would normally suggest the following wording for such a condition:

60. 'No works shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant to, and approved by the Local Planning Authority. This scheme shall cover archaeological fieldwork together with post-excavation work and publication of the results.'

61. In this case, though, you may wish to refer more specifically to the Bournemouth Archaeology document as the 'written scheme of investigation'.

NHS Dorset (DCCG)

62. The links between health and the built and natural environment are well established, and we welcome this opportunity to comment on the implications of the proposed development for public health. In doing so I've drawn on a number of resources, in particular Public Health England's ' Spatial planning for Health – an evidence resource for planning and designing healthier places'

63. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/729727/spatial_planning_for_health.pdf

Principle of development and provision of affordable housing

64. The importance of living in good quality and affordable housing is associated with numerous positive health outcomes. PHD support the principle of providing high quality affordable homes, including homes suited to the needs of older people.

65. We assume that, in accordance with Policy LN3 (Provision of affordable housing) of the Christchurch and East Dorset Local Plan Core Strategy the, the affordable housing provided on site will be secured for people in housing need in perpetuity, and will be made available to those with a local connection to Christchurch to ensure that it contributes to meeting both the current and future housing needs of the local community.

66. The applicant notes in the Design & Access Statement that Policy LN1 is a relevant planning policy consideration. We assume that the proposals will comply with the requirements of Policy LN1 (The size and type of new dwellings) of the Christchurch and East Dorset Core Strategy which stipulates that all new housing will be built to meet minimum living space standards. Ensuring new housing provides adequate internal living space is an important component of housing quality which in itself is an important determinant of health.

Access to greenspace/public open space

67. Access to, and engagement with, the natural environment (including urban greenspace), is associated with numerous positive health outcome. There is consistent evidence that having access to parks and playgrounds is associated with increased physical activity and reduced risk of obesity. With this in mind we support the proposed provision of an enhanced, 'light controlled' pedestrian crossing to enable occupants of the proposed development to access areas of greenspace to the south of the A35.

68. The proposed 1 bedroom flats in Block A do not appear to benefit from any shared outdoor space and the proposed development does not provide shared space for allotments/food growing. Across the proposed development overall there appears to be limited provision of green/public open space, barring a central area which appears to be accessible only from a central car parking area. Given the numerous benefits to physical and mental health associated with adequate access to publicly accessible greenspace (of a variety of types and scales) we would support measures to incorporate these features into the proposed development. Providing infrastructure (e.g. outdoor seating areas, shared growing space, play equipment) has been shown to facilitate engagement with outdoor spaces and we would encourage incorporation of these features into the proposed landscape plan, along with provision of shared outdoor space to serve the proposed flats in Block A.

Provision for walking and cycling

69. There is a wealth of evidence to show that investing in infrastructure to support walking and cycling can increase physical activity across all age groups. Prioritising active travel can deliver co-benefits for health and well-being by avoiding air pollution associated with motorised vehicles and encouraging social interaction. Paragraph 110 a) of the NPPF states that new development should give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas.

70. With this in mind we would encourage the inclusion of the pedestrian link (omitted after pre-application consultation) from the proposed development site to Twynham Avenue (which appears to benefit from existing parking restrictions to mitigate the risk of vehicle overcrowding). This would allow occupants of the proposed development to access a shorter walking route to Christchurch Station as well as providing a more direct route for pedestrians from the High Street to

reach the same location via the development site. We would encourage the installation of appropriate signage and lighting to encourage pedestrian movement through the proposed development.

71. To ensure that the proposed development prioritises pedestrian movements within the site (as a means of enabling physical activity and securing the health and wellbeing benefits associated with it) we would encourage the inclusion of appropriate traffic calming and lighting measures to reduce vehicle speeds within the site and encourage walking/cycling. This seems particularly relevant for the road that will connect the A35 and B3073 on either side of the site where excess vehicle movements could impact on the health and wellbeing of residents through noise, air pollution and discouragement of pedestrian use.

72. We welcome the measures proposed in the submitted Travel Plan to encourage sustainable travel choices. We suggest that this also makes reference to encouraging car club use which could further encourage sustainable travel choices by occupants of the proposed development.

Climate change

73. The impact of climate change poses risks for public health and we would encourage the inclusion of measures to both mitigate and adapt to those impacts. The proposed development offers opportunities to do so through generation of renewable energy, rainwater harvesting and maximising provision of green infrastructure.

Social value

74. We recognise the opportunity that development of the site could offer to support the local economy and providing local employment opportunities. If the proposal is approved we would encourage consideration of providing employment for local people during construction and/or apprenticeships or other routes to accessing employment. Employment is recognised as an important determinant of health and the development could provide an opportunity to influence this and/or support the local supply chain.

Further comments NHS Dorset (DCCG)

75. Stour Surgery does not have capacity to register these patients in our current building. Is there funding to help us enlarge the surgery? If not what is the plan to accommodate these patients with a local GP?

Natural Environment Team (Dorset Councils) 18/12/2018

76. I note that an Ecological Assessment and Biodiversity Mitigation Plan have been produced however, it would appear that these have not yet been submitted to the NET for review and approval under the Dorset Biodiversity Appraisal Protocol. If the applicant submits the documents along with the appropriate fee we would of course be happy to process the submission and review any proposed mitigation, compensation and enhancement required for protected species and notable habitats.

Revised comments 05/02/2020

77. The revised plan for the ecological corridor is an improvement on the original proposal and the increased length and width of such is welcome. However, concern remains where the width of the corridor is reduced to 3m due to the lack of certainty of successful mitigation both to compensate for the loss of existing on-site habitat and its long-term ecological function. Smaller width areas are likely to be difficult to maintain and manage appropriately for wildlife. I note the comments by the ecological consultant highlighted by the agent, and whilst we appreciate that there are no existing direct links to adjacent green infrastructure or natural habitats, the area does provide an island /stepping stone in the urban landscape and as such is an important ecological feature. The green corridor is the only means, given the quantum of development, by which the loss of the existing habitat can be mitigated, which we are not entirely confident of and which means that the development will also fall short of realising a net gain for biodiversity. This may therefore, call into question full compliance with the mitigation hierarchy set out in the NPPF.

78. If however, the authority are minded to grant permission based upon the current proposals, the BMEP should be amended to show the improved corridor provision and should include an additional commitment to produce a detailed design and management regime of the corridor to be submitted to the authority for approval. The certified BMEP should then be made a condition of the permission.

Christchurch Town Council 18/11/2019

79. Raise OBJECTION for the following reasons:

a) The proposed development results in a loss of public car parking capacity serving the town centre with no provision for replacement parking either on the proposed site location or within the vicinity and does not provide for any commuted infrastructure contributions in lieu of on or off-site provision contrary to saved Policy P5 of the Christchurch Borough Council Local Plan 2001;

b) The proposed development creates an unsympathetic relationship along the western boundary with Twynham Avenue residents. The proposed green strip along this boundary has been significantly reduced and given the proposed development along this boundary it shall result in an adverse relationship with the existing occupiers of Twynham Avenue contrary to saved policy H12 of the Christchurch Local Plan 2001 and HE2 of the Christchurch and East Dorset Local Plan -Part 1 Core Strategy.

DC Lead Flood Authority - Revised comments received 7 February 2020

80. Following our earlier Holding Objection, and in addition to any previous submissions, we note that the applicant has provided documents which provide

detail regarding drainage from the applicant's site. As a result, we can acknowledge the following:

81. In the absence of information about Ground Water (GW) levels, the applicant has presented a backup strategy in the form of an attenuated discharge to Wessex Water (WW) SW Sewers. We understand that GW monitoring is being commissioned for the site, if they are found to be favourable then infiltration at the site could proceed and detailed designs produced at Discharge of Conditions (DoC) / detailed design stage accordingly. However, in the event that GW levels are too high, a proposed attenuation system has been demonstrated as feasible.
82. In support of the revised, provisional drainage design the applicant has submitted a breakdown of impermeable areas post development and calculated brownfield discharge rates in a way that accords with the CIRIA SuDS manual.
83. Attenuation volumes and indicative layouts have been provided to facilitate acceptable discharge rates that broadly accord with expected rates from the site an may offer some betterment beyond the current baseline scenario.
84. The applicant has demonstrated a viable drainage strategy and provided the neessary detail to substantiate this. We therefore have no objection to the aplication subject to the conditions and informatives at the end of this letter being included on any permission granted.
85. Whilst we are willing to recommend conditions at this time, we would draw your attention to the following:
86. The applicant has still not presented a drainage system which offer any multifunctional benefit. The drainage systems proposed offers no amenity, no ecological and no water quality benefit. This does not accord with paragraph 165 of the National Planning Policy Framework and is particularly disappointing given the loss of some green areas within this site and the close proximity to Christchurch harbour, however, in respect of ecological harm or water quality issues you would need to consult Dorset Council's Natural Environment Team and Natural England respectively.
87. In your email to us dated 16/01/2020, however, you advised that the weight likely to be accorded to this policy would be low due to lack of housing supply within Christchurch. Clearly, allocation of weight to policy is a planning matter; we are content that the drainage system proposed will work, but do not consider that it accords with best practice or policy regarding SW management. This point, in our view, should be highlighted to the planning committee.
88. We note that future maintenance and ownership of the proposed infrastructure has not been addressed but are content for this to be dealt with by way of the condition(s) below. To ensure that the above elements are properly considered, and a detailed design provided, we recommend the following conditions be attached to any permission granted.

Conservation Officer of former CED Council (15/03/2019)

89. The area of Christchurch known as Bargates has a well-documented history that can be researched in various places that explain the development of a typical Saxon town as is Christchurch. Christchurch has a strong sense of place and this is displayed within the material and textures used in the construction of the vernacular architecture.

90. With the obvious exceptions such as the Priory, The Castle and the remains of the Constables House, high quality brickwork has been the precedence. It is unusual to encounter such an avoidance of freestone architectural detailing in a town that is within reach of limestone, sandstone and green sand building material options,

91. Classical architecture styles and themes that have carried across the Georgian period into the Victorian era and into the recent 20th century have maintained a continuity of local brickwork style in texture and bond.

92. Typically, buildings display a Flemish bond with burnt headers or decorated headers to present the de rigueur checkerboard brick pattern. This is highlighted when this theme is not followed or adhered to and material options are not controlled, as in the modern handling of the Hospital buildings on the northern approach to the town centre. A well-constructed and designed building being let down in the brick choice and bond. A modern terracotta brick fired at high temperature has been used on this building, with a cementitious mortar…out of character and somewhat alien to the character of Christchurch.

93. Christchurch brickwork is a significant driver that should be at the forefront of any major development and the choices are vast. The dimensions, clay choice and firing temperature of the brick material are where control should be a focus.

94. Mortar joints and bedding mortar to be compatible with the low fired, soft clay bricks. The standard approach being to insist upon a lime based mortar. This detail also requires a specialist focus to ensure that the mortar is not uniform throughout and is chosen or selected to compliment the various brick colour and textures that the palette will comprise of. The usual housebuilder approach is to use a mass produced hydraulic lime mortar that can be mixed to order from a huge silo. This approach does not lend itself to the expectation or demands of the locale vernacular style, being a display of varying shades and textures of materials used in the equally varying pointing styles.

95. If the design of the dwelling asks for stone sills or lintels, then these should be stone and not composite elements. The ranges of cast cement based reconstituted stone products do not age well and will not oxidise or collect patina that compliments the brickwork.

96. Genuine or authentic compound brick arches or lintels to be insisted upon as a specification condition. The use of creasing tiles or plain tiles to add string

courses or platt bands is suitable and calls for expertise within the craft of the bricklayer or mason.

97. Rusticated or ashlar facing is not a usual handling of the façade of Christchurch. This is usually displayed in a better grade of brick and with detailing to the quoins. Either being proud of the façade or by being a slightly different shade of brick.

98. The recent trend to paint brickwork within Christchurch should be avoided at all cost and the brickwork, if beautiful should remain and any further painting of nearby extant dwellings to be carefully controlled. Once painted, the character has diminished significantly.

99. There are a few properties within the existing building stock of Christchurch that are rendered. These are rendered over the brick and do have a gentle ashlar incised texture. This trend appears to come about after the introduction of an early cement product. It is most likely a Vicat product and was in general use from around 1860-1920.Not really cementitious but magnesium based, hydraulic lime. Very fast setting and pre dated the British "Roman cement" from the Victorian era.

100. If a rendered façade assists with the theme of ongoing development of the new estate, the render material and skill that is required to produce an indented ashlar is to be conditioned or controlled by sample panels prior to application. This can look awful and inappropriate if not managed.

101. Roof cover can be natural slate/Plain clay tiles or pan tiles. The selection and options are vast. Recently Spanish slates have proven themselves to be acceptable but great care to be taken in the selection to ensure minimum iron content and that they are true riven slates rather than sawn.

102. Obviously avoid fake chimneys, grp chimneys are an insult to any house and town planners need to steer designers away from these as an option. They do not age comparably with the genuine materials that they hope to emulate.

103. Cast iron rainwater goods, black-gunmetal. No plastic. External joinery including doors and windows-Good quality sustainable sources such as joinery grade Douglas fir. Painted. This to follow through on soffits, barge boards and timber fascia.

104. There are some very well made metal framed door and window options such as the new crittal or bronze casement company. These would add a variation if required especially on the dwellings that have an ancillary style or being of the converted stable theme. Small panes with genuine glazing bars.

105. The concept buildings as proposed are well proportioned and offer a variety of styles and sizes that complement the historic development of Christchurch. A varied and interesting roof scape will positively enhance this area of the town.

106. In order to deliver this estate, sacrifices will be required. One being the older public house called the Goose and Timber. A commercial building that seems to have lost the sense of place that other buildings within the town have managed to retain. They have also maintained or retained their community which is not the case here.

107. A prime regeneration project with nearby amenity and with a mixed commercial/residential use. Within the adjacent conservation area stands a listed building. The clock chain factory. This building should be used as design lead to offer solutions to the symmetry issues that do occur within some of the concept designs.

108. If the proportions suggest a second or a third garage door would add balance or interest, these should be added or defined as being present at a point in time. The use of conservation roof lights to be encouraged and to ensure basic symmetry is delivered when positions of dormers, windows or doorways are considered.

109. The tall buildings and the narrow elements of the town houses are exquisite and bring so much character to this redundant part of Christchurch.

Summary

110. Bricks to be taken from a palette of reds through to buff. Including snapped or burnt headers. To be low fired soft clay. Mortar to be taken from a palette of colour and texture that compliments the soft clay bricks. To be a true lime mortar comprising of sharp sand/stone dusts and either hydraulic lime or putty lime. Sharp sand/stone dust 2.5 :1 part hydraulic lime, No cement or additives. Sharp sand/stone dust 3: 1part putty lime.

111. The above are industry standard mortar proportions and should not be ignored. The use of pigments within any mortar has a very short life as the pigment being water soluble will leave the set mortar and bring about a colour change that will be incompatible with the building elements.

112. An exemplar panel of the built brickwork to be installed prior to specifications being set is a usual way of controlling the quality. This set of dwarf walls to be on site and maintained throughout the build phase and only removed once all brickwork is signed off. This helps broadcast the intention and the focus of the council to ensure that this is a quality regeneration project within the heart of Christchurch.

113. The above costs no less than the other way. The other way being driven by modern housebuilder practices to save money or to use low skilled labour. This is

not a project that should be scrimped on with materials or craftsmanship. There may well be a bursary or grant available from one of the heritage craft skills bodies to assist with the project.

114. It may also warrant sponsorship from one of the heritage brick industries to advertise and educate the importance of using appropriate material.

115. Supportive of the scheme.

Tree Officer of former CED Council

116. The significance of the tree cover on the site has not been set out, except where, with notable exceptions (G41, G42, T8), trees have been identified for felling. The assessment is incomplete.

117. Most of the trees that are to be retained will have development surrounding them. Once again the root protection areas (RPA) of existing trees have been plotted as circles, using the minimum root protection area as set out in BS5837:2012. No attempt has been made to identify the actual RPAs of the trees, given the current use of the site. This approach puts the layout designer at a disadvantage when the local authority raises legitimate arboricultural concerns about the scheme.

118. All the significant trees that are shown for retention have some form of development within the minimum radial RPA as shown. While this is not unusual in urban developments, it does require detailed on-site assessment and interpretation of the collected data. It also requires site specific solutions to the issues raised by the arboriculturist, for an engineer to resolve. Using generic guidance, especially with the limitations as set out on the front cover of each site guidance note does not provide the certainty of outcome that the Council requires against the background of its duty under the 1990 TCPA, and in order to support an application with planning conditions in accordance with paragraph 54 of the NPPF.

119. As a result of all this the proposals are currently unacceptable because they will lead to the loss of and damage to trees contrary to Policy HE2 and HE3 of the local plan. I can offer a reason for refusal if required.

Additional BCP Tree and Landscape Officer comments received 15/01/2020

120. The tree concerns raised by the previous Tree and Landscape officer in their comments dated 10/12/18 and during the meeting held in March 2019 appear to remain. The placing of dwellings and/or parking just outside the root protection areas of the retained TPO trees on site appears unchanged in the updated arboricultural assessment and method statement, ref: 17301-AA6-PB, dated 15/11/19. Therefore, harmonious relationships will not be created with the following trees, Norway (T11), Cherry (T50), Sycamore (T51), Sycamore (T21) and Yew (T25). The tree numbering is per the tree report. To date the Council has received no evidence as to why the protected Norway Maple (T10) needed to

be removed. While the proposed planting of a new tree is welcomed, appropriate tree species suitable for the site are still to be confirmed, again as discussed in the March meeting.

BCP Environmental Health (14/01/19)

Contaminated Land

121. There is believed to be some former historic contaminative uses on site, but the site is not classed as contaminated. However our standard contaminated land condition should be applied.

Noise

122. The development should be conditioned in line with the noise report. The development must be built to the specifications set out in the Noise Impact assessment - Technical Report: R7574-1 Rev 0. This report demonstrates that with some mitigation, including acoustically rated glazing and ventilation, in the habitable rooms of the residential dwellings (as shown in Glazing Zones Plan), would comply with maximum internal levels of 35 dB LAeq during the daytime, 30 dB LAeq at night, and 45 dB LAmax,f at night for regular events.

123. The plans show some commercial units and flats that might have external plant associated with it. The noise from any plant in the development must be controlled to 5 dBA below the typical background level when measured at the façade of any noise sensitive property.

124. The proposed retail units have residential above them. Therefore deliveries and waste collection from the retail units should be limited by condition so that they do not occur between 19:00h and 07:00h

Construction

125. A construction method statement needs to submitted and agreed by the LPA before construction commences. It needs to detail how nuisances (noise, odour, dust, smoke) will be avoided.

Demolition

126. A demolition method statement needs to be submitted and agreed by the LPA before demolition commences.

CCTV

127. Currently we have a camera sited in Pitside Car Park. It is an important camera for us providing unique coverage of specific locations that are relevant to our aims and objectives and its loss will adversely affect our operations. Due to the height of the development the field of view of this camera will be obscured. To replace these lost views the existing camera will need to be relocated, and two additional cameras will need to be installed. The Environmental Health Department, who manage the Council's CCTV, require a one-off contribution towards the cost of relocation of the camera and additional installation of 2 additional cameras. This has been estimated at £25,000.If agreed this will needed to be added to a section 106 agreement.

BCP Planning Policy

128. My comments on this application are in accordance with the NPPF, the adopted Core Strategy (2014) and the Magistrates Court Site Development Brief (SPG, 2003). However, it is important to note that while still extant, the Magistrates Court Brief is out of date. As such, my comments mainly relate to the NPPF, adopted Core Strategy and associated evidence base.

Housing Provision:

129. The proposed development includes 131 residential dwellings and 39 units of age restricted sheltered accommodation. A total of 170 dwellings are appropriate in this town centre location which will make an important contribution towards the Core Strategy housing requirement set out in Policy KS4. This is also consistent with Policy CH1 of the adopted Core Strategy which seeks to accommodate high density residential development alongside the projected requirement for retail floorspace.

SHMA Mix:

130. In measuring the mix for open market housing against the 2015 SHMA there is an over provision of 1 bed properties and an under provision of 3 bed properties. However, in this town centre location, where higher density development is appropriate, a higher number of 2- and 1-bed properties may be appropriate. The same imbalance exists with an over provision of 1 bed affordable properties and under provision of affordable 3 beds. Is there any potential for this mix to be revisited to establish a better balance of housing provision?

131. Policy LN3 of the adopted Core Strategy requires that brownfield sites should deliver up to 40% affordable housing at a tenure mix of 70% social rented / affordable rent and 30% intermediate housing. The definition of affordable housing has been broadened in the NPPF to include Starter Homes and Discount Market Sales. However, the tenure split, whilst including these broader categories will need to be broadly consistent with Policy LN3.

132. The submitted application proposes 31% affordable housing which takes into account the vacant building credit as set out in the NPPF. The NPPF makes provision for a vacant building credit where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building. In this instance, the developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought. Affordable housing contributions may be required for any increase in floorspace.

133. In this instance it has been agreed that a vacant building credit applies and a calculation has been submitted as part of the application. I trust that the case office has assessed the VBC and agreed with the calculation submitted.

Design and impact on the Conservation area:

134. The Magistrates Court Site is located adjacent to the Christchurch Central Conservation Area. A Heritage Assessment has been undertaken by Elain Milton Heritage Planning assessing the impact of the proposal on the conservation area and listed buildings. I trust that the Conservation Officer will provide detailed advice in terms of relationship and impact on the conservation area.

Transport and Access and Parking:

135. A Transport Assessment has been prepared by Odyssey on behalf of Aster Homes. This assessment concludes that no significant offsite improvements are required in order to mitigate the transport impact of the development. The main proposed measures include the site access road from Barrack Road to Bargates. I understand that parking provision will be in accordance with the Dorset Parking Standards which is consistent with the policy approach in the Core Strategy.

136. I note that off the existing pay and display parking spaces currently located on the site, 15 will be retained. I trust that this is consistent with the council's current car parking strategy and provision for the town centre.

137. BCP transport planning has provided comments regarding site access and in relation to the through road link from Barrack Road to Bargates. Issues have been raised that this route through the site could be used as a general through route / short cut by vehicular traffic which could have implications for increased turning movements and congestion at the main site junctions. The scheme has been amended so that the through link from Barrack Road to Bargates will be pedestrian and cycle only. I trust that BCP Highways will comment further on these revised proposals.

138. The pedestrian crossings on Barrack Road and Bargates are now proposed as Toucan crossings which appear to be more appropriate for pedestrian safety.

Flood risk:

139. Following my comments made in December 2018 the FRA has been updated in May 2019 and the flood risk consultants have applied the published SFRA Level 2 (2009) flood risk data which is welcomed. The FRA now identifies that the south east corner of the site is located within Flood zone 3 and flood zone 2 when climate change is taken into account to 2126. Development located within this part of the site includes residential and commercial so the 2126 scenario should be applied.

140. The Magistrates Court Site is identified as a strategic site in Policy CH1 of the adopted Core Strategy (2014) and as pivotal in delivery of the town centre vision. On this basis it is not necessary to undertake a sequential approach to consider alternative sites. However, there is not a detailed allocation in the adopted Core Strategy and the BCP Local Plan is at an early stage of preparation. Therefore, it is necessary to undertake a sequential approach within the site to locate development outside flood risk affected areas in accordance with the NPPF.

141. The 2019 Christchurch SFRA Level 2 is now available and the data can be provided to the flood risk consultants The 2019 SFRA identifies the south east corner of the site including the Pit Site car park within flood zone 3a (2133). Additionally, the edge of the Police Station site adjacent to Barrack Road is affected by flood zone 3.

Heathland Mitigation:

142. The adopted Core Strategy (2014) Policy ME2 requires that development between 400m and 5km provide mitigation to avoid adverse impacts on the heathland. For residential development of 40 or over the Core Strategy sets out a requirement to provide Suitable Alternative Natural Green Space. However, through the adopted Heathlands SPD there is flexibility on town centre sites to deliver an appropriate package of heathland infrastructure projects subject to agreement with the council and in consultation with Natural England.

143. The Adopted Heathland SPD sets out in paragraph 5.5 that, '*within the built up area brownfield sites are unlikely to be able to accommodate the scale of space required for a SANG and would therefore make a contribution through either S106 or CIL towards HIPs provision. It is expected that HIP provision should be delivered in advance of occupation of dwellings, as is reasonably possible, to ensure that there is no likely adverse effect on the Dorset Heaths'.*

144. It is therefore a requirement that the scheme identifies either suitable SANG provision or a package of Heathland Infrastructure Projects (HIPs) to be agreed with the Council. The responsibility is with the applicant to devise and implement an appropriate package of mitigation. It is necessary for heathland mitigation to be secured in perpetuity to mitigate the impact of the development. As established through the pre – application process mitigation provision should be secured through S106.

145. Eco Support Ltd has prepared a heathland mitigation strategy and management plan document on behalf of Aster Homes dated July 2019. A detailed heathland mitigation strategy and management plan has been prepared with the involvement of the applicant, BCP Council and Natural England. The following HIPs projects are proposed:

1) **Millhams Common** (3.5ha) (located 300m from the development site)

146. Phased delivery with 169th dwelling

147. 2) **Bernards Mead** (6.52ha) (located 1.4km from the development site)

148. Phased delivery prior to first occupation.

149. 3) **Land off the Merdians** (3ha) (located 670m from the development site)

150. Phased delivery with 85th dwelling.

151. The management plan sets out a programme for the management and maintenance of these HIPs projects in perpetuity. The costs for the delivery and management and maintenance of the HIPs schemes are the responsibility of the developer and will be secured though legal agreement. BCP will maintain land ownership of the HIPs and undertake management and maintenance. This package of HIPs projects has been developed with the applicant, BCP and Natural England and subject to Natural England's final confirmation I consider it to be an appropriate package of mitigation for this scheme.

Open Space Provision:

152. In addition to requirements for heathland mitigation, Policy HE4 of the adopted Core Strategy sets out requirements for on-site open space. As part of the submitted scheme there is no identifiable open space to address Local Plan requirements. If the approach is to utilise or enhance off site provision in this town centre location then this needs to be made clear.

Retail Provision:

153. The Magistrates Courts Site is located within the Christchurch Town Centre Primary Shopping Area. As such the site is located, 'in centre' for retail purposes and is highly appropriate to accommodate new retail development. In order to deliver the Christchurch Town Centre Vision in the region of 7,500 sqm of comparison and 2,300sqm of convenience floorspace is required in the town centre by 2028. The town centre has limited opportunities to accommodate this floorspace and the Magistrates Court Site is a key site to deliver a significant part of this requirement as part of a mixed use scheme. The 'Magistrates Court Site' is identified as a 'Strategic site' in Policy CN1 'Christchurch Town Centre Vision' and is to perform a key role in delivering retail requirements for the town centre. The Council is also now progressing a Local Plan Review and undertook Issues and Options consultation in the summer of 2018. As part of a mixed used scheme with residential, it is currently proposed that the Magistrates Court Site is allocated for 1,250sqm of A1-A5 floorspace. The emerging BCP Local Plan now superseded the Christchurch Local Plan Review and this site will be considered further through the BCP Local Plan process.

154. The submitted application proposes only 612sqm of 'commercial floorspace for flexible commercial/community space (A1, A2, A3, A4, B1, D1 (Museum only) use classes). In accordance with the Core Strategy and emerging Local Plan evidence base the A1 – A3 uses are welcomed as they will deliver additional retail floorspace. It is also acknowledged that the B1 and D1 uses will also enhance the town centre as a whole. . It is also acknowledged that recent changes in retailing have led to some uncertainty over the future direction of growth in the high street. Nonetheless, the level of provision is significantly below the 1,250 sqm of A1 – A5 which was agreed previously. The result of this low level provision will mean that it will be more difficult to find opportunities in the

Town Centre to deliver retail / food and beverage floorspace requirements for the town centre as identified in Policy CN1 and KS8 of the Core Strategy.

155. In this regard Paragraph 85 of the NPPF sets out a requirement to,

156. '*Allocate a range of suitable sites in town centres to meet the scale and type of development likely to be needed, looking at least 10 years ahead. Meeting anticipated needs for retail, leisure, office and other main town centre uses over this period should not be compromised by limited site availability…..'*

157. It is disappointing that the application includes no retail assessment or in-depth assessment of the likely occupiers that could be attracted to the site and town centre. Therefore, there is no robust justification for the level of retail provision currently being proposed. Comments about retail provision are extremely light and refer to a concern of Bargates businesses that there may be an adverse risk of trade draw from existing businesses. Additional retail development in this location presents an opportunity to create better pedestrian linkages between the High Street and Bargates and improved footfall which I would anticipate having a positive impact on existing retailers in the town.

CIL / S106 use / vacant building credit:

158. In accordance with the adopted CIL Charging Schedule infrastructure and 123 list requirements should be through S106 and the development should be zero rated for CIL.

Affordable Housing / Vacant Building Credit:

159. Comments regarding affordable housing are as set out above.

Education:

160. The proposed development will be required to make a contribution towards local education provision in accordance with DCC's standard methodology. I would have anticipated the level of contribution to have been agreed with the submission of the application so this matter needs to be resolved.

Heathlands:

161. As set out above the heathland mitigation strategy and HIPs projects need to be formally agreed by the Council and Natural England and secured in perpetuity by way of S106.

Highways Works:

162. Highways improvements to be delivered are mainly on site in addition to the provision of road crossings. These works will need to be agreed with DCC and secured through the legal agreement.

Conclusions:

163. This proposal for the Magistrates Court site presents the opportunity to deliver a positive mixed use scheme appropriate to its town centre location within the Primary Shopping Area. The delivery of 170 residential units will make a

significant contribution towards the housing requirement set out in Policy KS4 of the Core Strategy.

164. A heathland mitigation strategy and management plan has now been prepared which once agreed will provide a robust framework for the delivery of a suitable mitigation package in perpetuity.

165. Site access and highways matters raised by BCP transport planning have been addressed by the applicant in recent scheme amendments.

166. This site is identified as a strategic site in Policy CH1 of the Core Strategy which identifies the importance of the Magistrates Court Site delivering a significant level of retail development to contribute effectively to the Town Centre Vision and retail requirements. The level of provision proposed is currently 612 sqm which is below the 1250sqm previously discussed and consulted on as part of the Christchurch Local Plan Review. If the site comes forward with this level of provision it will be more difficult to deliver the current retail requirements in the Core Strategy and emerging Local Plan, even allowing for the current uncertainties in the retail sector nationally. This is not consistent with the NPPF, the Core Strategy (Policy CH1) and emerging Local Plan. No retail assessment has been submitted with the application to justify the approach adopted.

167. In terms of constraints, the site is affected by flood risk (Zone 3a and Zone 2) on the Pit Site carpark which has not been picked up in the FRA, and this needs to be addressed.

168. I have not commented in detail here about transport matters and design / impact on the conservation area. I trust these matters will be appropriately examined by DCC Highways and the council's conservation officer.

BCP Education Team

169. BCP Council has a statutory duty to secure sufficient and suitable school places for Bournemouth, Christchurch and Poole resident children of statutory school age. One of the most important but also challenging roles for BCP Council is to ensure that there are enough school places in the correct area for parents to access them.

170. Accurate forecasting of the numbers of children requiring school places in the local authority area is key to the school place planning process. BCP school pupil forecasts are updated on an annual basis.

171. There are five key factors that determine how many children there will be and the number that will require school places in the local authority area:

1. Number of births
2. Levels of migration
3. Levels of new housing development
4. Cross border flows of pupils, within Dorset and Hampshire in particular
5. Parental expressions of preference in applications

172. Estimates of the number of children arising from new housing developments are not included within annually updated pupil forecasts because the precise impact cannot be known until planning permission has been granted and the developments have been built out and become occupied.

173. To enable the Council to consider and plan for the impact of new housing development, a modelling tool is used by BCP Council to forecast the number of children that are likely to be generated from housing developments across the conurbation.

174. Number of additional places that would result from the proposed development and its phasing

175. The model has been applied to the submitted scheme. The proposal is for the demolition of the Police Station and Magistrates' Court and other buildings, and erection of 131 residential dwellings, 39 units of age-restricted sheltered accommodation (which are not factored into the modelling) and flexible commercial / community space.

176. The development is comprised of market homes, social / affordable / intermediate rented homes and affordable ownership homes. For modelling purposes these have simply been categorised as market homes and affordable homes, as the following table shows. Taking into account the phasing of the site all homes are considered as being delivered for the start of the 2022/23 academic year (September 2022).

Dwelling Type	Market Homes	Affordable Homes
1 Bed Flat	23	31
2 Bed Flat	24	10
3 Bed Flat	0	0
4 Bed Flat	0	0
1 Bed House	0	0
2 Bed House	7	6
3 Bed House	19	6
4 Bed House	5	0

177. The following figures are used to calculate the anticipated number of children to be generated from each housing type. These figures are the averages taken from the two most recent new build surveys conducted in Poole. No such surveys have been conducted in Christchurch and Bournemouth so the Poole surveys are used as an indicator to be applied across the BCP area. The surveys were completed by occupants of new homes built between 01/04/04 and 31/03/07 (findings published 2007), and 01/04/13 and 31/03/16 (findings published 2016). The outcomes of the two surveys were combined and then averaged out in order to provide a larger sample size.

Type of Home	Children per Market Home	Children per Affordable Home
1 Bed Flat	0.00	0.00
2 Bed Flat	0.12	0.70
3 Bed Flat	0.12	2.33
4 Bed Flat	0.12	2.33
1 Bed House	0.00	0.00
2 Bed House	0.10	0.75
3 Bed House	0.50	1.93
4 Bed House	0.50	2.40

178. Modelling anticipates that **39 children** will be generated by the proposed 131 new homes

Phasing of development

179. The 39 children anticipated to be generated from the development, when apportioned accordingly across the age spectrum using the latest mid-year population estimates as published by government, equates to 2 children per year of age (with a further year having 3 children). This single year with one additional child distorts the projections somewhat so it is reasonable to assume that the development will generate 2 children per year of age across the full 0 – 18 age spectrum.

180. The total numbers of places anticipated to be generated from the proposed development of 131 new homes are as follows:

- 10 x Early Years places
- 14 x Primary places
- 10 x Secondary places
- 4 x Post-16 places

181. The pupil place planning function must also plan for pupils who have Special Educational Needs or Disabilities (SEND). Using the January 2019 BCP School Census as a basis, 15% of children in BCP have SEND. Of this 15%, 9.4% attend specialist schools. When applying these percentages to the number of primary and secondary school children generated by the proposed development, no specialist places are anticipated to be required. Specialist Education places are all-through places (i.e. one place covers primary and secondary).

182. The analysis above is based on the proposed scheme and assumptions regarding housing type and tenure including the proposed percentages of affordable housing, and the delivery rate and phasing of the proposed development. Any changes or further information regarding these will need to be reassessed and these results could change significantly.

183. **View of BCP Council Pupil Place Planning function on the impact of a development of 131 new homes on school place planning**

184. It is the view of the Pupil Place Planning function at BCP Council that there would be the following impacts on school place planning in relation to the proposed 131 new homes.

185. Compulsory school age year groups – the current context

186. The closest BCP Primary phase schools to the site (measured by safe walking route) are Christchurch Infant School, Christchurch Junior School and Twynham Primary School. All three schools are generally popular and oversubscribed.

187. Nationally, demand for Secondary places is increasing. Across BCP Council as a whole, additional Secondary places are forecast to be needed for 2022/23 and 2023/24; there are also shortfalls in some BCP School Place Planning Areas in 2021/22 and 2024/25. The Christchurch Planning Area is forecast to have a shortfall in Secondary places over a five year period from 2020/21 to 2024/25. The closest Secondary school to the site (measured by safe walking route) is Twynham School; this school is popular and oversubscribed. Housing development during the phase indicated for the proposed development will mean that further new Secondary phase school places would be needed in addition to the extra capacity needed to meet increased demand from the current population. Mitigation will be required for the places needed as a result of the proposed development.

Early years provision – the current context

188. Prior to the formation of BCP Council in April 2019, Dorset County Council (DCC) provided the pupil place planning responses in relation to major developments in Christchurch. The original pupil place planning assessment carried out by DCC sought education contributions for the primary, secondary and post-16 phases. No early years funding was sought. In order to ensure some continuity from the original pupil place planning assessment carried out by DCC, early years funding shall not be sought through a S.106 agreement in relation to this proposed development.

Other Planned Developments

189. Other development is planned in the vicinity of the site. Pupil place planning must take account of the cumulative impact of all planned or likely developments. Therefore, this response applies to the proposed development in all its current stated details. If the proposal details vary, including number of units, housing mix, phasing and rate of delivery, the impact on school places will need to be re-determined.

190. **Mitigation**

191. School places are categorised as site-specific infrastructure to be funded through S.106 Obligations. Therefore, BCP Council will expect the developer to mitigate the full costs of all additional pupil places required as a result of the proposed development, or by any variation to it, through S.106. Again in order to maintain some continuity from the original assessment made by DCC, the costings used by DCC have been applied to the contribution calculations. The required contribution breakdown is highlighted below:

Phase	**Number of Places**	**Cost per Place**	**Total Cost**
Primary	14	£9,937.50	£139,125.00
Secondary	10	£22,525.00	£225,250.00
Post-16	4	£22,427.00	£89,708.00
Total		**£454,083.00**	

192. Any changes or further information regarding the housing mix of the proposed development will need to be reassessed and these results could change significantly.

BCP Highways

193. The majority of the site is being redeveloped for residential units with access roads predominantly serving residential units. Residential street design documents Manual for Streets 1 and 2 place pedestrian, cyclist and sustainable travel modes as a higher priority, above car use, in residential street design. This promotion of the ease of movement for pedestrians and sustainable travel modes is supported in local policies. Local Policy KS1 refers to development providing new or improving public transport, cycle and walking routes and also refers to permeable layouts which are direct and attractive for walking, cycling and public transport. At present the current layout of the site is very car dominant in design and more needs be done to promote walking, cycling and bus travel and to create a less car dominant, slower speed environment. Promotion of sustainable modes of travel will reduce car use amongst residents and reduce trips on the adjacent highway network. The proposal also needs to amend the proposed vehicle accesses to reduce the impact vehicle turning movements and address servicing issues to adjacent commercial premises on Bargates. In addition to legal agreements and planning conditions for highway elements of the proposal specific amendments are required to the proposed layout/submitted plans.

194. The proposal indicates a vehicle route running through the site linking Bargates with Barrack Road. This route is not supported as it could lead to more vehicles travelling through the site and residential area, the route could be used as a vehicle short cut from Bargates to Barrack Road and visa-versa increasing turning movements at the main road junctions. This route should be blocked for vehicles, but be retained as a pedestrian and cycle route providing a good sustainable link through the site. I suggest the route is blocked outside units 41-

42 with perhaps the provision of a hard paved raised landscaped area (benches/raised planters/cycle stands.). This area should still be given over as highway to the Council to ensure control over this through route is retained by the highway authority. Blocking the vehicle route outside units 41-42 would allow larger vehicles to turn should they enter off the Barrack Road or Bargates access by mistake and need to turn to leave the site. Amendments to remove the vehicle through route are required.

195. The main route and internal roads throughout the site should take the form of a less car dominant environment with the use of raised tables, non-defined pedestrian routes, changes in surface materials. Some shared space is shown within the proposal but this could be extended to include the central road, especially without it being blocked for through vehicles e.g. Footways could enter into the site but then terminate at raised table features and pedestrians could then utilise a shared carriageway. Roads within the site should have pinch points in areas, perhaps with raised planters, cycle stands, benches located on road build outs. With such features, road speeds within the residential environment are likely to be less than 20mph which should be the aim for residential streets. Amendments in the highway layout & materials are required to create a more pedestrian friendly/ less car dominant environment.

196. Where there are road junctions the footway/cycleway should continue across the junction taking the form of raised continuous footways/cycleway/shared spaces. This includes across the Bargates junction and Barrack Road junctions. With appropriate surfacing and road markings this will emphasise pedestrian and cycle priority across these junctions and internally within the site. The plans currently show over-engineered kerbed radii junctions at most junctions.

Barrack Road - Retirement Flats car park access:

197. I consider that the retirement flats access represents an unnecessary vehicle access when vehicle access for this element of the proposal could be taken from the lower category internal access road to the rear of this retirement unit (building alterations would be required) . This would reduce vehicle turning movements and potential vehicle conflicts on Barrack Road. It would also reduce vehicle movements across the footway/cycleway and also free up an area fronting Barrack Road for the provision of a new bus stop. It is noted that within the applicants' submitted documents an earlier scheme was designed to have the retirement flats accessed off the internal road. The retirements flats' vehicle access needs to be relocated.

Barrack Road – residential access:

198. This access should take the form of a raised continuous footway/cycleway access running across the junction and not kerbed radius access as is shown. With appropriate continuous footway/cycleway materials across the raised junction and vehicle give-way markings set back this will place priority on those sustainable modes of transport rather than vehicles. The raised tables would slow

vehicles as they enter the site. There is no need to have a tapered access for left turning vehicles (as is shown on the plans) off the main road as the taper would increase crossing distance for pedestrians/cyclists over the junction. Amendments to the road junctions construction/layout are required.

199. The proposed Barrack Road right turn lane is considered acceptable as this will reduce the likelihood of rear vehicle shunts for those vehicles passing the site from the east which have just left the Fountain Roundabout. The 3m wide main road lanes are considered acceptable. This width has also be deemed acceptable for cyclists on the main road in discussions with Council's Cycling and Walking officer.

Barrack Road – commercial car park access:

200. Again this access should take the form of a raised continuous footway/cycleway across the junction with vehicle give-way markings set back as referred to above. There is no need for tactile paving with the raised continuous footway/cycleway as pedestrians & cyclists will have priority. Amendments to the road junctions construction/layout are required.

201. The principal concern with this junction is the potential daily vehicle flows turning into and out of the junction particularly if a convenience store type retail use was to occupy one of the commercial units. Although restricted at present to left turn exit only by road signage there is potential for drivers to breach this restriction for convenience increasing safety dangers at this access. There is also significant potential for drivers to wait in the main road to turn right into the site which would increase safety dangers close to the roundabout exit and proposed signalised pedestrian crossing. A solution to these issues is to have a main road central kerb physical feature and signage to physically prevent right turn entry and right turn exit out of this access. I'd suggest this is a narrow feature on the nearside of the central ghost lane markings as this would then allow westbound buses to easily manoeuvre around any bus waiting at the bus stop located opposite this access point. There is also a pedestrian route through this commercial car park area and marking out of this route/emphasising pedestrian movement with appropriate materials, surface markings and signage will be important. The landscape plans show "cobbles" on the pedestrian route which would be an uneven surface for some pedestrian users and therefore alternative materials should be used. Central main road physical barrier is required to prevent right turns. Alternative pedestrian route materials required.

Sustainable modes

202. As referred earlier the proposal needs to do more to meet aims of promoting walking and cycle links. The proposal will house elderly residents and families with children and therefore safe attractive routes are important. Good sustainable travel routes also encourage lower car use. Therefore, a shared cycle/footway (ideally 5m width but 4m width would be accepted) needs to be provided across the Barrack Road frontage linking around to the proposed Bargates signalised

crossing point. This Bargates pedestrian crossing should also be changed to be a Toucan crossing. The 4m route should also be provided along the western frontage of the site. This would require widening of the existing footway in most areas. The shared footway/cycleway link will provide a safe pedestrian and cycle link for residents linking through to the town centre and nearest local supermarket. There are cycle parking points on Bargates over the crossing point which could be utilised as a termination point for the cycling route. The route towards the west would link to a new Toucan crossing I am requesting on Barrack Road (see later paragraph) and would also allow for potential future cycle/footway routes coming forward on neighbouring sites or as part of future road schemes. The westerly pedestrian route is also likely to be utilised as a route to the local schools of Christchurch Primary School and Christchurch Junior School and therefore a wider footway enhances this route. A minimum 4m shared cycle/footway should be designed to have 0.5m margin to the road edge, then 3m shared lane, then 0.5m margin to the development frontage (total 4m width).

203. On the south side of Barrack Road to the site is an attractive traffic free cycle path route to Christchurch Town Centre, which avoids the busy Fountain Roundabout junction for cyclists. The path also provides a pedestrian and cycle route to a play park, recreation ground and to Twynham High School, a school which may be utilised by children living within the new residential units. The route through the centre of the site from Bargates to Barrack Road will also provide an enhanced link to this cycle path. The application proposes a new central pedestrian refuge on Barrack Road adjacent to this existing south side cycle path. However, I wish to see this refuge upgraded to be a single phase Toucan crossing to ensure a safe pedestrian and cycle crossing point is provided across the busy main road. This toucan crossing not only provides a safe crossing feature but also has the added benefit of being an additional feature on the main road to slow traffic speeds (I have also requested VAS signs in the paragraph below to reduce the speeds).

204. The applicants speed survey information indicates relatively high vehicle speeds along Barrack Road. Given the increase in pedestrian activity (including children), vehicle turning movements and to create a more pedestrian friendly environment measures need to be put in place to encourage slower speeds on this road. I therefore seek the proposal provides 2 Vehicle Activated Signs (VAS) on Barrack Road on the eastbound and westbound approaches to the site. These can then be used to warn drivers of their speed and would act speed reduction measures, including on the approach to the newly requested Toucan crossing on Barrack Road. These VAS can be secured via legal agreement.

205. The proposed signalised pedestrian crossing to the end of Barrack Road at the Fountain roundabout is welcomed and I am satisfied that this remain as a pedestrian only crossing as there are no cycle links on the south side of Barrack

Road at this point. For both the Bargates and Barrack Road crossing advanced signage for the crossings would be important as they are on the roundabout approach.

206. For all the proposed crossings commuted maintenance sums will be required and these should be secured via legal agreement.

207. The proposal needs to encourage bus travel. Discussions have taken place with the Council's Accessibility team regarding bus provision in the area. There is no eastbound bus stop on Barrack Road to the front of the site. Closest eastbound bus stops are some distance away and involve crossing major road junctions. The future residents on the site, including in particular older residents, would benefit from a bus stop being closer to the site and the link that the bus service provides to areas of Christchurch including a large supermarket. This would encourage convenient public transport use and therefore lower car use, meeting sustainable development aims. Therefore, a new eastbound bus stop with a full width shelter, seating, raised kerbs and RTI should be provided on Barrack Road to the front of the site. The shelter needs to be placed at the back of the footway and current shelters are 4.5m x 1.9m in size. The ideal location for a new bus stop would be in the area currently at the existing access No.41 Stour Road.

Parking:

208. Residential Parking

209. The site is in a very sustainable location which should encourage low car ownership amongst residents. However, causal on-street parking spaces for visitors/home deliveries are very limited within the internal roads due to road widths, road junctions and long lengths of perpendicular driveway parking bays needing access and manoeuvring space. There are long lengths of internal access road where virtually no on-street parking opportunities exist. This lack of casual parking areas will result in cars parking half on/off footways, parking on junctions and inconsiderate parking. These issues are all to the detriment of an attractive safe pedestrian residential road environment. Therefore casual lay-by parking opportunities should be provided on internal access roads. On-street parking within the internal roads will need controlling to ensure long term commuter parking does not occur. Traffic Regulation Orders will therefore be required to allow short term parking only on appropriate areas of the streets, these could be secured via legal agreement.

210. Disabled appropriate parking provision needs to be increased within the residential areas and retirement flats car park area.

211. Commercial parking

212. The level of commercial parking is considered acceptable as there will be linked trips to these units from visitors parking in other town centre car parks. With improved bus, walking and cycle opportunities in the area this will encourage less car trips to the commercial units. However, I'd seek the provision

of a dedicated row of disabled appropriate parking bays to the rear of the commercial units as there are very limited disabled parking opportunities close to these units.

213. A number of public parking spaces are proposed within the area to the rear of the commercial units. I assume the other parking bays will be marked out for specific commercial units. Parking regimes within these parking areas should be such that long term commuter parking is discouraged. I would not wish to see any parking bays allocated for staff parking as staff should be encourage to use sustainable transport modes in this town centre location.

214. There is an existing electronic car park signage system in place to show availability in the Pit Site car park. Such a system should be retained to reduce the likelihood of vehicle congestion in the new smaller public car park, especially as that car park is less visible to passing motorists seeking parking spaces. The existing signage system for the Bargates Car Park will require removing to avoid driver confusion.

215. Cycle parking should be provided adjacent to the commercial units.

216. Commercial Servicing

217. The applicant has submitted tracking movements of larger vehicles within the site and commercial unit service car park area. The management of this rear commercial parking area will be important to ensure the vehicle manoeuvring areas are kept clear of obstruction, such as outside storage containers, bins etc.

218. Bargates

219. Traffic congestion also occurs on Bargates and it is considered that the provision of rear servicing for Bargates, where possible, will further ease the congestion.

220. T12 is a saved policy and although it refers to extension of the magistrates car park (the Bargates Public Car Park) I believe the issues referred to in the Policy are relevant to this proposal and this proposal can address matters of servicing to the rear of adjacent units on Bargates to ease congestion which would also assist with improving public transport movement along Bargates. There are a number of commercial premises which rely on the main road for servicing. Many of these units have narrow side accesses which are not ideal for larger delivery vehicles or refuse collection resulting in larger vehicles parking on the relatively narrow Bargates, blocking traffic including bus services. Therefore, in line with this saved policy, I'd seek that a rear road be provided along/up to the northern boundary of the site to provide rear servicing opportunities for properties fronting Bargates (Nos 34-58 are now the relevant addresses since the 2001 policy was written). Providing such a road may provide an opportunity for rear parking for a number of houses freeing up frontage road space for casual on-street parking.

221. Loss of public parking

222. The proposal will reduce the level of parking available for the general public with the removal of the existing 2 public car parks. The existing Bargates Car Park (around 90 spaces) currently has relatively low parking demand. The Pit Site car park (around 75 spaces) accessed off Barrack Road, has a higher existing parking demand. Both car parks have parking regimes as long stay car parks but this can have the effect of acting as a commuter car park with more than 4 hours parking being allowed. This does not encourage sustainable modes of transport amongst town centre workers who may find the car parks convenient. Further, the majority of streets within the town centre have on-street parking controls which restrict weekday parking and therefore the loss of these car parks is unlikely to lead safety issues on nearby streets due to displaced long term parking. There are other town centre car parks, closer to the retail centre, available for public use with the parking regime aimed at shopper/town centre visitor parking.

223. Saved Policy P2 from the 2001 Local Plan refers to extending the Bargates Car park to provide an additional 200 spaces but it refers to the intention that those spaces would be "used for long stay parking for employees in the Town Centre". As referred to above providing long term commuter parking within town centres, which have good sustainable transport links, goes against the aims of encouraging workers to use sustainable modes of transport and is contrary to the promotion of sustainable development, which is encouraged in numerous more recently adopted Policies.

224. Saved Policy P5 refers to replacement of public parking spaces. The proposal is providing some replacement public parking, although not at the level of the existing car parks, plus other commercial parking spaces related to the new units. There are public car parks available within the centre of Christchurch. As referred earlier the existing car parks principally provide long term parking options whereas more modern planning policies would seek to discourage long term commuter/workers car parking.

225. Therefore, the highway authority raises no objections to the reduction in long stay car parking as a result of the proposal.

Wider Highway Network impact

226. The above detailed comments address impact on the adjacent highway network in terms of vehicle movement at the site. Improvements to sustainable modes of transport links have also been identified in the above comments and these will encourage lower car trips to and from the site, lessening the traffic flow impact on the highway network. The existing adjacent highway network has relatively high vehicle traffic flows and there are existing uses on the site, including 2 car parks, which will generate some traffic flow. Therefore with improved promotion of sustainable modes of transport in the development layout, improvements to rear servicing on Bargates to assist traffic flow, and with the securing of a Residential Travel Plan the overall increase in traffic flow on the

wider highway network from the proposal would not be considered significant to warrant refusal of the proposal.

BCP Highways revised comments 20 December 2019

227. Comments on revised plans and transport Technical Note submission. The revised plans deal with some of the issues raised in previous highway authority comments.

228. The applicant's transport Technical Note comments that they are not extending the extra width shared cycle/lane across the whole site frontage to Barrack Road. The Technical note drawing ref: 15-167/022 Rev C Highway Improvements shows this extra width of shared cycle/footway stopping at the car park access to the retirement unit car park. This extra width is required to extend across the whole frontage. This is particularly important to give pedestrian space around the proposed new bus shelter location which at present would have a small amount of circulation space around the bus shelter for pedestrians/cyclist.

229. Providing the extra width along this length may impact on the landscape frontage and parking bays 149,153,156 & 159. Given the highly sustainable location of the site loss of some parking would be accepted as the wider footway/cycleway is of greater benefit. Extending the extra width also provides for better cyclist/pedestrian movements heading west towards the Stour Road/Barrack Road signals.

230. The bus shelter will need to be of Superstop standard including Real Time Information, circulation space around it, raised kerbs etc. Full details of the bus stop will need to be further agreed as a part of planning conditions/S016/S278 works.

231. The vehicle access onto Barrack Road from the retirement flats car park has been retained on the revised plans. Vehicles exiting the access and wishing to turn right would have to cross 4 lanes of traffic and a right turn lane. In order to avoid these manoeuvres which have significant highway safety risk, this access should be left turn only and should therefore have signs, road markings (to Traffic Signs Manual standard) and a Traffic Regulation Order to indicate this.

232. Vehicles exiting the central street access onto Barrack Road and wishing to turn right would have to cross 4 lanes of traffic and a right turn lane. Having given this further consideration in order to avoid this manoeuvre which has a significant highway safety risk, this access should be left turn only and should therefore have signs, road markings (to Traffic Signs Manual standard) and a Traffic Regulation Order to indicate this.

233. The "Boundary and Hard Landscaping Plan" ref ASP.16.014.002.5 Rev A prepared by Aspire Architects shows the central street area to be "Permeable Black Tarmac". The pedestrian environment should be priority in the layout of residential highway layouts. This material will create car dominated street environment as it will look like a standard street surface material. This central

street material should be changed to have a different material than Barrack Road or Bargates then drivers will be aware they are entering a different residential street environment than the surrounding main roads. This whole tarmac area should be changed or at least a significant length as you enter off Bargates or Barrack Road. I had also previously suggested that footways could be removed from within the proposal to create a more shared space, pedestrian friendly, less car dominant environment.

234. For the general site plans none of the proposed highway works or bus stop improvements are shown. These works are significant safety gain in the proposal and for the avoidance of doubt and to make it clear to the public/Members what improvements are being proposed, I'd suggest that these highway improvement details are transferred onto the general site layout plan.

235. In order to promote sustainable modes of transport amongst future residents a Residential Travel Plan (TP) should be submitted for agreement. That TP should include a minimum of a 3 month bus or rail travel voucher per household and incentives for cycle purchase/use.

236. There are some on-street areas within the street layout where on-street bays could be marked out as part of the parking regime to provide casual on-street parking bays. Such parking bays are important for home deliveries, visitor parking etc. These will require TRO's to time limit the parking otherwise town centre commuter parking may occur. A full review of the on-street parking locations could take place as part of the S38/S278 works and I'd seek a specific contribution of £10,000 to cover the TRO works including for the legal orders, signs and lines required.

237. 3 parking spaces are shown for the retail units. The parking area to the rear of these units is now indicated as predominantly private residential parking. There is a risk that if any of the units are of a use that has a high turnover of parking, such as a small convenience food store, then drivers may choose to enter this parking area seeking parking spaces for convenience leading to congestion in this area. Therefore in order to avoid this I'd seek that the proposed commercial units are prevented from being food retail uses by planning condition. Planning Condition required to prevent use or change of use to A1 Food Retail Use

238. With the above amendments, the Highway Authority could offer support to the proposal.

BCP Highway revised comments 22/10/2020

239. In traffic and highway layout terms the resubmission is similar to the previous submission and therefore the Highway Authority's previous comments still stand but they've been further summarised below, with some alterations/additions. The scheme amendments have no significant highways impact to those considered as part of the previous submission. It is assumed that the applicant's previous

submitted Transport Assessment and highways technical notes are to be considered as relevant to this new submission.

240. The summary below contains details of proposed conditions and S106 clauses . The proposed conditions have been reworded from our previous comments to taken account that the development may come forward in differing phases. It is therefore important to ensure that conditions reflect potential phased piecemeal development and that they secure delivery of appropriate highway details , highway infrastructure, parking and delivery of roads/footways to serve the development if it possibly progresses in phases. This phasing was not reflected in the Highway Authority's previously suggested conditions.

Highway Mitigation measures

241. If the same package of highway improvements and mitigation measures , both to encourage sustainable modes of transport and for highway safety reasons is now proposed then the Highway Authority can offer support to the proposal. The physical measures are shown on the drawing *Proposed Off Site Highway Improvements Drawing No. 15-167/012 Revision E dated June 18* produced by Odyssey and contained within the *Odyssey Technical Note – Response to BCP Highways* dated September 2019. The measures include:

- New Toucan crossing across Barrack Road adjacent to the main residential road vehicle access. This crossing will provide a link with the existing recreation ground cycle/footway path opposite the site.
- New double Pedestrian crossing across Barrack Road adjacent to the Fountain Roundabout
- New Toucan crossing across Bargates adjacent to the Fountain Roundabout
- New Bus stop and shelter, with Real Time Information, on Barrack Road
- Widened footway to provide a shared cycle/footway along the Barrack Road/Fountain Roundabout frontage of the site.
- 2 x Vehicle Activated Signs to be located on Barrack Road to encourage reduced vehicle speeds.
- A vehicle proof barrier/feature in the centre of Barrack Road to prevent right turn into the rear car park area of the retail units car parks.
- A Residential Travel Plan containing measures to encourage sustainable transport including a 3 month free bus or rail voucher per household.

242. The existing buildings and car parks on the site may generate some pedestrian movement but the proposal is likely to generate significantly more movements, including from unaccompanied children and older members of the community which places a further emphasise on the requirement for the above highway safety measures.

243. The physical highway works will need to be subject to a S278 agreement which should be referred to within a S106 agreement.

244. Grampian conditions should also be imposed which can also refer to phasing of the mitigation measures in accordance with the demands placed by various parts of the development as they are occupied.

245. For the Vehicle Activated Signs (VAS) we propose that a sum of £15,000 is secured through the S106 for the provision of these signs by the Council with appropriate clauses linking the VAS signs to be used on roads within this development location.

246. Any vehicle exiting the developments various accesses onto Barrack Road and wishing to turn right would have to cross 4 lanes of traffic which could cause safety issues. Therefore all vehicles exiting onto Barrack Road should turn left only. Appropriate Traffic Regulation Orders, signage and road markings will be required to ensure that drivers turn left on exiting.

247. In addition to the above "No Right" turn works there are various others Traffic Regulation Orders (TRO's) with legal fees, signage and road markings required as part of the proposal including TRO's on all the roads within the site to cover no parking and the provision of a limited amount of on-street parking bays with time limited parking (to prevent commuter parking) and Beryl bike hire scheme bays . A contribution of £10,000 should be secured through a S106 for these TRO requirements.

Layout

248. Roads within the site have been designed to encourage slow speeds. The Aspire Architects plan *Proposed Site Plan Boundary and Hard Landscaping Drawing No. ASP.16..014.002.5 Revision Dated 25/7/18* indicates a variety of materials to be used for the internal road surfacing and these will encourage slow speeds and make drivers aware of the change in road environment to one of residential with pedestrian priority. The final road surfacing construction will be agreed as part of the S38 road adoption process but the materials should follow a variety of materials as indicated on the aforementioned drawing.

249. The vehicle accesses off Barrack Road and Bargates should all take the form of continuous footway/cycleway across these accesses. At these accesses the development access carriageway should be at the same level and of the same material as the footway/cycleway which crosses it. This places an emphasis that pedestrians and cyclists have priority and would also slow vehicles, in addition to giving an indication to drivers that they are entering a residential and lower road category area than the main road. **The site plan does not indicate such access construction for the accesses and for the avoidance of doubt this plan should be amended to show the continuous footway/cycleway.** If revised plans are not forthcoming then a condition could be imposed ie *Not*

withstanding the approved plans of the construction and layout details of the first 6m of each vehicle access into the site shall be submitted and agreed . This would also cover the area into the vehicle access to the commercial unit rear parking which would not be fully covered by road adoption construction approval.

250. It's important to ensure the highways are constructed to the appropriate standards and also that appropriate highways are delivered for each phase of development should the development come forward in a piecemeal fashion. A condition is proposed to cover these matters.

251. A S106 clause will be needed to give over roads and footways for adoption as part of a S38 process, including the land forming the proposed widening of the footway around the site. We would not propose adoption of the car park and servicing area to the rear of the proposed commercial units but to aid pedestrian and cycle permeability permissive routes through this area should be secured via S016 legal agreement.

252. There is a cycle store proposed along the line of what would be a proposed permissive route link through this rear commercial servicing area to Bargates. This cycle store should be relocated although this could be dealt with by condition if revised plans are not forthcoming. A Parking and Servicing Management Plan condition is detailed below which also seeks details of cycle parking and this could cover this matter.

Parking

253. The site is close to the town centre and the new bus stop/shelter, widened footway/cycle and new formal crossings will aid links to sustainable modes of transport encouraging lower car use and car ownership. The commercial units are likely to attract shoppers/patrons already using existing town centre parks for links trips to other Town Centre commercial units and therefore no specific general parking for these units is required (see Use Class condition comment below), although **some disabled appropriate parking bays should be provided in the rear car park** as the nearest disabled parking opportunities are not close by for patrons/shoppers visiting these units. This could be conditioned if the plans are not amended at this time. These disabled bays should be time limited to prevent all day commuter parking. With the addition of some disabled parking bays to the rear of the commercial units the parking provision for the various uses within the site would be considered acceptable. A condition is proposed below to ensure a Parking and Servicing Management Plan is agreed which will also cover phasing of the parking delivery to ensure each phase of development is provided with the appropriate parking as it comes forward. This agreed management plan can also cover disabled parking provision, cycle parking provision and how the commercial units will be serviced by delivery type vehicles.

254. There is a risk that if an A1 Food Retail (convenience store type use) were to locate within the proposed commercial units then this could generate a specific high vehicle parking demand as a destination and a quick vehicle trip turnover at the Barrack Road vehicle access. With this type of use drivers may choose to enter the rear parking area to seek parking, despite there being no or limited parking for such a use, and then they may take short term parking risks in this rear area parking in unauthorised spaces or vehicle manoeuvring areas. This could cause highway safety and congestion issues. **We therefore seek that a condition is imposed to prevent a Food Retail/Convenience Store type use operating from these commercial units.**

Loss of Public Parking

255. Comments are broadly the same as those initially provided.

256. In anticipation of the loss of public parking when the site was to be brought forward for development the previous Local Highway Authority, Dorset County Council, undertook a review of and made amendments to public parking in Christchurch Town Centre. As a result an **additional 105 public parking spaces** were provided. The existing Council controlled "Pit Site" Public Pay Display car parking bays to be lost as a result of the proposal is circa 69 spaces (some bays are currently fenced off for safety reason).

257. The "Bargates" car park is currently operated as a Public Pay and Display car park under a licence agreement with the owner of that car park. There is no obligation for the owner to continue that agreement and therefore that car park can be closed off to the public by the owner, regardless of whether this planning application receives consent or not. The fact that that car park can be closed to the public by the owner and the parking spaces removed from public use is a material consideration. This Bargates car park removal has not therefore been considered as loss of public parking which can be controlled. Again though, as referred above, 105 additional public parking spaces have been created in anticipation of the development of the whole site.

258. There are existing electronic Parking Signs on roads in the area associated with the Bargates and Pit Site public car parks. These signs will requiring removal/amendment to remove reference to these car parks otherwise drivers may be direct to the development site to seek public parking. Alteration/removal of these signs could be dealt with by planning condition.

Traffic Generation

259. There are 2 car parks on the site and other uses which could be brought back into operation. Vehicle trip generation from the proposal on the highway network would not therefore have a significant impact on the highway network compared with what could be existing and when the above package of mitigation measures to encourage sustainable transport modes and the sites location close to town centre amenities, which encourages fewer car trips/lower car ownership, are is

also considered. There are also significant highway safety benefits to the wider public as a result of the safety mitigation measures being required to mitigate the impact of the proposal.

Summary

260. BCP Highway Authority offers support to the proposal subject to the following conditions and legal agreement requirements:

261. **Conditions** (repeated from the previous submission with some amendments & additions particularly to allow for the development to be brought forward in phases but ensure appropriate parking and highways details are brought forward in association with the appropriate phase).

262. Full details of off site highway improvements works based on drawing *Proposed Off Site Highway Improvements Drawing No. 15-167/012 Revision E dated June 18* (produced by Odyssey) shall be submitted to the LPA for written approval. The approved works shall be delivered in accordance with the following phasing:

- New Toucan crossing across Barrack Road adjacent to the main residential vehicle access – to be delivered prior to occupation of any unit within either phases bounded Green or Blue on the attached plan
- New double Pedestrian crossing across Barrack Road adjacent to the Fountain Roundabout – to be delivered prior to occupation of or bringing into operation any unit within the phase bounded Yellow on the attached plan
- New Toucan crossing across Bargates adjacent to the Fountain Roundabout - to be delivered prior to occupation of any unit within either phases bounded Blue or Yellow on the attached plan
- New Bus stop and shelter, with Real Time Information, on Barrack Road - to be delivered prior to occupation of any unit within either phases bounded Green or Blue on the attached plan
- Widened footway to provide a shared cycle/footway along the Barrack Road/Fountain Roundabout frontage of the site – the total length of widened footway/cycleway bounding each phase shall be delivered prior to occupation of any unit within that phase

263. The following shall be submit to and agreed in writing by the LPA:

- A highway scheme to prevent the right turn of vehicles off Barrack Road into the rear car park area of the proposed commercial. The agreed scheme shall be implemented prior to the approved parking area being brought into use.
- Prior to the commencement of any works to construct roads, footways, parking areas and pedestrian routes, details of a highway phasing plan for the implementation/completion of each section of these works shall be submitted

for written approval. Development shall be carried out in accordance with the approved highway phasing plan.

- Details and specifications of construction, materials, drainage, street furniture and lighting associated with roads, footways, parking areas, pedestrian routes and the first 6m of any vehicle access shall be submitted for written approval prior to those works commencing on the associated phase of development requiring those works. Development shall be carried out in accordance with the approved details.
- Details of a highway feature, such as bollards or landscape planter, to prevent through vehicle traffic from Barrack Road to Bargates (or visa versa) . The agreed feature shall be put in place prior to the internal access road being connected to form a possible vehicle through route . The agreed feature shall be retained in place at all times thereafter or until such time as the internal roads and feature become the responsibility of the Local Highway Authority.
- Details of a scheme to amend/remove existing electronic car park signage associated with the existing Bargates and Pit Site Pay & Display Car Parks.
- (In the interests of highway safety and to ensure the provision of appropriate safe access is provided to each phase of development prior to occupation of that phase)
- Prior to any part of the development hereby approved being occupied or commercial uses coming into operation, a Parking and Servicing Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include details of; phasing of the car parking implementation, provision of disabled parking for the commercial units, servicing of the commercial units by delivery vehicles and details of cycle parking. The parking and servicing shall be managed in accordance with the approved Plan at all times thereafter.
- (In order to minimise long term commuter parking within the development, to ensure parking is delivered in accordance with the associated phases of development being brought into operation, to encourage cycling as a sustainable mode of transport and to ensure efficient and safe servicing of the commercial units.)
- Non of the approved commercial units shall be used as Food Retail use.

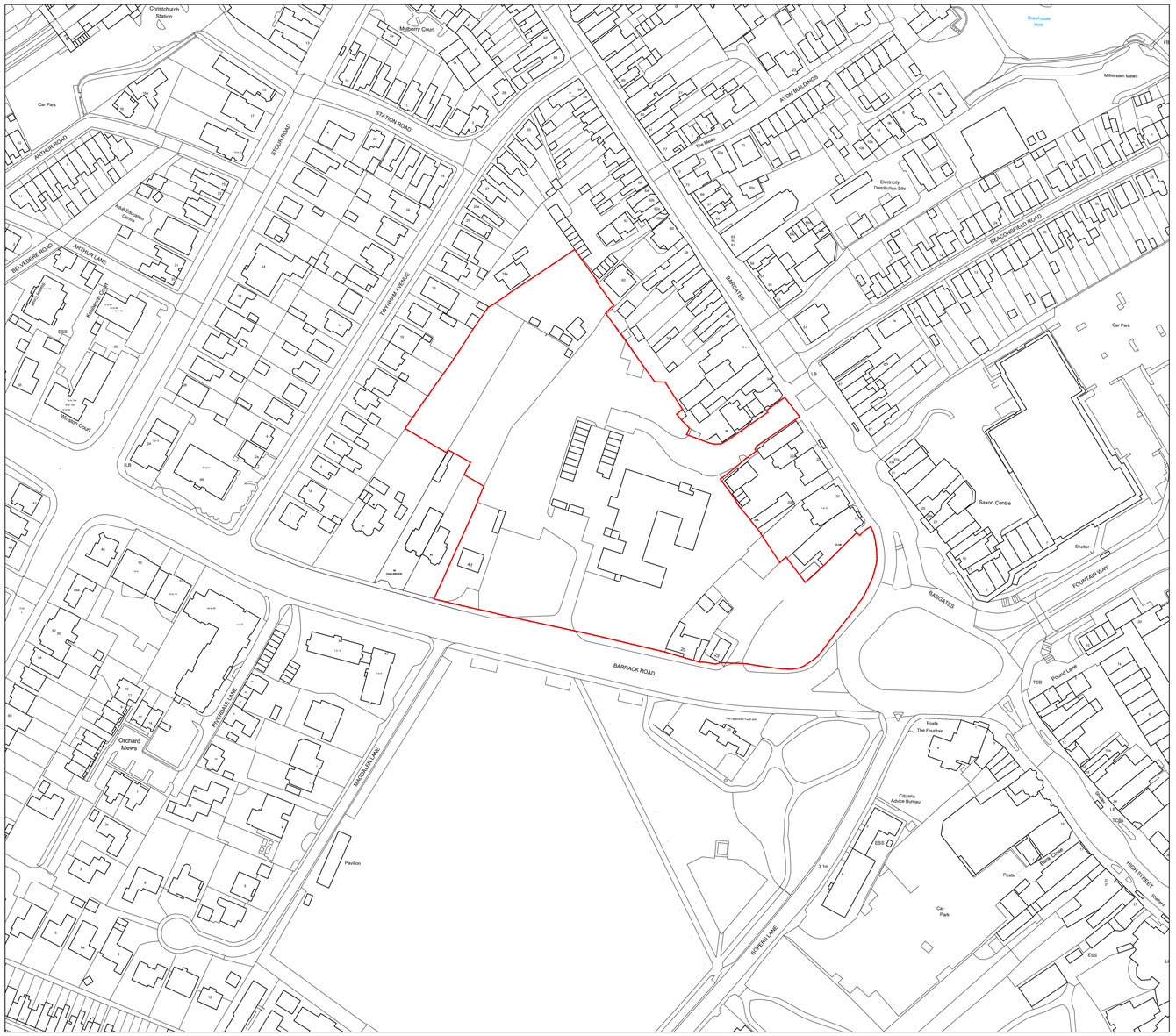
(To reduce vehicle trip and parking demands to the commercial units in the interests of highway safety)

S106 legal agreement Clauses to cover

264. Clauses for the following highway works to be delivered, linked to a S278 agreement, based on drawing *Proposed Off Site Highway Improvements Drawing No. 15-167/012 Revision E dated June 18* produced by Odyssey :

- New Toucan crossing across Barrack Road adjacent to the vehicle access
- New double Pedestrian crossing across Barrack Road adjacent to the Fountain Roundabout

- New Toucan crossing across Bargates adjacent to the Fountain Roundabout
- New Bus stop and shelter, with Real Time Information, on Barrack Road
- Widened footway to provide a shared cycle/footway along the Barrack Road/Fountain Roundabout frontage of the site.
- A vehicle proof barrier/feature in the centre of Barrack Road to prevent right turn into the rear car park area of the retail units car parks.
- £15000 for the installation of 2 Vehicle Activated Signs on Barrack Road
- £10000 for Traffic Regulation Orders (TRO's) and associated works including; "No right turn" orders for accesses off Barrack Road, parking restrictions and on-street parking bays within the site and Beryl bike scheme parking bays.
- Securing land to be given over for adoption and the adoption of roads and footpaths through the S38 process.
- Securing permissive routes for public use through non adopted areas of the site.
- (For both the S38 adoption areas and permissive routes see the attached sketch plan for an indication of these areas – final details to be agreed as part of the S38 process. This sketch plan is based on the previous submission layout plan, although the areas are extensively the same)
- A Residential Travel Plan containing measures to encourage sustainable transport including a 3 month free bus or rail voucher per residential household.



Proposed Location Plan (1:1250)
0 50m

NOTES:

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3. Contractors must verify all dimensions and report any discrepancies before putting work in hand or making any shop drawings.
4. Lower ground construction/ retaining structure to be structural engineers design.
5. Electrical layouts to be agreed with client & added to drawing
6. Drawings to be read in conjunction with specification.

Rev Date Description By PM

REVISIONS

PROJECT STAGE: PLANNING

CLIENT: Aster

PROJECT AND DRAWING TITLE:
Police Station,
Christchurch, Dorset.

Location Plan

Scale @ A1: 1:1250 **Drawn by :** DO
Date : 27/08/18 **Checked by :** CW

DRAWING No: ASP.16.014.001.1
REVISION: -

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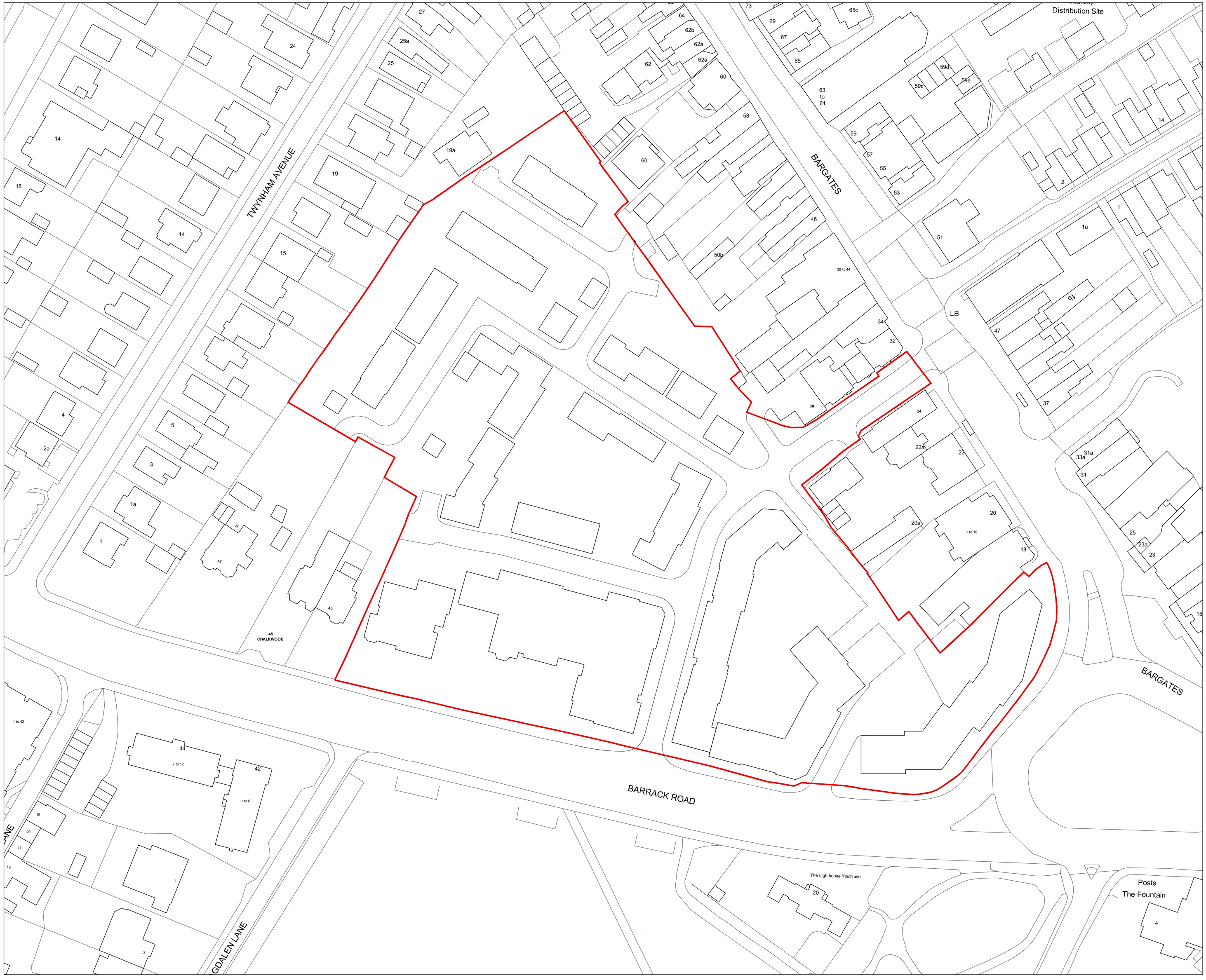

0 50m

Proposed Block Plan (1:500)

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158

Rev	Date	Description	By	PM
B	27.01.20	Unit removed and layout updated	CW	MS
A	19.09.19	Layout updated	CW	MS

REVISIONS

PROJECT STAGE: PLANNING

CLIENT: Aster

PROJECT AND DRAWING TITLE:
Police Station.
Christchurch. Dorset.

Block Plan

Scale @ A1: 1:500 **Drawn by :** DO
Date : 27/08/18 **Checked by :** CW

DRAWING No: ASP.16.014.001.2
REVISION: B

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Proposed Site Plan (1:500)

0 50m

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Rev	Date	Description	By	PM
G	18.08.20	Minor amendments to proposed layout.	CW	MS
F	23.01.20	Unit removal and layout amendments to allow for enlargment of Planting area to Western Boundry.	CW	MS
E	18.12.19	Amendments to proposed ground levels and associated landscaping to sections of Blocks A,B & C.	CW	MS
D	12.09.19	Layout and parking amendments. Front boundary moved back into site to allow for wider pavement.	CW	MS
C	30.05.19	Units 34 to 37 moved to the North. Units 16-19 amended, additional parking spaces added.	CW	MS
B	03.04.19	Units 34 to 37 roof plan revised so as the Roof Dormers amend to face to the rear (North East). Low Height and Metal Railing added to the frontage of Block C.	PS	CW /MS
A	20.03.19	T14 removed. Units 16-19 moved West	CW	MS

REVISIONS

PROJECT STAGE: PLANNING

CLIENT: Aster

PROJECT AND DRAWING TITLE:
Police Station,
Christchurch, Dorset.

Proposed Site Plan

Scale @ A1: 1:500 **Drawn by :** CW
Date : 25/07/18 **Checked by :** MS

DRAWING No: ASP.16.014.002 **REVISION:** G

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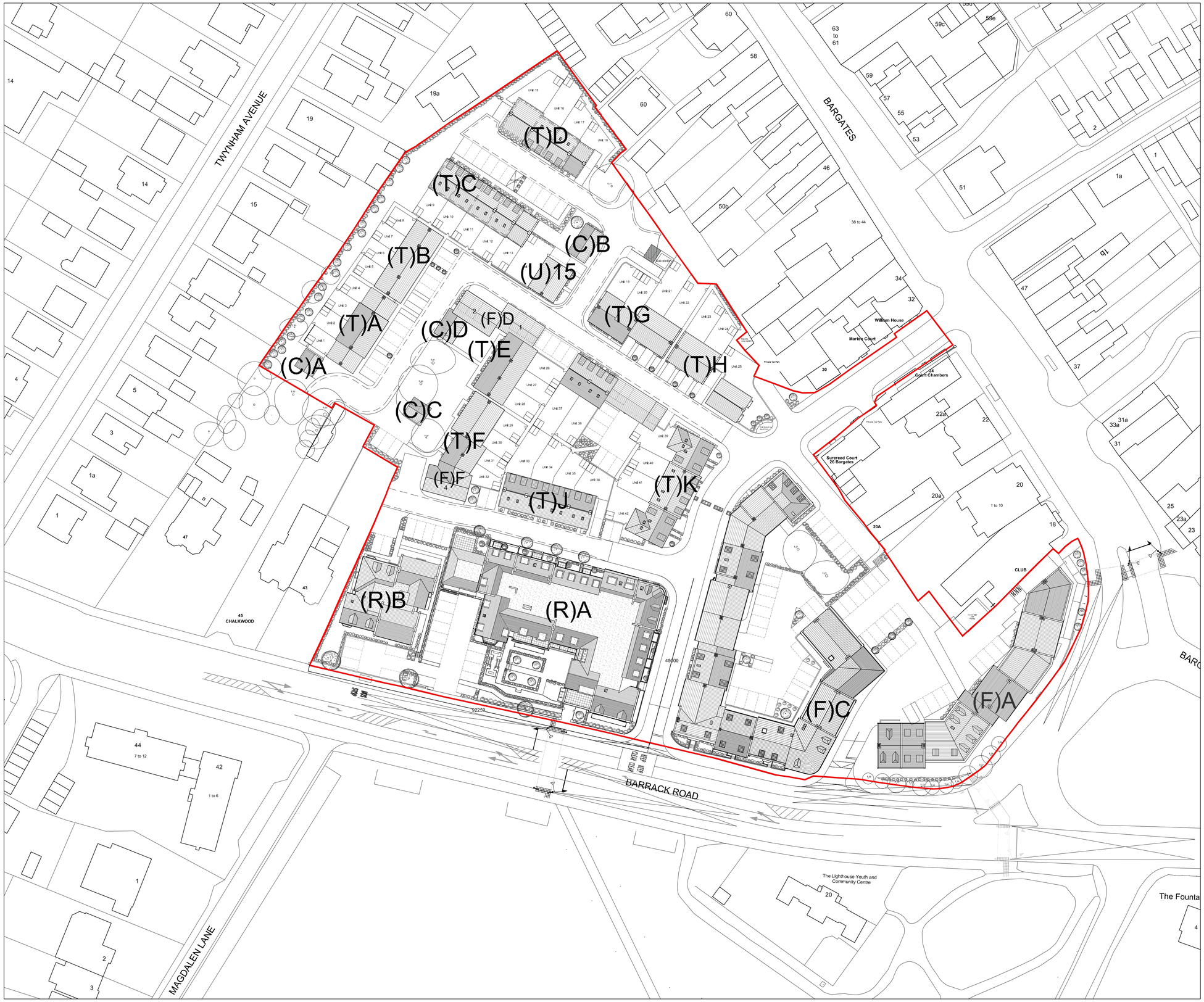

Proposed Site Plan (1:500)

0 50m

160

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6. Drawings to be read in conjunction with specification.

Key:
(T)-Terrace
(C)-Car port
(F)-Flat Block
(R)-Retirement

Rev	Date	Description	By	PM
E	18.07.20	Base Plan updated.	CW	MS
D	03.07.20	Base Plan updated.	CW	MS
C	28.01.20	Base Plan updated.	CW	MS
B	18.12.19	Amendments to proposed ground levels and associated landscaping to sections of Blocks A,B & C.	CW	MS
A	12.09.19	Various amendments to base plan.	CW	MS

REVISIONS

PROJECT STAGE: PLANNING

CLIENT: Aster

PROJECT AND DRAWING TITLE:
Police Station,
Christchurch, Dorset.

Proposed Site Plan- Key Plan

Scale @ A1: 1:500 **Drawn by :** CW
Date : 25/07/18 **Checked by :** MS

DRAWING No: ASP.16.014.002.1

REVISION: E

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Proposed Site Plan (1:500)

0 50m

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Key:

- Open Market
- Affordable Rented
- Shared Ownership
- Retirement
- Starter Homes / Discount open market

Rev	Date	Description	By	PM
D	18.08.20	Base Plan updated.	CW	MS
C	28.01.20	Base Plan updated.	CW	MS
B	18.12.19	Amendments to proposed ground levels and associated landscaping to sections of Blocks A,B & C.	CW	MS
A	12.09.19	Various amendments to base plan and proposed tenures.	CW	MS

REVISIONS

PROJECT STAGE: PLANNING

CLIENT: Aster

PROJECT AND DRAWING TITLE:

Police Station,
Christchurch, Dorset.

Proposed Site Plan- Tenure Plan

Scale @ A1: 1:500 **Drawn by :** CW

Date : 25/07/18 **Checked by :** MS

DRAWING No: ASP.16.014.002.2 **REVISION:** D

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Proposed Site Plan (1:500)

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Key:

- Houses
- Flats
- Retail
- Retirement
- Discount / Open market Flats

Rev	Date	Description	By	PM
C	18.08.20	Base Plan updated.	CW	MS
B	29.01.20	Base Plan updated.	CW	MS
A	18.12.19	Amendments to proposed ground levels and associated landscaping to sections of Blocks A,B & C	CW	MS

REVISIONS

PROJECT STAGE: PLANNING

CLIENT:

Aster

PROJECT AND DRAWING TITLE:

Police Station.
Christchurch. Dorset.

Proposed Site Plan- Parking Layout Plan

Scale @ A1: 1:500 **Drawn by :** CW
Date : 25/07/18 **Checked by :** MS

DRAWING No: ASP.16.014.002.8 **REVISION:** C

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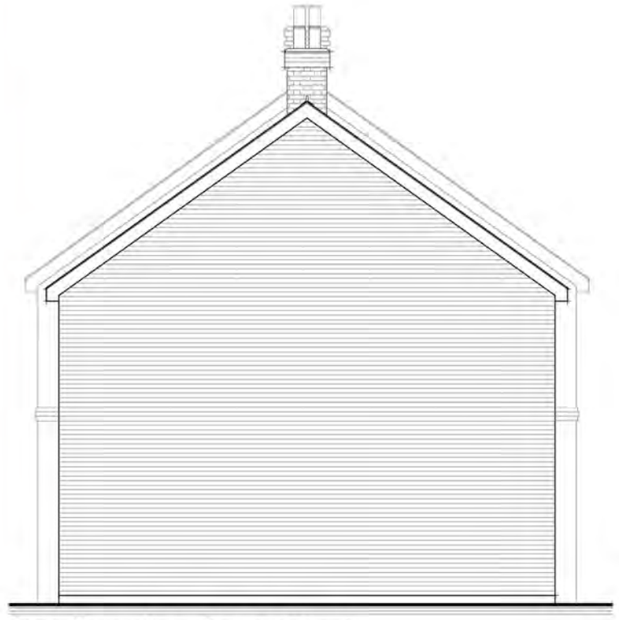
Front Elevation (South East)



Side Elevation (South West)

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5. Electrical layouts to be agreed with client & added to drawing.
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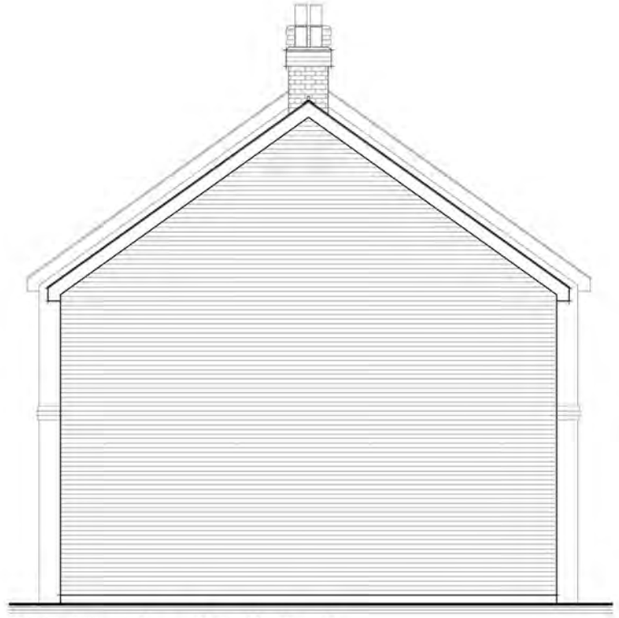
Rear Elevation (North West)



Side Elevation (North East)

Terrace A- Proposed Elevations 1:100

0 10m

Rev	Date	Description	By
A	29.05.19	Minor amendments to elevations	CW MS

REVISIONS:

PROJECT STAGE: PLANNING

CLIENT:

Aster

PROJECT & DRAWING TITLE:

Police Station,
Christchurch, Dorset

Proposed Elevations- Terrace A

Scale @ A3: 1:100 **Drawn by :** CW, PS
Date :D 17/07/18 **Checked by :** MS

DRAWING No: ASP 16.014.102

REVISION: A

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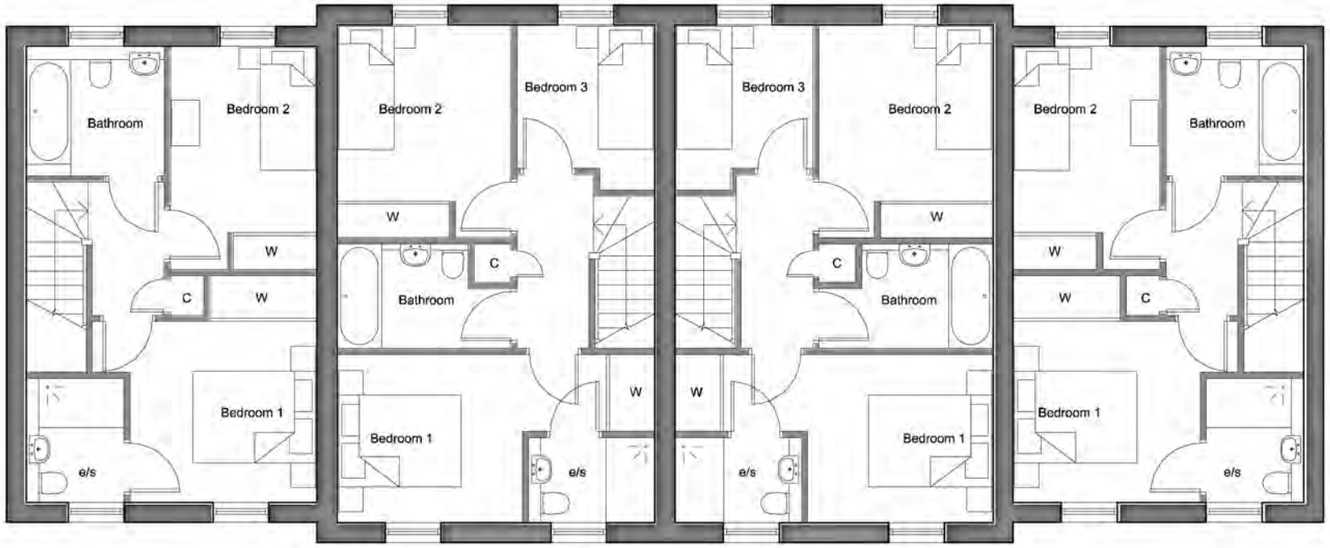
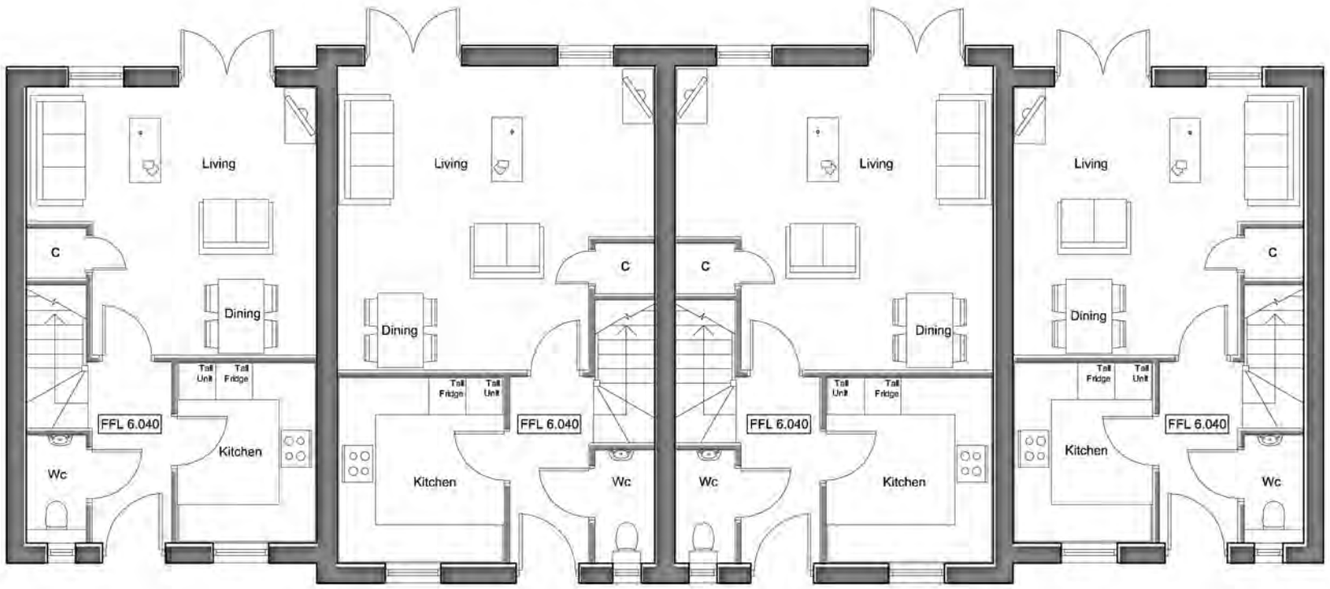
Terrace A (Units 1-4):
Unit 1- 2B3P- 70m²
Unit 2- 3B4P- 84m²
Unit 3- 3B4P- 84m²
Unit 4- 2B3P- 70m²



First Floor



Ground Floor

Terrace A- Proposed Plans 1:100

0 10m

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5. Electrical layouts to be agreed with client & added to drawing.
6. Drawings to be read in conjunction with specification.

REVISIONS:

PROJECT STAGE: PLANNING

CLIENT:
Aster

PROJECT & DRAWING TITLE:
Police Station,
Christchurch, Dorset.
Proposed Plans - Terrace A

Scale @ A3: 1:100 Drawn by: CW, TS
Date: 27/05/2016 Checked by: EMS

DRAWING No: ASP.16.014.100
REVISION: B

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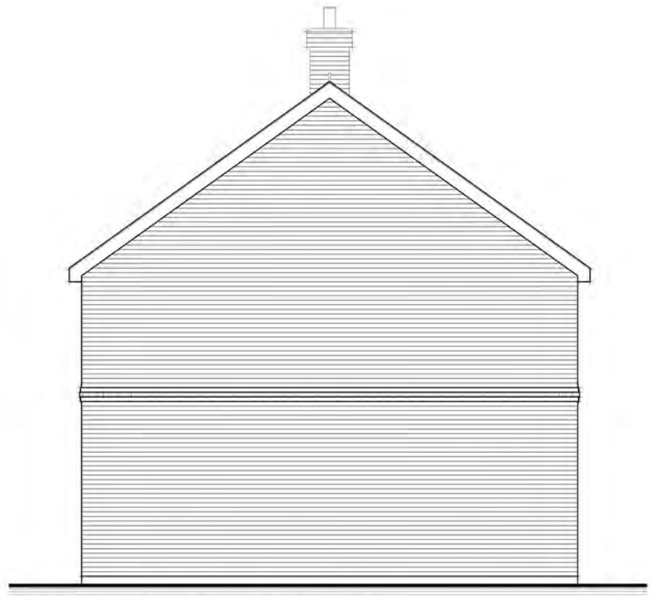
Front Elevation (South East)



Side Elevation (South West)

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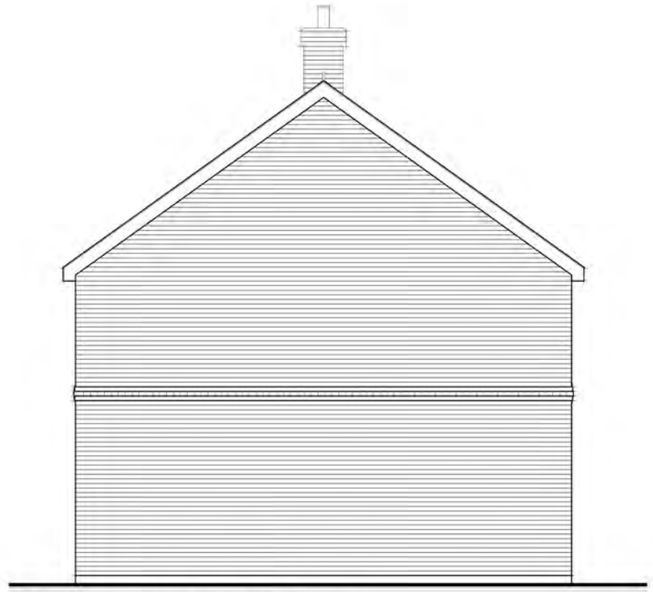
6. Drawings to be read in conjunction with specification.



Rear Elevation (North West)



Side Elevation (North East)

Terrace B- Proposed Elevations 1:100

0 10m

Rev Date Description Dr PM

REVISIONS:

PROJECT STAGE: PLANNING

CLIENT:

Aster

PROJECT & DRAWING TITLE:
Police Station
Christchurch, Dorset

Terrace B- Proposed Elevations

Scale @ A3: 1:100	**Drawn by :** CM/RB	
Date : 27/07/18	**Checked by :** MS	
DRAWING No: ASP.16.014.105		**REVISION:** -

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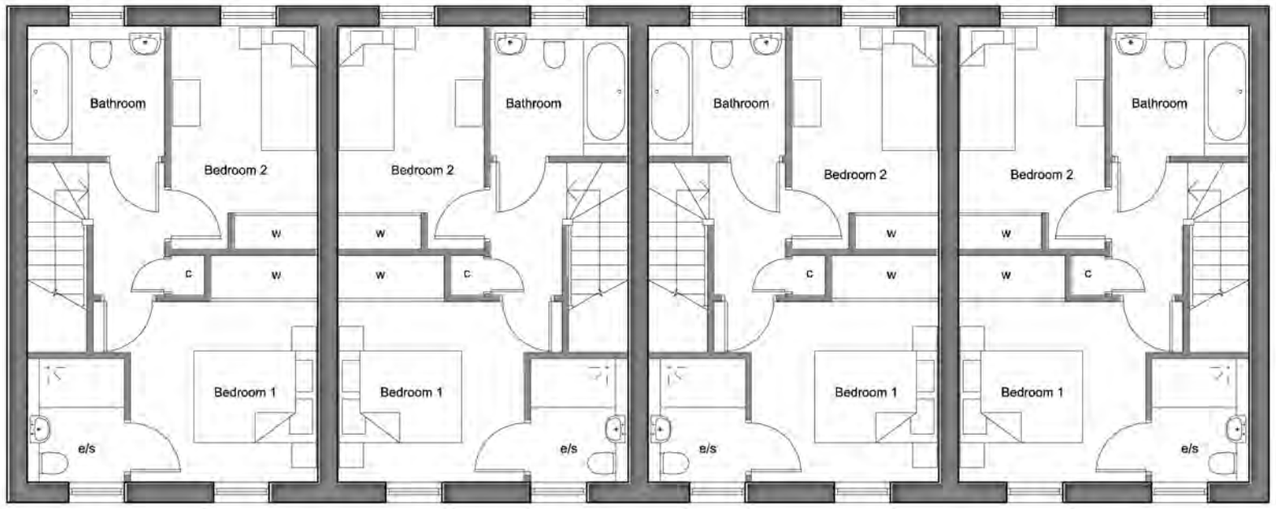
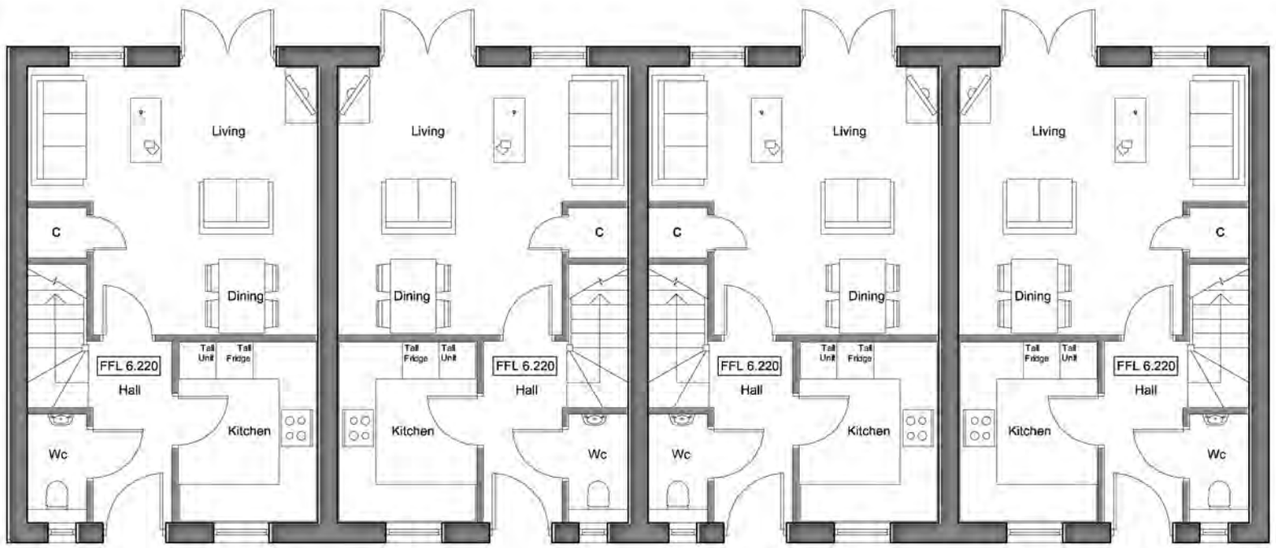
Terrace B (Units 5-8):
Unit 5- 2B3P- 70m²
Unit 6- 2B3P- 70m²
Unit 7- 2B3P- 70m²
Unit 8- 2B3P- 70m²



First Floor



Ground Floor

Terrace B- Proposed Plans 1:100

0 10m

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Rev	Date	Description	By	Chk
A	10/08/20	Proposed FFL added, e/s added to bedroom	SW	PM

REVISIONS:

PROJECT STAGE: PLANNING

CLIENT: Astor

PROJECT & DRAWING TITLE:
Police Station,
Christchurch, Dorset
Proposed Plans - Unit B Terrace

Scale @ A3: 1:100 **Drawn by:** CW
Date: 07/05/2016 **Checked by:** MJ

DRAWING No: ASP.16.014.103 **REVISION:** A

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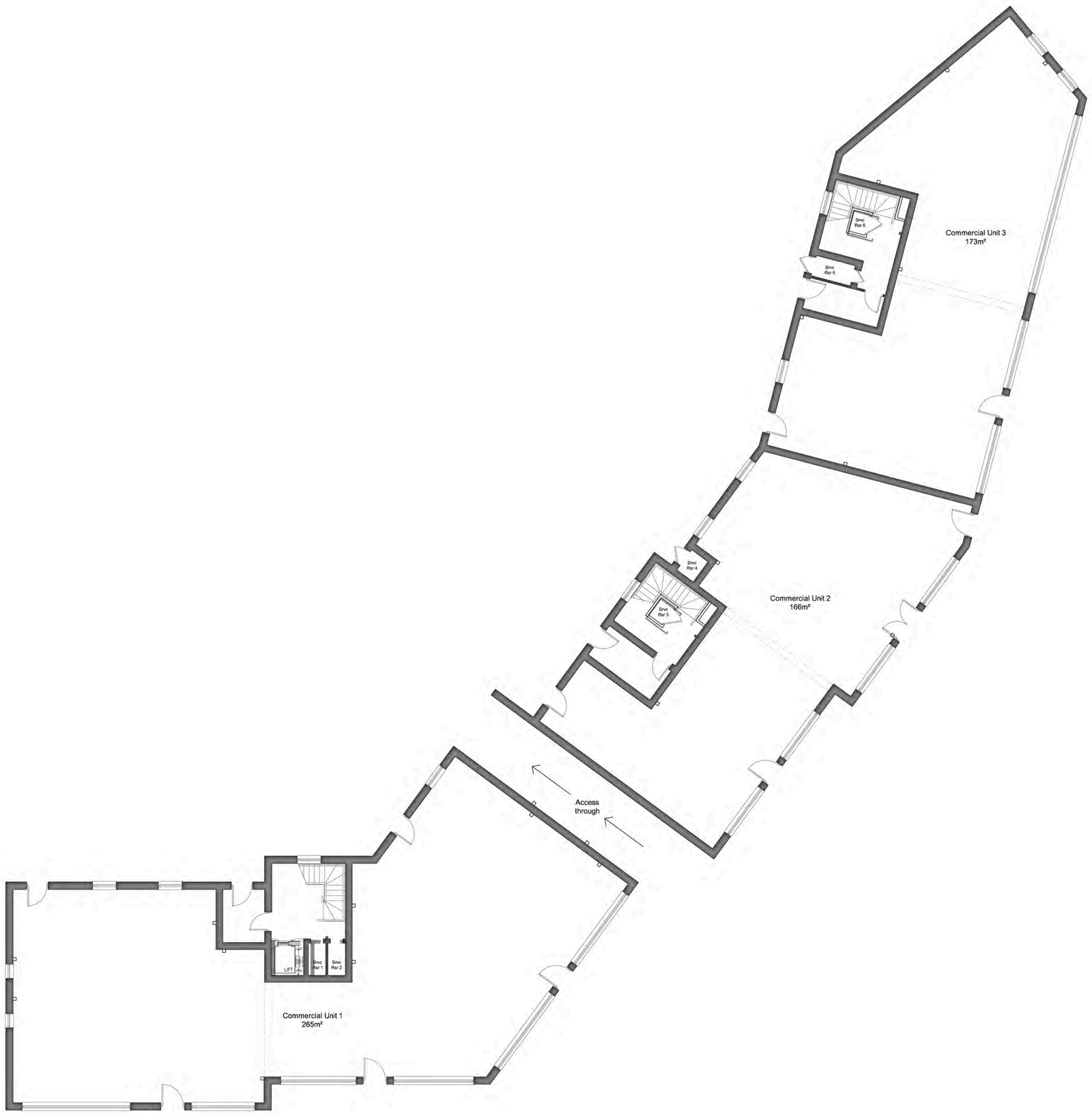

Proposed Ground Floor Plan - Block A (1:100)

0 10m

167

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Rev.	Date:	Description	By	PM
B	18.08.20	Minor layout adjustments.	SY	CW
A	20.03.19	Central section amended.	CW	MS

REVISIONS

PROJECT STAGE: PLANNING

CLIENT: Aster

PROJECT AND DRAWING TITLE:
Police Station,
Christchurch, Dorset.

Block A - Proposed Ground Floor Plan

Scale @ A1: 1:100 **Drawn by :** CW
Date : 08/07/18 **Checked by :** MS

DRAWING No: ASP.16.014.200 **REVISION:** B

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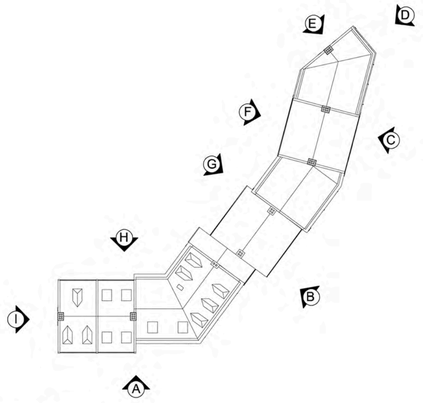

Key Plan 1:500



Elevation A



Elevation B



Elevation C



Elevation D

Proposed Elevations - Block A - Sheet 1 (1:100)

0 10m

NOTES:

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4. Lower ground construction/ retaining structure to be structural engineers design.
5. Electrical layouts to be agreed with client & added to drawing.
6. Drawings to be read in conjunction with specification.

Rev	Date	Description	By	PM
D	18.08.20	Minor adjustments	SY	CW
C	19.12.19	Minor amendments to FFL on some units	CW	MS
B	20.05.19	Finishes updated	CW	MS
A	05.04.19	Central section amended	CW	MS

REVISIONS

PROJECT STAGE: PLANNING

CLIENT: Aster

PROJECT AND DRAWING TITLE:
Police Station,
Christchurch, Dorset.

Block A- Proposed Elevations - Sheet 1

Scale @ A1: 1:100 **Drawn by :** CW
Date : 06/07/18 **Checked by :** MS

DRAWING No: ASP.16.014.205 **REVISION:** D

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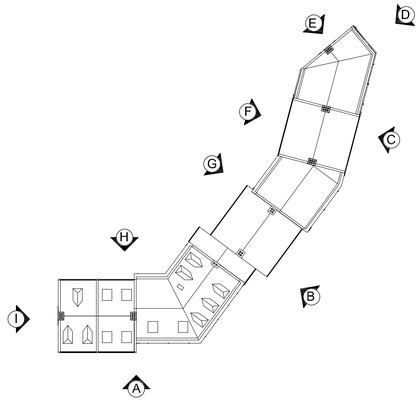

Key Plan 1:500



Elevation E

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5. Electrical layouts to be agreed with client & added to drawing
6. Drawings to be read in conjunction with specification.



Elevation F



Elevation G



Elevation H



Elevation I

Proposed Elevations - Block A - Sheet 2 (1:100)

0 10m

D	18.08.20	Minor amendments & Smoke vents added.	SY	CW
C	19.12.19	Minor amendments to FFL on some units	CW	MS
B	20.05.19	Proposed finishes amended & balconies added	CW	MS
A	05.04.19	Central section amended	CW	MS

REVISIONS

PROJECT STAGE: PLANNING

CLIENT:

Aster

PROJECT AND DRAWING TITLE:

Police Station.
Christchurch, Dorset.

Block A- Proposed Elevations - Sheet 2

Scale @ As: 1:100 **Drawn by :** CW

Date : 06/07/18 **Checked by :** MS

DRAWING No: ASP.16.014.206

REVISION: D

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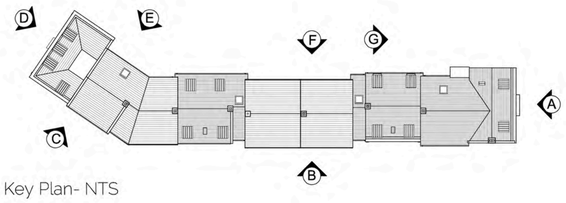

Key Plan- NTS

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6. Drawings to be read in conjunction with specification.



Elevation B



Elevation A



Elevation C



Elevation D

Proposed Elevations- Block B- Sheet 1 (1:100)

0 10m

Rev	Date	Description	By	PM
C	14.08.20	Minor amendments to layout	CW	MS
B	19.12.19	FFL of units facing Barrack Road updated	CW	MS
A	19.06.19	Proposed finishes updated	CW	MS

REVISIONS

PROJECT STAGE: PLANNING

CLIENT: Aster

PROJECT AND DRAWING TITLE:
Police Station,
Christchurch, Dorset

Block B- Proposed Elevations- Sheet 1

Scale @ As: 1:100 **Drawn by :** CW
Date : 04/07/18 **Checked by :** MS

DRAWING No: ASP.16.014.305 **REVISION:** C

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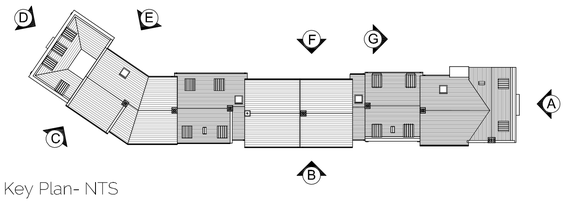

Key Plan- NTS

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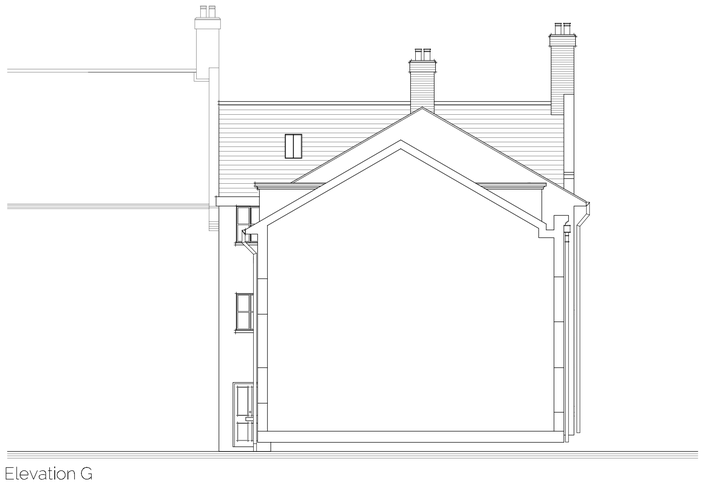
5. Electrical layouts to be agreed with client & added to drawing
6. Drawings to be read in conjunction with specification.



Elevation F



Elevation E



Elevation G

Proposed Elevations- Block B- Sheet 2 (1:100)

0 10m

Rev	Date	Description	By	PM
B	14.08.20	Minor amendments to layout	CW	MS
A	19.12.19	FFL of units facing Barrack Road updated	CW	MS

REVISIONS

PROJECT STAGE: PLANNING

CLIENT:

Aster

PROJECT AND DRAWING TITLE:

Police Station,
Christchurch, Dorset.

Block B- Proposed Elevations- Sheet 2

Scale @ A1: 1:100 **Drawn by :** CW

Date : 04/07/18 **Checked by :** MS

DRAWING No: ASP.16.014.306

REVISION: B

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Elevation A



Elevation B



Elevation C



Elevation D

Proposed Elevations - Block C - Sheet 1 (1:100)

0 10m

172

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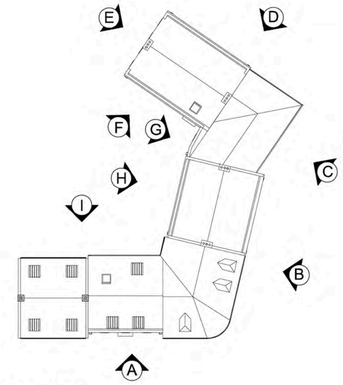
4. Lower ground construction/ retaining structure to be structural engineers design.
5. Electrical layouts to be agreed with client & added to drawing.
6. Drawings to be read in conjunction with specification.



Key Plan- NTS

Rev	Date	Description	By	PM
C	17.08.20	Minor amendments made to layout	CW	MS
B	19.12.19	FFL of units updated	CW	MS
A	16.05.19	Brick bond and corner unit amended (door removed) and finishes updated on Elevation B	CW	MS

REVISIONS

PROJECT STAGE: PLANNING

CLIENT:

Aster

PROJECT AND DRAWING TITLE:

Police Station,
Christchurch, Dorset.

Block C- Proposed Elevations - Sheet 1

Scale @ A1: 1:100 **Drawn by :** DO

Date : 10/07/18 **Checked by :** CW

DRAWING No: ASP.16.014.405

REVISION: C

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Elevation E



Elevation F



Elevation G



Elevation H



Elevation I

Proposed Elevations - Block C - Sheet 2 (1:100)

0 10m

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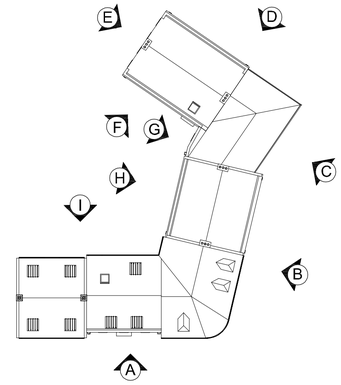

Key Plan- NTS

Rev.	Date	Description	By	PM
B	17.08.20	Minor amendments made to layout	CW	MS
A	19.12.19	FFL of units updated	CW	MS

REVISIONS

PROJECT STAGE: PLANNING

CLIENT:

Aster

PROJECT AND DRAWING TITLE:

Police Station,
Christchurch, Dorset.

Block C- Proposed Elevations - Sheet 2

Scale @ A1: 1:100 **Drawn by :** DO

Date : 10/07/18 **Checked by :** CW

DRAWING No: ASP.16.014.406

REVISION: B

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REVISION NOTES

Rev.	Description	Date
A	Design Development	09.08.2018
B	Client amendments	23.08.2018
C	Planning Draft	29.08.2018
D	Planning Issue	06.09.2018
E	Planning amendments	24.04.2019
F	Client amendments	11.09.2019



1 **East Elevation**
1 : 100



2 **West Elevation**
1 : 100

0m 5m 10m 15m
1:100

Drawing Status
Concept Design

WLA WilliamsLester.
Endeavour House, Crow Arch Lane, Ringwood, BH24 1HP
www.williamslester.com 01425 485234 mail@williamslester.com

Client
ASTER GROUP

Project
Police Station, Christchurch

Title
Block R(A) Age Restricted Housing
East & West Elevations

Scale A1 @ 1 : 100 Date 07/19/18
Drawn LAS Checked Checker
Drawing No. **5742-03-AC-20** Revision **F**

Plot date 12/09/2019 14:00:15 C:\Users\lisasumner\Documents\5742_Building_CENTRAL_R19 Rev 4_LisaS-WL.rvt

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REVISION NOTES

Rev.	Description	Date
A	Design Development	09.08.2018
B	Client amendments	23.08.2018
C	Planning Draft	29.08.2018
D	Planning Issue	06.09.2018
E	Planning amendments	24.04.2019
F	Client amendments	11.09.2019



1 **South Elevation**
1 : 100



2 **North Elevation**
1 : 100

0m 5m 10m 15m
1:100

Drawing Status
Concept Design

WLAWilliamsLester.
Endeavour House, Crow Arch Lane, Ringwood, BH24 1HP
www.williamslester.com 01425 485234 mail@williamslester.com

Client
ASTER GROUP

Project
Police Station, Christchurch

Title
Block R(A) Age Restricted Housing
South & North Elevations

Scale A1 @ 1 : 100 Date 07/19/18
Drawn LAS Checked Checker
Drawing No. Revision
5742-03-AC-21 **F**

Plot date: 12/09/2019 14:54:04 C:\Users\lisasumner\Documents\5742_Building_CENTRAL_R19 Rev 4_LisaS-WL.rvt



1 **East Elevation**
1 : 100



2 **West Elevation**
1 : 100

0m 5m 10m 15m
1:100

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REVISION NOTES

Rev.	Description	Date
A	TSS requirements and general amendments	09.08.2018
B	Design Development	22.08.2018
C	Planning Draft	30.08.2018
D	Client revisions	01.09.2018
E	Dormer moved, note amended	04.09.2018
F	Planning Issue	06.09.2018
G	Title amended	29.10.2018

Drawing Status
Developed Design

WLAWilliamsLester.
Endeavour House, Crow Arch Lane, Ringwood, BH24 1HP
www.williamslester.com 01425 485234 mail@williamslester.com

Client
ASTER GROUP

Project
Police Station, Christchurch

Title
Block R(B)
East & West Elevation

Scale A2 @ 1 : 100 Date 07/19/18
Drawn LAS Checked Checker
Drawing No. Revision
5742-03-AC-23 **G**

Plot date: 29/10/2018 11:34:27 P:\5742 Barrack Road, Christchurch\1 BIM (Drawings)\1.1 WIP (Work in Progress)\1.1.1 Revit\5742_Social_CENTRAL_R19.rvt



2 South Elevation
1 : 100



3 South Elevation
1 : 100



1 North Elevation
1 : 100

0m 5m 10m 15m
1:100

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REVISION NOTES

Rev.	Description	Date
A	TSS requirements and general amendments	09.08.2018
B	Design Development	22.08.2018
C	Planning Draft	30.08.2018
D	Client revisions	01.09.2018
E	Dormer moved, note amended	04.09.2018
F	Planning Issue	06.09.2018
G	Title amended	29.10.2018

Drawing Status
Developed Design

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Client
ASTER GROUP

Project
Police Station, Christchurch

Title
Block R(B)
South & North Elevations

Scale A2 @ 1 : 100 Date 07/19/18
Drawn LAS Checked Checker
Drawing No. Revision
5742-03-AC-24 **G**

Plot date: 29/10/2018 11:34:57 P:\5742 Barrack Road, Christchurch\1. BIM (Drawings)\1.1 WIP (Work in Progress)\1.1.1 Revit\5742_Social_CENTRAL_R19.rvt

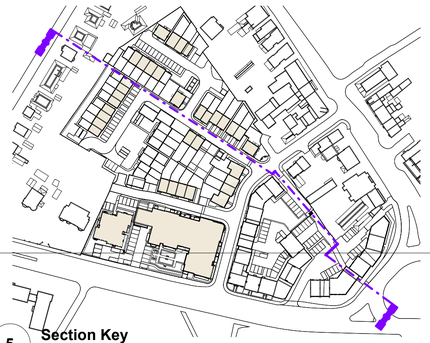
REVISION NOTES

Rev.	Description	Date
A	Revision 2	Date 2
B	Planted buffer widened	30.01.2020



1 **Site Section East - West**
1 : 200





5 **Section Key**
1 : 2000

Project
Police Station, Christchurch

Client
ASTER GROUP

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Title
Site Section

Drawing Status
Developed Design

Scale A1 @ As indicated Date 01/14/20
Drawn Author Checked Checker
Drawing No. Revision
5742-03-AC-27 **B**

C:\Users\lisasumner\Documents\5742_Site_CENTRAL_R19_LisaS-WL.rvt Plot date: 30/01/2020 17:45:55

PLANTING SPECIFICATION

1. GENERAL All planting and landscape operations to comply with Recommendations for General Landscape Operations BS 4428 (1989) and all plant material is to comply with the National Plant Specification. Locally produced peat-free topsoil, compost, turf, plants and mulch to be used wherever possible.
2. PREPARATION WITHIN THE CROWN SPREAD OF EXISTING TREES Remove weeds and existing vegetation by hand digging. Retain existing topsoil and cultivate by hand with no greater change of level than 100mm. Proposed new plants to be spaced to avoid damage to tree roots. Planting pits to be backfilled with fresh topsoil and compost mixed 50/50.
3. PREPARATION Break out any existing hard surface to full depth of construction and excavate to allow full depth of topsoil and compost indicated below. Remove any stones greater than 50mm in any dimension. Remove existing unwanted plants including their roots. Finished levels of topsoil with mulch dressing to be 50mm above adjacent pavings.
4. TOPSOIL Imported topsoil to BS 3882. Premium quality. Spread in layers no deeper than 150mm. Topsoil depths:
   Grass areas – 150mm
   Shrub beds – 450mm
   Locally produced Eco Supersoil is recommended as it contains 30% compost.
5. FERTILISER All shrub beds to have incorporated bonemeal at the rate of 70gm/m2 into the topsoil. After planting all beds be top dressed with a slow release fertiliser such as Vitagrow Tree and Shrub Fertiliser or similar to manufacturer's recommendations.
6. COMPOST Shrub beds to have 100mm depth of good quality organic manure, spent mushroom compost or peat-free compost, incorporated into the soil prior to planting. Locally produced and peat-free, Eco Mix or Eco Tree & Shrub Compost is recommended.
7. PLANT HANDLING, DELIVERY AND STORAGE To be as recommended in the National Plant Specification. Phase the delivery of plants so that there is only sufficient for planting within 48hrs of delivery or, if necessary, ensure suitable temporary storage before final planting by heeling in or lining out.
8. PREPARATION OF PLANTS Remove inorganic containers. Check for damage, disease or pest infestation. Reject seriously damaged plants. Carefully prune any minor root damage.
9. PLANTING
   • In position shown on the drawings
   • At the rate specified, avoiding regimented rows
   • In holes large enough to allow adequate root spread and tease out congested root balls of container-grown plants
   • Excavate holes at least 75mm below the root system and a minimum 400mm for climbers
   • Set plants so that their original soil level matches the new surrounding ground and with their best side displayed
10. PLANTING HEDGES Excavate trench 300x300mm with suitable topsoil and 100mm depth of compost cultivated in. Plant spacings to be appropriate to genus selected.
11. PLANTING SHRUBS Shrub pits to be 150mm wider than the container size or large enough to allow the full spread of bare root plants. Backfill with a mix of topsoil and compost.
12. PLANTING TREES Excavate pit 150mm deeper and 500mm wider than the rootball. Break up base of pit. Backfill with mix of topsoil and compost. Dress with slow release fertiliser to manufacturer's recommendations. Tree stakes to be minimum 75mm diameter, free of bark with one end pointed. Drive stake upright 450mm into bottom of excavated planting pit close to the tree stem on the windward side. Cut off at one-third the height of the tree and secure tree with approved ties and spacers at the top of the stake.
13. BACKFILLING to be selected existing topsoil. Add 600g/m3 of bonemeal to stimulate root growth. Any additional imported organic matter should be well mixed with at least an equal quantity of existing soil. The backfill is to be evenly worked round the roots and well heeled in.
14. IMMEDIATELY AFTER PLANTING Lightly prune back any damaged or malformed growth. Rake soil to an even, fine tilth to the required levels.
15. WATERING Saturate the root ball of container grown plants before planting. Immediately after planting, water all trees and shrubs thoroughly and again before mulching.
16. PLANTING SEASON Plant out non-container grown plants only between October and March inclusive unless otherwise agreed. Container grown or containerized plants may be planted out at any time of year except when the temperature is below 4°C or on a falling thermometer, in frozen or waterlogged ground or in drought conditions.
17. MULCH Spread 75mm of good quality bark chippings 50-75mm in any direction. Mulch to be free from sticks, leaves and rubbish and have been rested for at least 90 days.
18. TURF
   • -to BS 3969 with weedkiller applied 1 to 3 months before lifting;
   • -900 x 300 minimum size x 25mm minimum even thickness.
19. DELIVERY to be phased to ensure laying within 48hrs of lifting. Stacks not to exceed 1.4m high.
20. PREPARATION FOR TURFING
   • Remove all weeds, rubbish and stones over 30mm in any dimension.
   • Cultivate topsoil to a minimum depth of 100mm.
   • Reduce top 30mm to a fine tilth.
21. FERTILISER FOR TURFING
   Dress areas to be turfed with Growmore N7:P7:K7 fertiliser at a rate of 50g/m.sq. Work into the top 30mm of tilth 7 days before turfing and water in well.
22. LAYING TURF
   • Transport turf over close-butted timber planks.
   • Lay turf in consecutive rows.
   • Lay turf from timber planks protecting previously laid turf.
   • Lay turf close butted breaking the joint in alternate rows.
   • Use only whole turves at margins.
   • Consolidate lightly with wooden beaters.
   • Brush in finely sieved topsoil to fill all joints.
   • Ensure final surface is 20mm above any adjacent hard surface.
23. TURFING ADJACENT TO OBSTRUCTIONS
   • Leave a neat 300mm radius of soil round all newly planted trees.
   • Unless otherwise shown on the drawing, turf right up to existing established trees, walls, fences and similar obstructions, leaving no soil uncovered.
24. TREE QUALITY to the National Plant Specification with size as noted on drawing or schedule.
25. TREE STAKES 75mm minimum diameter, free of bark, with one end pointed.
26. STAKING FOR TREES UP TO 'STANDARD' SIZE
   Drive stake upright 450mm into bottom of excavated planting pit close to the tree stem on the windward side. Cut off at one-third the height of the tree and secure tree with approved ties and spacers at the top of the stake.
27. PLANT TREES
   • Upright and in exact positions shown on the drawings
   • In holes large enough to allow adequate root spread
   • So that their original soil level matches the new surrounding ground
   • So that the original orientation is maintained
   • Excavate holes at least 75mm below the root system and loosen soil in base of holes
   • For root-balled or bare-root stock, cut back any damaged roots to sound growth
   • Bio-degradable corrugated plastic tree guards are to be fitted to all trees to protect from damage.
28. WATERING AND AERATION PIPES Provide perforated plastic watering pipes in a circle round the base of tree pits at the level of the bottom of the root ball.
29. BACK-FILLING to be selected existing topsoil where available. Any imported soil/organic matter should be well mixed with at least equal quantities of existing soil. The back-fill is to be worked round the roots and well heeled in leaving the top slightly proud of the existing level to allow for settlement.
30. PRUNING Immediately after planting carry out light formative pruning according to species. Remove damaged or weak growth.
31. WATERING AND PROTECTION Water thoroughly immediately after planting and at intervals as necessary until Practical Completion. After the first watering, mulch with 75mm of composted coarse bark shippings over the excavated area.
32. MAINTENANCE AND REPLACEMENT Replace any trees that are dead or dying within three years of planting. In the following year in March or April apply N7:P7:K7 fertiliser round all trees and keep the ground weed free for 1 metre diameter round each tree.

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0 10 50 m

SCALE BAR

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HATCH KEY

- Cobbles
- Car Parking / Block Paving
- Coloured Permeable Tarmac
- Permeable Black Tarmac
- Paving
- Brick Walls
- Planting
- Hedges / Boundary Planting
- Lawn
- Wildflower Meadow

PROTECTION OF TREES

1. The responsibility for the safety of trees always rests with the site owner or the person who has control of tree management. Where sites contain trees this JPS design does not include liaison with the appropriate local planning authority or any application for consent for works to protected trees or hedges. Consent for works to protected trees and hedges must be obtained from the local planning authority prior to any works being carried out on them.
2. The trees and landscape features within or adjacent to the site may be protected by tree preservation orders, be within a conservation area, constitute an important hedgerow or be subject to planning conditions. The local planning authority must be consulted for details of any such planning restrictions and their advice followed before work is planned or carried out to trees.
3. The legal Duty of Care requires that all works to trees should be carried out by qualified, arboricultural contractors working according to Health & Safety Executive guidelines. All treeworks should be carried out to arboricultural industry best practice and comply with BS 3998:2010 'Tree work - Recommendations'. All tree management work must take account of the Wildlife and Countryside Act, 1981, as amended by the Countryside and Rights of Way Act, 2000, which makes it a criminal offence to disturb, injure or kill bats or nesting birds and other protected animals.
4. Important hedgerows may be protected if they are in the countryside, are over 20m long and over 30 years old, provide habitats for protected species or have been designated as such by a local planning authority.
5. Tree health and condition can change over time and be affected by the environment, therefore, regular periodic inspections are recommended and a qualified arboriculturalist consulted if any concerns are identified.

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TREE SYMBOL KEY

- Existing Tree (ET)
- New Tree (NT)

PLAN REFERENCES

Landscape Plan LANDP000 to be read in conjunction with the following plans:

LANDP001 - *Residential & Shared Surface*

LANDP002 - *Retirement & Affordable*

LANDP003 - *Block B & C Rear*

LANDP004 - *Services & Retail Rear*

TREE SCHEDULE

ID	Botanical Name
NT01	Alnus glutinosa
NT02	Alnus glutinosa
NT03	Alnus glutinosa
NT04	Alnus glutinosa
NT05	Metasequoia glyptostroboides
NT06	Salix alba
NT07	Salix alba
NT08	Salix alba
NT09	Salix alba
NT10	Fagus sylvatica
NT11	Fagus sylvatica
NT12	Fagus sylvatica
NT13	Metasequoia glyptostroboides
NT14	Tamarix aestivalis & gallica
NT15	Tamarix aestivalis & gallica
NT16	Hippophae salicifolia 'Streetwise'
NT17	Hippophae salicifolia 'Streetwise'
NT18	Hippophae salicifolia 'Streetwise'
NT19	Hippophae salicifolia 'Streetwise'
NT20	Alnus glutinosa
NT21	Alnus glutinosa
NT22	Alnus glutinosa
NT23	Alnus glutinosa
NT24	Alnus glutinosa
NT25	Ginkgo biloba
NT26	Ginkgo biloba
NT27	Ginkgo biloba
NT28	Ginkgo biloba
NT29	Ginkgo biloba
NT30	Ginkgo biloba
NT31	Ginkgo biloba
NT32	Ginkgo biloba
NT33	Ginkgo biloba
NT34	Ginkgo biloba
NT35	Ginkgo biloba
NT36	Ginkgo biloba
NT37	Ginkgo biloba
NT38	Ginkgo biloba
NT39	Ginkgo biloba
NT40	Prunus avium
NT41	Prunus avium
NT42	Prunus avium
NT43	Prunus avium
NT44	Metasequoia glyptostroboides
NT45	Metasequoia glyptostroboides
NT46	Metasequoia glyptostroboides
NT47	Carpinus betulus
NT48	Crataegus monogyna
NT49	Carpinus betulus
NT50	Carpinus betulus
NT51	Crataegus monogyna
NT52	Crataegus monogyna
NT53	Carpinus betulus
NT54	Crataegus monogyna
NT55	Carpinus betulus
NT56	Carpinus betulus
NT57	Crataegus monogyna
NT58	Carpinus betulus
NT59	Carpinus betulus
NT60	Crataegus monogyna
NT61	Crataegus monogyna
NT62	Carpinus betulus
NT63	Carpinus betulus
NT64	Crataegus monogyna
NT65	Crataegus monogyna

PLANT TYPOGRAPHY



Hedera helix

British native evergreen climbing plant clinging by aerial roots. Clusters of small yellow-green flowers are followed by black berries. Excellent ecological value.



Lonicera sp.

British native honeysuckle able to climb up to 10m, with simple oval leaves. Flowers are white and fading to yellow, and sweetly vanilla scented. The fruit is a black spherical berry containing a few seeds.



Acer campestre

Deciduous tree or large shrub with palmately-lobed leaves and small flowers followed by characteristic winged fruits. Fine autumn colour and ornamental stems. Flowers small, green, forming typical winged maple fruits.



Corylus avellana

British native hazel is a deciduous tree and/or large shrub with broad, rounded leaves turning yellow in autumn, and yellow male catkins in early spring, followed by edible nuts in autumn.



Ilex aquifolium

British native, medium-sized evergreen tree, slow-growing when young, with dark, glossy green, undulate and usually strongly spiny leaves. Small, dull white flowers in spring are followed by bright red berries, on pollinated female plants.



Ligustrum vulgare

British native shrub or small tree, with simple, entire leaves and panicles of small, scented white flowers in spring or summer, followed by black or deep purple berries.



Prunus spinosa

British native, deciduous or evergreen tree or shrub with showy flowers in spring, and often good autumn foliage colour. Some have edible black fruits in autumn, and a few species have ornamental bark.



Rosa rugosa

Rugosa roses are upright shrubs with very prickly stems bearing handsome, glossy, wrinkled foliage and fragrant, single or semi-double flowers in summer and autumn, often followed by large, tomato-like red hips.



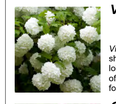
Sambucus nigra

Deciduous shrub with very deeply dissected purplish-black foliage from spring to autumn, giving a distinctive lacy effect. Flat umbels of tiny pinkish flowers are borne abundantly in summer and have the characteristic grape scent of elder flowers. Purple-black berries may follow.



Sorbus aucuparia

Upright deciduous tree with pinnate leaves turning yellow in autumn, simple or pinnate leaves and clusters of small white or pink flowers, followed by white, yellow, pink, red or brown berries; some have fine autumn colour.



Viburnum opulus

Viburnum can be deciduous or evergreen shrubs with opposite, simple or palmately lobed leaves and clusters of small, dense, often fragrant white or pink flowers, followed by red, blue or black berries.



Crataegus laevigata

A small thorny deciduous tree with glossy, pinnately lobed leaves, and corymbs of creamy-white flowers in late spring, followed by red or black fruit. Some have fine autumn colour.



Crataegus monogyna

Deciduous trees and shrubs, usually with spiny branches, lobed or toothed leaves, and clusters of creamy-white flowers followed by red or black fruits. Some have fine autumn colour.

JPS
LANDSCAPE DESIGN
The White House, 2a Davis Road, Poole, Dorset BH12 2BA
T: 01202 426143 E: info@janinepattison.com W: janinepattison.com

CAD File Number	747
Drawing Title	Landscape Plan
Head Of Studio: CH	Scale: 1:500 @ A1
Designer: RC	Drawing No.: LANDP000
Design Date: 03.08.18	
Revised by: DW	Revision No.: 008
Revision Date: 05.02.20	

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PLANNING COMMITTEE

Application Address	Christchurch Police Station Barrack Road Christchurch BH23 1PN
Proposal	Erection of 131 residential dwellings, 39 units of age-restricted sheltered accommodation (C3), and 612 m2 of flexible commercial/community space (A1, A2, A3, A4, B1, D1 (Museum only) use classes), new road between Bargates and Barrack Road, new vehicular access from Barrack Road (to serve sheltered accommodation only), new private and semi-private gardens, public open space, hard and soft landscaping, surface vehicular parking and residential garages, following the demolition of the Police Station and Magistrates' Court, nos. 23 and 41 Barrack Road, former Goose and Timber public house, and ancillary buildings and structures.
Application Number	8/18/3264/DCONS
Applicant	Aster Homes Ltd
Agent	Savills
Date Application Valid	27 November 2018
Decision Due Date	22 January 2019
Extension of Time Date (if applicable)	
Ward	Christchurch Town
Report status	Public
Meeting date	26 November 2020
Recommendation	Approve subject to conditions
Reason for Referral to Planning Committee	The application was heard by Planning Committee on 20 February 2020 in the wider public interest and it is intrinsically linked to the Full Application 8/18/3263. 8/18/3263 is a major application where BCP Council has an interest in part of the land within the application site. The Full application has been brought back to Planning

	Committee to provide further clarification on the main following issues; • Five year housing land supply • Biodiversity • Policy LN1- Residential unit sizes and HQI's • Residential amenity • Education contribution
Case Officer	Sophie Mawdsley

DESCRIPTION OF DEVELOPMENT

1. 'Erection of 130 residential dwellings, 39 units of age-restricted sheltered accommodation (C3), and 612 m2 of flexible commercial/community space (A1, A2, A3, A4, B1, D1 (Museum only) use classes), new road between Bargates and Barrack Road, new vehicular access from Barrack Road (to serve sheltered accommodation only), new private and semi-private gardens, public open space, hard and soft landscaping, surface vehicular parking and residential garages, following the demolition of the Police Station and Magistrates' Court, nos. 23 and 41 Barrack Road, former Goose and Timber public house, and ancillary buildings and structures'.
2. This application specifically relates to the demolition of the buildings within the Conservation Area. The only building within the site which is also within the Conservation Area and will be demolished as part of the development is a single storey building to the west of the Pit Site car park entrance of Barrack Road. This flat roof and painted brick is of no architectural merit and actively detracts from the character and appearance of the Conservation Area.
3. This report will deal only with the demolition of buildings in the Conservation Area in the south east corner of the site. However, it must be read in conjunction with the Committee report for the Full Application for the redevelopment of the site.

KEY ISSUES

4. Impact on character and appearance of Conservation Area

PLANNING POLICIES

5. In accordance with Section 70(2) of the Town & Country Planning Act 1990 (as amended) and Section 38 (6) of the Planning and Compulsory Purchase Act 2004, the application is to be determined in accordance with the development plan, unless material considerations indicate otherwise.

Development Plan

6. The site is identified in the Christchurch and East Dorset Local Plan – Part 1 Core Strategy (April 2014) as a Town Centre Strategic Site under Policy CH1 (Christchurch Town Centre Vision). The Local Plan was formally adopted in 2014 having been found sound by a Planning Inspector and is the development plan for the district. As a recent document it has substantial weight, and has established the principle of the redevelopment on the site.

7. Other relevant policies from the Development Plan

KS1: Presumption in favour of Sustainable Development

KS2: Settlement Hierarchy

HE1: Valuing and Conserving our Historic Environment

HE2: Design of new development

HE3: Landscape Quality

Saved policies -

H12: Infill development

BE4: New development in conservation areas

BE5: Setting of conservation areas

BE15: Setting of listed buildings

Supplementary Planning Documents and other evidence

8. Christchurch Magistrates Court Site Development Brief (November 2003)

Christchurch Borough-wide Character Assessment (2003)

Central Christchurch Conservation Area Appraisal (2005)

9. The Development and Planning Brief prepared for the former Magistrates Court site, police station and adjoining land at Barrack Road and Bargates in Christchurch was adopted in November 2003 and has been available to view on the Council website for a number of years. The Planning Brief provides a framework for landowners and prospective developers to inform and deliver the development of this important site. The former Magistrates Court site has been identified by the (former) borough council as a unique opportunity in the heart of Christchurch for the development of a comprehensive and high quality mixed use scheme.

The National Planning Policy Framework 2019

10. Paragraph 11 sets out the presumption in favour of sustainable development. Development plan proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent or relevant policies are out-of-date then permission should be granted unless any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF. The relevant sections are;

Section 2 Achieving sustainable development
Section 11 Making effective use of land
Section 12 Achieving well-designed places
Section 16 Conserving and enhancing the historic environment

11. Section 2 Achieving sustainable development

*For **decision-taking** this means:*
c) approving development proposals that accord with an up-to-date development plan without delay; or
d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date7, granting permission unless:
i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed6; or
ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

RELEVANT PLANNING APPLICATIONS

12. 8/18/3263 – Full application with same location and description as above.

Representations

13. In addition to letters to neighbouring properties, a site notice was posted outside the site on 03 December 2018 with an expiry date for consultation of 24 December 2019 and an additional site notice erected on 24 January 2019 and with an expiry date of 27 February 2019. A press advert was publicised on 03 December 2018.

14. Following revisions to the proposals, a re-consultation process took place in October and November 2019 for local residents and consultees.

15. 65 letters of objection have been received, 3 petitions with a total of 900 signatures on it (objecting to loss of Pit Site car park and impact on businesses), 12 letters of comment and 77 letters of support.

16. The objections and comments are on the following grounds in summary:

- Congestion of local highway network
- Loss of public car parking spaces
- Insufficient permit holder spaces and long term parking
- Need more parking to support retailers, hotels, restaurants and other commercial enterprises
- Inadequate parking on the site for future residents

- Implications for road safety around the development
- Displacement of parking to residential roads
- Businesses will suffer from staff being unable to park
- Island and pedestrian crossing on Barrack Road result in further congestion and bottlenecks.
- Increased noise and air pollution
- More street light pollution
- Loss of privacy and overlooking
- Loss of outlook for neighbouring dwellings
- Local schools oversubscribed
- Local surgeries/dentists oversubscribed
- No requirement for further retail space
- Lack of green space
- Lack of open space
- Lack of public space
- Overdevelopment and exceeds allocated site in Local Plan
- No up to date Masterplan for site
- No biodiversity net gain
- Loss of ‘green lung’ to rear of Twynham Avenue and loss of wildlife
- Loss of trees and impact on root protection areas of remaining trees
- Loss of hedgerow
- Buildings too high
- Destroy character of town
- Contaminated land
- Archaeological impacts
- Design not high quality and does not respect surroundings in terms of bulk, scale and height.
- Types of properties not appropriate
- Impact on environment and implications for climate change
- Does not preserve or enhance character of the Conservation Area
- Loss of public house on Barrack Road within the Conservation Area
- Increased flood risk and drainage issues

- Shared ownership not affordable
- Lost opportunity for public or community use on the site
- Wildlife corridor result in antisocial behaviour and tipping
- Requirement for more age restricted properties?

Support

- Create homes close to railway station and on major bus routes
- Impressive scheme and visually enhance area
- Well thought out scheme
- Provide much needed housing
- Site currently is an eye sore
- Science museum would be a great asset to town

CONSULTATIONS

- BCP Conservation Officer

  'In order to deliver this estate, sacrifices will be required. One being the older public house called the Goose and Timber. A commercial building that seems to have lost the sense of place that other buildings within the town have managed to retain. They have also maintained or retained their community which is not the case here'.

CONSTRAINTS ON THE SITE (relevant to this application)

- Conservation Area
- Listed Buildings

PLANNING ASSESSMENT

Site and Surroundings

17. The application site lies within the Town Centre of Christchurch and occupies 2.17ha. The majority of the site has been formally occupied by the Magistrates Court, Police Station, Bargates Car Park and the former Goose and Timber pub. The north western section of the site comprises part of the rear gardens of 43 – 47 Barrack Road. This area is characterised by a number of trees and shrubs. There are two existing car parks on the site, Pit Site car park and Bargates car park.

18. Ground levels are generally consistent within the site; however there is an increase of 3 metres from Barrack Road up to the northern part of the site. The site occupies a prominent position adjacent to the busy Fountain roundabout.

This locality has a mixed character, including residential dwellings, commercial and retail units along Bargates which is the secondary shopping core, recreation space and New Zealand Gardens.

19. The Conservation Area boundary dissects the site running around the perimeter of the Pit site car park and then along the Barrack Road frontage. It covers the gardens and recreation area opposite the site and part of Magdalen Lane and Riverdale Lane. The Conservation Area Appraisal states; '*The Barrack Road entry route to the town forms one of the most important gateways to Christchurch, From this direction, the first glimpses of the Priory Tower are seen within the context of heavily mature tree lines gardens….The townscape is dominated by open sided views towards Fountain Roundabout. The height and over landscaped nature of this traffic interchange make it particularly prominent'.* The document goes onto say that the openness in the foreground of the Police Station and car park can be unnerving. It identifies that the Pit Site car park significantly weakens the townscape and does not contribute positively to the character of this part of the conservation area.

20. To the east of the application site but outside of the Conservation Area are three Grade II listed buildings. The Former Fusee Watch and Clock Fusee Chain Factory which dates from 1845, No 22 Bargates and No 24 Bargates form the group of heritage assets. Opposite the site on the small traffic island at the junction with the Roundabout is the listed cattle trough and drinking fountain. Beyond this on the north east side of Bargates is Priory Sports, a Grade II listed building. On the southern side of Barrack Road is the Grade II listed Stour Cottage dating from 1830. This building is currently used as a youth and community centre.

21. As the Design and Access Statement states; The area is characterised by low and medium rise development with the prevailing building height of 2 -3 metres, with a number of buildings creating the equivalent of modern 4 storeys due to more substantial floor to ceiling heights;. Bargates has a tight knit pattern of development with a mix of building styles but it has a coherent and strong sense of enclosure along the street. Barrack Road, has a more spacious character but still a strong development pattern, especially along Twynham Avenue to the north east of the application site which is characterised by predominantly detached two storey residential properties. There have been some larger buildings and block of flats developed towards the junction with Stour Road.

Heritage Assets

22. Local Plan Policy HE1 (Valuing and Conserving our Historic Environment) sets out that heritage assets are an irreplaceable resource and will be conserved and where appropriate enhanced for their historic significance and importance locally to the wider social, cultural and economic environment. The significance of all heritage assets and their settings (both designated and non-designated) will be protected and enhanced especially elements of the historic environment which

contribute to the distinct identity of Christchurch. The Conservation Area boundary includes the Pit Site car park, a small flat roof single storey building and the front boundary with Barrack Road. However, clearly the site has a significant impact on the wider setting of the Conservation Area.

23. The Christchurch Central Conservation Area Appraisal and Management Plan was adopted by the council in September 2005. The Pit Site Car Park and Magistrates Court Site is identified as a development opportunity site:-

'The Magistrates Court Site Development Brief prepared by Christchurch Borough Council outlines in detail the aspirations for this site. Comprehensive development of this site in line with the development brief would enhance the street scene and tighten the, at present, loose townscape. It would also help knit the fabric of the town back together by improving the visual and physical links between Bargates and the High Street. This would have significant enhancement potential for the conservation area and its important boundary with Bargates'. The adopted Development Brief does not identify the buildings on the site within the Conservation Area for retention or as being of Townscape Merit as part of the proposals.

24. Paragraph 192 of the NPPF states; "*In determining applications, local planning authorities should take account of…*

c) the desirability of new development making a positive contribution to local character and distinctiveness."

25. In addition, from para. 200 the NPPF advises;

"Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance."

26. The painted brick and flat roof building which will be demolished as part of the proposals is of no architectural merit. It is not identified as a positive contributor to the Conservation Area in the Council's adopted Conservation Area Appraisal Designations Map. On the Management Issues map the site is identified as a development opportunity. Its redevelopment with a well-designed scheme offers the opportunity to provide a considerable benefit to the character and appearance of the Conservation Area and its setting.

27. The loss of this building would result in substantial public benefits that outweigh the removal of this building. By re-developing this site and creating much needed housing and in particular a proportion of affordable housing as well as attracting investment into the town with the commercial premises it is considered the loss of the building is wholly justified.

28. A statutory duty exists under section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 ('the Act') for the local planning authority in considering whether to grant planning permission for development that affects a listed building or its setting to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72(1) of the Act requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

29. The proposed positioning of buildings fronting Barrack Road and Fountain roundabout are considered to enhance the character and appearance of the Conservation Area. Currently, the site is dominated by unsympathetic hard surfacing and parking. The Conservation Area Appraisal states; '*Views north out of the conservation area are poor with the police station having a negative impact and electricity pylons forming the backdrop. The Pit Site car park to the corner of Barrack Road, Fountains Way and Bargates significantly weakens the townscape and does not contribute positively to the character of this part of the conservation area'.*

30. The loss of this building will facilitate the redevelopment of this strategic site and provide a positive frontage on one of the main routes into Christchurch town centre.

Planning Balance

31. It is considered that the demolition of the non-descript flat roof building within the Central Christchurch Conservation Area is acceptable as it actively detracts from the character of the Conservation Area. The public benefits of allowing its removal to facilitate the re-development of the wider site by providing much needed housing including affordable housing and commercial space as stipulated by Local Plan policies significantly and demonstrably outweighs the loss of this building.

SUMMARY AND CONCLUSION

32. It is considered that subject to suitable conditions and taking into account the public benefits of the scheme, the proposal accords with Local Plan Policy HE1, NPPF Paragraph 197 and Sections 66(1) and 72(1) of the Planning (Listed Building and Conservation Areas) Act.

33. In reaching this decision the Council has had due regard to the statutory duty in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which states that "*with respect to any buildings or other land in a conservation area, … special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area*."

RECOMMENDATION

34. A) GRANT permission with the following conditions;

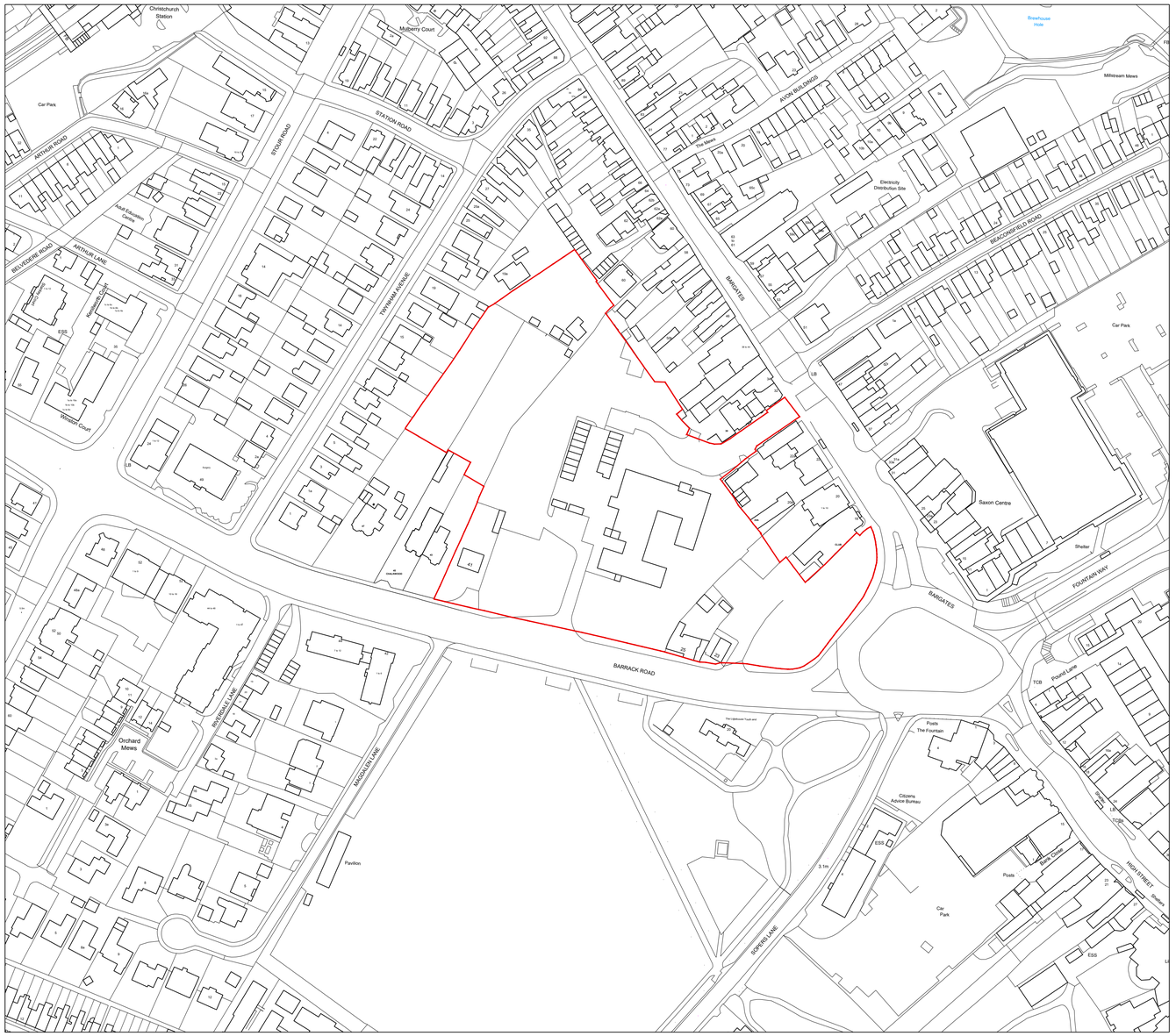
1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

   Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2) The demolition hereby permitted shall not take place until a contract for the redevelopment permitted under the companion planning permission reference 8/18/3263 is submitted to and approved in writing by the Local Planning Authority.

   Reason: To protect the visual amenities of the locality and the character and appearance of the Conservation Area.

Background Papers



Proposed Location Plan (1:1250)
0 50m

191

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4. Lower ground construction/ retaining structure to be structural engineers design.
5. Electrical layouts to be agreed with client & added to drawing
6. Drawings to be read in conjunction with specification.

Rev Date Description By PM

REVISIONS

PROJECT STAGE:
PLANNING

CLIENT:
Aster

PROJECT AND DRAWING TITLE:
Police Station,
Christchurch, Dorset.

Location Plan

Scale @ A1: 1:1250 **Drawn by :** DO
Date : 27/08/18 **Checked by :** CW

DRAWING No: ASP.16.014.001.1
REVISION: -

ARCHITECTURE - PLANNING - PROJECT MANAGEMENT - CDM

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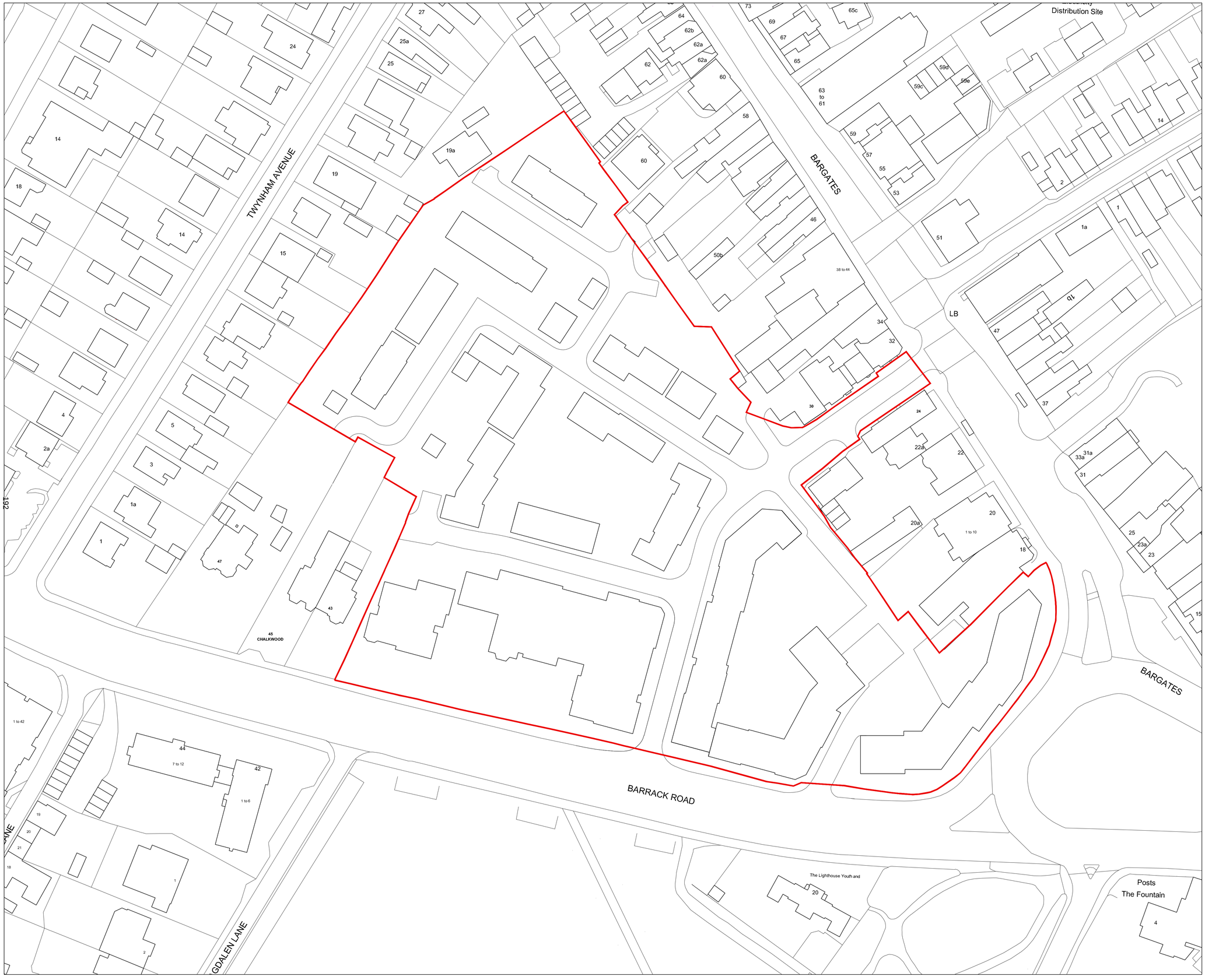

0 50m

Proposed Block Plan (1:500)

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5. Electrical layouts to be agreed with client & added to drawing.
6. Drawings to be read in conjunction with specification.

Rev	Date	Description	By	PM
B	27.01.20	Unit removed and layout updated	CW	MS
A	19.09.19	Layout updated	CW	MS

REVISIONS

PROJECT STAGE: PLANNING

CLIENT: Aster

PROJECT AND DRAWING TITLE:
Police Station,
Christchurch, Dorset.

Block Plan

Scale @ A1: 1:500 **Drawn by :** DO
Date : 27/08/18 **Checked by :** CW

DRAWING No: ASP.16.014.001.2
REVISION: B

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Proposed Site Plan (1:500)

0 50m

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3. Contractors must verify all dimensions and report any discrepancies before putting work in hand or making any shop drawings.
4. Lower ground construction/ retaining structure to be structural engineers design.
5. Electrical layouts to be agreed with client & added to drawing.
6. Drawings to be read in conjunction with specification.

Rev	Date	Description	By	PM
G	18.08.20	Minor amendments to proposed layout.	CW	MS
F	23.01.20	Unit removal and layout amendments to allow for enlargment of Planting area to Western Boundry.	CW	MS
E	18.12.19	Amendments to proposed ground levels and associated landscaping to sections of Blocks A,B & C.	CW	MS
D	12.09.19	Layout and parking amendments. Front boundary moved back into site to allow for wider pavement.	CW	MS
C	30.05.19	Units 34 to 37 moved to the North. Units 16-19 amended, additional parking spaces added.	CW	MS
B	03.04.19	Units 34 to 37 roof plan revised so as the Roof Dormers amend to face to the rear (North East). Low Height and Metal Railing added to the frontage of Block C.	PS	CW /MS
A	20.03.19	T14 removed. Units 16-19 moved West	CW	MS

REVISIONS

PROJECT STAGE: PLANNING

CLIENT: Aster

PROJECT AND DRAWING TITLE:
Police Station,
Christchurch, Dorset.

Proposed Site Plan

Scale @ A1: 1:500 **Drawn by :** CW
Date : 25/07/18 **Checked by :** MS

DRAWING No: ASP.16.014.002 **REVISION:** G

ARCHITECTURE - PLANNING - PROJECT MANAGEMENT - CDM

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Planning Committee

Application Address	Carisbrooke, 172 Canford Cliffs Road, Poole, BH13 7ES
Proposal	Demolition of existing buildings and erection of assisted living/extra care accommodation (class C2) with communal facilities and car parking.
Application Number	APP/19/01569/F
Applicant	McCarthy & Stone Retirement Lifestyles Ltd
Agent	McCarthy and Stone Retirement Lifestyles Ltd
Date Application Valid	6 January, 2020
Decision Due Time	30 September, 2020
Extension of Time date (if applicable)	30 September, 2020
Ward	Canford Cliffs
Report Status	Public
Meeting Date	26th November 2020
Recommendation	Grant permission subject to the applicants entering into a s.106 agreement securing the following contributions: i. A contribution of £11,567 towards Dorset Heathland SAMM ii. A contribution of £4,128 towards Poole Harbour Recreation SAMM and subject to the conditions set out in the recommendation, which are subject to alterations / additions by the Head of Planning provided any alteration / addition does not go to the core of the decision
Reason for Referral to Planning Committee	This application is brought before committee at the request of Councillor Iyengar because of concerns about the height and footprint of the building; inadequate parking; and commercial impact of the restaurant.
Case Officer	Claire Moir

Description of Development

1. Planning consent is sought for the demolition of the existing buildings and erection of assisted living/extra care accommodation (class C2) with communal facilities and car parking.

Key Issues

2. The main considerations involved with this application are:

- Impact on the character and appearance of the area
- Impact on neighbouring privacy and amenities
- Impact on protected trees
- Impact on Highway safety
- CIL/SAMM/S106

Planning Policies

3. Supplementary Planning Document

SPD1	Parking & Highway Layout in Development
SPD3	Dorset Heathlands Planning Framework (2015-2020)
SPD5	Poole Harbour Recreation Interim Scheme (Jan 2019)

4. Poole Local Plan (Adopted 2018)

PP01	Presumption in favour of sustainable development
PP02	Amount and broad location of development
PP07	Facilitating a step change in housing delivery
PP08	Type and mix of housing
PP12	Housing for an ageing population
PP27	Design
PP29	Tall buildings
PP30	Heritage Assets
PP31	Poole's coast and countryside
PP32	Poole's important sites
PP33	Biodiversity and geodiversity
PP34	Transport strategy
PP35	A safe, connected and accessible transport network
PP36	Safeguarding strategic transport schemes
PP37	Building sustainable homes and businesses
PP38	Managing flood risk
PP39	Delivering Poole's infrastructure

5. National Planning Policy Framework (February 2019)

6. Section 66 (1) (Listed Buildings) and Section 72 (1) (conservation Areas) of the Planning (Listed Buildings and Conservation Areas) Act 1990

Relevant Planning Applications and Appeals:

7. Pre-application engagement was undertaken by the applicant in respect of the erection of extra care accommodation (Class C2) with communal facilities and car parking at the site (PREA/19/00069). The advice given was generally unfavourable in respect of the proposed scheme and this has informed significant alterations to the current proposals. The following matters were identified as requiring to be addressed:

- Height and Dominance would potentially create an overbearing presence, harming the setting of the Conservation Area; amenities; and the streetscene
- Two-way use of the existing access was potentially acceptable subject to appropriate visibility being achieved
- Parking proposals were likely to be acceptable subject to age restrictions on residents and provision of adequate visitor and disabled driver appropriate spaces
- Materials proposed were not locally relevant
- Potential harm to neighbouring amenities due to height; mass; orientation; and spacing of the proposals

Representations

8. Twenty one representations have been received, eighteen raise objections and two are neutral. The following concerns have been raised:

- Increase in noise and disturbance
- Loss of privacy
- Light pollution from cars and noise and smells from extraction equipment
- Cumulative impact of development on highway network on an already busy road and adjacent to a dangerous road junction
- Impact of substation on near residential properties
- Pressure on health services
- Detrimental appearance
- Lack of parking
- Bulk and scale out of character
- Bland architectural detailing
- Overbearing height and overshadowing, with the impact exacerbated by topography

Consultations

9. BCP Highway Authority - No objection

10. FCERM - No objection

11. ECPS Ecology - No objection

12. Historic England – Non intervention letter received as does not impact on the Heritage Asset (Compton Acres).

Planning assessment

Site and Surroundings

13. The application site is located on the west side of Canford Cliffs Road, adjacent to the mini roundabout at the junction of Canford Cliffs Road and Haven Road. The site lies to the west of Canford Cliffs Village Local Centre.

14. The site is large compared to others around it. The developed part of the site and landscaped gardens comprise the eastern part of the site. Levels fall across the heavily wooded western part of the site to the adjacent Parkstone Golf Course.

15. 'Carrisbrooke' comprises 17 flats in two 4/5 storey flat-roofed blocks of flats linked by single-storey garages. To the south of the site are more garages.

16. This part of the Canford Cliffs Road is characterised by blocks of flats glimpsed behind heavily landscaped frontages.

17. To the north of the site is 'Chetwynd' a 5-storey block of flats and to the south are bungalows in Imbrecourt.

18. The front boundary of the site is well landscaped with trees and scrub. These create substantial screening to the site with broken views of the building.

19. Access to the site is to the north, a drive within the site runs from north to south at a gradient with the southern part at the lower end.

20. Canford Cliffs Village Conservation Area sits to the east of the site beyond Canford Cliffs Road.

21. The application site is not within a Sustainable Transport Corridor but it is within easy walking distance of Canford Cliffs Village Local Centre.

Key issues

22. The proposals are for an 8-storey building, two of the floors being at 'lower ground level', accommodating 60 assisted living/extra care flats (class C2). The use will be registered with the Quality Care Commission and the entry age for this type of accommodation would typically be 70 years of age or older. Appropriate age restrictions can be secured by condition.

23. Assisted Living is a Class C2 use (Residential Institutions such a Care Homes, Hospitals and nursing homes) that are privately bought, and allow the owners to maintain independence, privacy, and companionship. Flexible and personalised care packages allow residents to tailor the care to their own needs. On site staff are present 24/7, 365 days a year. Guest accommodation suites are also included for visitors to stay overnight.

24. The proposal also has a secure and staffed reception into the building, provision for refuse storage, restaurant, staffing areas, car parking and landscaped gardens.

Proposed Use

25. Policy PP12 of the Local Plan deals with Housing for an ageing population. This recognises demand for additional housing for sale and rent over the plan period and, within the policy preamble, Canford Cliffs is recognised as an area where there is likely to be such demand.

26. Information submitted by the applicants suggests that residents in extra care accommodation prefer to shop locally thereby reducing their reliance on the car. The application site is within walking distance of Canford Cliffs Village, the route into which is mostly level. Furthermore, assisted living gives people the opportunity to socialise within their building further reducing reliance on the car.

27. There is therefore demand in this area and the use is accepted.

Character

28. The existing character of the area is mixed; the application site is currently occupied by flats and sits adjacent to and within the context of other flatted development; the principle of flats is accepted. Whilst the site is not within a Sustainable Transport Corridor where higher densities of residential development are directed in accordance with Policy PP2, it is within walking distance (approximately 200m) of Canford Cliffs Village Local Centre, with its shops and other community facilities. The site is therefore appropriate for intensification of use.

29. The existing flats are not of any particular architectural merit and as such their replacement is potentially acceptable.

30. The main issues are therefore the impact of the new building, and its increased height and massing within the streetscene and the setting of the nearby Conservation Area and Compton Acres Historic Park and Garden Grade II*.

31. The existing flats are between 4 and 5 storeys in height and whilst they sit across the frontage of the site, there is a visual gap where they are linked by single-storey garages. Together with the strong landscaped frontage this results in views of the existing being only glimpsed within the street scene. Whilst there are some large buildings within the area, the significant landscaping along boundaries and within sites results in the buildings not dominating the streetscene.

32. The proposals are to erect a single building across the site in a similar position to the existing. The proposals have 6 floors above existing ground level, with two basement levels to contain parking and flats to the rear, where the site levels are lower.

33. The proposals have been amended since pre-application with the top floor removed and substantial reductions to the southern part of the building. The 7th floor has been recessed and the 6th and 5th floors also reduced. This results in a reduced impact towards Imbrecourt but also a reduction in the overall width of the proposals on the upper levels. With substantial screening remaining along the front boundary the southern part of the frontage would not appear significantly larger than the existing building.

34. To the north of the site the proposals are also staggered with the part of the building closest to Chetwynd reflecting the massing of the existing building, this is also where the access will remain and is currently the most visible part of the site within the street scene.

35. The main visible bulk of the building is therefore to the centre. Here amendments

to the pre-application proposals have included creating two focal elements surrounded in white rendered which are positioned either side of the central element. The central element of the front facade has been reduced on the upper floor with the balconies inset and the front of the building also inset. This will reduce the impact of the building particularly within the immediate street scene. The materials to the central element on the three upper floors have also been amended with a darker palette, to reduce its visual prominence.

36. The proposals are larger than the existing buildings, however its design takes account of its surroundings and by virtue of the design, materials, and staggered elements to the built form, together with the screening which will be reinforced as part of the landscape strategy, the proposals would preserve the character and appearance of street scene. From wider views within the street scene the building will be glimpsed due to heavy landscaping along site frontages.

37. The applicant has submitted a Heritage Statement which considers the impact on Canford Cliffs Village Conservation Area, and to Compton Acres which is a Grade II* registered park/garden.

38. The Conservation Area Boundary at its closest point is approx. 78m to the east of the application site, which takes in De Mauley Road and Haven Road. Having regards to the NPPF and paragraphs 192 to 196, from the edge of the Conservation Area within Haven Rd, there will be glimpsed views of the proposed southern part of the site. The proposed building having a larger footprint will extend further to the south of the site than the existing. There is existing tree & hedge screening which will be retained. The building at this end of the site will be at a similar height to the existing. It is considered that the proposal may be glimpsed through the existing landscaping from the Conservation Area in Haven Rd, however the proposal would not cause harm to the characteristics or the setting of the Conservation Area, and therefore preserve the setting of the Conservation Area.

39. Compton Acres lies to the north of site beyond Chetwynd. Whilst the site is considered within the setting of this Historic Park and Garden, by virtue of being an existing residential site, occupied by flats and the intervening Chetwynd (5 storey block of flats) the proposals would not introduce development where it does not currently exist. Although the new building will be greater in height and massing than the existing buildings on site, it will not be significantly further to the north of the site than existing and with the location of Chetwynd beyond the new building closer to Compton Acres, this will diminish the impact of the larger building. It is concluded that the new building would not harm the setting of this heritage asset.

Neighbouring Privacy and Amenities

40. The proposals are significantly larger than the existing flats, however they are positioned in a similar manner to the existing buildings and their principle windows are to the front and rear where only oblique overlooking would occur to neighbouring sites. Furthermore, the rear the site is heavily screened by mature trees and which slopes down to the adjacent Golf Course.

41. To the south of the application site is Imbrecourt, a small close of bungalows. There is heavy screening along this boundary although views of the building would be

glimpsed. The part of the proposed building closest to this boundary has been reduced in height from the pre-application proposals and is now no higher than the existing building, although closer. The building then steps further into the site from floors 6-8, where the majority of the reductions to the scheme have occurred.

42. The southern elevation is not the principle elevation and would contain kitchen windows and the side of balconies. These would be 25m from the closest homes in Imbrecourt, beyond landscaping, and would not give rise to any material overlooking or loss of privacy. There would be a minimal impact on light as Imbrecourt lies to the south of the application site.

43. To the north of the application site is Chetwynd, a four-storey block of flats. This building is positioned side-on the proposed building which is in a similar position to the existing building. This elevation is not the principle elevation to Chetwynd and already faces the existing building (Carrisbrooke). Furthermore, the closest part of the proposals to this neighbour are similar in massing and height to the existing building (floors 3-6). Above this, floors are set back into the site and as such views from these floors will be beyond this neighbour and not cause harmful overlooking.

44.Balconies currently exist to the rear of the application site and the proposed 3rd floor terrace is similar to existing ground level.

45. There are significant distances involved to other neighbouring or nearby sites. Whilst concerns have been raised from The Glen, and the proposals will appear larger than the existing building, the nearest boundary to the application site from The Glen is at least 50m away and whilst there may be some perception of overlooking because of the elevated position of the application site, there would be no material overlooking or loss of privacy. Any potential loss of sunlight with respect to these properties would also not be materially harmful. The application site lies to the southeast of The Glen and at some distance away, any loss of sunlight would be when the sun is low and early in the day.

46. Concerns have been raised regarding the re-siting of the substation and impact of extraction from the kitchen serving the resident dining area.

47. The sub station would reflect a typical installation, commonly found in residential areas and close to homes and its requirement would not in itself be a reason to resist the development.

48. The location of the kitchen associated with the residents dining area is such that, subject to details of the extraction system being secured by condition, it would not harm the amenities of the residents of the proposed flats or of any adjacent home by reason of noise; smells; or fumes.

Highways

49. The existing vehicle access from Canford Cliffs Road would serve the proposed development. The access would have sufficient width to allow vehicles to pass at the site entrance, without having to queue on the highway.

50. The proposed development of 60 flats would have a total of 43 residents' parking

spaces (a ratio of 0.7 spaces per flat). There would also be two staff parking spaces. The proposals would therefore meet the Council's Parking and Highway Layout in Development SPD guidelines in relation to sheltered accommodation, and this level of parking is acceptable subject to the age of residents being restricted to 'over 60' in view of reduced car ownership levels beyond this age.

51. The Councils Parking SPD (para 8.21) requires that underground and multi-storey car parks should be designed in accordance with the Institution of Structural Engineers Publication 'Design Recommendations for Multi-storey and Underground Car Parks' (DRMUCP). This includes requirements that include supporting pillars being set back from the front of the parking bays by 0.8m and that basement floor to ceiling height clearances are in excess of 2.1m. Compliance with the DRMUCP guidelines can be secured by condition.

52. Suitable pedestrian access to the building would be achieved from all parking areas, and from street level.

53. Having regards to the comprehensive Transport Statement submitted by the applicant's Highway Consultant, it is not anticipated that increased vehicle movements resulting from the proposals, over the existing use, would have a significant or severe impact upon the highway network.

54. It is noted that there will be a mobility scooter store at street level.

55. The plans show suitable visibility splays. The applicant has also suggested that they will be providing a traffic signal system to manage movement within the site. From the details provided such a scheme would be effective and could operate safely. The details of such a scheme should be sought and secured by condition.

Trees

56. The application site is significantly screened by trees around its perimeter and has a substantial wooded area to the rear.

57. The proposals are accompanied by an Arboricultural Method Statement, Tree protection plan and landscape plan. These have been amended following comments from the Council's Arboricultural Officer, providing additional tree replants, and amended sequencing of arboricultural events (erection of tree protection), supervision, excavations and mixing areas.

58. The Arboricultural Officer has suggested opening up of the woodland and increased access to it. This area is on significantly sloping ground, the applicant has pointed out that due to the age of residents 70+ and generally older, that the opening up of this area in a formal manner will encourage its use which could be hazardous. It's management is proposed which will help retain the visual and environmental importance of this area including ecological benefits. Furthermore, the scheme incorporates a more level amenity area immediately to the rear of the building and formal social areas in the form of terraces etc. Given the topography of the woodland part of the application site and the proposed ages of the residents, there is no provision in the proposals to increase recreational access by residents to this part of the site. This is an acceptable solution.

Affordable Housing
59. Affordable housing contributions are required on C3 residential development. The proposals are for a C2 use where an element of care is provided and as such affordable housing contributions are not required.

60. In this respect a condition should be attached to restrict the age of occupants. An appropriate figure for this, based on programmed changes to the State Pension Age, would be 67 years of age. Normal practice would be to also incorporate provision in such a condition for younger partners and spouses; and also to address sole occupancy by surviving younger partners.

Ecological Enhancements
61. Enhancements to the grounds and wooded area are proposed as part of the landscape plan. There will remain significant opportunities for biodiversity within the site and the submitted ecology report details biodiversity enhancements such as Bat tubes and roosting features and a hedgehog house. These can be secured by condition.

Renewable Energy
62. An energy strategy has been provided with the application which states that photovoltaics will be provided on the roof to provide a source of renewable energy.

Section 106 Agreement/CIL compliance

Contributions Required			Dorset Heathland SAMM	Poole Harbour Recreation SAMM
Flats	Existing	17	@ £269	@ £96
	Proposed	60		
	Net increase	43	£11,567	£4,128
Total Contributions			£ (plus admin fee)	£ (plus admin fee)
CIL	Zone A		@ £115sq m	

63. 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 in February 2019. 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.

64. The site is within 5km (but not within 400m) of Heathland SSSI and the proposed net increase in dwellings would not be acceptable without appropriate mitigation of their impact upon the Heathland. As part of the Dorset Heathland Planning Framework a contribution is required from all qualifying residential development to fund Strategic Access Management and Monitoring (SAMM) in respect of the internationally important Dorset Heathlands. This proposal requires such a contribution, without which it would not satisfy the appropriate assessment required by the Habitat Regulations

65. In addition, the proposed net increase in dwellings would not be acceptable without appropriate mitigation of their recreational impact upon the Poole Harbour SPA and Ramsar site. A contribution is required from all qualifying residential development in Poole to fund Strategic Access Management and Monitoring (SAMM) in respect of the internationally important Poole Harbour. This proposal requires such a contribution, without which it would not satisfy the appropriate assessment required by the Habitat Regulations.

66. The required payments will be secured by a Section 106 agreement.

Planning balance

67. The proposals would provide housing for an aging population in an area where there is demand and close to Local amenities. The proposals by virtue of their siting, design and massing have been design to address the street scene in a sensitive manner and preserve neighbouring privacy and amenities.

68. Highway safety will be preserved and protected trees on site managed appropriately.

RECOMMENDATION

It is therefore recommended that this application be Granted subject to the applicants entering into a s.106 agreement securing the following contributions:

i. A contribution of £11,567 towards Dorset Heathland SAMM
ii. A contribution of £4,128 towards Poole Harbour Recreation SAMM

Conditions:

1. GN150 (Time Expiry 3 Years (Standard))
The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason -
This condition is required to be imposed by the provisions of Section 91 of the Town and Country Planning Act 1990 and amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

2. PL01 (Plans Listing)
The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan ref: SO-2496-03-AC-001-A received 18/12/2019
Proposed Site Plan (L1 Floor Plan) ref: SO-2496-03-AC-023-D received 01/05/2020
Proposed Site Plan (L2 Floor Plan) ref: SO-2496-03-AC-024-E received 01/05/2020
Proposed Site Plan (L3 Ground Floor) ref: SO-2496-03-AC-025-J received 11/09/2020
Proposed Site Plan (Roof Plan) ref: SO-2496-03-AC-027-E received 16/07/2020
L4 Plan GA ref: SO-2496-03-AC-031-D received 18/12/2019
L5 Plan GA ref: SO-2496-03-AC-032-D received 18/12/2019
L6 Plan GA ref: SO-2496-03-AC-033-D received 18/12/2019
L7 Plan GA ref: SO-2496-03-AC-034-D received 18/12/2019
Proposed Site Plan (L8 Floor Plan) ref: SO-2496-03-AC-035-F received 01/05/2020
Proposed Elevations in context ref: SO-2496-03-AC-037-F received 01/05/2020
Proposed Elevations in context ref: SO-2496-03-AC-038-C received 18/12/2019
Proposed Elevations in context ref: SO-2496-03-AC-039-C received 18/12/2019
Proposed Streetview ref: SO-2496-03-AC-043-A received 01/05/2020
Elevations 01 ref: SO-2496-03-AC-047-E received 18/12/2019
Elevations 02 ref: SO-2496-03-AC-048-F received 01/05/2020
Landscape Proposals ref: MCS644/Drg01 Rev D dated 16/07/2020
Tree Protection Plan ref: 1142-KC-XX-YTREE-TPP01 RevA received 01/05/2020
Arboricultural Method Statement ref: 1142-KC-XX-YTREE-Method Statement - RevA received 01/05/2020

Proposed Drainage Plan Sheet 1 of 2 Level 1 ref: SO-2496-03-DR-005-P1 received 18/12/2019
Proposed Drainage Plan Sheet 2 of 2 Level 3 ref: SO-2496-03-DR-006-P1 received 18/12/2019

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

3. GN070 (Remove Use as Balcony)
Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 and the Town and Country Planning Act 1990 or any subsequent re-enactments thereof, the flat roof areas of the building hereby permitted and specified below shall not be used as a balcony, roof garden or similar amenity area.

Areas of flat roof:
Level 4 North Side
Level 6 South side
Level 7 North side
Level 8 South side

Reason -
To protect the amenity and privacy of adjoining residential properties and in accordance with Policy PP27 of the Poole Local Plan (November 2018).

4. GN080 (Screening to Balcony)
Prior to occupation of the building hereby approved, details of an obscure glazed screen of at least 1.8 metres in height to be erected along the northern side of balconies to the rear of units 25, 36 and 45 and the southern side of the balconies to the rear of units 21 and 32 as marked on the approved plans shall be submitted to, and approved in writing by, the Local Planning Authority. The screens shall be erected in accordance with the approved details prior to first occupation of those units listed and shall thereafter be permanently retained as such.

Reason -
In the interests of privacy and amenity of the neighbouring properties and in accordance with Policy PP27 of the Poole Local Plan (November 2018).

5. GN161 (BREEAM)
Unless otherwise agreed in writing with the Local Planning Authority, the development hereby permitted shall achieve a minimum BREEAM "Excellent" rating (or equivalent standard). Within 6 months post first occupation of the building, the Post-Construction Review Certificate shall be submitted to the Local Planning Authority verifying that the BREEAM rating has been met.

Reason:
In the interests of delivering a sustainable and energy efficient scheme and in accordance with Policy PP37 of the Poole Local Plan (November 2018).

6. HW100 (Parking/Turning Provision)
The development hereby permitted shall not be brought into use until the access, turning space, vehicle parking and cycle parking shown on the approved plan have been constructed, and these shall thereafter be retained and kept available for those purposes at all times.

Reason -
In the interests of highway safety and in accordance with Policies PP27, PP34, PP35 and PP36 of the Poole Local Plan (November 2018).

7. HW200 (Provision of Visibility Splays)
Before the development hereby permitted is brought into use and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any subsequent re-enactment thereof, the land designated as visibility splay(s) as indicated on the approved plan(s) shall be cleared of all obstructions over 0.6 metres above the level of the adjoining highway, including the reduction in level of the land if necessary, and nothing over that height shall be permitted to remain, be placed, built, planted or grown on the land so designated at any time.

Reason -
In the interests of highway safety and in accordance with the approved plans and Policies PP34, PP35 and PP36 of the Poole Local Plan (November 2018).

8. AA01 (Non standard Condition)
Unless otherwise agreed in writing by the Local Planning Authority to any variation, the multi-storey/ under croft parking areas hereby approved shall be designed and constructed having regard to the Institution of Structural Engineers Publication 'Design Recommendations for Multi-storey and Underground Car Parks'.

Reason -
In the interests of highway safety and in accordance with Policy PP35 of the Poole Local Plan (2018), the Parking and Highway Layout in Development SPD (July 2011), and the Institution of Structural Engineers Publication 'Design Recommendations for Multi-storey and Underground Car Parks'.

9. AA01 (Non standard Condition)
Prior to the completion of the Damp Proof Course details of a traffic signal scheme for the access drive and car park entrances shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall subsequently be implemented prior to the first occupation of the first assisted living/extra care apartment hereby approved, and thereafter retained and maintained in perpetuity.

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

10. LS030 (Implement Landscaping Scheme)
Landscaping of the site shall be implemented in accordance with the approved landscape plan ref: MCS644/Drg01 Rev D dated 16/07/2020 in accordance with the following:

a) the approved scheme shall be fully implemented with new planting carried out in the planting season October to March inclusive following occupation of the building(s) or the completion of the development whichever is the sooner, or in accordance with a timetable to be agreed in writing with the Local Planning Authority;
b) all planting shall be carried out in accordance with British Standards, including regard for plant storage and ground conditions at the time of planting;
c) the scheme shall be properly maintained for a period of 5 years and any plants (including those retained as part of the scheme) which die, are removed or become damaged or diseased within this period shall be replaced in the next planting season with others of a similar size and the same species, unless the Local Planning Authority gives written consent to any variation; and
d) the whole scheme shall be subsequently retained.

Reason -
In the interests of visual amenity, to ensure that the approved landscaping scheme is carried out at the proper times and to ensure the establishment and maintenance of all trees and plants in accordance with Policies PP27 and PP33 of the Poole Local Plan (November 2018).

11. TR030 (Implementation of Details of Arb M Stmt)
All works relating to the ground clearance, tree works, demolition and development with implications for trees shall be carried out as specified in the approved arboricultural method statement, and shall be supervised by an arboricultural consultant holding a nationally recognised arboricultural qualification.

Reason -
To prevent trees on site from being damaged during construction works and in accordance with Policy PP27 of the Poole Local Plan (November 2018).

12. TR080 (Replanting of Specified Number of Trees)
9 tree(s), in accordance with the details on the approved landscape plan ref: MCS644/Drg01 Rev D dated 16/07/2020, shall be planted in accordance with BS3936, BS4043, BS4428 and BS8545 within 12 months following implementation of this permission. The tree(s) shall be thereafter maintained for a period of five years including the replacement of any tree(s), or any tree(s) planted in replacement for it, which die, are removed or become damaged or diseased within this period with tree(s) 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 tree(s) 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 PP27 of the Poole Local Plan (November 2018).

13. AA01 (Non standard Condition)
The development hereby permitted shall only be constructed in accordance with the external materials as shown on the approved plans and thereafter the development shall at all times only be maintained and repaired in accordance with those external materials.

Reason -
To ensure that the external appearance of the building(s) is satisfactory and in accordance with Policy PP27 of the Poole Local Plan (November 2018).

14. AA01 (Non standard Condition)
The development hereby approved shall be carried out in accordance with the approved drainage strategy.

Reason -
To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal and in accordance with PP38 of the Poole Local Plan (November 2018).

15. AA01 (Non standard Condition)
On-site renewable energy sources shall be provided by solar PV's as set out in the submitted Energy Strategy by Hoare Lea, prior to first occupation of the development hereby approved and retained thereafter.

Reason:
In the interests of delivering a sustainable scheme, reducing carbon emissions and reducing reliance on centralised energy supply, and in accordance with Policy PP37 of the Poole Local Plan (November 2018).

16. AA01 (Non standard Condition)
Prior to occupation of the units hereby approved the biodiversity enhancements as detailed in the Ecology Report by Abbas Ecology shall be implemented and retained thereafter.

Reason -
To provide biodiversity enhancements on site and in accordance with Policy PP33 of the Poole Local Plan adopted 2018.

17. NP080 (Fume Extraction Equipment)
Prior to occupation of the development hereby approved, details of the fume extraction and filtration equipment to be installed to the communal kitchen to effectively suppress the emission of fumes and smells, shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall thereafter be installed in accordance with those agreed details; thereafter retained as such; and at all times maintained in accordance with the manufacturer’s instructions.

Reason -
To protect the amenities of occupiers of adjoining properties and in accordance with Policy PP27 of the Poole Local Plan (November 2018).

18. The 'well being suite' shall be used for providing services to the residents of the development only.

Reason -
The application has been assessed on this basis and in accordance with Policy PP27 of the Poole Local Plan (November 2018).

19. The guest bedroom shown on plan ref: SO-2496-03-AC-025 Revision J shall only be used for visitors to residents of the development hereby approved.

Reason-
The application has been assessed on this basis that the guest bedroom is for visitors rather than a permanent habitable residential unit and in accordance with Policies PP32, PP34, PP35, PP36 of the Poole Local Plan adopted 2018

20. The resident's dining room shown on plan ref: SO-2496-03-AC-025-J shall be ancillary to the main use of the building which is Class C2 use.

Reason-
The application has been assessed on the basis that the dining facilities are ancillary to the care home and in accordance with Policy PP12 of the Poole Local Plan adopted 2018.

21. None of the units of Assisted Living Extra Care Accommodation at the development shall be used otherwise than as a private place of residence for a person or persons of whom at least must be a 'qualified person' (defined below) at the date of his or her first occupation of the unit in question – For the purposes of this Schedule 'a qualified person' means a person who is or has attained the age of 67 years and thereby is in need of personal care by reason of old age or by reason of disablement (whether or not such person suffers from a registered disability under the terms of the Chronically and Disabled Persons Act 1970). An occupier of one of the individual units of residential accommodation who is not a 'qualified person' but who shares or previously shared the accommodation with a 'qualified person' (e.g. a spouse or surviving spouse) must have attained the age of at least 62 years.

Reason -
In order to have regard to the specific nature of the development, and in order to ensure the development is able to meet its parking needs, in the interest of highway safety and in accordance with Policy PP12 and PP35 of the Poole Local Plan.

22. That part of the development which comprises the Assisted Living Extra Care Accommodation to be managed by a domiciliary care provider registered with the Care Quality Commission or any successor body ('the Domiciliary Care Provider)The Estate Manager of that part of the development

which comprises the Assisted Living Extra care Accommodation is to be registered with the Care Quality Commission or any successor body. At least one employee of the Domiciliary Care Provider to be physically present at that part of the development which comprises the Assisted Living Extra Care Accommodation at all times.
At least 2 hours of personal care per week to be delivered by the onsite care provider to the 'qualified person(s) in that part of the development which comprises the Assisted Living Extra Care Accommodation.

Reason-
In order to have regard to the specific nature of the development and in accordance with Policy PP12 of the Poole Local Plan.

23. In advance of securing Building Regulation Compliance, the developer will identify 20% of the dwellings hereby permitted to be built in accordance with the requirements of Approved Document Part M4(2) Category 2 of the Building Regulations (2015) (as amended). The units shall first have been agreed in writing by the Local Planning Authority.

Reason -
In the interests of meeting the needs of the ageing population and in accordance with PP12 of the Poole Local Plan (November 2018).

Informative Notes

1. IN72 (Working with applicants: Approval)
In accordance with the provisions of paragraphs 38 of the NPPF the Local Planning Authority (LPA) takes a positive and creative approach to development proposals focused on solutions. The LPA 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.
- in this case the applicant was advised of issues after the initial site visit
- in this case the applicant was provided with pre-application advice and this was reflected in the proposals
- in this case the applicant was afforded an opportunity to submit amendments to the scheme which addressed issues that had been identified
- the application was considered and approved without delay

2. IN74 (Community Infrastructure Levy - Approval)
Part 11 of the Planning Act 2008 and the Community Infrastructure Levy Regulations

The proposed development referred to in this Planning Permission is a chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act 2008 and the CIL Regulations (amended).

In accordance with CIL Regulation 65, the Local Planning Authority (LPA) will issue a Liability Notice in respect of the chargeable development referred to in this planning permission as soon as practicable after the day on which this Planning Permission first permits development. The Liability Notice will confirm the chargeable amount for the chargeable development referred to in this Planning Permission and will be calculated by the LPA in accordance with CIL Regulation 40 (amended) and in respect of the relevant CIL rates set out in the adopted charging Schedule. Please note that the chargeable amount payable in respect of the chargeable development referred to in this planning permission is a local land charge.

Please be aware that failure to submit a Commencement Notice and pay CIL in accordance with the CIL Regulations and Council's payment procedure upon commencement of the chargeable development referred to in this Planning Permission will result in the Council imposing surcharges and taking enforcement action. Further details on the Council's CIL process including assuming liability, withdrawing and transferring liability to pay CIL, claiming relief, the payment procedure, consequences of not paying CIL in accordance with the payment procedure and appeals can be found on the Poole website: http://www.poole.gov.uk/planning-and-buildings/planning/ldf/community-infrastructure-levycommunity-infrastructure-levy/

3. IN43 (Section 106 Agreement)
The land and premises referred to in this planning permission are the subject of an Agreement under Section 106 of the Town and Country Planning Act 1990.

CHAUCER ROAD
CANFORD CLIFFS ROAD
ELMSTEAD ROAD
MACANDREW ROAD
BODLEY ROAD
CLIFFSIDE
Canford Place
Monroe Chase
Carlsbrooke
Canford Cliffs Village Pocket Park
Compton Acre
Pond
Ponds
APPLICATION BOUNDARY
SCALE 1:625 @ A1 / 1:1250@ A3
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CARISBROOKE, 172 CANFORD CLIFFS RD, CANFORD CLIFFS, POOLE
LOCATION PLAN
SO - 2486 - 03 - AC - 001 - A
173506
11.11.19
inspire design

CANFORD CLIFFS ROAD
HAVEN ROAD (B3066)
1 to 9
170
1 to 7
4
5
7
EXISTING BUILDINGS
APPLICATION BOUNDARY
LANDSCAPE INDICATIVE ONLY
N
CARSBROOKE, 172 CANFORD CLIFFS RD, CANFORD CLIFFS, POOLE
PROPOSED SITE PLAN (ROOF PLAN)
inspire design

Sub-station
Bicycle parking
45
44
43
42
41
40
39
38
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24
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21
20
APPLICATION BOUNDARY
LANDSCAPE INDICATIVE ONLY
SCALE 1:100 @ A1 / 1:200 @ A3
CARRSBROOKE, 172 CANFORD CLIFFS RD, CANFORD CLIFFS, POOLE
PROPOSED SITE PLAN (L1 FLOOR PLAN)
SO – 2486 – 03 – AC – 023 – D
1:100 @ A1 1:200 @ A3
173506
07.11.18


Sub-station
45
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04
03
1:6
1:12
1:57
1:12
1:6
1:17
1:20
APPLICATION BOUNDARY
LANDSCAPE INDICATIVE ONLY
SCALE 1:100 @ A1 / 1:200 @ A3
LENGTH IN METRES
inspire design
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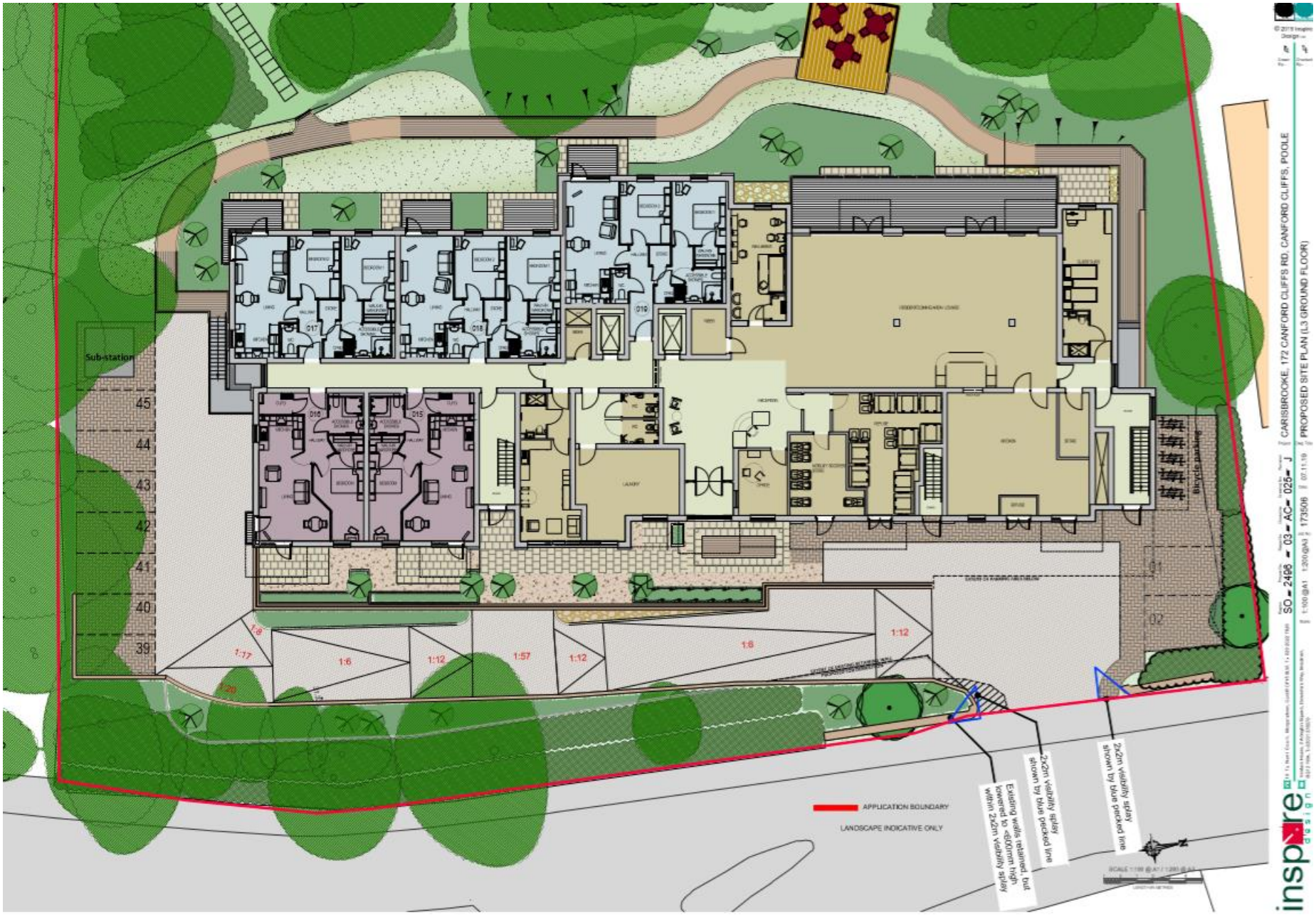
CARISBROOKE, 172 CANFORD CLIFFS RD, CANFORD CLIFFS, POOLE
PROPOSED SITE PLAN (L2 FLOOR PLAN)
SO - 2496 - 03 - AC - 024 - E
1:100 @A1 1:200@A3 173506 07.11.19


Sub-station
45
44
43
42
41
40
39
1:17
1:6
1:12
1:57
1:12
1:6
1:12
Bicycle parking
APPLICATION BOUNDARY
LANDSCAPE INDICATIVE ONLY
Existing walls retained, but lowered to <600mm high within 2x2m visibility splay
2x2m visibility splay shown by blue pecked line
2x2m visibility splay shown by blue pecked line
CARISBROOKE, 172 CANFORD CLIFFS RD, CANFORD CLIFFS, POOLE
PROPOSED SITE PLAN (L3 GROUND FLOOR)
SO - 2496 - 03 - AC - 025 - J
173506
inspire design

KEY :

- Circulation
- 1 Bed Apartment
- 2 Bed Apartment
- Communal / Service Areas

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L4 - FFL GA
1:100

Scale 1 : 100 @ A1 / 200 @ A3

0 2 5 10 m

031	173506	08.11.2019	1 : 100 @ A1

Canford Cliffs

L4 Plan GA	MF	RB

REVISION	PROJECT NO	STAGE NO	DISCIPLINE	DRAWING NO	REVISION
SO	2496	03	AC	021	0

inspire design

KEY :

- Circulation
- 1 Bed Apartment
- 2 Bed Apartment
- Communal / Service Areas

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L5 - FFL GA
1 : 100

Scale 1 : 100 @ A1 / 200 @ A3

0 2 5 10 m

D	Minor apartment furniture amendments		25.11.19
C	Graphics improved. Roof underlay added to SW plans		18.11.19
B	Title information amended		13.11.19
A	First issue		08.11.19

REV	DESCRIPTION	DATE

SHEET NUMBER	INSPIRE PROJECT NUMBER	DATE	DRAWING SCALE
032	173506	08.11.2019	1 : 100 @ A1

PROJECT TITLE

Canford Cliffs

DRAWING TITLE	DRAWN BY	CHECKED BY
L5 Plan GA	MF	RB

REGION	PROJECT NO	STAGE NO	DISCIPLINE	DRAWING NO	REVISION
SO	2696	03	AC	032	0

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10 Ty Nant Court, Morgantown, Cardiff, CF15
M.M. T: 029 2022 7606
Harbour House, 2 Islington Square, Dorchester Way, Hereford, HR2 7NA. T: 0203 3700 75

KEY :

- Circulation
- 1 Bed Apartment
- 2 Bed Apartment
- Communal / Service Areas

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L6 - FFL GA
1 : 100

Scale 1 : 100 @ A1 / 200 @ A3

0 2 5 10 m

REV	DESCRIPTION	DATE
D	More apartment furniture amendments	25.11.19
C	Graphics improved. Roof underlay added to 3d plans	18.11.19
B	Title information amended	13.11.19
A	First issue	08.11.19

SHEET NUMBER	REPORT PROJECT NUMBER	DATE	DRAWING SCALE
033	173506	08.11.2019	1 : 100 @ A1

PROJECT TITLE
Canford Cliffs

DRAWING TITLE	DRAWN BY	CHECKED BY
L6 Plan GA	MF	RB

REGION	PROJECT NO	STAGE NO	DISCIPLINE	DRAWING NO	REVISION
SO	2496	03	AC	033	D

inspire design

KEY :

- Circulation
- 1 Bed Apartment
- 2 Bed Apartment
- Communal / Service Areas

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L7 - FFL GA
1 : 100

Scale 1 : 100 @ A1 / 200 @ A3

0 2 5 10 m

D	Minor apartment function amendments		25.11.19
C	Duplicate improved. Roof underlay added to 3M plans		14.11.19
B	Title information amended		13.11.19
A	First issue		08.11.19

SHEET NUMBER	INSPIRE PROJECT NUMBER	DATE	DRAWING SCALE
034	173506	08.11.2019	1 : 100 @ A1

PROJECT TITLE
Canford Cliffs

DRAWING TITLE	DRAWN BY	CHECKED BY
L7 Plan GA	MF	RB

REVISION	PROJECT NO	STAGE NO	DISCIPLINE	DRAWING NO	REVISION
SO	2496	03	AC	034	D

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CARISBROOKE, 172 CANFORD CLIFFS RD, CANFORD CLIFFS, POOLE

PROPOSED L8 FLOOR PLAN



East Elevation
1 : 100



South Elevation
1 : 100

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Elevation Materials

1. CLADDING PANEL - OFF WHITE
2. CLADDING PANEL - WOOD FINISH
3. METAL CLADDING - LIGHT GREY
4. METAL CLADDING - GREY
5. ALUMINIUM WINDOW FRAMES - GREY
6. POWDER COATED METAL BALCONIES - DARK GREY, WITH GLASS BALUSTRADES
7. POWDER COATED METAL PARAPET COPING - DARK GREY
8. ALUMINIUM ACV FRAMES - GREY, WITH GLASS INFIL
9. BRICK - GREY

Scale 1 : 100 @ A1 / 200 @ A3

0 2 5 10 m

F	Layout amendments post submission planning meeting		17.03.20
E	Timber cladding radius indicated		23.11.19
D	Title information amended		10.11.19
C	Graphics improved. Materials added		14.11.19
B	Title information amended		13.11.19
A	First issue		30.11.19

SHEET NUMBER	INSPIRE PROJECT NUMBER	DATE	DRAWING SCALE
048	173506	08.11.2019	As indicated @ A1

PROJECT TITLE
Canford Cliffs

DRAWING TITLE	DRAWN BY	CHECKED BY
Elevations 02 (Coloured)	MF	RB

REGION	PROJECT NO	STAGE NO	DISCIPLINE	DRAWING NO	REVISION
SO	2086	03	AC	048	F

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West Elevation
1 : 100



North Elevation
1 : 100

Elevation Materials

1. CLADDING PANEL - OFF WHITE
2. CLADDING PANEL - WOOD FINISH
3. METAL CLADDING - LIGHT GREY
4. METAL CLADDING - GREY
5. ALUMINIUM WINDOW FRAMES - GREY
6. POWDER COATED METAL BALCONIES - DARK GREY, WITH GLASS BALUSTRADES
7. POWDER COATED METAL PARAPET COPING - DARK GREY
8. ALUMINIUM ACH FRAMES - GREY, WITH GLASS INFIL
9. BRICK - GREY

Scale 1 : 100 @ A1 / 200 @ A3

0 2 5 10 m

DRAWING NUMBER	PROJECT NUMBER	DATE	DRAWING SCALE
047	173506	08.11.2019	As indicated @ A1

PROJECT TITLE
Canford Cliffs

DRAWING TITLE	DRAWN BY	CHECKED BY
Elevations 01 (Coloured)	MF	RB

ORIGIN	PROJECT NO	STAGE NO	DISCIPLINE	DRAWING NO	REVISION
SO	2690	03	AC	047	C

inspire design





SCALE 1:200 @ A1 / NTS @ A3

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Planning Committee

Application Address	Joseph Steps Building, West Undercliff Promenade, Bournemouth
Proposal	Alterations and extensions to building to provide lifeguard facilities to include boat storage, training/ meeting rooms, viewing balcony, installation of photo voltaic panels, erection of pole mounted turbines and a flagpole
Application Number	7-2020-5162-D
Applicant	Bournemouth Lifeguards Corp
Agent	Roger Wilkinson Arch & Bldg Services
Date Application Valid	10 August 2020
Decision Due Date	4 October 2020
Extension of Time date (if applicable)	3rd December 2020
Ward	Westbourne & West Cliff
Report Status	Public
Meeting Date	26th November 2020
Recommendation	**Grant in line with recommendations below**
Reason for Referral to Planning Committee	In the wider public interest as the development is in a sensitive seafront location.
Case Officer	Joscelyn Holbrook

Description of Development

1. Planning consent is sought for the alterations and extensions to existing building to provide lifeguard facilities to include boat storage and changing facilities on ground floor, training/ meeting rooms and viewing balcony at first floor, installation of photo voltaic panels, erection of pole mounted turbines and a flagpole.

2. The applicant has provided the following information:

- Existing and proposed floor plans and elevations, including cross section.
- Ecology report;

- Tree report;
- Supporting statement;
- Flood risk and environmental summary;

3. Overview:

	Existing	Proposed
Use	Storage, beach huts (boarded up, not in use), freestanding kiosk	Base for Bournemouth lifeguard Corp. To include storage and changing facilities at ground floor and kitchen, store, training and meeting room and operations room at first floor with a large viewing balcony.
height	5m	A maximum height of 7m to the roof. 11.5m to the wind turbine.
Width	30m	30m
Depth	9m	10m
Cycle parking	n/a	8 Sheffield stands in front of the building and 3 Sheffield stands within the building at ground floor.

Key Issues

4. The main considerations involved with this application are:

- Impact on character and appearance of the seafront;
- Impact on trees;
- Impact on the highway;
- Flood risk;
- Community facility;
- Impact on ecology;
- Impact on cliff stability;
- Impact on local residents;
- Sustainability;
- Planning balance.

5. These points will be discussed as well as other material considerations at paragraph 17 to 43 below.

Planning Policies

6. **Core Strategy (2012)**

CS1: Sustainable Development
CS2: Sustainable Homes and Premises
CS3: Sustainable Energy and Heat

CS6: Delivering Sustainable Communities
CS18: Increasing Opportunities for Cycling and Walking
CS30: Promoting Green Infrastructure
CS35 Nature and Geological Conservation Interests
CS41: Design Quality

7. **District Wide Local Plan (DWLP) (2002)**

3.25: Land Stability
3.28: Flooding
4.25: Trees and landscaping
7.10 Development of sports and recreational facilities and community uses

8. **Supplementary Planning Documents:**

Sustainable Urban Drainage Systems (SUDS) - PGN
Bournemouth Parking – SPD

9. **The National Planning Policy Framework (2019)**

Paragraph 11: presumption in favour of sustainable development.
Paragraph 124: achieving well designed places
Paragraph 148: meeting the challenge of climate change, flooding and coastal change.
Paragraph 151: increasing the use of renewable and low carbon energy and heat.
Paragraph 155: flood risk and inappropriate development
Paragraph 167: coastal change
Paragraph 170: enhancement of the natural and local environment
Paragraph 175: protection and enhancement of biodiversity and SSSI

Relevant Planning Applications and Appeals:

10. 2011 - Demolition of the existing Joseph's Steps building and the erection of a 3 storey building to support coastal sports related activities including equipment storage / boat house, changing facilities, training and function space, together with sports clinic gym and café including cycle storage – Granted at Committee 15/8/2011.

11. 2011 - EIA screening opinion for Erection of a 3 storey building comprising boat house, events area, gym and café – granted.

12. 1999 - Installation of roller shutters and enclosure of shelter to form store -Regulation 3 – granted.

Representations

13. Site notices were posted in the vicinity of the site on 17/8/2020 with an expiry date for consultation of the 11/9/2020.

14. 29 representations have been received, all in support raising the following comments:

- Close proximity to previous base at Durley Chine;
- Enhance a run down building;
- Improve the appearance of the sea front;

- Proposed use of renewable energy is welcomed and in line with the eco hub at Durley Chine;
- Continuation of the lifeguard club who provides training;
- One place to store all the equipment would be a significant benefit;
- New training facility will allow the club to attract new members'
- Opportunity to train and compete at local, national and world lifesaving championships;
- Existing building is an eye sore;
- Supports the local community;
- Building is accessible to all with the proposed lift and accessible toilets on ground and first floor;
- Fits in well with the seafront.

Consultations

15. Local Highway Authority – no objection.
Environment Agency – no objections subject to consultation with coastal protection team and recommended conditions.
Coastal Protection Officer – no objections.
Dorset Wildlife Trust – no objections following the receipt of an ecology report.

Constraints

16. The application site is on the seafront, adjacent to the sea wall and therefore has a flood risk potential. In addition, the site is located in front of the designated SNCI (Site of Nature Conservation Interest) of Bournemouth Cliffs and SSSI (Site of Special Scientific Interest) buffer.

Planning Assessment

Impact on character and appearance of the seafront.

17. Members will recall an application that was granted at Committee on the 5h of November 2020 at Durley Chine Depot for an environmental visitors' centre. Part of the application included the demolition of a building which was in use by Bournemouth Lifeguard Corps. This proposal under consideration is for a new facility for Bournemouth lifeguards and the location is 200m to the east of the previous base at Durley Chine.

18. The proposed site fronts the seafront and is set slightly back from the promenade between the commercial area adjacent to the Pier to the east, and Durley Chine to the west. On the site there is an existing two storey building which comprises of an old public shelter converted to store deck chairs and other equipment at ground floor level, with boarded up beach huts on the first floor. There is a 'zig zag' footpath up to the West Cliff area adjacent to the site known as Joseph Steps.

19. The site is a relatively natural setting, free from significant built development in the immediate area. There are other beach huts along the promenade but the site is separated from the more built up area around the Pier Approach and Durley Chine where the scale of development is greater, but predominantly two stories along the promenade. All buildings along the promenade sit well below the cliff top so that the appearance and scale of the cliffs is the dominant character, with buildings being subservient.

20. The existing building fails to positively contribute to the seafront location and there are no objections to the principle of alterations and extensions to the building as it is an opportunity to improve the visual appearance of this part of the seafront.

21. In terms of the proposed use as a base for Bournemouth Lifeguard Corps, it is considered appropriate to the seafront location and there are no objections to the change of use of the building. The proposal utilises the existing footprint and extensions are proposed to increase the height and bring the first floor element forward as demonstrated in the cross section on drawing number 19.66.6. Whilst the height is to increase, it still represents a two storey building which would be subservient to the cliffs. The proposed modern design is considered acceptable with care taken that all elevations of the building have been designed well including the roof, as views towards the roof will be achieved when walking down the zig zag.

22. Waste storage facilities have been incorporated into the building to avoid unsightly outdoor areas. The alterations to the building are considered to create a landmark building whilst retaining a subservient appearance to the seafront setting. The pallet of materials is considered acceptable and in keeping with the seafront location. The proposed alterations to the building are not considered to adversely affect the seafront location. The proposal is considered well designed and is in accordance with Policies CS1, CS6 and CS41 of the Core Strategy and paragraphs 11 and 124 of the NPPF.

Impact on trees:

23. In accordance with Policy 4.25 of the BDWLP, a tree report has been submitted to support this application. There are three trees to the rear of the existing building, a Monterey Pine and two Monterey Cypress. The two Cypress trees are visually significant in the area and visible from the beach and along the promenade as well as views from the cliff top and therefore are considered to contribute towards the visual amenity of the area. The two trees are well established and although individually they are not the best examples due to the prevailing winds which has affected their direction of growth however, they do have a strong group value. The tree report has been considered by the Councils Tree and Landscaping Officer and considered acceptable.

24. The proposal is to crown lift the trees but importantly the trees are to be retained. The previous application in 2011 which proposed a replacement building required the loss of the trees. As this proposal utilises the existing footprint the trees are able to be retained which is welcomed as there will not be a loss to the visual amenity for the wider area.

Impact on the highway:

25. The Local Highway Authority have been consulted on this application and raise no objections to the development. It is considered that whilst there is no car parking associated with the development, the previous lifeguard base at Durley Chine did not have any car parking provision. The site is accessible via the zig zag and along the promenade and it is envisaged that lifeguard members and visitors will travel either by foot or cycle. Sheffield stands were requested in accordance with Policy CS18 and an amended plan was submitted which proposes Sheffield stands directly in front of the building as well as a cycle provision within the building. Given the nature of the development, the Highway Officer considers that the use of wall racks is considered an acceptable departure from the Local Planning Authority's Parking SPD.

26. A condition has been suggested that the Sheffield stands in front of the building are covered however, it is considered that this would appear unnecessarily dominant. In addition, there is an internal cycle provision proposed that can be used on wet days or for additional security. If Members agree, a condition will be added that the cycle provision is provided as per the drawings prior to the use of the building commencing rather than requesting details of a covered shelter.

Flood risk:

27. The site is not located within a designated Flood Risk zone. However, it is located on the promenade at the base of the cliff and at risk of some impact from the sea. In accordance with Policy 3.28 of the Bournemouth District Wide Local Plan and paragraphs 155 and 167 of the NPPF, flood risk information was submitted and a consultation was sent to the Environment Agency. The Environment Agency replied with the following:

28. "Given the nature of the proposed redevelopment, with water compatible boat storage and essential facilities on the ground floor, we have no objection on flood risk grounds. However, the applicant has stated that it is outside of the flood zones (Flood Zone 1). This would reflect the still water extreme tidal flood level, but the applicant has not considered potential risk from wave overtopping which would be the most significant risk in this location. Your Authority need to be satisfied that the impact that storms and wave action have along this stretch of coast, can be managed safely as this is introducing additional risk over the existing use. Therefore, your council must involve their coastal engineers in making the decisions"**.**

29. The Councils coastal engineer has been consulted on this application and a copy of the consultation response by the EA sent. The comments were as follows:

30. *"The most recent assessment of wave overtopping risk in this area was as part of the 2014 Poole Bay, Poole Harbour & Wareham Flood and Coastal Erosion Risk Management (FCERM) Strategy, and for this area that concluded that there is presently limited flood risk from wave overtopping (SoP reported as being 0.1% AEP). This assumes beach levels are maintained at the required levels. This is what we aim to achieve for the foreseeable future by actively managing the beach and seeking to ensure sufficient volume to avoid the aging seawall being exposed to wave action to stop it being damaged by storms and so this minimises risk of wave overtopping.*

31. Indeed, we have an ongoing programme of works to 2032 already approved and funded by the Environment Agency to achieve this, with a further phase planned to continue to 2040. However, even with these management actions we cannot guarantee that beach levels will not be lowered during storm events to the extent that wave overtopping can occur – as has happened at times in the past. As such, the design of the ground floor changes in particular should consider the potential for inundation by wave overtopping during storm events and periods thereafter whilst beach levels are recovered (naturally or through management intervention). Given the uncertainty about when such beach lowering events may occur, this risk is likely best managed through consideration of the flood resistance and safe access/egress measures suggested in the Environment Agency's response to this planning application.

32. Over the coming century, the 2014 FCERM Strategy does identify that the SoP along the entire Poole Bay frontage will reduce as a result of the impacts of climate change and sea level rise assuming the current management approach is continued. As a consequence of

this, and other factors such as the current seawall reaching the end of its serviceable life, we will need to consider seawall replacement options and/or alternative approaches to manging the risk of coastal erosion and wave overtopping along this frontage in a sustainable way after 2040, when the current planned programme of works comes to an end".

33. It is considered that there is a risk of wave overtopping if the beach is not actively managed in the future. Regard is also given to paragraphs 148 and 167 of the NPPF regarding coastal change. The coast and sea levels are changing but there are active projects in place seeking to continue the active management of the sea wall and beach levels until 2040. The site is not currently in the flood zone and as the ground floor will be used for storage and changing facilities with the main function of the building operating at first floor, the building is not considered to be adversely affected by flood risk.

Community facilities:

34. Policy 7.10 of the BDWLP provides support for sports and recreation facilities and local community facilities subject to there not being an adverse impact on the highway, significant noise generation or an adverse impact on the environment. In this instance the impact on the highway is considered acceptable, there will not be an adverse impact on noise generation and the environment will not be adversely affected given that the existing trees will be retained. The proposal is seen as a positive visual improvement to the area.

35. The proposal will allow a community facility currently lost due to the redevelopment of Durley Chine Depot for the environmental hub and provide a larger premises for the lifeguards. Weight has therefore been attached to the replacement and expansion of the lifeguard facilities.

Impact on ecology:

36. The application site lies within the Bournemouth Cliffs SNCI (Site of Nature Conservation Interest) zone and Coastal Slope SSSI Buffer Zone and as such, the proposed development could have an impact on these protected areas and an ecology report has been submitted for assessment. Detailed comments have been provided by Dorset Wildlife Trust (DWT) who are in support of the mitigation outlined in section 5.1 of the ecology report and that no construction material or equipment should be placed within the SNCI and that constructions staff should be made aware of the presence of the SNCI and its sensitive habitats as well as the proposed mitigation prior to works commencing.

37. In addition, DWT support the mitigation in respect of lighting and recommend the sensitive lighting scheme is designed in accordance with *Guidance Note 08/18: Bats and artificial lighting in the UK* (Bat Conservation Trust and Institute of Lighting Professionals 2018). DWT welcome the proposed enhancements outlined in the ecological report and a condition is recommended to ensure compliance with the recommendations outlined in the ecology report. The proposal should therefore not have an adverse impact on ecology in accordance with Policy CS35 and paragraphs 170 and 175 of the NPPF.

Impact on cliff stability:

38. The site is on the promenade at the bottom of the cliff. The proposal utilises the existing footprint of the building and proposes extensions. There should therefore not be any disturbance to the cliff face. In addition, the trees to the rear are to be retained which removes the potential for disturbance to the cliff. A condition will be included for prior

approval of the method of construction including details of the storage of materials. This should ensure that there will not be any disturbance to the cliff and therefore should not impact the stability in connection with Policy 3.25 of the BDWLP.

Impact on local residents:

39. There are no residential properties in the immediate vicinity of the proposed development, and therefore it is not considered that there would be any negative impact on the amenities of local residents.

Sustainability:

40. Policies CS2, CS3 and paragraph 151 of the NPPF encourages the use of low carbon and renewable energy sources and Policy CS30 promotes green infrastructure with improvements to the coastal area. This development proposes the use of solar PV panels on the roof and a wind turbine for the generation of electricity which is welcomed. In addition, the building will be naturally lit and ventilated and the design of the roof will enable solar shading. The function of the building has been carefully considered with regard given to low carbon and renewable energy sources which is welcomed and in accordance with local plan policies and the NPPF.

Summary

41. It is considered that:

- The development is acceptable in highway terms, with a cycle provision provided;
- The development is acceptable in its scale, height, width and design;
- The development is an appropriate use;
- The development retains the existing trees to the rear of the building;
- An ecology report proposes mitigation which will be secured via condition;
- The development proposes the use of renewable energy sources;
- The development is at risk of wave overtopping in extreme weather if the beach levels are not maintained long term.

Planning Balance

42. The proposed extensions to the existing building is considered to be acceptable in terms of the scale, height and design in this location and retains a subservience to the natural cliff setting while simultaneously providing a modern landmark design. The use is appropriate to the seafront setting, and subject to adherence to the relevant conditions would provide mitigation to ensure the designated cliffs are not affected. The proposal is acceptable in terms of flood risk and transport impact and impact on local residents.

43. Therefore, having considered the appropriate development plan policy and other material considerations, including the NPPF, it is considered that subject to compliance with the conditions attached to this permission, the development would be in accordance with the Development Plan, would not materially harm the character or appearance of the area or the amenities of neighbouring and proposed occupiers and would be acceptable in terms of traffic safety and convenience. The Development Plan Policies considered in reaching this decision are set out above.

Recommendation

44. GRANT permission with the following conditions:

1. **Development to be carried out in accordance with plans as listed**

   The development hereby permitted shall be carried out in accordance with the following approved plans: 19.66.1 rev a, 19.66.4 rev a, 19.66.5, 19.66.6.

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

2. **Materials as Specified**

   The materials to be used on the external surfaces of the proposed development shall be as specified on the application form/plan unless otherwise agreed in writing by the Local Planning Authority.

   Reason: To safeguard the visual amenities of the locality and in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

3. **In accordance with mitigation recommendations in Ecology report**

   The mitigation and enhancement measures as set out in section 5.1 and 5.2 of the ecology report produced by 'Naturally Wild' referenced 'BL-20-01' dated September 2020 shall be carried out in full prior to the use of the building commencing.

   Reason: To safeguard the SNCI and in accordance with Policy CS35 of the Bournemouth Local Plan: Core Strategy (October 2012).

4. **Cycle stands to be erected prior to occupation**

   Before the occupation of any part of the development hereby approved, the cycle stands shall be erected as shown on the approved plans and thereafter retained, maintained and kept available for the visitors and users of the building at all times.

   Reason: To promote alternative modes of transport and in the interests of amenity in accordance with Policies CS18 and CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

5. **Surface Water Drainage (SUDS Implementation)**

   Before the commencement of development, unless otherwise agreed in writing by the Local Planning Authority, a scheme for the whole site providing for the disposal of surface water run-off and incorporating sustainable urban drainage systems (SUDS), shall be submitted to and approved in writing by the Local Planning Authority. The drainage works shall be completed in accordance with the approved details prior to occupation of the development

or in accordance with a timetable to be agreed in writing by the Local Planning Authority. The scheme shall include the following as appropriate:
a) A scaled plan indicating the extent, position and type of all proposed hard surfacing (e.g. drives, parking areas, paths, patios) and roofed areas.
b) Details of the method of disposal for all areas including means of treatment or interception for potentially polluted run off.
c) Scaled drawings including cross section, to illustrate the construction method and materials to be used for the hard surfacing (sample materials and literature demonstrating permeability may be required).

Reason: To provide satisfactory drainage for the development in accordance with Policy CS4 of the Bournemouth Local Plan: Core Strategy (October 2012) and in order to achieve the objectives set out in the Local Planning Authority's Planning Guidance Note on Sustainable Urban Drainage Systems.

6. Method statement to be submitted to include operatives' car parking, noise reduction measures, storage of materials

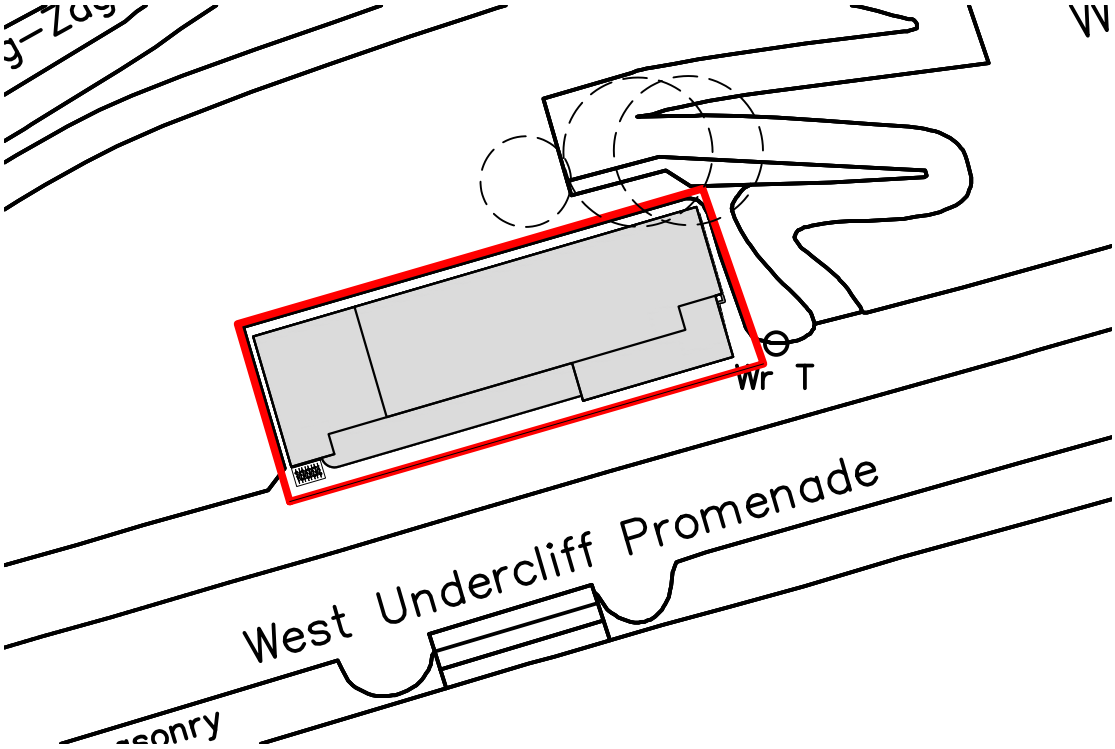
No development work shall commence until there has been submitted to and approved in writing by the Local Planning Authority a Method Statement that includes the following measures:
a) parking arrangements for operatives and construction vehicles working on-site;
b) noise reduction measures and the
c) details and siting of equipment, machinery and surplus materials on the site.
The parking arrangements for operatives and construction vehicles shall be implemented prior to development commencing and the development shall be carried out in accordance with the approved details.

Reason: To safeguard the amenities of occupiers of adjoining and nearby properties and in the interest of highway safety in accordance with Policies CS38, CS41 and CS14 of the Bournemouth Local Plan: Core Strategy (October 2012).

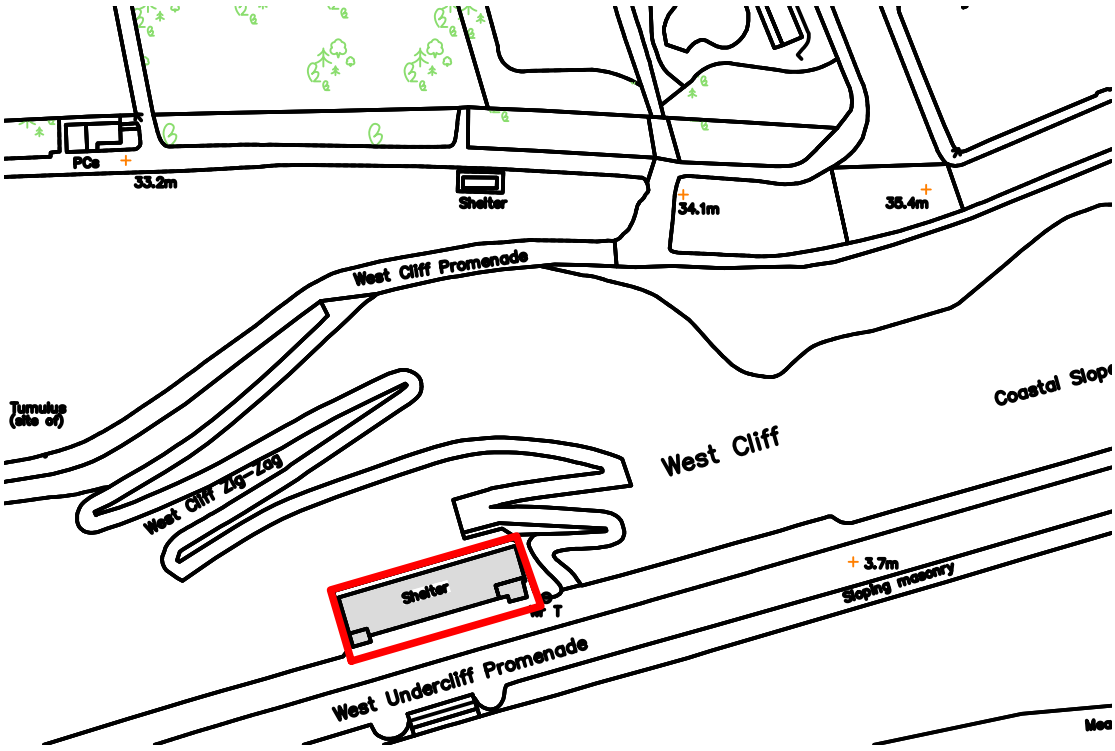
7. Construction Management Plan

Within 3 months of commencement, a detailed Construction Management Plan shall be prepared and submitted for written approval of the Local Planning Authority in conjunction with the Local Highway Authority. The Construction Management Plan shall include safe access to the site for deliveries, loading and unloading of plant and materials and wheel cleansing of vehicles prior to egress from the site onto the public highway. The approved Construction Management Plan shall be implemented and complied with by the Applicant, or its successor, upon commencement of the development and the obligations within the Construction Management Plan shall be adhered to throughout the construction phase of the development.

Reason: to minimise the likely impact of construction traffic on the surrounding highway network.



Site Layout Plan (1:500)



Site Location Plan (1:1250)

1:1250 @ A4

0 10 25m 50m 75m

1:500 @ A4

0 10m 20m 30m

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Scale 1:500, 1:1250

Site Plans

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Date: 26 November 2019
3 November 2020 - Rev A

19.66.1.A

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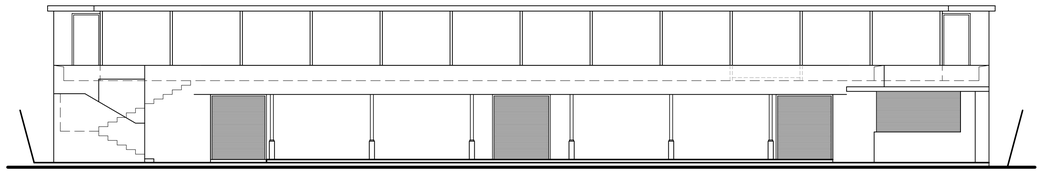
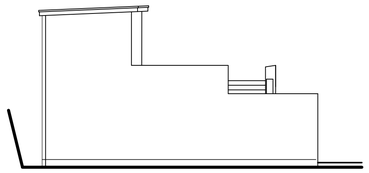
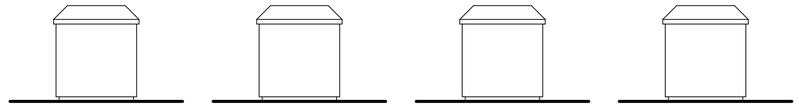


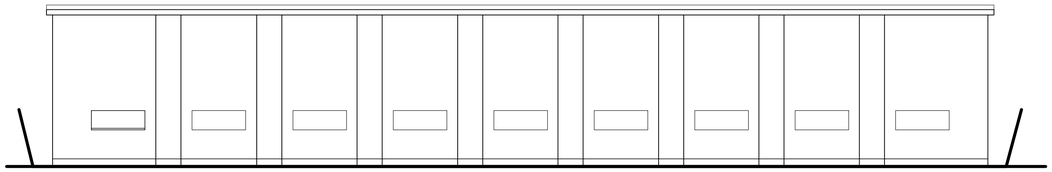
Front (south-east) Elevation - 1:100



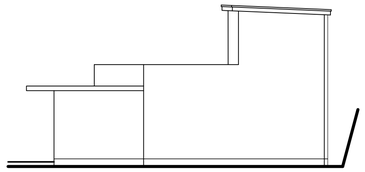
Side (south-west) Elevation - 1:100



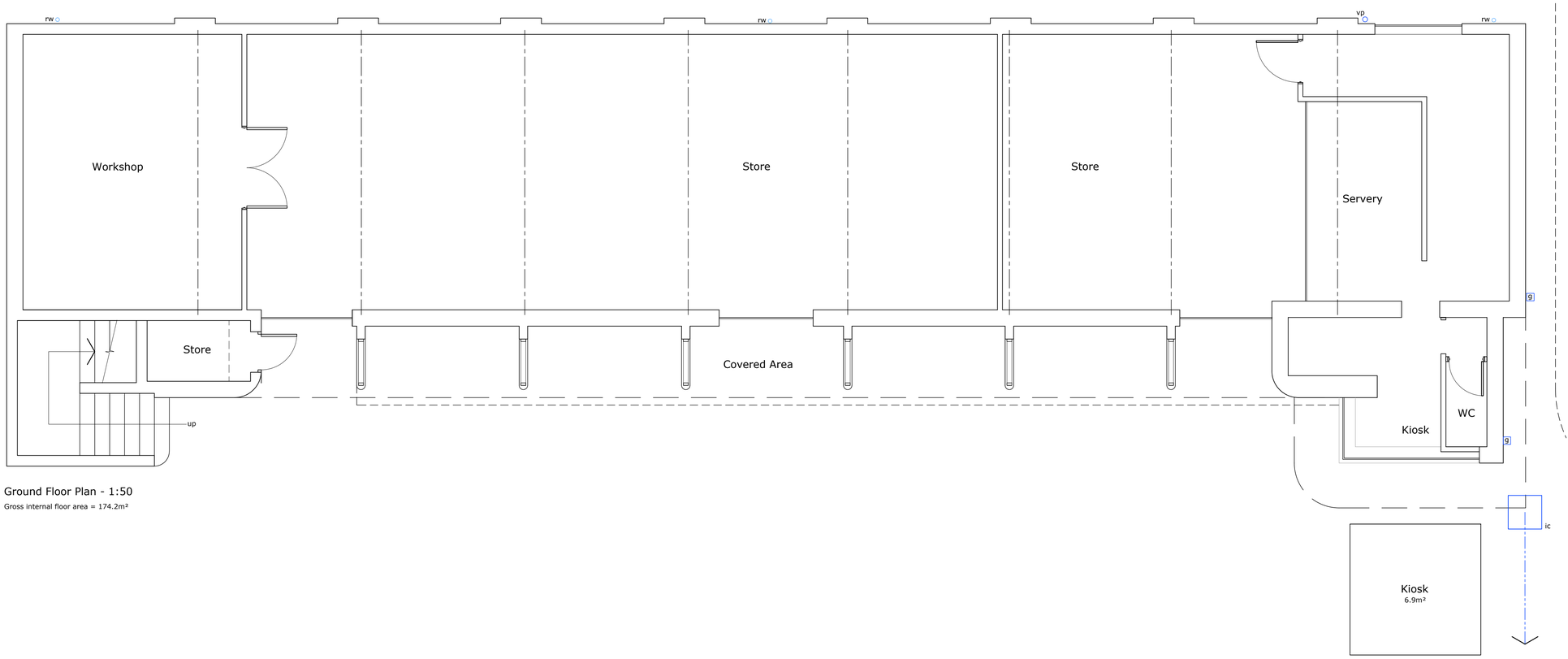
Kiosk - 1:100



Rear (north-west) Elevation - 1:100

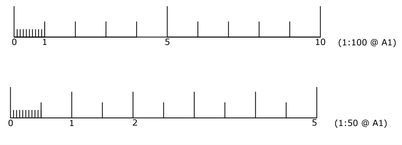


Side (north-east) Elevation - 1:100



Ground Floor Plan - 1:50

Gross internal floor area = 174.2m²



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Scales: 1:100, 1:50

Existing Plans and Elevations

26 November 2019

19.66.2

07 July 2020 19:27:30

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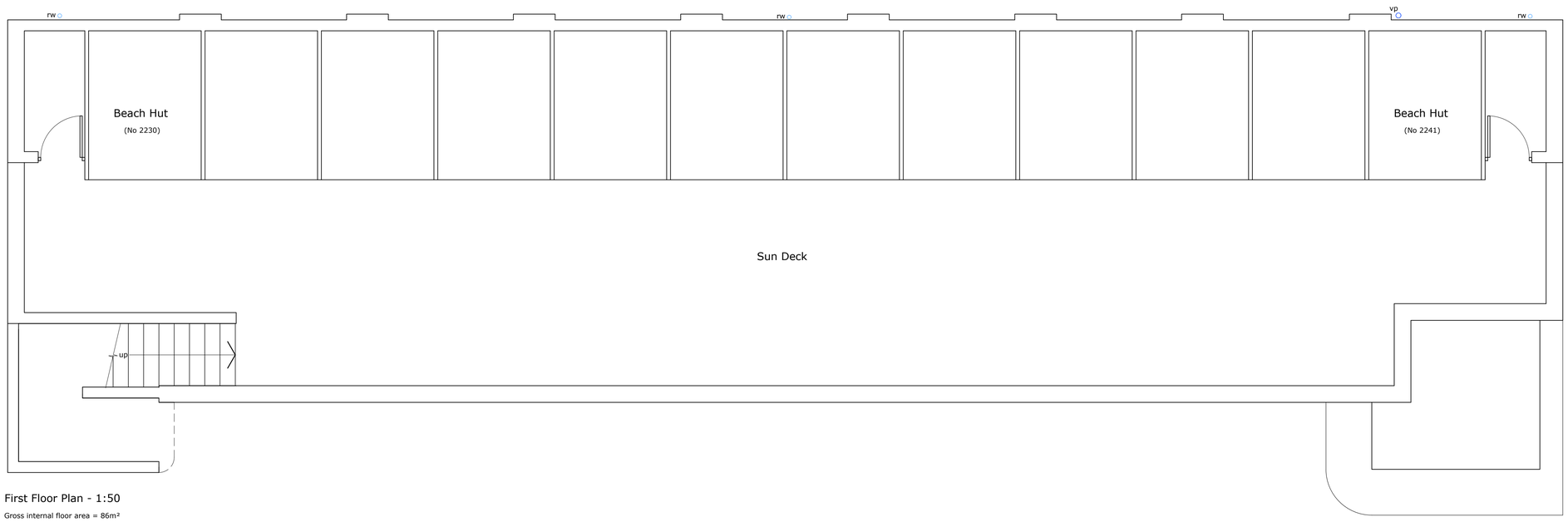

First Floor Plan - 1:50

Gross internal floor area = 86m²

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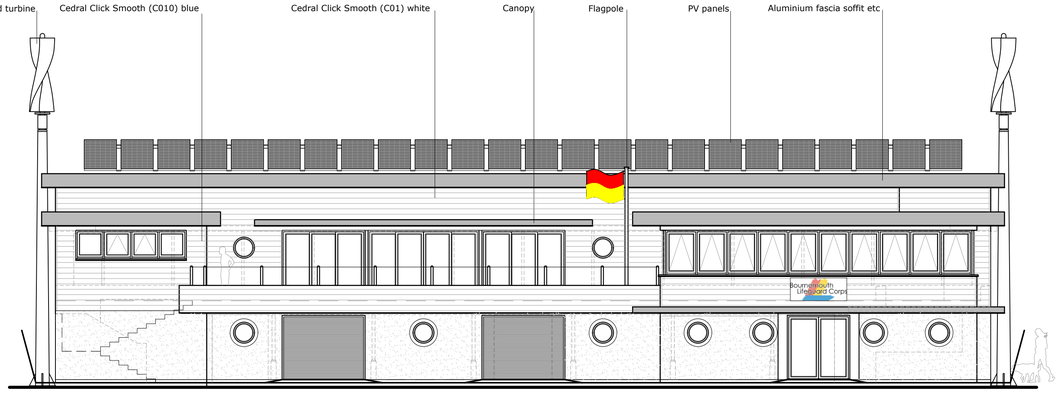
Scales: 1:100, 1:50

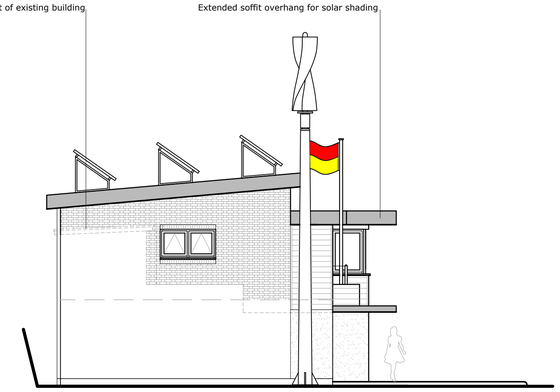
Existing Plans and Elevations

26 November 2019

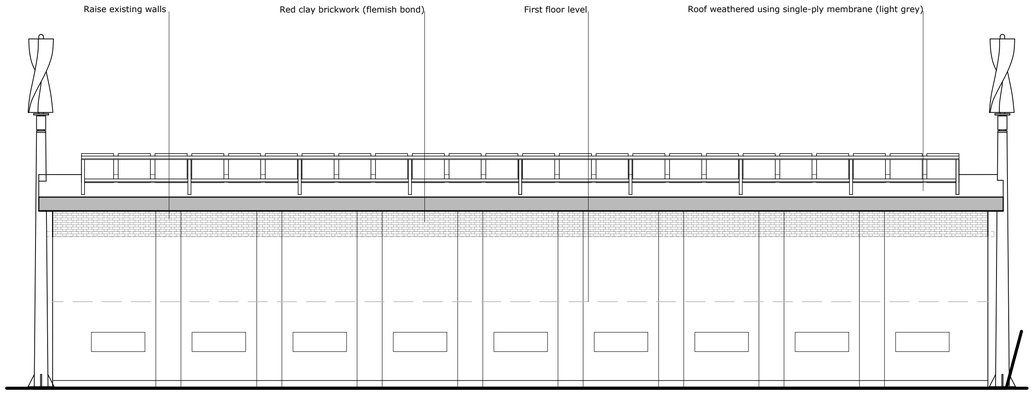
19.66.3



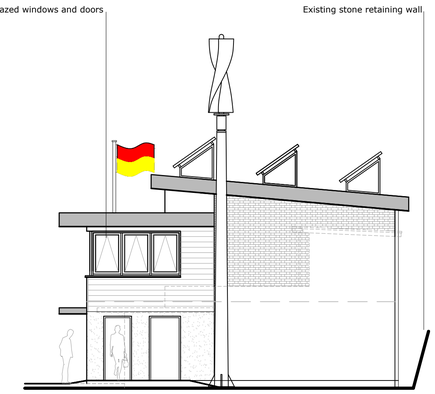
Front (south-east) Elevation - 1:100



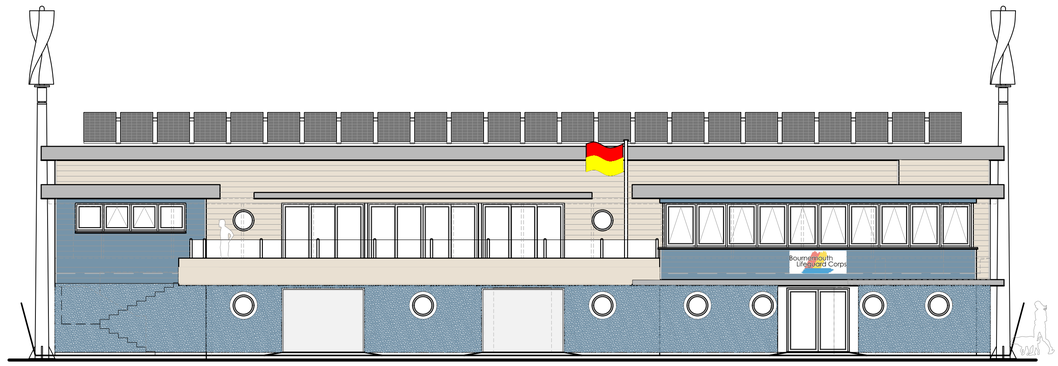
Side (south-west) Elevation - 1:100



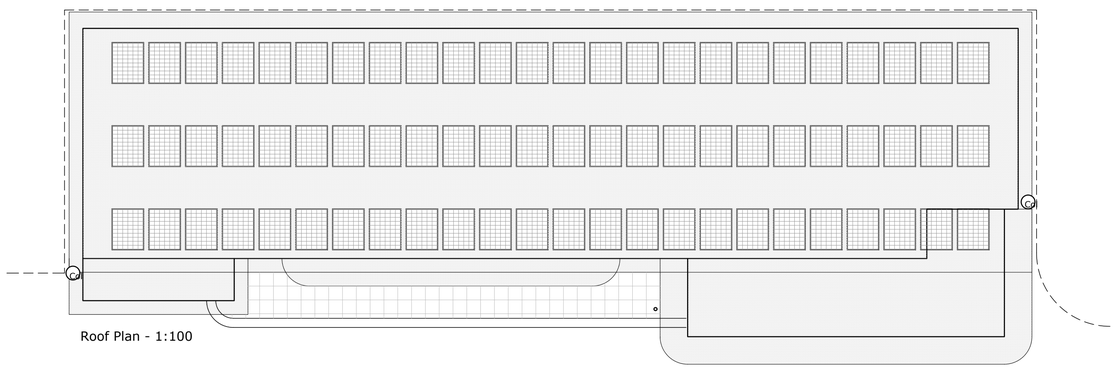
Rear (north-west) Elevation - 1:100



Side (north-east) Elevation - 1:100



Front (south-east) Elevation - 1:100



Roof Plan - 1:100

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Extensions and alterations

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Scales: 1:100, 1:50

Proposed Plans and Elevations

28 February 2020

19.66.6

07 July 2020 19:28:20

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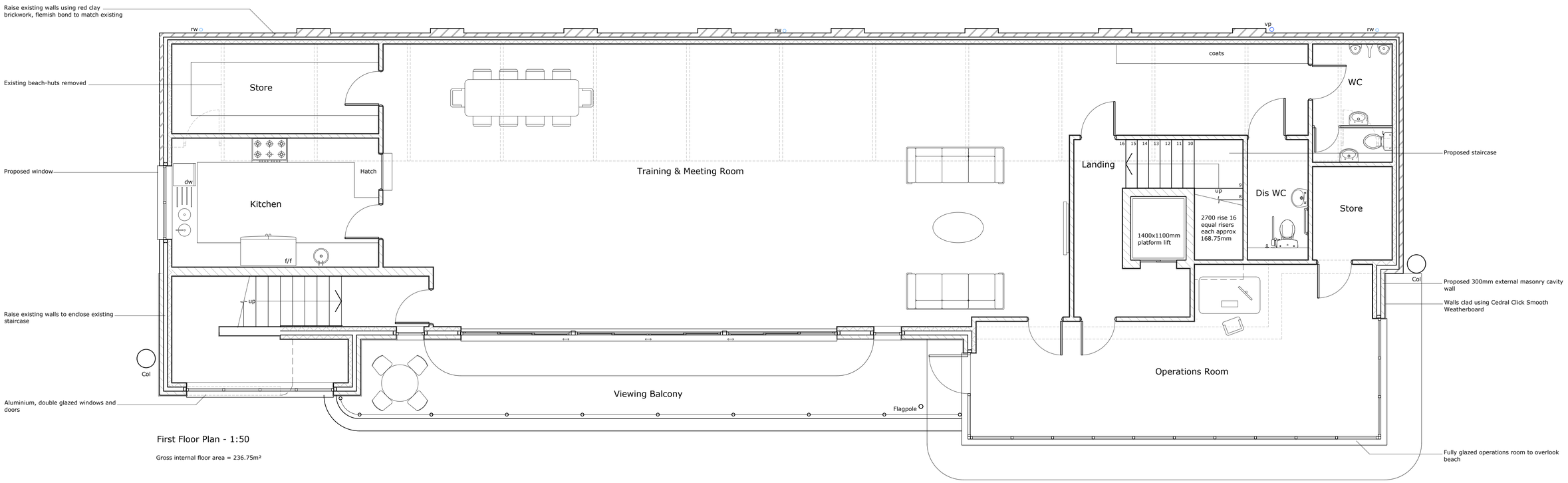

First Floor Plan - 1:50

Gross internal floor area = 236.75m²

0 1 5 10 (1:100 @ A1)

0 1 2 5 (1:50 @ A1)

Extensions and alterations

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Scales: 1:100, 1:50

Proposed Plans and Elevations

28 February 2020

19.66.5

03 November 2020 20:4

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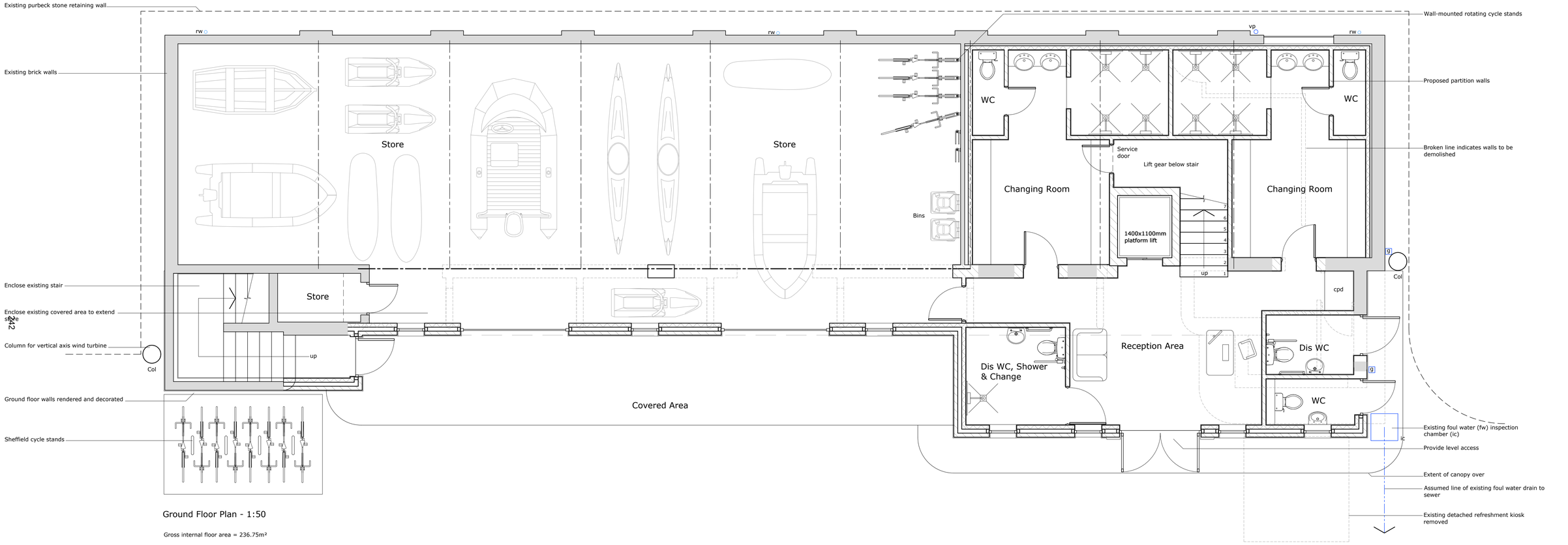

Ground Floor Plan - 1:50

Gross internal floor area = 236.75m²

0 1 5 10 (1:100 @ A1)

0 1 2 5 (1:50 @ A1)

Extensions and alterations

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Unit 28, Bailie Gate Industrial Estate, Sturminster Marshall, Wimborne, BH21 4DB

Scales: 1:100, 1:50

Proposed Plans and Elevations

28 February 2020
3 November 2020 - Rev A - cycle racks added

19.66.4.A

Planning Committee

Application Address	7 Chaddesley Glen, Poole, BH13 7PA
Proposal	Demolish existing building and erect block of 8 flats with basement parking
Application Number	APP/20/00677/F
Applicant	AJ Land Consultancy Ltd
Agent	Anders Roberts & Assoc
Date Application Valid	9 July, 2020
Decision Due Time	3 September, 2020
Extension of Time date (if applicable)	
Ward	Canford Cliffs
Report Status	Public
Meeting Date	26th November 2020
Recommendation	Grant Subject TO CIL Contribution
Reason for Referral to Planning Committee	This application is brought before committee at the request of Councillor Iyengar due to the impact on neighbours, bulk and forward projection of the building and insufficient provisions for parking and bin storage.
Case Officer	Claire Moir

Description of Development

1. Planning consent is sought to demolish existing building and erect a block of eight flats with basement parking

Key Issues

2. The main considerations involved with this application are:

- Impact on character and appearance of the street scene and wider shoreline
- Impact on neighbouring amenities
- Impact on Highway safety
- SAMM/CIL/S111/S106

Planning Policies

3. Supplementary Planning Document

SPD1 Parking & Highway Layout in Development
SPD3 Dorset Heathlands Planning Framework (2020-2025)

SPD5 Poole Harbour Recreation SPD (2019-2024)

4. Poole Local Plan (Adopted 2018)

PP01 Presumption in favour of sustainable development
PP02 Amount and broad location of development
PP27 Design
PP28 Flats and plot severance
PP31 Poole's coast and countryside
PP33 Biodiversity and geodiversity
PP34 Transport strategy
PP35 A safe, connected and accessible transport network
PP37 Building sustainable homes and businesses

5. National Planning Policy Framework (February 2019)

Relevant Planning Applications and Appeals:

6. 5-7 Chaddesley Glen

19/04/2017: Demolition of the existing buildings and construction of two blocks of four apartments (eight in total) with associated parking, access and landscaping (APP/16/00799/F). **Grant Subject TO CIL Contribution**

7. 5 Chaddesley Glen

July 2018: Non material amendment following approval of 17/00581/F to alter dwelling's footprint, siting, external appearance and boundary treatments to the north west. (APP/18/00782/F). **Grant Subject TO CIL Contribution**

July 2017: Demolish existing dwelling and replace with new dwelling. (APP/17/00581/F). **Grant Subject TO CIL Contribution.**

2015: Householder application for alterations, extensions and additional 2nd floor to existing dwelling. **Approved** (APP/15/01051/F).

2015: Demolition of existing dwelling and erection of pair of semi-detached dwellings with associated parking and access. **Approved** (APP/15/01595/F).

8. 7 Chaddesley Glen

December 2018: Demolition of the existing dwelling and construction of a block of 5 flats with basement car parking. **Approved** (APP/18/01119/F)

July 2017: Demolition of the existing dwelling and construction of a block of 4 flats. (APP/17/00697/F). **Grant Subject TO CIL Contribution**

June 2016: Demolition of existing dwelling and replacement with a pair of semi-detached dwellings. **Approved** (APP/16/00563/F).

Feb. 2016: Demolition of the existing dwelling and the construction of a replacement house. **Approved** (APP/15/01725/F).

2010: T1 Western Red Cedar - Fell. TPO Ref. 43 Ind. 1999 (TP/10/00410/X). **Approved.** Tree was adjacent to garage block of Havenhurst to front of site. Replacement required not within canopy of other trees and 2m from the boundary within 1 year of felling. Notice of replacement planting received March 2014.

2005: Demolish existing and erect a part 3/ part 4 storey block of 5 flats with basement parking (5 storeys in total). Access from Chaddesley Glen. **Refused** (05/04973/009/F). **Dismissed** at appeal on the grounds of scale and mass.

Representations

9. 16 representations have been received, raising objection. The issues raised comprise the following:

- Parking and traffic congestion
- Too large for site and Bulky
- Adverse impact on street scene and harbour
- Loss of privacy and overlooking from balconies adjacent Havenhurst
- Overbearing
- Concern regarding intended use of flats
- No replacement trees secured

Consultations

10. BCP Highway Authority - Defer for amendments to visibility splays. These have subsequently been amended.

11. Waste Authority - Defer for bigger store. This has now been amended.

Planning assessment

Site and Surroundings

12. The application site is on the upper side of Chaddesley Glen with ground levels dropping steeply down towards the Harbour to the south west. The site is occupied by a detached chalet bungalow with a lower ground floor level to the rear. It has an access onto Chaddesley Glen however the main vehicular access is from a private lane to the north east. The lane is shared with five other residential properties (5, 1a, 1b, 3a and 3) to the south east. The grounds of St Ann's Hospital are to the east of the lane. A dense row of mature trees screen the hospital and form a backdrop to the application site which is on the ridge line.

13. This part of Chaddesley Glen is characterised by spacious plots occupied, in the case of 1a-3 which were sub-divided from 1 and 3 Chaddesley Glen, by substantial 3 to 4-storey detached dwellings. These are contemporary in appearance with stepped elevations; cedar cladding; balconies; and a high

proportion of glazing. Two of these have vehicular access and garages off Chaddesley Glen. No.5 is a recently built 3-storey detached replacement dwelling, with a contemporary pitched roof design. 'Havenhurst' is a 1970s' block of seven flats over four storeys and is the highest development along this row. Further north is the Harbour Heights Hotel, including an ancillary staff accommodation block, and a block of 6 flats, Harbour Court.

14. The application site is within Shoreline Character Area No.6 'Sandbanks Peninsula, Luscombe Valley and Evening Hill' and the Coastal Zone.

15. Consent was given to fell a protected tree to the front of the property subject to a replacement. Trees adjacent to the private lane along the boundary with St Ann's hospital are covered by Tree Preservation Orders.

Key issues

16. The application site has had numerous applications culminating in planning approval ref: APP/18/01119/F for the demolition of the existing dwelling and erection of a block of 5 flats with basement car parking. This has not been implemented.

17. The current proposals are to erect a block of 8 flats, within a similar building footprint and massing as that previously approved (ref: APP/18/01119/F).

18. The proposals are to erect a 5-storey building, which would have a sunken lower ground level due to the topography of the site, therefore appearing as 4 storeys to the north. The proposals are contemporary with a flat roof; and have terraces and balconies on all floors to the rear (south) taking advantage of Harbour views.

19. The proposals would contain a lower ground floor flat to the rear (similar to previously approved), 2 flats at upper ground floor level, 2 at first floor, 2 at second floor and 1 at third floor (top floor).

20. In accordance with Policy PP2 higher densities of development should be directed towards Town and Local Centres and Sustainable Transport Corridors. In this instance the site does not fall within these categories, however regard is had to the extant approval for 5 flats and subject to meeting other criteria such as preserving the character and appearance of the area and neighbouring privacy and amenities the proposals are in principle acceptable.

21. The main difference with this current proposal compared to that previously approved (and extant) is the addition of a new floor of accommodation, resulting in a 5-storey building rather than the approved 4 storeys.

22. This part of Chaddesley Glen is primarily characterised by 3-4 storey dwellings. The proposals would be five storey, however they would not be significantly greater in height than that approved at the site. The proposals would be sunk into the ground with a basement car park accessed from Chaddesley Glen (the principle of which was established on the extant approval). The access is

existing, which is not uncommon on this side of Chaddesley Glen, furthermore there is a significant area of boundary screening which would reduce the appearance of this lower ground-floor level. The proposals would sit comfortably between the higher building at Havenhurst (flats) and no. 5, which the proposals would be similar in height to.

23. The highest part of the dwelling, the lift overrun, is set in on all sides and as such its impact has been significantly reduced.

24. The scheme has been amended during the course of the application with respect to its design. Materials have been softened and a horizontal element added to the rear elevation at first floor. This gives the facade a less symmetrical emphasis and seeks to reflect the character of large dwellings to the south east of the site. This allows the building to act as a more sympathetic transition between large dwellings to the south east and flats at Havenhurst to the north west.

25. The proposals have been extended to the south west from that previously approved, with the balconies set beyond the approved rear building line. Of particular concern is the impact to flats at Havenhurst which have bedroom and kitchen windows in the side elevation. These flats currently have views towards the Harbour, in part across the application site. To take account of this neighbour the building has been angled to minimise its impact and the balconies have been amended from the original submission, such that they have been inset from the north west side and obscure glazed screens added.

26. Whilst part of the side elevation to the flats will be visible from the rear part of 5 Chaddesley Glen, most notably its terrace area, the application site lies to the north of this neighbour and its principal aspect is to the south west towards the Harbour. The rear of properties on this ridge take advantage of such views and therefore their rear elevations and gardens have a degree of openness about them and mutual overlooking exists, they are also reasonably large and spacious. The impact of the additional mass would not therefore cause harm to their privacy and amenities.

27. Windows to the proposals are predominately to the front and rear and as such will not materially harm neighbouring privacy and amenities.

28. Additional windows in the side facing no. 5 will not cause harm, this neighbour has a largely blank side elevation with obscure glazed windows only, which are also not the sole windows to these rooms.

29. The window to bedroom 2 of the top floor would face towards Havenhurst, however this is inset from the floors below and would have views across the frontage to this site and would not therefore cause material harm to privacy.

30. The proposals are similar in layout in highway terms to the previously approved scheme (ref: APP/18/01119/F).

31. The proposals would provide a similar access arrangement to the previously

approved scheme and the parking provision would be the same (10 spaces). Whilst this could not achieve the allocated parking requirements of the Council's Parking and Highway Layout in Development Supplementary Planning Document (SPD), it would meet the required parking levels for the parking to be secured as unallocated parking for residents and visitors.

32. The SPD also requires that car parks should be designed in accordance with the Institution of Structural Engineers Publication 'Design Recommendations for Multi-storey and Underground Car Parks' which requires that floor to ceiling height clearance is in excess of 2.1m. Any supporting pillars also need to be set back from the back of the front of the parking bays by 0.8m. Amendments have been made to the scheme and a condition is attached to ensure this is the case.

33. As before the access from Chaddesley Glen is wide enough to allow vehicles to pass each other. The existing kerb crossing from Chaddesley Glen may require widening, which will require amendments to the road markings (on street parking bays and yellow lines), which might therefore also require the Traffic Regulation Order to be amended. Such alterations would be required to be undertaken at the developer's expense.

34. The proposals include the previously approved traffic light system for the basement ramp.

35. As before, there is a dedicated pedestrian path along the access drive and along the basement ramp.

36. 2m x 2m pedestrian visibility splays would be provided on either side of both accesses and these are now satisfactory and can be secured by condition.

37. The proposals include sufficient cycle parking within a surface level cycle store.

38. A replacement tree was previously to be planted to the front of the site. This is shown as tree to be removed and a condition can be attached to ensure that a replacement tree is incorporated into the development with its siting to be agreed.

39. A bin store has been provided to the front (north east) of the site, this has been increased in size to reflect comments made by the Waste Authority and is acceptable.

40. Proposals should make provision for biodiversity enhancements and as such a condition can be attached to require this.

Section 106 Agreement/CIL compliance

Contributions Required	Dorset Heathland SAMM	Poole Harbour Recreation SAMM

Flats	Existing	0	@ £269	@ £96
	Proposed	8		
	Net increase	8	£2,152	£768
Houses	Existing	1	@ £394	@140
	Proposed	0		
	Net increase	0	-£394	-£140
Total Contributions			£1,758 (plus admin fee)	£628 (plus admin fee)
CIL	Zone A		@ £230sq m	

41. 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 in February 2019. 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.

42. The site is within 5km (but not within 400m) of Heathland SSSI and the proposed net increase in dwellings would not be acceptable without appropriate mitigation of their impact upon the Heathland. As part of the Dorset Heathland Planning Framework a contribution is required from all qualifying residential development to fund Strategic Access Management and Monitoring (SAMM) in respect of the internationally important Dorset Heathlands. This proposal requires such a contribution, without which it would not satisfy the appropriate assessment required by the Habitat Regulations

43. In addition, the proposed net increase in dwellings would not be acceptable without appropriate mitigation of their recreational impact upon the Poole Harbour SPA and Ramsar site. A contribution is required from all qualifying

residential development in Poole to fund Strategic Access Management and Monitoring (SAMM) in respect of the internationally important Poole Harbour. This proposal requires such a contribution, without which it would not satisfy the appropriate assessment required by the Habitat Regulations.

44. The applicant has submitted a Section 111 form and paid the relevant contributions towards Dorset Heathlands and Poole Harbour Recreation SAMM.

Planning balance

45. The proposals by virtue of their siting and massing, relationship to neighbours and conditions, which include securing privacy screens and highway/ parking arrangements, will result in the increase in dwelling numbers at the site in a manner which is acceptable.

RECOMMENDATION
It is therefore recommended that this application be Grant Subject to the following conditions:

1. GN150 (Time Expiry 3 Years (Standard))
The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason -
This condition is required to be imposed by the provisions of Section 91 of the Town and Country Planning Act 1990 and amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

2. PL01 (Plans Listing)
The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location, Block Plan and Proposed Site Plan ref: 9325/100 revision H received 09/10/2020
Proposed Lower Ground, Upper Ground and First Floor Plans ref: 9325/101 revision F received 07/10/2020
Proposed Second and Third Floor Plans and Roof Plans ref: 9325/102 revision D received 07/10/2020
Proposed Elevations ref: 9325/103 revision H received 07/10/2020
Proposed Indicative Street Scene and Bin and Cycle Store Plans and Elevations ref: 9325/104 revision G received 07/10/2020
Proposed Visuals and Plans and Elevations for Bin and Bike Store ref: 9325/106 revision F received 07/10/2020

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

3. GN030 (Sample of Materials)
Details and samples of all external facing and roofing materials to be used shall

be submitted to, and approved in writing by, the Local Planning Authority before any materials are brought onto site. The development shall thereafter be carried out in accordance with the approved details.

Reason -
To ensure that the external appearance of the building(s) is satisfactory and in accordance with Policy PP27 of the Poole Local Plan (November 2018).

4. GN080 (Screening to Balcony)
Prior to the construction of the building hereby approved, details of obscure glazed screens of at least 1.8 metres in height which conform to or exceeds Pilkington Texture Glass Privacy Level 3, to be erected along the north west side of the balconies at upper ground floor, 2nd floor and 3rd floor and the south east side at upper ground floor and 2nd floor shall be submitted to, and approved in writing by, the Local Planning Authority. The screens shall be erected in accordance with the approved details prior to the first occupation of the flats, hereby permitted, and shall thereafter be permanently retained as such.

Reason -
In the interests of privacy and amenity of the neighbouring properties and in accordance with Policy PP27 of the Poole Local Plan (November 2018).

5. GN070 (Remove Use as Balcony)
Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 and the Town and Country Planning Act 1990 or any subsequent re-enactments thereof, the flat roof areas at 3rd floor hereby permitted shall not be used as a balcony, roof garden or similar amenity area.

Reason -
To protect the amenity and privacy of adjoining residential properties and in accordance with Policy PP27 of the Poole Local Plan (November 2018) .

6. HW100 (Parking/Turning Provision)
The development hereby permitted shall not be brought into use until the access, turning space, vehicle parking and cycle parking shown on the approved plan have been constructed, and these shall thereafter be retained and kept available for those purposes at all times. The parking spaces hereby approved shall remain unallocated at all times.

Reason -
In the interests of highway safety and in accordance with Policies PP27, PP34, PP35 and PP36 of the Poole Local Plan (November 2018).

7. HW200 (Provision of Visibility Splays)
Before the development hereby permitted is brought into use and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any subsequent re-enactment thereof, the land designated as visibility splay(s) as indicated on the approved plan(s)

shall be cleared of all obstructions over 0.6 metres above the level of the adjoining highway, including the reduction in level of the land if necessary, and nothing over that height shall be permitted to remain, be placed, built, planted or grown on the land so designated at any time.

Reason -
In the interests of highway safety and in accordance with the approved plans and Policies PP34, PP35 and PP36 of the Poole Local Plan (November 2018).

8. HW230 (Permeable surfacing condition)
All ground hard surfaces shall either be made of porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the site. The hard surface shall thereafter be retained as such.

Reason:
In the interests of delivering development which does not result in unacceptable levels of run-off and in accordance with Policy PP38 of the Poole Local Plan (November 2018).

9. AA01 (Non standard Condition)
Prior to the completion of construction up to Damp Proo Course level, details of a scheme of lighting along the access drive shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then be implemented and thereafter retained and maintained to ensure the lighting remains in working order.

Reason -
In the interests of the safety of users of the shared surface drive, the amenity of neighbours and in accordance with Policies PP27 and PP35 of the Poole Local Plan (2018).

10. AA01 (Non standard Condition)
Unless otherwise agreed in writing by the Local Planning Authority to any variation, the car park hereby approved shall be designed and constructed having regard to the Institution of Structural Engineers Publication 'Design Recommendations for Multi-storey and Underground Car Parks'.

Reason -
In the interests of highway safety and in accordance with Policy PP35 of the Poole Local Plan (2018), the Parking and Highway Layout in Development SPD (July 2011), and the Institution of Structural Engineers Publication 'Design Recommendations for Multi-storey and Underground Car Parks' (2011).

11. LS020 (Landscaping Scheme to be Submitted)
Prior to occupation of the development hereby approved proposals for the landscaping of the site shall be submitted to, and approved in writing by, the Local Planning Authority. The landscaping scheme shall include provision for landscape planting, the retention and protection of existing trees and other site features, walls, fencing and other means of enclosure and any changes in

levels.
Upon approval:
a) the approved scheme shall be fully implemented with new planting carried out in the planting season October to March inclusive following occupation of the building(s) or the completion of the development whichever is the sooner, or in accordance with a timetable to be agreed in writing with the Local Planning Authority;
b) all planting shall be carried out in accordance with British Standards, including regard for plant storage and ground conditions at the time of planting;
c) the scheme shall be properly maintained for a period of 5 years and any plants (including those retained as part of the scheme) which die, are removed or become damaged or diseased within this period shall be replaced in the next planting season with others of a similar size and the same species, unless the Local Planning Authority gives written consent to any variation; and
d) the whole scheme shall be subsequently retained.

Reason -
In the interests of visual amenity, to ensure that the approved landscaping scheme is carried out at the proper times and to ensure the establishment and maintenance of all trees and plants in accordance with Policies PP27 and PP33 of the Poole Local Plan (November 2018).

12. AA01 (Non standard Condition)
Prior to first occupation of the building hereby approved, a scheme of biodiversity enhancements which may include but not be limited to, bat and bird boxes and hedgehog highways/houses shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall thereafter be implemented in accordance with those agreed details and retained.

Reason -
To enhance opportunities for wildlife on site and in accordance with Policy PP33 of the Poole Local Plan adopted 2018.

13. GN162 (Renewable Energy - Residential)
Prior to first occupation of the building(s) hereby permitted, details of measures to provide 10% of the predicted future energy use of each dwelling from on-site renewable sources, shall be submitted to and approved in writing by the local planning authority. These measures must then be implemented before any residential occupation is brought into use, and maintained thereafter.

Reason-
In the interests of delivering a sustainable scheme, reducing carbon emissions and reducing reliance on centralised energy supply, and in accordance with Policy PP37 of the Poole Local Plan (November 2018).

14. TR080 (Replanting of Specified Number of Trees)
1 tree(s), 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 tree(s) shall be thereafter maintained for a period of five years

including the replacement of any tree(s), or any tree(s) planted in replacement for it, which die, are removed or become damaged or diseased within this period with tree(s) 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 tree(s) 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 PP27 of the Poole Local Plan (November 2018).

Informative Notes

1. IN72 (Working with applicants: Approval)
In accordance with the provisions of paragraphs 38 of the NPPF the Local Planning Authority (LPA) takes a positive and creative approach to development proposals focused on solutions. The LPA 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.
- in this case the applicant was advised of issues after the initial site visit
- in this case the applicant was afforded an opportunity to submit amendments to the scheme which addressed issues that had been identified
- the application was considered and approved without delay

2. IN74 (Community Infrastructure Levy - Approval)
Part 11 of the Planning Act 2008 and the Community Infrastructure Levy Regulations

The proposed development referred to in this Planning Permission is a chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act 2008 and the CIL Regulations (amended).

In accordance with CIL Regulation 65, the Local Planning Authority (LPA) will issue a Liability Notice in respect of the chargeable development referred to in this planning permission as soon as practicable after the day on which this Planning Permission first permits development. The Liability Notice will confirm the chargeable amount for the chargeable development referred to in this Planning Permission and will be calculated by the LPA in accordance with CIL Regulation 40 (amended) and in respect of the relevant CIL rates set out in the adopted charging Schedule. Please note that the chargeable amount payable in respect of the chargeable development referred to in this planning permission is a local land charge.

Please be aware that failure to submit a Commencement Notice and pay CIL in accordance with the CIL Regulations and Council's payment procedure upon commencement of the chargeable development referred to in this Planning

Permission will result in the Council imposing surcharges and taking enforcement action. Further details on the Council's CIL process including assuming liability, withdrawing and transferring liability to pay CIL, claiming relief, the payment procedure, consequences of not paying CIL in accordance with the payment procedure and appeals can be found on the Poole website: http://www.poole.gov.uk/planning-and-buildings/planning/ldf/community-infrastructure-levycommunity-infrastructure-levy/

3. 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.

4. IN84 (AA passed)
This application is subject to a project level Appropriate Assessment in accordance with the Conservation of Habitats and Species Regulations 2017, concluding that the likely significant effects arising from the development can be mitigated and have been mitigated ensuring there would not be an adverse effect on the identified designated sites of Nature Conservation Interest.

5. IN00 (Non Standard Informative)
The applicant is advised that any widening of the existing vehicle access may also require widening of the existing kerb crossing to the site and modification of the existing Traffic Regulation Order, including altering the parking bay markings and yellow lines on the road outside the site. Such works would be required to be undertaken at the applicants own expense. The applicant is advised to contact the Council's Transportation Services for further information.

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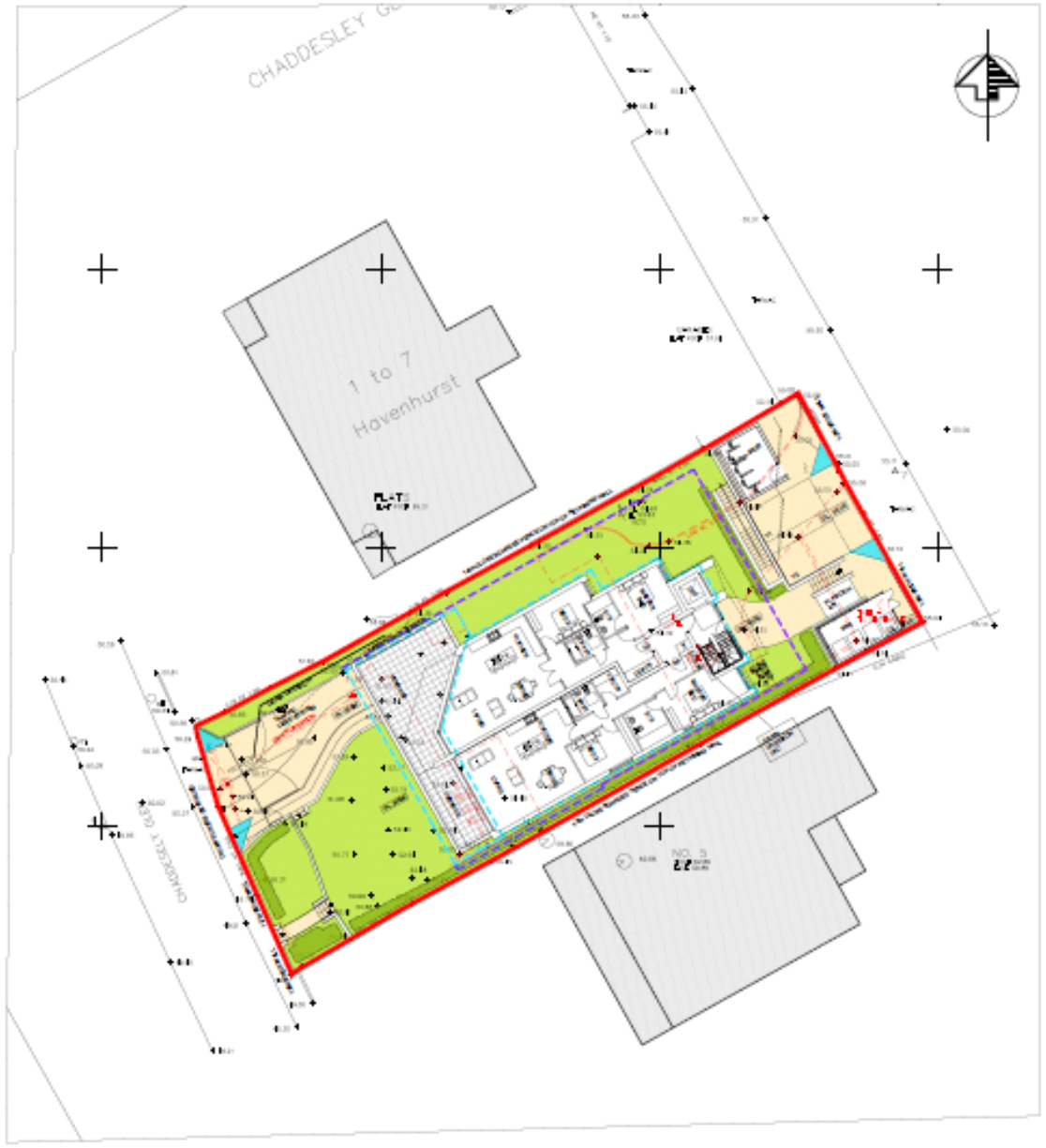
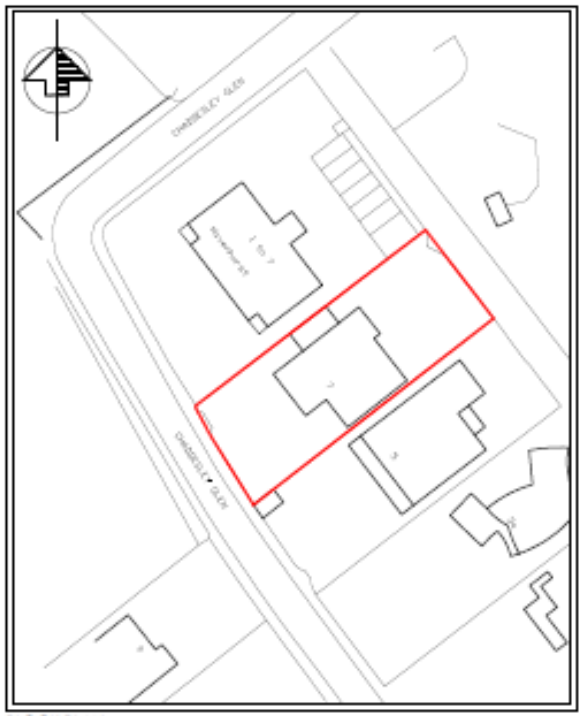


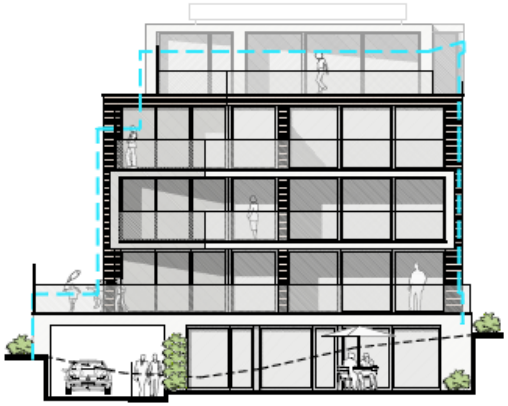
PROPOSED SITE PLAN SCALE 1:200
BASED ON TOPO INFORMATION



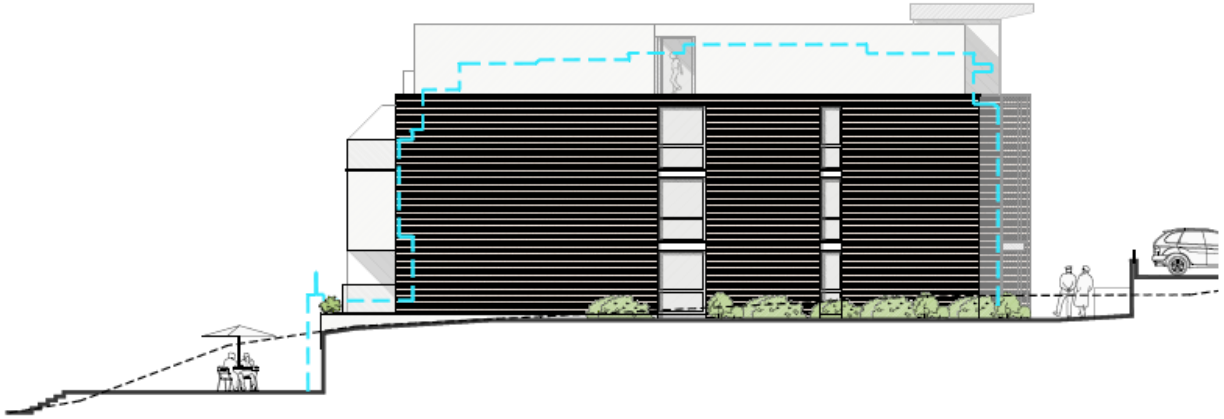
BLOCK PLAN SCALE 1:500
BASED ON O/S MAP
Ordnance Survey Licence No: 100057080



LOCATION PLAN SCALE 1:1250
BASED ON O/S MAP
Ordnance Survey Licence No: 100057080



PROPOSED (FRONT) SOUTH WEST ELEVATION
SCALE 1:100



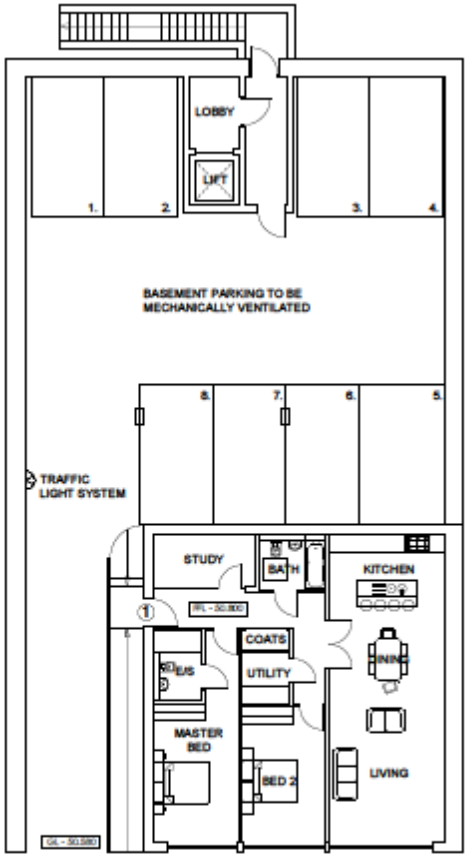
PROPOSED (SIDE) SOUTH EAST ELEVATION
SCALE 1:100



PROPOSED (REAR) NORTH EAST ELEVATION
SCALE 1:100



PROPOSED (SIDE) NORTH WEST ELEVATION
SCALE 1:100



PROPOSED LOWER
GROUND FLOOR PLAN
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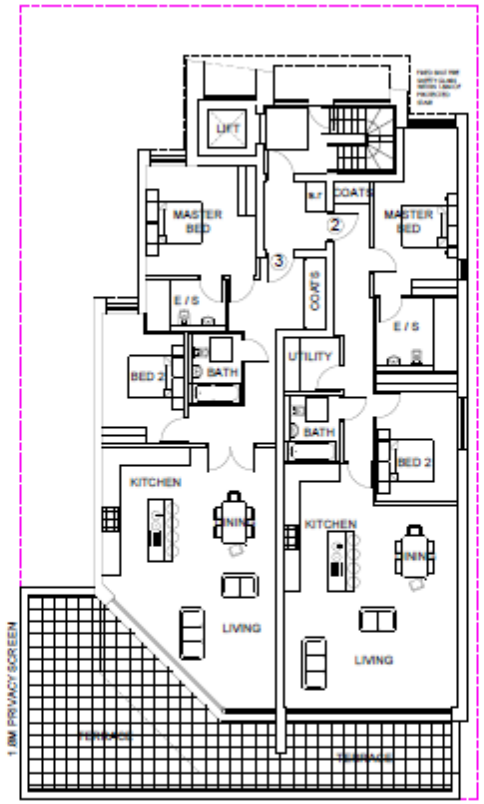

PROPOSED UPPER
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PLAN
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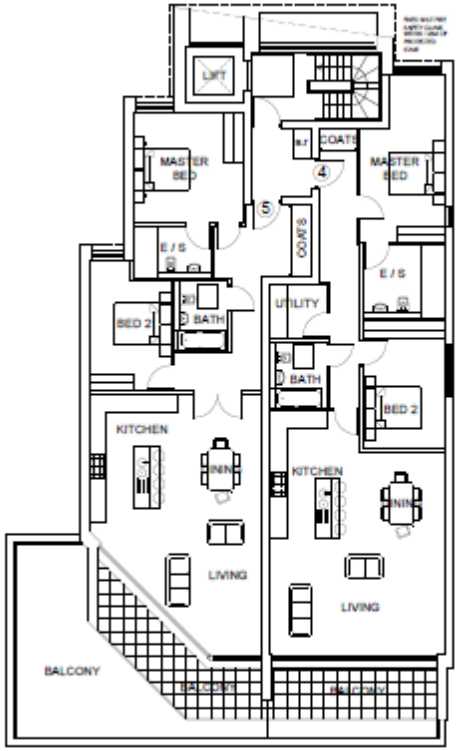
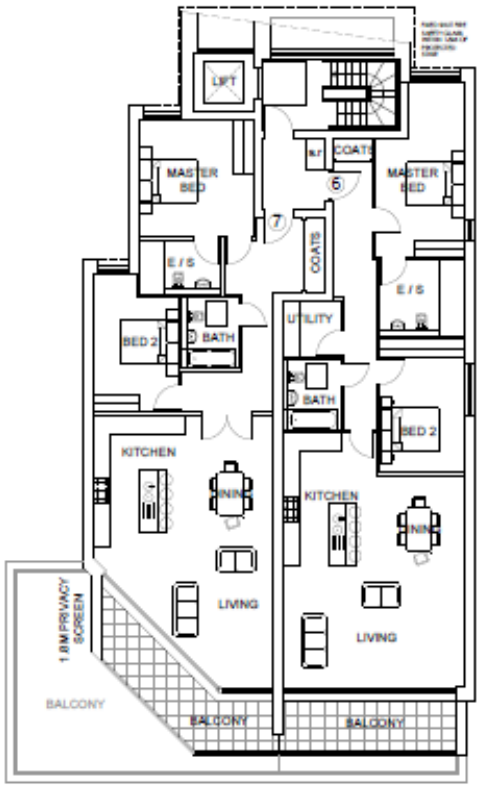
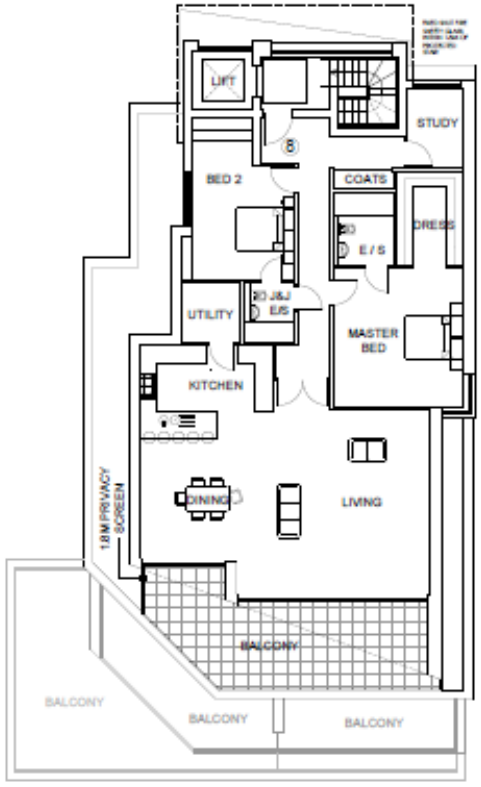


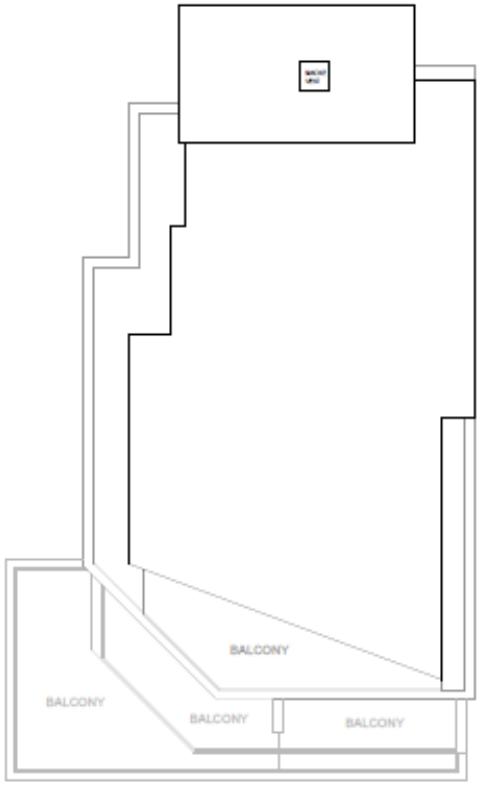
PROPOSED FIRST
FLOOR PLAN
SCALE 1:100



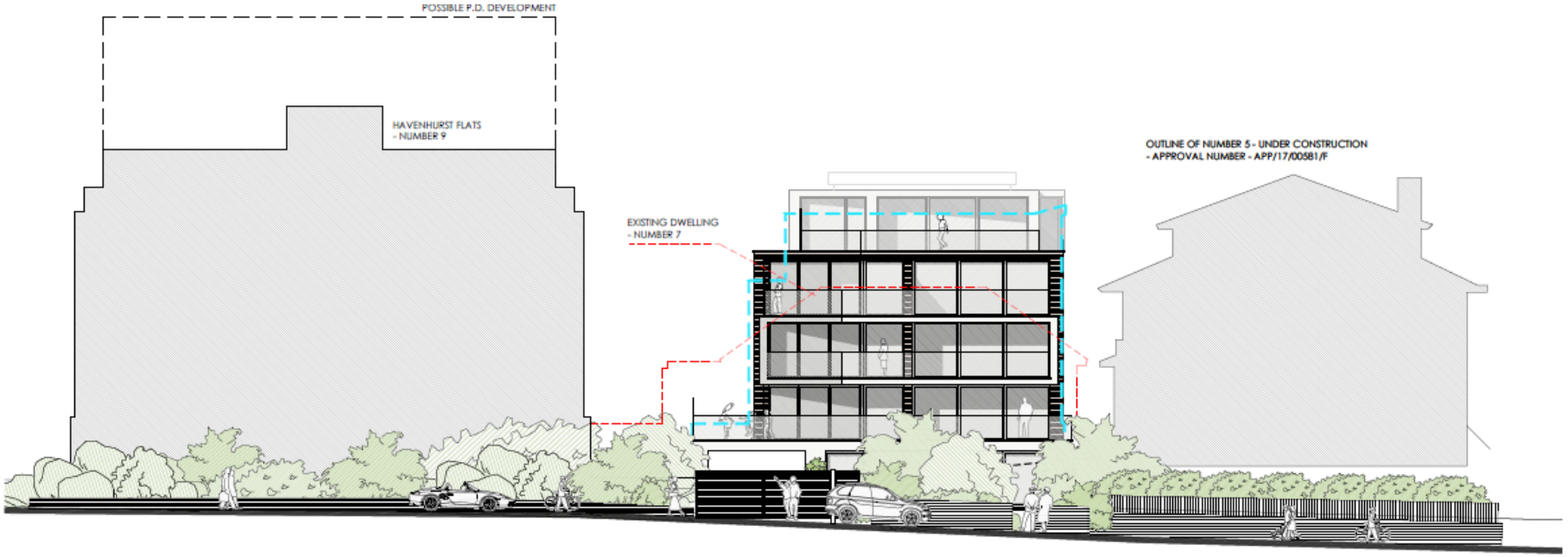
PROPOSED SECOND
FLOOR PLAN
SCALE 1:100



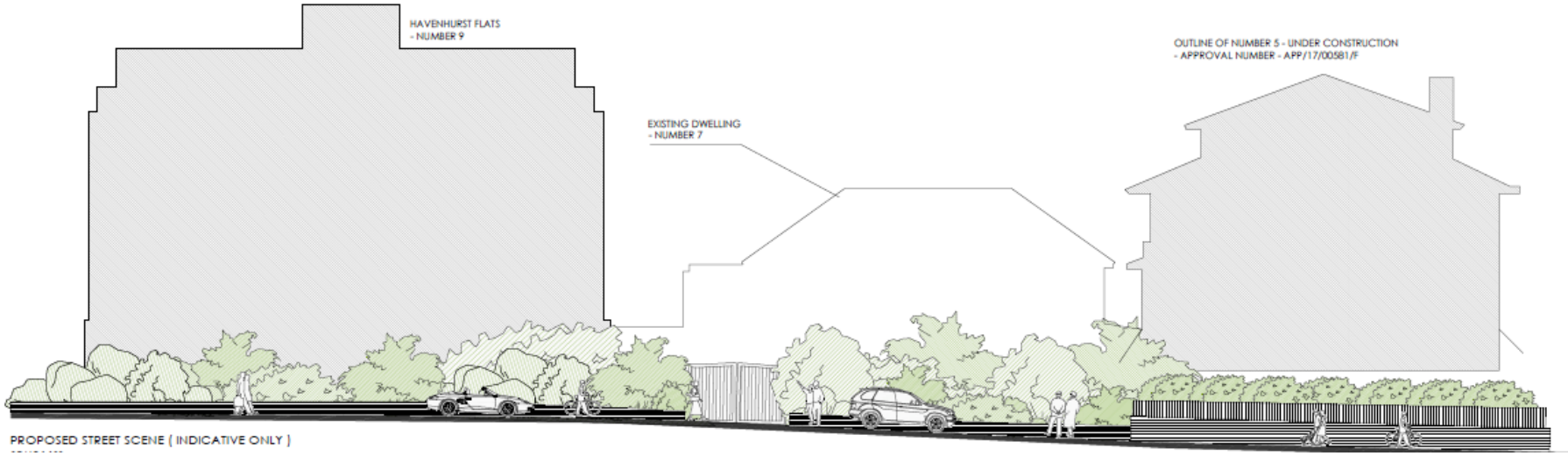
PROPOSED THIRD
FLOOR PLAN
SCALE 1:100



PROPOSED ROOF
PLAN
SCALE 1:100



PROPOSED STREET SCENE (INDICATIVE ONLY)
SCALE 1:100
BASED ON TOPO / PREVIOUS APPROVAL INFORMATION



PROPOSED STREET SCENE (INDICATIVE ONLY)

Planning Committee

Application Address	80 Fernside Road, Poole, BH15 2JL
Proposal	Demolish existing and erect a block of 9 no 1 bedroom flats with parking, bin and cycle storage.
Application Number	APP/19/00765/P
Applicant	AJ Developments
Agent	Anders Roberts & Assoc
Date Application Valid	14 June, 2019
Decision Due Time	9 August, 2019
Extension of Time date (if applicable)	
Ward	Oakdale
Report Status	Public
Meeting Date	26th November 2020
Recommendation	Grant Section 106
Reason for Referral to Planning Committee	This application is brought before Committee at the request of Councillor Rice because it would result in the loss of childcare provision as a community facility.
Case Officer	Steve Llewellyn

Description of Development

1. Outline planning permission is sought to demolish the existing building and to redevelop the site with the erection of a block of 9no 1-bedroom flats with associated parking, bin and cycle storage.

2. The application seeks approval of the detailed matters of access, layout and scale at this outline stage with the detailed matters of landscaping and appearance reserved for later consideration.

3. The applicant has provided the following information:

	Existing	Proposed
Site Area: (ha)	0.06	0.06
Use	Day Nursery	Residential
Density	0 dph	150 dph
Approximate ridge Height (m)	10.0m	10.5m
Approximate Depth (m)	15.2m	18.5m
Approximate Width (m)	7.1m	10.3m
No. of Storeys	2 storeys	2.5 storeys
Parking Spaces	8	8
No. of Residential Units	0	9

No. of affordable housing units	0	1

4. The scheme has been subject to amendments during the course of the application to address concerns regarding the layout and size of the internal accommodation of the proposed flats, the overall height of the building, and the layout of the parking area and the bin and cycle stores.

Key Issues

5. The main considerations involved with this application are:

- Principle of Development
- Broad Location of the Development
- Loss of the Existing Community Facility
- Impact on Street Scene and the Character of the Area
- Impact on Residential Amenity
- Highway and Parking Issues
- Impact on Trees
- Impact on Protected Species and Biodiversity Enhancement
- Heritage Issues
- Surface Water Drainage
- Refuse and Recycling Provision
- Sustainability Issues
- Section 106 Agreement/CIL Compliance

Planning Policies

6. Poole Local Plan (Adopted November 2018)

PP1	Presumption in Favour of Sustainable Development
PP2	Amount and Broad Location of Development
PP7	Facilitating a Step Change in Housing Delivery
PP8	Type and Mix of Housing
PP11	Affordable Housing
PP26	Sports, Recreation and Community Facilities
PP27	Design
PP28	Flats and Plot Severance
PP30	Heritage Assets
PP32	Poole's Nationally, European and Internationally Important Sites
PP33	Biodiversity and Geodiversity
PP34	Transport Strategy
PP35	A Safe, Connected and Accessible Transport Network
PP37	Building Sustainable Homes and Businesses
PP39	Delivering Poole's Infrastructure
PP40	Viability

7. Supplementary Planning Documents

Parking and Highway Layout in Development (Adopted July 2011)

The Dorset Heathlands Planning Framework 2020-2025 (Adopted March 2020)
Poole Harbour Recreation 2019-2024 (Adopted February 2020)
Nitrogen Reduction in Poole Harbour (Adopted February 2017)
Affordable Housing SPD (Adopted November 2011)
Heritage Assets (Adopted April 2013)

8. National Planning Policy Framework (NPPF) (February 2019 as amended)

Relevant Planning Applications and Appeals:

9. **2004:** Change of use from residential dwelling to a pre-school nursery. **Refused** (APP/04/37770/000/C). This application was refused for the following reasons:

"1. The proposal will be detrimental to the amenities of neighbouring homes by reason of its intrusive nature and the increased amount of disturbance that would occur as a result of the use of the rear garden as a car park. This would be contrary to the provisions of Policy CF5.

2. The proposal will be detrimental to the character of the area by reason of the proposed 1.8mtre fence at the front of the property and the impact of this on the streetscene. This would be contrary to the provisions of Policy BE1".

10. **2004:** Change of use from residential dwelling to a pre-school nursery. Formation of car parking and erection of cycle shed. **Refused** (APP/04/37770/001/C). This application was refused for the following reasons:

"1. The proposed use makes inadequate on-site provision for car parking and vehicle manoeuvring, both for staff and for the dropping off and collection of children. This will give rise to on-street car parking and vehicles entering or leaving the highway in reverse gear close to the junction of Harbour Hill Road with Fernside Road which is a primary route (A35). This would be to the detriment of highway safety and contrary to the provisions of policies CF4(iii) and T13 of the Poole Local Plan First Alteration (adopted March 2004).

2. The proposed use would give rise to disturbance to adjacent residents arising from the use of the rear garden as an external play area and car park, to the detriment of the amenities of those residents and contrary to the provisions of policy CF4(ii) of the Poole Local Plan First Alteration (adopted March 2004)".

This application was subsequently **allowed on appeal**.

11. **2012:** Proposed front conservatory. **Approved** (APP/12/00847/F).

12. **2019:** Outline application to demolish the existing building and erect a block of 10 x 1-bedroom flats with parking, bin and cycle storage. **Withdrawn** (APP/18/01640/P).

Representations

13. In addition to letters to neighbouring properties a site notice was posted outside the site on 28 June 2019 with an expiry date for consultation of 22 July 2019.

14. Letters of objection were received from the owners/ occupiers of the neighbouring residential dwellings, current and former nursery clients, the nursery employees and members of the wider local community. Concerns were raised with regards to:
    - The proposed flatted development would be inappropriate and out of keeping with the overall character of the area;
    - High density development should be located in the town centre, which is already overcrowded by numerous development consisting of refurbishing of redundant commercial premises into flats;
    - The inappropriate target demographic for the proposed development due to it being an area of family homes, not occupied by small flatted development which would imply single adult occupancy;
    - Increased impact on traffic and congestion in the vicinity of the site arising from intensification of residential use, the necessity for parents currently using the nursery and walking there to use cars to deliver children to alternative nurseries further away from homes;
    - Increased impact on traffic due to the proximity of the site to 3 schools, town centre and Poole Hospital;
    - Increased issues associated with on-road parking on Harbour Hill Road, exacerbated by restricted on-road parking, insufficient on-site parking provision for the occupiers of the proposed flats and lack of visitors parking on-site;
    - Environmental implications of increased pollution associated with intensification of the site;
    - Suggestion that if the site cannot be used commercially then it should be returned to its original purpose as a single family dwelling;
    - Loss of valuable community asset contrary to PP26(3) of the Poole Local Plan;
    - Loss to the local economy – the nursery supports local working parents offering flexible around the clock childcare provision in an accessible location for key workers;
    - Loss of employment associated with the closure of the nursery;
    - No alternative to this type of setting within a reasonable distance that is not already oversubscribed is provided or can be found;
    - Unsustainable impact on the existing local infrastructure (roads, schools, GP practice etc) due to increase of flatted development;
    - The Community Resource Analysis Report document, which is fundamental to the Applicant's case has been removed from the public record since it was first published on the BCP Council planning portal due to it being labelled as "Private and Confidential". This did not allow fair review and challenge of the content and it was considered to be an acceptable way to conduct an open and transparent planning process;
    - The facilities provided by the nursery are adequate and meet the needs of the children and their parents;
    - The submitted Community Resource Analysis Report seeks only to demonstrate the compliance with policies and does not take into account any

balancing factors that might demonstrate the loss of the facility constitutes a substantial decline in the range of facilities and services for local people.

15. In addition to the above, the owners/directors of the Little Beans Day Nursery have provided comments on the submission, in particular in response to the Community Resource Analysis Report. Their submission provides clarification of certain issues within the submitted report. The comments made are listed below:
    - the nursery is oversubscribed and not in financial difficulty;
    - the nursery is a valued community asset;
    - the applicant holds no freehold of the property;
    - misleading photographs of parking on double yellow lines were produced within the report;
    - the option of the relocation of the nursery to similar local premises is very limited due to the lack of suitable building;
    - the nursery does not operate with inadequate facilities (small garden, fragmented layout of the rooms, small and inadequate kitchen, cold and unsuitable conservatory, poor state of repair of a wall in the garden). Clarification of all issues is further given within; and
    - the nursery offers limited childcare places (24), which is restricted by historic planning condition and can be adjusted accordingly to meet increasing demand if necessary.

16. Cllr Peter Miles – Objects to the proposal due to concerns regarding:
    - Loss of the community facility on site;
    - Loss of childcare support for the local working families;
    - Provision of 9 flats on-site would not be in keeping with the call for affordable family housing and the residential make-up of the area;
    - Increase in traffic, congestion and air pollution associated with the loss of the nursery setting;
    - Financial arrangement associated with the purchasing of the property by the tenant (the nursery) and the developer; and
    - Discrepancies in the applicant's report regarding the structural soundness of the building, asbestos related issues and financial difficulties of the nursery owners.

Consultations

17. BCP Environmental Services (Waste Management): Support the proposal. For a development comprising of 9 flats provision should be made for 2x 1100 and 2 x 600 litre capacity bins. The proposal shows a bin store that is large enough to accommodate the required number of containers. It is also advised that the location of the bin store is within a suitable distance from the kerbside to facilitate collections.

18. BCP Highways Authority: Support the proposal subject to the imposition of conditions requiring the provision of the access, turning facilities and parking within the site and that the parking spaces shall be available for residents and visitors to the residential units and remain as unallocated parking at all times

with no parking spaces allocated to any individual residential unit; the provision of pedestrian visibility splays to the access; and a scheme for the closure of that section of the existing vehicular access that is to be made redundant including the raising of the lowered kerb and reinstatement of the footway.

19. BCP Housing Enabling Manager: Support the proposal and the delivery of an affordable housing unit as a discounted market sales housing unit.

20. BCP Children, Young People and Learning: No objection to the proposal. The proposal would result in the loss of childcare facilities for local people but the introduction of a new all year round day nursery in the vicinity of the application site has provided additional provision which mitigates the reduction of childcare places that would result from the proposed development. It is therefore anticipated that the Council would be able to fulfil its statutory responsibility to provide sufficient early years and childcare places to residents.

21. Lead Local Flood Risk Authority: Support the proposal subject to a condition requiring a scheme of surface water drainage using sustainable urban drainage systems.

22. Wessex Water: No objection.

23. Society for Poole: Object as the proposal would result in the loss of a community facility which the Poole Local Plan seeks to retain.

Constraints

24. The site is located within the sustainable transport corridor.

25. There are several trees within, and adjacent to, the site although they are not covered by a Tree Preservation Order.

Planning Assessment

Site and Surroundings

26. The site is located on the north eastern side of Fernside Road and occupies a large corner plot at its junction with Harbour Hill Road. The site has a frontage width of approximately 14 metres to Fernside Road and approximately 48 metres to Harbour Hill Road. The site is occupied by a detached, two-storey building that has the appearance of a residential dwelling, having been previously used as such, but was most recently used a children's day nursery (Little Beans Nursery). The premises are now vacant due to the closure of the children's nursery following the expiry of their lease. The existing building is two-storey and has a tiled, hipped roof form. It is finished in render with a single storey lean-to projection to the north eastern (rear) elevation, whilst a conservatory has been added to the front elevation to Fernside Road.

27. To the south western (front) and south eastern sides of the existing building, the site is laid to artificial grass and these areas of the site formed the external

play area to the nursery. The external play area is enclosed by a high fence (approximately 2 metres in height) that is set back from the site frontages to Fernside Road and Harbour Hill Road behind a low stone wall and a strip of landscape and tree planting that is raised above the level of the adjacent pavement. The remainder of the boundary to Harbour Hill Road is enclosed by a high timber fence that for the most part is set immediately behind the low stone wall. There is also a high fence along the boundary with No.78 Fernside Road to enclose the side play/garden area from this neighbouring property. The remainder of this boundary up to the rear boundary of the site is enclosed by the continuation of the high timber fence and a conifer hedge.

28. Immediately to the rear of the building is a car parking area that is laid as hardstand and that was used for staff parking but also as a drop off and pick up area that is enclosed and separated from the existing building and the external play/garden areas by a low fence. This car parking area is accessed via a wide vehicular access off Harbour Hill Road that also provides pedestrian access to the site. Beyond the car parking area, between it and the boundary of the site with No.2 Harbour Hill Road, is a grassed area and a detached, pitched roof garage structure.

29. There are a number of trees of mixed species located within, and immediately adjacent to, the site that are of some amenity value but which are not protected by a Tree Preservation Order. The site levels rise gently with the topography of the land from Fernside Road towards the rear boundary of the site, whilst Harbour Hill Road rises more steeply beyond the site.

30. This section of Fernside Road is predominantly residential in character, although there are some commercial units slightly further to the south east at the junction with St Mary's Road. The dwellings to the north eastern side of this part of Fernside Road predominantly consist of two-storey houses of a variety of sizes, designs and materials, with variation to the ridge heights and roof forms with both pitched and hipped roofs being evident. There are also some single storey and chalet style bungalows interspersed amongst the two-storeys houses. The development on the opposite side of this section of Fernside Road, however, is more regimented with dwellings of a more uniform design and spacings between them. The dwellings within Harbour Hill Road are also two-storey houses of varying sizes, designs and materials.

Key Issues

31. This application seeks outline planning permission to establish the principle of the demolition of the existing building and the redevelopment of the site with the erection of a block of 9no 1-bedroom flats with associated vehicular access, on-site parking provision and bin and cycle stores. The application seeks approval of the detailed matters of access, layout and scale only with the detailed matters of landscaping and appearance reserved for later consideration.

32. The application has been supported by a site layout plan which clearly indicates the siting and footprint of the proposed block of flats and its relationship to the boundaries of the site and the neighbouring properties. It also shows the

position and layout of the proposed vehicular access and parking arrangements, as well as the siting of the proposed bin and cycle stores within the site. Detailed floor plans of the proposed flats which clearly indicates their internal layout have also been submitted.

33. Illustrative street scene elevations to both Fernside Road and Harbour Hill Road have also been submitted which provide a clear indication of the scale of the proposed block of flats in terms of its height, width and length. Whilst appearance is reserved for later consideration, it is nevertheless considered that the street scene elevations provide a reasonable indication of the style of architecture that the applicant is likely to seek at the reserved matters stage and the visual impression that the building would make to the street scene and surrounding area.

34. The proposed building would be 2.5 storeys in height to the eaves level with the second floor accommodation partially located within the roof space. It is proposed that 3no flats would be accommodated on each of the floor levels to provide a total of 9no flats. The proposal includes the provision of a total of 8 on-site car parking spaces that would be located to the north eastern side of the proposed building and accessed off Harbour Hill Road. The proposal includes a cycle store providing 9no cycle parking spaces and an enclosed bin store.

Broad Location of Development

35. The Poole Local Plan sets out a spatial planning framework to meet objectively assessed needs to 2033. In accordance with Policy PP1, the Council will take a positive approach when considering development proposals that reflect the presumption in favour of sustainable development contained in the NPPF.

36. In terms of meeting housing needs, a strategic objective of the Poole Local Plan is to deliver a wide range and mix of homes in the most sustainable locations. Policy PP2 identifies the amount and broad locations considered suitable for residential development. The policy states that the majority of new housing will be directed to the most accessible locations within Poole, these being the town centre, district and local centres and locations close to the sustainable transport corridors. A sustainable transport corridor is defined by the Poole Local Plan as being 400 metres either side of a road capable of extending service provision by the end of the plan period to four buses per hour (each way) or within 500 metres radius of a railway station. The intention of this policy is that within these areas the majority of higher density development will place a greater number of people within close walking distance of public transport and a range of services/facilities as a convenient alternative to use of the car.

37. This approach is reinforced by Policy PP34 which also states that new development will be directed to the most accessible locations which are capable of meeting a range of local needs and will help to reduce the need for travel, reduce emissions and benefit air quality, whilst PP35 also states that proposals for new development will be required to maximise the use of sustainable forms of travel. Significant weight therefore has to be applied to the

provision of additional residential accommodation which meets these policy objectives.

38. The application site is located within the sustainable transport corridor as identified by Policy PP2 of the Poole Local Plan and as indicated on the Proposals Map. As such, the principle of the delivery of additional residential development on the application site is supported by policy in terms of its sustainable location, subject to the proposed development being tested against other relevant Local Plan policies.

Loss of the Existing Community Facility

39. The existing building that occupies the application site, although now currently vacant, has until recently been used as a children's day nursery (occupied by Little Beans Nursery). The proposed development would therefore result in the loss of an existing community facility and as such must be assessed against Policy PP26 of the Poole Local Plan.

40. The supporting paragraphs to Policy PP26 state that community facilities make an important contribution to people's quality of life and general well-being and that they provide for the health, social, educational, spiritual, recreational, leisure and cultural needs of the community. It also highlights that community facilities include those within Use Class D1 which amongst other uses includes day nurseries. It continues by stating that the Council supports proposals which provide and improve community facilities and services, whilst also protecting existing facilities unless certain criteria can be met. In relation to the proposed loss of existing community facilities, as would be the case in this instance, Policy PP26 (3) therefore states that:

"The Council will seek to retain sites currently or last used for community facilities. Development that would lead to the loss of such premises will only be permitted where the proposals provide sufficient community benefit to outweigh the loss of the existing facility or service and it can be demonstrated that:
(a) the loss would not result in a substantial decline in the range of facilities and services for local people; or
(b) the facility is no longer needed and it is not feasible to support its continued existence".

41. It is clear that Policy PP26 is set out in two parts with both of these policy tests having to be satisfied. Dealing with the second part of the policy first, at the time that the application was submitted and until recently the existing building was occupied by Little Beans Day Nursery. Whilst they have now vacated the site, it is evident that this was due to their lease of the site expiring and not being extended by the landowner. Until this time, Little Beans Day Nursery had been operating a viable nursery from the premises with a capacity of up to 24 children. In addition, despite some concerns from the applicant about the suitability of the building for such a use and the quality of the day nursery offer, which had been countered by Little Beans Day Nursery, the operator of the day nursery has highlighted their willingness to remain in the premises if it could be secured for nursery use and that they have attempted to purchase the freehold

of the site at the market value for such a use. It should also be noted that the nursery had been operating with an appropriate Ofsted rating (Good) which demonstrates that the premises were suitable and that the day nursery offer was also of an appropriate standard. It is therefore evident that Little Beans Day Nursery had been operating a viable nursery from the premises and that it would be feasible to support the continued existence of the nursery use. As such, section (b) of the second part of Policy PP26 (3) is not met.

42. The proposed development must therefore be tested against section (a) of the policy and it is the contention of the applicant that the loss of the day nursery would not result in a substantial decline in the range of facilities and services, in this instance childcare facilities, for local people. In support of the proposals, the applicant has submitted a "Community Resource Analysis Report" which it is argued demonstrates that the proposed redevelopment of the site would not harm the ongoing provision of childcare in Poole. This report provides an analysis of childcare provision across Poole rather than a more focussed catchment area around the application site as it is argued that parents often work substantial distances from their homes and that their chosen nursery can therefore be located anywhere along the route of their commute. The applicant argues that the report demonstrates that there are a substantial number of childcare providers within the area (25 other day nursery providers listed) which provide adequate alternative accommodation so that the closure of the Little Beans Day Nursery on the application site would not significantly reduce parental choice. However, it should be noted that some of the other sites quoted are children's centres and some are pre-school only. In addition, the applicant also contends that many of these alternative providers are located in modern, purpose built facilities which it is argued reflects the structural changes in the childcare sector and market demand and is squeezing smaller nursery operators out of the market as they cannot respond to these changes.

43. The submitted report also states that the applicant's contention that there is sufficient alternative nursery accommodation is supported by the Council's own research that is identified in the Childcare Sufficiency Review (2018). It should be noted that a more up-to-date Childcare Sufficiency Review was published in 2019. The applicant, however, argues that the Childcare Sufficiency Review (2018) identifies that the birth rate in Poole has been relatively stable with an actual decline in the 0-4 years age range and that the latter may have an impact on the number of pre-school, day nursery and childminder places which are sustainable. This is supported by the Council's Childcare Sufficiency Assessment 2019 which states in relation to the issue of demand for childcare for early years that "The latest estimates from the Office for National Statistics show that the number of births in BCP Council is projected to fall by about 1% per year. The population projections for three and four year-olds (all of which are eligible for at least 15 hours per week of council funded early years funded childcare) indicates a small fall annually with an overall fall of 6% in the period to 2028".

44. In conjunction with a falling birth rate, the applicant also contends that the Childcare Sufficiency Reviews have shown that there has been adequate provision of childcare providers but also sufficient childcare provision to meet

the demand for places from parents. In this regard, in relation to the issue of overall sufficiency in the area, the applicant's report quotes from the Council's Childcare Sufficiency Review (2018) which states "…Poole providers in the borough have accommodated all age groups successfully, with little issue raised by parents unable to find childcare in their preferred area. Currently there are sufficient childcare places for funded 2, 3 and 4 year olds in Poole although monitoring will take place in particular locations to ensure ongoing childcare sufficiency". The Council's Childcare Sufficiency Assessment 2019 also supports this view. With regards to the Oakdale ward, in which the application site is located, the Council's report indicates that there was a population of 548 children aged 0-4 years and there were a total of 17 childcare providers offering 344 places. It is evident that the Oakdale ward has one of the highest ratios of childcare places to population of 0-4 year olds within the BCP Council area. The Childcare Sufficiency Assessment 2019 also states that a parent's survey highlighted that "The vast majority of parents found it easy to get a childcare provider in the location they need, at the times they want".

45. In addition, during the course of the application, the applicant has also referred to the provision of other new childcare providers or sites that can be provided to meet demand from the sector to compensate for the loss of the 24 places at the application site. This includes 49 places at Buckholme Towers, 16 places at 10 Charmouth Grove and a consented scheme for 23 places at 53 Lilliput Road. The applicant therefore argues that when taken together, these arguments demonstrate that there would not be a significant decline in the range of childcare facilities available to local people.

46. The Council's Children, Young People and Learning had previously advised in relation to the earlier withdrawn application for the redevelopment of the site with the erection of a block of 10 flats (APP/18/01640/P) that the proposed development would result in a considerable decline in the range of childcare facilities for local people. This would particularly be the case for those working families who are entitled to 15 hours or 30 hours per week of free early education, those that require childcare for under 2's and those who need childcare provision not only during school term-time, but importantly also during school holidays.

47. In response to this current application, however, Children, Young People and Learning have advised that since the withdrawal of that earlier application a new nursery has opened on the site of the former Buckholme Towers, Commercial Road (Old School House Nursery and Pre School) that provides all year round provision, that also caters for 5-11 year olds with a holiday club and that has a capacity of 73 places (49 of which are for the age range of 0-5 years which is the age range that the Little Beans Day Nursery catered for). It is therefore been advised that the loss of the Little Beans Day Nursery from the application site and the 24 childcare places that it provided would be mitigated by the introduction of this new childcare facility, whilst it could also potentially provide places to meet some of the potential latent demand from new town centre development (expected to be 45 places but with new early years modelling indicating that it could be higher). The expansion of Three Gables at 10 Charmouth Road for a further 16 children has not previously been

highlighted and would further provide for potential demand from new development. However, the approved nursery use at 53 Lilliput Road is not operational; it has been marketed for over a year with no interest for nursery use due to the size and layout of the property and therefore at this time it is not realistic that these 23 spaces will come forward.

48. It is also noted that the website for Little Beans states that the childcare provision from the application site has recently relocated to share space with the Little Beans Nursery at Garland Road whilst alternative premises are sought. It is not clear, however, whether this has been possible due to surplus places being available at that site on a more permanent basis or whether it has been possible to accommodate some or all of the places from the nursery at the application site due to reduced demand as a result of the Covid-19 pandemic. Whilst the sustainability of providers within the childcare sector has been challenged across the country due to the pandemic as more children are being cared for at home, the length of time that the pandemic might last is an unknown quantity and given the economic drive of the Government to sustain the economy Covid-19 should not be used as a justification to disregard Policy PP26. In this regard, as the pandemic reduces and society establishes the new normal, it is anticipated that an increased demand for childcare provision over that which currently exists today will return to levels closer to those that existed pre-pandemic.

49. It is clear from the evidence in terms of the birth rate and the projected population in the 0-4 years age range, together with the expansion of Three Gables at 10 Charmouth Road and the introduction of the Old School House Nursery at the Buckholme Towers site that there is sufficient supply of early years places. While the loss of a viable business that meets a community need goes against the ethos of Policy PP26, the Little Beans Day Nursery at the application site has already closed following the expiry of the lease and capacity exists to accommodate the childcare places that have been lost as a result. Whilst the town centre developments may generate the demand for additional childcare provision, this demand would need to be addressed as part of those specific applications or strategically through the Local Plan in conjunction with the latest Childcare Sufficiency Reviews and modelling. Having regard to all of the available evidence, it is therefore accepted that, on balance, the proposed development would not result in the substantial decline in the range of childcare facilities that are available for local people.

50. Having established that the second part of Policy PP26 (3) is satisfied, it is necessary to have regard to the first component of the policy which requires the proposed development to provide sufficient community benefit to outweigh the loss of the existing facility. The supporting paragraphs to the policy state that “This could include replacement with a different type of community space or the provision of affordable housing”. It continues by stating that “The community benefit sought will be proportionate to that which is lost and the extent to which the loss of the facility contributes to the decline of facilities and services to local people”.

51. In this instance, the proposal does not include the incorporation of a replacement community related use within the proposed development. In support of the application, the applicant has considered the availability of other community facilities within the submitted “Community Resource Analysis Report”. This concludes that Poole already has a great number of community venues that are available for groups and individuals to hire and that there is an extensive and wide range of community facilities and services. Some of these are very close to the site and offer attractive modern facilities which it is argued the application premises would not be able to provide. The applicant therefore contends that the loss of the application premises as a community facility would have limited impact on local residents’ access to community facilities in the surrounding area. Due to the nature and constrained size of the site, together with its location, there are no immediately obvious community uses which could be accommodated on site alongside the residential accommodation that is proposed. The inclusion of a community facility alongside residential development would also likely result in a large building which would not be in keeping with the surrounding context and could not be viably incorporated within the building that is proposed by this current application.

52. The alternative community benefit suggested in the supporting text to the policy relates to the provision of affordable housing to outweigh the loss of the facility. Following lengthy discussions with the applicant, it is therefore proposed that one of the proposed flats would be provided as an affordable housing unit in the form of a discounted market sales housing unit. As such, the unit would be offered for sale at a maximum of 80% of open market value in perpetuity. Whilst discounted market sales housing is not specifically referenced within the Poole Local Plan, reference is made in the supporting paragraphs to Policy PP11 to the likelihood of the government’s intention to broaden the definition of affordable housing. In addition, the NPPF includes ‘discounted market sales housing’ under the definition of ‘affordable housing’. Furthermore, the definition of ‘affordable housing’ within the Poole Local Plan’s glossary states “The range of both subsidised and market housing designed for those whose incomes generally deny them the opportunity to purchase houses on the open market as a result of the local relationship between income and market price”. Reducing the sales value by a minimum of 20% would therefore be an appropriate approach to meet this requirement. The Council’s Housing Enabling Manager has confirmed that the sales figures at a discounted rate are acceptable in terms of securing a mortgage based at a 4.5 multiplier of gross household income per annum. The discounted market sales housing unit would be secured by a Section 106 Agreement.

53. In this instance, the loss of the Little Beans Day Nursery as a community facility directly relates to the issue of ongoing provision of early years childcare spaces. Therefore, whilst affordable housing provision would provide a community benefit it would not directly offset the specific loss of early years childcare provision. However, following consultation with Children, Young People and Learning it has been advised that the level of financial contribution that the proposed development could viably deliver towards early years childcare provision as a more appropriate community benefit would not be sufficient to carry out capital works that allowed for the expansion of childcare

places. As such, additional funds would need to be identified to provide such a community benefit, but no funds exist that could be allocated for this use. It should also be noted that the early years childcare market across the BCP Council area is largely comprised of private, voluntary and independent providers and whilst a small number of schools offer nursery provision these schools are academies so are operated by academy trusts outside of local authority control/management. As such, directing a financial contribution secured from the proposed development towards one provider, or a small number of providers, would amount to favourable treatment of the recipients over their competitors. In light of the above factors, Children, Young People and Learning have advised that they do not object to the applicant's offer to provide an affordable housing unit as a form of community benefit to outweigh the loss of the existing facility.

54. On balance, given the declining birth rate and projected population of 0-4 year olds, the fact that there is sufficient capacity of early years places and the fact that the site does not readily lend itself well to other community facilities, it is considered that the community benefit of a discounted market sales unit is a sufficient community benefit to outweigh the loss of the existing facility and accords with the requirements of Policy PP26 (3).

Impact on Street Scene and Character of the Area

55. Policy PP27 of the Poole Local Plan seeks to ensure that all new development achieves a good standard of design which for the purposes of the Plan is defined as development that functions well; fits in with and enhances an area's character within its context. In this regard, development will be expected to demonstrate how the scale, form, massing, appearance and use of materials come together to create a cohesive development for the site but also one that integrates positively within its surroundings. In accordance with Policy PP27, proposals will therefore be permitted provided that, inter alia, the development reflects or enhances local patterns of development and neighbouring buildings in terms of layout and siting, including building line and site coverage; height and scale; bulk and massing; materials and detailing; landscaping and visual impact.

56. This stance is reinforced by Policy PP28 (1) that relates specifically to flatted development and sets out criteria against which development proposals should be assessed to ensure that the established pattern of development and residential character of the area is preserved. In this regard, the policy seeks to ensure that the plot can accommodate a form of development that is of a scale and massing of the building(s), including the width, height and roof profile and spacing between buildings, as well as the plot coverage, in keeping with neighbouring buildings and respects the pattern of development which prevails in the street, or part of the street, where the site is located.

57. The proposal seeks to demolish the existing building and to redevelop the site with the erection of a block of 9no 1-bedroom flats. 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 existing

building that currently occupies the site, it is not considered to be of any architectural merit or particular value in terms of its contribution to the character and appearance of the street scenes of Fernside Road and Harbour Hill Road that would preclude its demolition.

58. The site occupies a corner plot at the junction of Fernside Road with Harbour Hill Road. This section of Fernside Road is predominantly residential in character with the dwellings to the north eastern side of Fernside Road principally consisting of two-storey detached houses, although there are some single storey and chalet style bungalows interspersed amongst them. The dwellings to this side of Fernside Road are of a variety of sizes, designs and materials with variation to the ridge heights and both hipped and pitched roofs forms with gabled ends being evident, whilst there is also some fluctuation to the building line and the spacing between properties. The development on the opposite side of this section of Fernside Road, however, follows a much more uniform pattern both in terms of the design and sizes of the dwellings as well as the building line and the gaps between them. Given the location of the application site at the junction with Harbour Hill Road and the depth of the plot, the dwellings that front onto this road and form the pattern and rhythm of development are set some 50 metres from the junction with Fernside Road. These dwellings are also predominantly detached, two-storey houses of varying sizes, designs and material finishes and are characteristic of the inter-war housing along Fernside Road and the surrounding area.

59. Whilst the surrounding area to the application site is predominantly characterised by detached residential dwellings, it is evident that there are also other flatted developments in existence in the surrounding vicinity and which occupy corner plots at the junctions of side roads with Fernside Road. This includes Fernside Court at the junction of Fernside Road with Hunt Road and the flatted development at No.1 Linthorpe Road at the junction of Linthorpe Road with Fernside Road. The principle of higher density, flatted development within the surrounding vicinity of the site has therefore already been established. The key issue therefore is whether the design, scale and massing of the proposed development would be in keeping with the neighbouring buildings and the established pattern of development.

60. As stated above, this outline application seeks to determine the issues of scale and layout with the detailed matter of the appearance of the proposed building reserved for later consideration. It is evident from the submitted plans that the proposed building would be of a substantially greater overall scale, bulk and massing than the existing building that currently occupies the site, being of both a wider and deeper footprint and having a higher eaves and ridge height. Being located on a corner plot, the proposed new building would read in the context of both Fernside Road and Harbour Hill Road.

61. In relation to Fernside Road, it is clearly evident that the south western elevation of the proposed building would be of a substantially greater scale, bulk and massing than the existing property that currently occupies the site. In this regard, the additional bulk and massing would be partially derived from the greater width of the proposed building that would infill the existing gap between

the side elevation of the existing property and the boundary with No.78 Fernside Road, whilst the proposed building would also have a gabled projection to the Fernside Road elevation and would be 2.5 storeys in height to the eaves level with the second floor accommodation partially located within the roof space. In addition, the overall ridge height would be increased by approximately 0.5 metres. As a result, it is evident that the elevation of the proposed building to Fernside Road would be of a considerably greater overall width and resultant bulk and massing than other properties within this part of the street scene.

62. The proposed building, however, would not be solely viewed face on from Fernside Road, but would be viewed in 3-dimensions which would help to visually reduce some of the bulk and massing of the building and its visual prominence within certain views along the street scene. In this regard, it is evident that the proposed gable would be more prominent in the street scene than the existing hipped roof form to the front elevation of the existing property. However, whilst it would also be sited in closer proximity to the front boundary of the site than the front elevation of the existing property, it would be of a similar scale and proportions to gabled frontage to the neighbouring property at No.78 Fernside Road and would also be set back from the site frontage by a similar distance to the other properties. At the same time, that element of the building that would infill the existing to the boundary with No.78 Fernside Road, would be set back from the gabled projection by 3.5 metres, whilst the potential bulk of the roof form would be minimised through the use of a hipped roof from and a lower ridge height. As such, this section of the building would have a more subservient scale and appearance that would reduce its visual prominence within the street scene. In addition, the gabled projection would also screen this recessed section of the building to some extent in views from the west along Fernside Road. Furthermore, whilst the eaves height, at 2.5 storeys, would be notably higher than that of other properties along this section of Fernside Road there would effectively be a transition in the eaves height from No.76 Fernside Road to the proposed building, whilst the overall ridge height of the building would not be out of keeping and would blend with the varied heights that is commonplace along this street scene.

63. The side elevation of the proposed development would also present a substantially greater bulk and massing to Harbour Hill Road than the existing building due to the increased depth of footprint, the gabled projection to the front elevation and the raised eaves and ridge height. It is accepted that the considerable scale and massing of the building would appear at odds with the established, more modest two-storey dwellings which characterise this street scene. However, given the substantial depth of the application site, there would be a significant gap of almost 25 metres to the immediate neighbour at No.2 Harbour Hill Road that forms the first dwelling that fronts onto this street. As such, the proposed development would be physically divorced from, and not viewed in the same context, as the properties to the north that form the pattern and rhythm of development and the existing established character of the street scene and as such it would not be harmful.

64. It would also be viewed in conjunction with the front elevation in views along Fernside Road, however, and when viewed in 3-dimensions, it has to be accepted that its scale, footprint and considerable overall bulk would not directly relate to the adjacent property at No.78 Fernside Road or No.82 Fernside Road on the opposite side of the junction. However, notwithstanding that the immediate context of the application site is primarily characterised by two-storey houses, as a corner plot it is considered that the application site could accommodate a larger and more prominent building without causing harm to the character and appearance of the respective street scenes and the wider surrounding area. The proposed development would result in an increase in the building and parking footprint and to the bulk and massing of the built form on site. Nevertheless, despite this, it would respect the building line and retain a gap to No.78 Fernside Road that is characteristic of the spacings between buildings in the street scene. The proposed development would also sit comfortably within the site and allow for the provision of landscape planting around the perimeters, as well as the retention of existing trees and new tree planting that would partially screen and soften the visual impact of the proposed development, particularly in views from Fernside Road. Given the above factors, and the variation that exists to the built form within the street scene, it is considered that the proposal would create a more prominent corner development whilst still reflecting the characteristics of the established buildings around it. As such, the proposed development would not materially harm the established character and appearance of the street scenes of Fernside Road and Harbour Hill Road and the wider surrounding area.

Impact on Neighbouring Residential Amenity

65. With regards to residential amenity, the proposed building would be sufficiently distanced from the neighbouring dwelling at No.2 Harbour Hill Road to the north east of the site and those residential properties on the opposite sides of Fernside Road and Harbour Hill Road, that it would not cause any material harm to the amenities of the occupants of those dwellings in terms of appearing overbearing, giving rise to a material loss of outlook, loss of sunlight/daylight or causing harmful shading. The potential impacts of the proposed development on neighbouring amenity, with the exception of potential overlooking issues, therefore largely rests with an assessment of the potential impacts of the proposal on the amenities of the occupants of the neighbouring dwelling at No.78 Fernside Road to the south east of the site.

66. Whilst the appearance of the proposed building has been reserved for later consideration at the reserved matters stage, the detailed matters of both scale and layout are proposed for determination as part of this outline application. It is evident from the submitted site layout and street scene elevations that the proposal would result in a significant increase to the scale, bulk and massing of the built form on site that would be presented to the neighbouring property at No.78 Fernside Road that contains a number of windows to the side elevation facing the application site. This would largely arise from the increased width of the proposed new building and the consequent infilling of the external play/garden area that is currently situated between the side of the existing property and the boundary with No.78 Fernside Road, resulting in the proposed

building being sited 4.0 metres closer to this boundary than the existing property.

67. The proposal would therefore result in some shading being cast towards No.78 Fernside Road and some loss of sunlight/daylight to the windows in the side elevation of that neighbouring property. However, given the orientation of the site this would be restricted to the late afternoon/evening hours whilst any shadow would also be partially cast across the gap that would be retained between the two properties. In addition, it also appears that the windows to the side elevation of No.78 Fernside Road either serve accommodation of a secondary nature (hallway, staircase, shower room, wc) or are secondary windows to the room that they serve (dining room), with the exception of two windows at the first floor level that both serve a study. It is also evident that the ground floor windows are already shaded to some extent by a canopy that runs along the length of the side elevation of No.78 and covers the side passageway. Given these factors, any shading and loss of sunlight/daylight would not be so significant as to be materially harmful to the neighbouring amenities. Furthermore, given the gap that would be retained between the two properties and the more secondary nature of the accommodation served by the windows to the side elevation of No.78, it is also considered that there would be no material loss of outlook and the proposed development would not have an overbearing presence. As such the amenities of the occupants of this neighbouring dwelling would be preserved.

68. In terms of overlooking, this current application does include the submission of floor plans although the external appearance of the building has been reserved for later consideration and therefore the proposed arrangement of windows and doors could be amended from that currently shown. Nevertheless, it is considered that the submitted floor plans and street scene elevations provide a good indication of the likely arrangements that would come forward at the reserved matters stage. Having regard to the submitted drawings, it is evident that the windows to the south west (Fernside Road) and the north west (Harbour Hill Road) elevations would overlook the public realm of these respective street scenes thereby adding to the mutual overlooking that already exists between properties on the opposite sides of the roads.

69. The submitted plans also indicate that there could be windows to the rear elevation of the building facing towards No.2 Harbour Hill Road that would serve open plan living, dining and kitchen areas to Flats 1, 4 and 7 and a bedroom to Flats 2, 5 and 8. These windows, however, would be separated from the side elevation of this neighbouring dwelling by at least 22 metres and therefore would not give rise to any overlooking that would result in a material loss of privacy. There would also be a window on all floor levels to the north east elevation of the projecting stairwell to the rear of the proposed building that would allow views towards No.2 Harbour Hill Road. Nevertheless, again, given the separation distance (approximately 18 metres) and the fact that they would be serving the communal staircase they would cause not lead to any material loss of privacy. In addition, any views from the windows to the north east (rear) elevation of the proposed building would also be sufficiently oblique or screened by the neighbouring property at No.78 Fernside Road due to its depth

of footprint that they would not result in any harmful overlooking of the rear garden of that neighbouring dwelling.

70. Whilst the proposed new building would be located in much closer proximity to the side elevation of No.78 Fernside Road that contains a number of windows, the submitted floor plans have indicated that the internal accommodation of the proposed flats can be arranged in such a manner that the number of windows to the south western (side) elevation of the proposed building could be limited in number. In this regard, the submitted floor plans indicate only an obscure glazed bathroom window to each of the floor levels and a secondary obscure glazed window to a kitchen area on the second floor. On this basis, the privacy of the occupants of the neighbouring property at No.78 Fernside Road would be preserved.

71. An objection could not be sustained to the application due to the potential noise and disturbance associated with the general activity arising from the proposed use of the site for 9 flats, particularly given the most recent use of the site as a children's day nursery and the site's location in an urban area and within a sustainable transport corridor. In addition, no material harm to amenities of the occupants of the neighbouring properties would arise from the proposed bin and cycle stores given their height and scale.

Impact on the Amenity of the Prospective Occupiers

72. With regards to the amenities of the future occupants of the proposed flats, Policy PP27 seeks to achieve good design in all new developments. This policy specifically sets out in part (d) that development should provide satisfactory internal amenity space for new occupiers.

73. As originally submitted, it was evident that 6 of the 9 proposed flats would be entirely open plan except for the bathrooms which was considered far from ideal due to the potential disturbance that would be caused between the various areas of the internal accommodation, such as the sleeping environment where there would be the constant noise/disturbance from the running/operation of kitchen appliances such as fridges/freezers. In addition, there was no provision for wardrobes to the bedroom areas or the provision of any storage space/unit for the storage of basic items such as a hoover, ironing board etc.

74. Furthermore, it was also evident that a number of flats did not comply with the minimum floor areas as set out in the 'Technical housing standards – nationally described space standard' March 2015 for a 1 bed, 1 person unit, whilst others had restricted bedroom and storage space. Whilst the actual wording to Policy PP27 does not specifically refer to the housing space standards in relation to the requirement of sub-section (d), the supporting text to that policy states at Para. 9.5 of the Local Plan that "For housing development, the Council encourages applicants to comply with the national prescribed space standards when preparing and submitting planning applications. Schemes that are significantly below these standards (e.g. more than 20% of floor space) will need to demonstrate how the development will achieve an acceptable standard

of living for future occupants". This overall approach is supported in the National Design Guide, which sets out the need for functional, healthy and sustainable homes and sets out that well designed homes should provide good quality internal and external environments for their users promoting health and well-being. As a result, the assessment of the living conditions of the prospective occupiers of the proposed flats forms a material consideration to the determination of the application and given the above issues there were significant concerns relating to the quality of the accommodation of the proposed flats.

75. In light of these concerns, the proposed development has been amended to increase the overall width of the building by approximately 0.75 metres and the internal layouts of the proposed flats have been reconfigured. As a result, all of the proposed flats now accord with the minimum space standards as set out in the 'Technical housing standards – nationally described space standard' March 2015 for a 1 bed, 1 person unit. In addition, the internal layouts of the flats have also been altered so that they all have a bedroom that is separated from the principal living accommodation (open living, dining and kitchen areas) and now provide an acceptable standard of accommodation in terms of the size and internal layout of the proposed flats. In addition, it is also evident that the internal layout of the proposed flats would allow for all of the principal habitable rooms to benefit from an acceptable level of outlook and general sunlight/daylight. Externally, the proposed communal amenity area would be relatively small but adequate to serve the needs of the future occupants of the proposed flats, particularly given the proximity of Oakdale Park and Poole Park within easy cycling distance of the site. As such, the proposed development would therefore provide acceptable living standards for future occupants.

76. Given the above considerations, the proposals therefore accord with the provisions of Policy PP27 of the Poole Local Plan in so far as it relates to the amenities of both existing local residents and future occupiers of the proposed development.

Highway and Parking Issues

77. With regards to highway and parking issues, the proposed development would utilise the existing vehicular access from Harbour Hill Road, although it would be narrowed in width. This would require the existing dropped kerb crossing and lowered footway to be reinstated at the applicant's expense to that section of the existing vehicular access that is to be made redundant. This can be secured by condition (#9).

78. The proposed vehicular access that is to be retained would still be of a sufficient width to allow two vehicles to pass at the entrance to the site so a vehicle entering the site would not have to wait on the carriageway of Harbour Hill Road which is important in terms of highway safety. The proposal also includes the provision of 2m x 2m pedestrian visibility splays to either side of the vehicular access that would aid pedestrian safety at the vehicular access to the site which is beneficial given the proximity of the site to St Mary's Catholic Primary School that is located in Devon Road. The provision of the proposed

pedestrian visibility splays can be secured by condition (#8). As such, the access arrangements as proposed are acceptable.

79. In terms of the proposed parking provision, the current proposal would include the provision of a total of 8 on-site parking spaces to serve the proposed development that would accord with the Council's adopted parking guidelines as set out in the Parking and Highway Layout in Development SPD provided that the parking is secured on an unallocated basis only. It has therefore been advised that it would be necessary to impose a condition to ensure that none of the parking spaces are allocated to any individual residential unit, except for any parking space that is demarcated as disabled parking which may be allocated to registered disabled users only, and to ensure that they are available to residents and visitors to all of the units. Such a condition can be reasonably imposed (#7). The proposal also includes a parking space that is of sufficient dimensions to provide a disabled appropriate parking space. The proposed parking layout would also ensure that the aisle between the parking spaces is of a sufficient size so that there is adequate on-site turning provision from each of the parking spaces to enable vehicles to enter and exit the site in a forward gear.

80. In addition, the proposal also includes the provision of a secure and sheltered cycle store that would accommodate 5no cycle stands that would allow for 9no cycles to be accommodated. This level of cycle parking provision would be acceptable in accordance with the cycle parking requirements as set out in the Parking and Highway Layout in Development SPD and can be secured by condition (#10). Given the above considerations, the transport/highway needs of the proposed development would therefore be met and it would not cause any detriment to highway and pedestrian safety.

81. Concerns have also been raised that the proposal would generate additional traffic movements with a consequent increase in noise pollution and air quality, as well as resulting in additional on-street parking. However, the number of vehicle movements generated by a development of this scale would not be significant and would not be any more harmful than those associated with the use of the site as a day nursery. The proposal also makes adequate provision for parking within the site in accordance with the Council's adopted parking guidelines as set out in the Parking and Highway Layout in Development SPD. In addition, any impacts/disruption from contractor's vehicles would be for a temporary period of time. On this basis, there is no justification to refuse the application on highway safety grounds arising from the additional vehicular movements or on-street parking associated with the proposed development.

Impact on Trees

82. There are a number of mature trees of mixed species located within, and adjacent to, the site, although they are not the subject of a Tree Preservation Order. Whilst they are not protected, some of these trees that are located to the front of the property are clearly visible within the street scenes of Fernside Road and Harbour Hill Road and provide some amenity value to the respective street scenes and the surrounding area and are worthy of retention. These

notably include a Silver Birch tree adjacent to the Harbour Hill Road frontage of the site and a group of mixed tree species adjacent to the boundary with the neighbouring property at No.78 Fernside Road. Together with the established landscape planting, they provide some amenity contribution and softening effect to the character and appearance of the street scenes of Fernside Road and Harbour Hill Road. Therefore, they constitute a constraint to the proposed development and should be taken into consideration in the determination of the application.

83. In this instance, whilst the detailed matter of landscaping has been reserved for later consideration, approval is being sought for the detailed matters of scale, access and layout. Therefore, despite landscaping being reserved, it is nonetheless necessary to assess the potential implications of the siting of the proposed new building and the layout of the development within the site on the existing trees and landscaping.

84. The application has not been supported by any arboricultural information, but the Council's Arboricultural Officer has nevertheless advised that the proposed new building could be accommodated within the site without causing any significant harm to those trees that are considered to be worthy of retention subject to the implementation of appropriate precautionary and tree protection measures. This can be reasonably secured by condition (#14) requiring the first submission of the reserved matters for the landscaping of the site to include the submission of an arboricultural method statement and tree protection plan.

85. The proposed parking layout, however, is likely to have a direct impact and/or require the removal of trees that are located within the rear section of the site and adjacent to the rear boundary with No.2 Harbour Hill Road (within the curtilage of the adjacent site). However, the Council's Arboricultural Officer has advised that whilst they are visible within the street scene of Harbour Hill Road they are of a low quality and are not of any importance in the wider landscape. As such, they are not worthy of protection and it is not considered appropriate to enforce their retention as part of the proposed development. Therefore, there is no objection to their removal subject to the provision of suitable replacement tree planting. The submitted plan indicates the provision of 2no semi-mature Silver Birch trees to be planted within the front garden area of the site. It is therefore accepted that there is scope for replacement tree planting to take place within the site that would have the potential to provide amenity value and for the site to contribute to the character of the surrounding area and tree cover in the longer term. In this regard, notwithstanding the details indicated on the submitted plan, it is reasonable that two trees are secured to compensate for those that are to be removed and the details of their species, size and location can be secured by condition (#16) as part of the landscaping scheme.

<u>Impact on Protected Species and Biodiversity Enhancement</u>

86. 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 this instance, the proposed development involves demolition of the existing dwelling and therefore the

proposal would result in the destruction of a bat roost/habitat in the event that bats are present. Whilst there was no clear evidence of bats being present or using the property (e.g. droppings/staining etc) and the risk of bats being present is low, it is nevertheless appropriate to require a Phase 1 Bat Survey of the existing building to be undertaken by a suitably qualified ecologist and a report of the findings to be submitted and, if necessary, any subsequent mitigation and compensation measures to be implemented. This can be reasonably secured by condition (#18).

87. The submitted application does not provide any details of proposed biodiversity enhancement. However, nor does it result in the loss of any high value or high volume of biodiversity in the area. Notwithstanding this, biodiversity enhancement measures such as bat and swift boxes/bricks to be built into the proposed building (or a suitable alternative) would be easily achievable on-site. The provision of such measures can be secured by condition (#19) to ensure there would be a biodiversity enhancement in accordance with the requirements of Policy PP33 of the Poole Local Plan and the NPPF.

Heritage Issues

88. The site is not located within a designated heritage area, such as a Conservation Area, and the existing building that currently occupies the site is not a listed or locally listed building and therefore does not constitute a designated or non-designated heritage asset. However, following an enquiry to the Historic Environment Records at Dorset Council it has been highlighted that there is ceramic ship feature that is fixed to the property that may be of some historic/cultural interest.

89. A former owner of the property has subsequently provided some details regarding the provenance of the ceramic ship feature which suggests that it may be one of only two that were ever made by Poole Pottery to celebrate the coronation of George VI and were displayed on the front of the Poole Pottery building. The other one is reported to have been stored away and to now be held within Poole Museum.

90. Poole Museum Services has confirmed that they are in possession of a ceramic sailing ship and have advised that the design, 'The Galleon' is by Harold Stabler (of Carter, Stabler, Adams) and dates from approximately 1925 and was adopted as an unofficial symbol of Poole Pottery and was produced in various forms by them during the 1920's/30's. It has also been advised that since the design was popular in the 1920's/30's, it is possible that a pair of plaques were installed at the Poole Pottery building to celebrate the coronation in 1937, but as the design was reproduced in several forms over a number of years, it is not unique in that sense. Some doubt has also been cast over the provenance of the ceramic sailing ship that is in place at the application site. In this respect, the Poole Museum Services have also advised that the Victoria and Albert Museum also have a model in their collection which looks to be identical to the one at Poole Museum, whereas the model on the application site is different in colouring. It therefore seems possible that the pieces held at Poole Museum and the Victoria and Albert Museum are in fact the pair. The

entry at the Victoria and Albert Museum suggests that the model was originally displayed outside Poole Pottery. However, if this is the case, it is not to say that the model at the application site did not originate from Poole Pottery and does not have local significance. It is therefore considered appropriate to impose a condition (#20) requiring the removal of the ceramic ship feature prior to the demolition of the building and for arrangements to be made for either its incorporation within the new building or for its safe keeping/storage which may be at the Poole Museum.

Surface Water Drainage

91. In terms of flood risk and surface water drainage, the site is located with Flood Zone 1 and therefore is not considered to be at risk of flooding. However, whilst the site itself is not shown to be at risk of surface water flooding, the Environment Agency's map of the risk of flooding from surface water shows that Fernside Road around its junction with Harbour Hill Road is at risk of low to medium surface water flooding. The Council's Drainage Engineer (as the Lead Local Flood Risk Authority) has also advised that surface water flooding modelling suggest that whilst there is no risk to the actual site itself, any surface water run-off from the site would contribute to significant predicted flows within Fernside Road.

92. The submitted application form states that it is proposed to dispose of surface water via a soakaway, whilst a SUDs plan has also been submitted which indicates that a crate system can be installed beneath the parking area. The submitted SUDs statement also states that "All areas of new hardstanding will be constructed from porous materials to ensure that all run-off is managed within the boundaries of the site" and that "The use of permeable surfaces and areas of soft landscaping will ensure that if there is a long period of rain, then the rainfall can be absorbed into the ground without impacting on public sewers". However, it is not clear from the submitted SUDs plan whether this would be used to deal with surface water run-off from the parking area as well as from the proposed building. In addition, there is no detail submitted to indicate the size or the design standard of the proposed soakaway.

93. Nevertheless, the application site is located within an area where the use of SUDs, such as soakaways, is viable. As such, there is a reasonable expectation that the use of permeable surfaces and a potential SUDs system to manage surface water run-off within the site would ensure that flood risk is not increased elsewhere. As such, there is no objection in principle, and a condition (#13) can be reasonably imposed requiring the submission for approval of a surface water drainage scheme. Permeable surfacing could also be secured by condition (#12) to ensure that there would not be an increase in surface water run-off from the site as some areas of soft landscape would be replaced with hard standing.

Refuse and Recycling Provision

94. The proposals that are the subject of this application would require the provision of 2no 1100 litre and 2no 600 litre capacity bins. The proposals

include the provision of a bin store that would be of a sufficient size to accommodate the required number and size of bins to meet the refuse and recycling needs of the proposed development. The bin store would be located adjacent to the parking area and the boundary with No.78 Fernside Road and would be within a suitable distance of the kerbside to facilitate collections. As such, the proposed provision for refuse and recycling facilities to serve the development would comply with the Waste Collection Authority requirements. The refuse/recycling facilities can be secured by condition (#11).

Sustainability Issues

95. Being a new build block of flats, it would be readily possible to deliver an energy efficient and sustainable development in accordance with the requirements of the latest Building Regulations. The current proposal has been supported by an Energy and Resources Statement which states that it is anticipated that 10% of the predicted energy demands of the proposed development could be achieved, most likely through a combination of a heat pump, photovoltaics and solar panel technology. However, in the absence of any firm commitment to the provision of specific renewable energy sources, it is appropriate to impose a condition (#6) to secure details of the measures that are to be implemented to ensure compliance with the requirements of Policy PP37 of the Poole Local Plan.

96. Permeable surfacing could also be secured by condition (#12) to ensure that there would not be an increase in surface water run-off from the site as soft landscaped areas would be replaced with built form and hard standing.

Section 106 Agreement/CIL Compliance

97. 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 in February 2019. 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.

98. The site is within 5km (but not within 400m) of Heathland SSSI and the proposed net increase in dwellings would not be acceptable without appropriate mitigation of their impact upon the Heathland. As part of the Dorset Heathland Planning Framework a contribution is required from all qualifying residential development to fund Strategic Access Management and Monitoring (SAMM) in respect of the internationally important Dorset Heathlands. This proposal requires such a contribution, without which it would not satisfy the appropriate assessment required by the Habitat Regulations

99. In addition, the proposed net increase in dwellings would not be acceptable without appropriate mitigation of their recreational impact upon the Poole Harbour SPA and Ramsar site. A contribution is required from all qualifying residential development in Poole to fund Strategic Access Management and

Monitoring (SAMM) in respect of the internationally important Poole Harbour. This proposal requires such a contribution, without which it would not satisfy the appropriate assessment required by the Habitat Regulations.

Contributions Required			Dorset Heathland SAMM	Poole Harbour Recreation SAMM
Flats	Existing	0	@ £269	@ £96
	Proposed	9		
	Net increase	9	£2421	£864
Total Contributions			£2421 (plus admin fee)	£864 (plus admin fee)
CIL	Zone C		@ £115sq m	

100. The necessary Dorset Heathlands and Poole Harbour Recreation SAMM contributions (appropriately indexed linked) can be secured via a Section 106 Agreement.

Summary

101. The proposed development would:
- provide 9 additional dwellings in a sustainable location;
- involve the redevelopment of the application site that was last used as a children's day nursery, resulting in the loss of a community facility;
- provide a discounted market sales housing unit as public benefit to offset the loss of the community facility;
- provide a building that would create a more prominent corner development whilst still reflecting the characteristics of the established built form, thereby preserving the character and appearance of the area;
- preserve the amenity and privacy of the occupants of the neighbouring and nearby residential properties;
- provide an acceptable standard of external and internal amenity space for the future occupiers of the proposed flats;

- provide adequate on-site vehicle and cycle parking and access arrangements that would preserve highway and pedestrian safety;
- retain the more important trees within, and adjacent to, the site and allow for the provision of replacement tree planting;
- protect any protected species present on-site and deliver biodiversity enhancements through condition;
- protect a feature that may be of some historic merit through condition;
- secure the provision of renewable energy generation, refuse/recycling provision and appropriate surface water drainage (by condition);
- mitigate the impact on Dorset Heathlands and Poole Harbour recreation through SAMM contributions; and
- be CIL liable.

Planning Balance

102. The premises within the application site had until recently been operated as a viable children's day nursery and that it would be feasible to support the continued existence of that use. However, the proposed redevelopment of the site would result in the loss of the site as a community facility. Nevertheless, it is evident that there is sufficient supply of early years childcare places and whilst the loss of a viable business goes against the ethos Policy PP26 of the Poole Local Plan its loss would not result in a substantial decline in the range of childcare facilities that are available for local people. The proposal would also deliver an affordable housing unit as a discounted market sales housing unit that would provide sufficient community benefit to outweigh the loss of the existing community facility.

103. The proposed development would inevitably result in a change to the character and appearance of the application site with the erection of a replacement building of a considerably greater scale, bulk and massing than currently exists on the site and that would have a more prominent presence within the respective street scenes of Fernside Road and Harbour Hill Road. However, the corner location of the site allows for a more prominent building than its immediate neighbours with sufficient spacing to retain a landscape setting, on-site parking and turning provision and an acceptable relationship to the neighbouring dwellings. On balance, the proposals would therefore reflect the characteristics of the established built form and preserve the residential character and appearance of the area.

104. The proposal would make efficient use of the application site and provide 9 additional dwellings in a sustainable location and this carries weight in favour of the proposals in terms of the social and economic benefits of delivering additional residential units that contribute towards meeting the identified housing need, during both construction and in the future.

105. The proposal would deliver a form of sustainable development in accordance with the development plan. When a balanced judgement is made, having regard to the presumption in favour of sustainable development, it is concluded that the benefits arising from the proposals would achieve the economic, social

and environmental objectives of sustainable development and outweigh any identified harm.

Background Documents

106. Case File ref APP/19/00765/P: For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.

RECOMMENDATION

It is therefore recommended that this application be **Grant Section 106 subject to the following:**

Details of Section 106 Agreement

1. A financial contribution of £2421.00 (plus administration fee) towards offsetting the recreational impact of the development on the Dorset Heathlands SPA and SSSI in accordance with Policy PP32 of the Poole Local Plan
(Adopted November 2018) and the Dorset Heathlands Planning Framework 2020-2025 Supplementary Planning Document (Adopted April 2020).

2. A financial contribution of £864.00 (plus administration fee) towards offsetting the recreational impact of the development on Poole Harbour SPA in accordance with Policy PP32 of the Poole Local Plan (Adopted November 2018) and the Poole Harbour Recreation 2019-2024 Supplementary Planning Document (Adopted February 2020).

3. The provision of an affordable housing unit as a discounted market sales housing unit to be offered for sale at up to a maximum of 80% of the open market value (i.e. discounted by a minimum of 20% of the open market value) to be retained as such in perpetuity to provide sufficient community benefit to outweigh the loss of the existing facility in accordance with Policies PP26 and PP11 of the Poole Local Plan (Adopted November 2018).

Conditions

1. OL010 (Submission of Reserved Matters)
No development shall commence on site until details of the landscaping of the site and the appearance of the development (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. OL080 (Submission of Reserved Matters (3 Years))
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. PL02 (Plans Listing - Outline)
The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Site, Block and Location Plans (Drawing No. 9130/200 Rev D) – Received 06 November 2020;
Proposed Floor Plans (Drawing No. 9130/201 Rev C) – Received 01 September 2020; and
Proposed Street Scenes (Drawing No. 9130/205 Rev E) – Received 10 November 2020; and
Proposed Cycle and Bin Stores (Drawing No. 9130/206 Rev A) – Received 10 November 2020.

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

4. GN030 (Sample of Materials)
Prior to the commencement of any construction works above the ground floor slab level of the block of flats, hereby approved, details and samples of all external facing and roofing materials to be used shall be submitted to, and approved in writing by, the Local Planning Authority before any on-site works commence. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that the external appearance of the dwellings is satisfactory and in accordance with Policy PP27 of the Poole Local Plan (November 2018).

5. GN020 (Screen Fencing/Walling – Submission of Details Required)
The first submission of reserved matters for the landscaping of the site shall include details/a plan indicating the positions, design, materials and type of boundary treatment to be erected to be approved in writing by the Local Planning Authority. The boundary treatment shall subsequently be erected in accordance with the approved details prior to the first occupation of any of the residential flats, maintained for a period of five years and thereafter retained.

Reason: In the interests of the character and appearance of the street scenes of Fernside Road and Harbour Hill Road and the amenity and privacy of the adjoining properties and in accordance with Policy PP27 of the Poole Local Plan (November 2018).

6. GN162 (Renewable Energy - Residential)

Prior to the commencement of any construction works above the ground floor slab level of the residential flats, hereby approved, details of the measures to be implemented to meet a minimum of 10% of the predicted future energy use of the flats from the use of on-site renewable energy sources, shall be submitted to, and approved in writing by, the Local Planning Authority. These measures must subsequently be implemented in accordance with the approved details prior to the first occupation of any of the residential flats and shall thereafter be retained and maintained.

Reason: In the interests of delivering a sustainable scheme, reducing carbon emissions and reducing reliance on centralised energy supply, and in accordance with Policy PP37 of the Poole Local Plan (November 2018).

7. HW100 (Parking/Turning Provision)
The development, hereby permitted, shall not be brought into use until the access, vehicle parking and turning space shown on the approved plans have been constructed, laid out and made available for use, and these shall thereafter be retained and kept available for those purposes at all times. The car parking spaces shall be available for residents and visitors to the residential units at all times. The parking shall therefore remain as unallocated parking at all times with no parking space allocated to any individual residential unit except for any parking bay demarcated as Disabled Parking which may be allocated to Registered Disabled Users only. No parking barrier shall be placed to restrict access to the car parking area or any individual bays.

Reason: To ensure the adequate provision of on-site parking in the interests of highway safety and in accordance with Policies PP27, PP34 and PP35 of the Poole Local Plan (November 2018).

8. HW200 (Provision of Visibility Splays)
Prior to the first occupation of any of the residential flats, hereby approved, and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any subsequent re-enactment thereof, the land designated as pedestrian visibility splays as indicated on the approved plans shall be cleared of all obstructions over 0.6 metres above the level of the adjoining highway, including the reduction in level of the land if necessary, and nothing over that height shall be permitted to remain, be placed, built, planted or grown on the land so designated at any time.

Reason: In the interests of highway safety and in accordance with the approved plans and Policies PP34 and PP35 of the Poole Local Plan (November 2018).

9. AA01 (Non standard Condition)
Prior to the first occupation of any of the residential flats, hereby approved, a scheme to close the section of the existing vehicular access (which is to be made redundant) shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include provision to raise the existing lowered kerb and reinstate the footway corresponding to the closure/modification of the existing access and shall comply with the standards adopted by the Local Highway Authority. All works shall subsequently be completed in their entirety in accordance with the approved

scheme, at the developer's expense, prior to the first occupation of any of the approved residential flats.

Reason: In the interests of highway and pedestrian safety and in accordance with Policy PP35 of the Poole Local Plan (November 2018).

10. AA001 (Non-Standard Condition)
Prior to the first occupation of any of the residential flats, hereby approved, the bike store and cycle stands (Sheffield stand or similar) to provide a minimum of 9 cycle parking spaces shall be constructed and made available for use as shown on the approved plans and shall thereafter be maintained, retained and kept available for use as such at all times.

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

11. AA001 (Non-Standard Condition)
Prior to the first occupation of any of the residential flats, hereby approved, the bin store shall be constructed in accordance with the details shown on the approved plans and made available for use and shall thereafter be maintained, retained and kept available for use as such at all times.

Reason: In the interests of the visual amenities of the site and in the interests of the amenities of the future occupants of the approved development in accordance with Policies PP27 and PP28 of the Poole Local Plan (November 2018).

12. HW230 (Permeable surfacing condition)
All ground hard surfaces shall either be made of porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the site. The hard surface shall thereafter be retained as such.

Reason: In the interests of delivering development which does not result in unacceptable levels of run-off and in accordance with Policy PP38 of the Poole Local Plan (November 2018).

13. DR040 (Sustainable Urban Drainage)
Notwithstanding the surface water drainage details indicated on the submitted SUDs plan, prior to the commencement of development of the flats, hereby approved, a scheme for the provision of surface water drainage based on sustainable urban drainage principles shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall also include details of the schedule and responsibility for maintenance and management of the surface water drainage scheme after completion of the development. The surface water drainage works shall subsequently be fully implemented in accordance with the approved scheme and made available for use prior to the first occupation of any of the approved flats and shall thereafter be managed and maintained in accordance with the approved details and retained.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal and in accordance with PP38 of the Poole Local Plan (November 2018).

14. TR010 (Arboricultural Method Statement – Submission Required)
The first submission of reserved matters relating to the landscaping of the site shall include the submission of an Arboricultural Method Statement and Tree Protection Plan prepared by an arboricultural consultant holding a nationally recognised arboricultural qualification providing comprehensive details of construction works in relation to trees to be approved in writing by the Local Planning Authority. All works shall subsequently be carried out in strict accordance with the approved details. In particular, the method statement must provide, but not be limited to, the following:-
a) a specification for protective fencing to trees during both demolition and construction phases which complies with BS5837:2012 and a plan indicating the alignment of the protective fencing;
b) a specification for scaffolding and ground protection within tree protection zones in accordance with BS5837;
c) a schedule of tree works conforming to BS3998;
d) details of general arboricultural matters such as the area for storage of materials, concrete mixing and use of fires;
e) plans and particulars showing the siting of the service and piping infrastructure;
f) a full specification for the construction of any arboriculturally sensitive structures and sections through them, including the installation of boundary treatment works;, the method of construction of the vehicular accesses and driveways and extent of the areas of the driveway to be constructed using a no-dig specification; and the methodology for the demolition of the existing dwelling and rear raised terrace and tennis court;
g) details of the works requiring arboricultural supervision to be carried out by the developer's arboricultural consultant, including details of the frequency of supervisory visits and procedure for notifying the Local Planning Authority of the findings of the supervisory visits; and
h) details of all other activities which have implications for trees on or adjacent to the site.

Reason: In order that the Local Planning Authority may be satisfied that the trees to be retained on-site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice and in accordance with Policy PP27 of the Poole Local Plan (November 2018).

15. TR040 (Pre-commencement Meeting)
Prior to the commencement of any ground clearance, tree works, demolition or development, details of the arboriculturally sensitive operations requiring arboricultural supervision shall be submitted to, and approved in writing by, the Local Planning Authority. A pre-commencement site meeting shall be held and attended by the developer's arboricultural consultant, the designated site foreman and a representative from the Local Authority to discuss details of the working procedures and agree that all tree protection measures have been installed in accordance with the approved tree protection plan. Any approved remedial works shall subsequently

be carried out under strict supervision by the arboricultural consultant immediately following that approval.

Reason: In order that the Local Planning Authority may be satisfied that the trees to be retained on-site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice and in accordance with Policy PP27 of the Poole Local Plan (November 2018).

16. TR080 (Replanting of a Specified Number of Trees)
The first submission of reserved matters relating to the landscaping of the site shall include details of the replacement planting of 2 trees of a size and species and in a location to be agreed in writing with the Local Planning Authority. The replacement trees shall be planted in accordance with BS3936, BS4043, BS4428 and BS8545 within 9 months following the implementation of this permission or prior to the completion of the development whichever is the earliest. The trees shall thereafter be maintained for a period of five years including the replacement of any tree(s), or any tree(s) planted in replacement for it, which die, are removed or become damaged or diseased within this period with tree(s) 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 PP27 of the Poole Local Plan (November 2018).

17. LS030 (Implement Landscaping Scheme)
Upon approval of the landscaping details (including provision for landscape planting, the retention and protection of existing trees and other site features, walls, fencing and other means of enclosure and any changes in levels) pursuant to Condition No.1:

a) the approved scheme shall be fully implemented with new planting carried out in the planting season October to March inclusive following occupation of the building(s) or the completion of the development whichever is the sooner, or in accordance with a timetable to be agreed in writing with the Local Planning Authority;
b) all planting shall be carried out in accordance with British Standards, including regard for plant storage and ground conditions at the time of planting;
c) the scheme shall be properly maintained for a period of 5 years and any plants (including those retained as part of the scheme) which die, are removed or become damaged or diseased within this period shall be replaced in the next planting season with others of a similar size and the same species, unless the Local Planning Authority gives written consent to any variation; and
d) the whole scheme shall be subsequently retained.

Reason: In the interests of visual amenity, to ensure that the approved landscaping scheme is carried out at the proper times and to ensure the establishment and maintenance of all trees and plants in accordance with Policies PP27 and PP33 of the Poole Local Plan (November 2018).

18. AA01 (Non Standard Condition)
No development shall take place, including any demolition works, until such time that a Phase 1 Bat Survey has been undertaken and a report of the findings and details of any necessary further survey work, mitigation and compensation measures, together with the timing for their implementation, has been submitted to, and approved in writing by, the Local Planning Authority. The development shall subsequently be implemented in strict accordance with the approved further survey work, mitigation and compensation measures and timing for their implementation.

Reason: To ensure, before any disturbance occurs, the protection and/or rescue of species protected under the Wildlife and Countryside Act 1981, the Habitats Regulations and the Berne Convention and in accordance with Policy PP33 of the Poole Local Plan (November 2018) and the NPPF.

19. AA01 (Non Standard Condition)
Prior to the first occupation of any of the flats, hereby approved, details of biodiversity enhancement, prepared by a suitably qualified and experienced person/s, shall be submitted to, and approved in writing by, the Local Planning Authority and implemented in accordance with the approved details and thereafter retained. The details should include, but not be restricted to, at 2no swift boxes/bricks (or agreed alternative) and 2no bat bricks/tiles/tubes/boxes to be installed on or within the fabric of the building hereby approved and appropriate native plant species.

Reason: In order to deliver the biodiversity enhancement required by the NPPF and in accordance with Policy PP33 of the Poole Local Plan (November 2018).

20. AA01 (Non Standard Condition)
Prior to the commencement of development, including any demolition works, the existing ceramic sailing ship feature that is attached to the existing building that is to be demolished shall be removed by hand (or by non-powered hand-held tools only) and shall either be attached to the new building, hereby approved, or stored in a dry and secure place in accordance with details that shall have been submitted to, and approved in writing by, the Local Planning Authority.

Reason: To retain a feature of local historic significance and in accordance with Policy PP30 of the Poole Local Plan (November 2018).

Informative Notes:

1. IN72 (Working with applicants: Approval)
In accordance with the provisions of paragraphs 38 of the NPPF the Local Planning Authority (LPA) takes a positive and creative approach to development proposals focused on solutions. The LPA 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.
- In this case the applicant was afforded an opportunity to submit amendments to the scheme which addressed issues that had been identified.
- The application was considered and approved without delay.

2. IN74 (Community Infrastructure Levy - Approval)
Part 11 of the Planning Act 2008 and the Community Infrastructure Levy Regulations

The proposed development referred to in this Planning Permission is a chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act 2008 and the CIL Regulations (amended).

In accordance with CIL Regulation 65, the Local Planning Authority (LPA) will issue a Liability Notice in respect of the chargeable development referred to in this planning permission as soon as practicable after the day on which this Planning Permission first permits development. The Liability Notice will confirm the chargeable amount for the chargeable development referred to in this Planning Permission and will be calculated by the LPA in accordance with CIL Regulation 40 (amended) and in respect of the relevant CIL rates set out in the adopted charging Schedule. Please note that the chargeable amount payable in respect of the chargeable development referred to in this planning permission is a local land charge.

Please be aware that failure to submit a Commencement Notice and pay CIL in accordance with the CIL Regulations and Council's payment procedure upon commencement of the chargeable development referred to in this Planning Permission will result in the Council imposing surcharges and taking enforcement action. Further details on the Council's CIL process including assuming liability, withdrawing and transferring liability to pay CIL, claiming relief, the payment procedure, consequences of not paying CIL in accordance with the payment procedure and appeals can be found on the Poole website: http://www.poole.gov.uk/planning-and-buildings/planning/ldf/community-infrastructure-levycommunity-infrastructure-levy/

3. IN81 (SAMM contribution)
The necessary contributions towards SAMM arising from the proposed development have been secured by a S.106 Agreement.

4. IN82 (Demolition of Buildings)
Applicants are advised of the need to notify the Council, under Section 80 of The Building Act 1984, of the proposed demolition of a building, which is over 1750 cubic feet, or which is not within the exemption criteria expanded within the Act.

An application form, with a list of required notifications, is available from Building Consultancy Services to assist applicants. Once appropriately notified, the Council will issue a counter notice which authorises the demolition, subject to certain standard conditions relating to health and safety issues and amenity preservation.

5. IN84 (AA Passed)

This application is subject to a project level Appropriate Assessment in accordance with the Conservation of Habitats and Species Regulations 2017, concluding that the likely significant effects arising from the development can be mitigated and have been mitigated ensuring there would not be an adverse effect on the identified designated sites of Nature Conservation Interest.

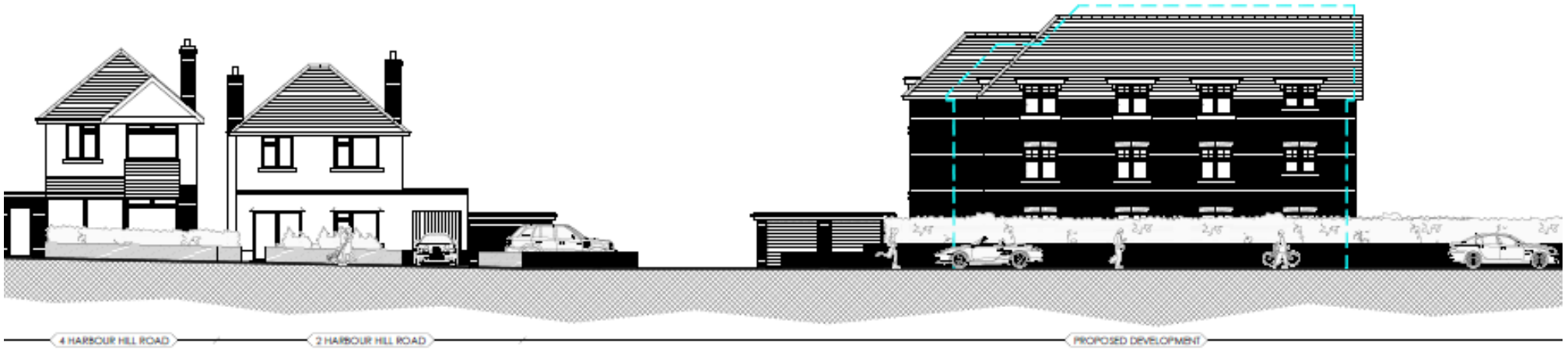
6. IN12 (Kerb Crossing to be Raised)
As a required adjunct of this access closure, the applicant is advised that it will be necessary for the kerb to be raised and the footway (and verge) restored. Normally this work will be undertaken at the expense of the developer by the Highway Authority although, on occasions, there might be instances where the developer, under supervision, can undertake this work.

7. IN13 (Kerb Crossing to be Lowered)
The applicant is informed that the Local Highway Authority will require the footway and kerb to be lowered and reconstructed in the position(s) corresponding to the vehicular means of access to the site. This requirement is imposed in order to service the means of access; in order to prevent danger and inconvenience to other road users and to pedestrians; and in order to prevent possible damage to highway surfaces. The work shall conform to a specification to be provided by the Highway Authority (BCP Council), or it may be required to be undertaken by the Authority itself. In either event, the work will be required to be undertaken at the applicant's expense. With regards to such works the applicant should contact BCP Council on Tel: 01202 261700, by email at droppedcrossings@bcpcouncil.gov.uk, or in writing to BCP Council, Environmental Services, Hatchpond Road Depot, Hatchpond Road, Poole, Dorset, BH17 7LQ. Contact should be made before the commencement of any works on or adjacent to the public highway.

8. IN00 (Non Standard Informative)
In conjunction with Condition No.19 above, the applicant is advised that in accordance with Natural England's advice the swift boxes/bricks should be located at least 5 metres above the ground level on a wall in clear airspace away from hazards and rodent access routes (like creepers) and preferably immediately underneath overhanging eaves and roofs with the top of the box flush with the roof's lower surface. The swift bricks should also be fitted in shade or on the northern facing elevations of the dwellings. The bat bricks/tiles/tubes/boxes should be installed in compliance with the requirements of the Bat Conservation Trust http://www.bats.org.uk/pages/bat_boxes.html


82
14.2m
HARBOUR HILL ROAD
FERNSIDE ROAD




4 HARBOUR HILL ROAD
2 HARBOUR HILL ROAD
PROPOSED DEVELOPMENT


PROPOSED DEVELOPMENT
78 FERNSIDE ROAD
76 FERNSIDE ROAD



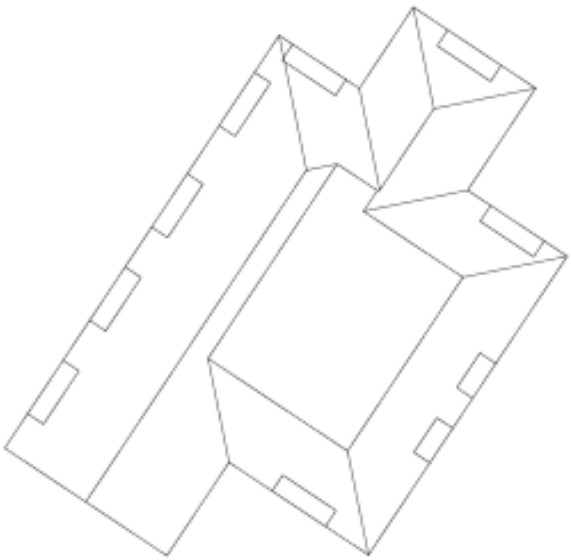
GROUND FLOOR PLAN
SCALE 1:100



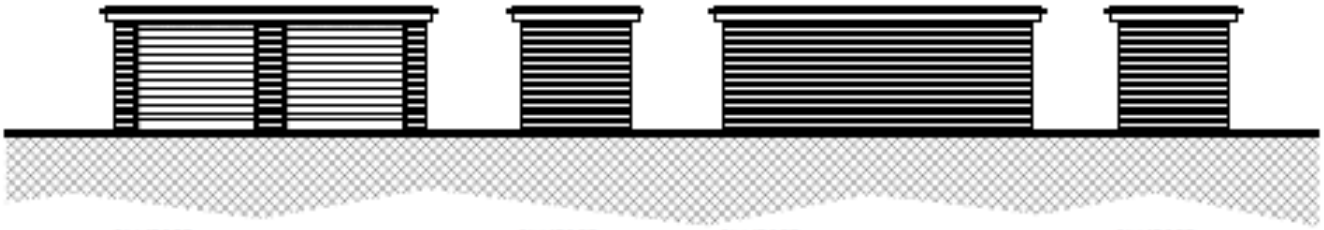
FIRST FLOOR PLAN
SCALE 1:100



UPPER FLOOR PLAN
SCALE 1:100



ROOF PLAN
SCALE 1:100



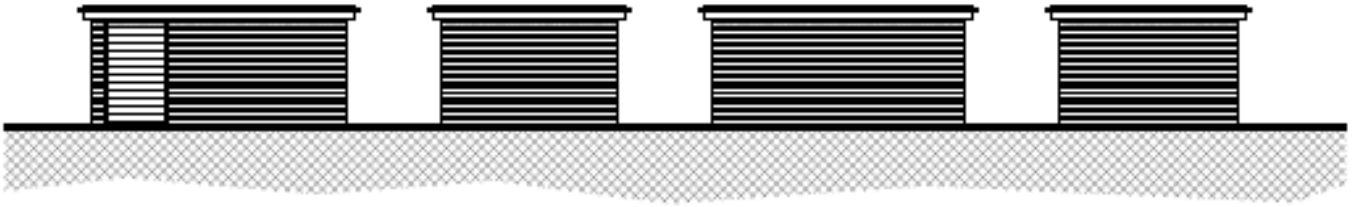
BIN STORE
FRONT ELEVATION
SCALE 1:100

BIN STORE
SIDE ELEVATION
SCALE 1:100

BIN STORE
REAR ELEVATION
SCALE 1:100

BIN STORE
SIDE ELEVATION
SCALE 1:100





CYCLE STORE
FRONT ELEVATION
SCALE 1:100

CYCLE STORE
SIDE ELEVATION
SCALE 1:100

CYCLE STORE
REAR ELEVATION
SCALE 1:100

CYCLE STORE
SIDE ELEVATION
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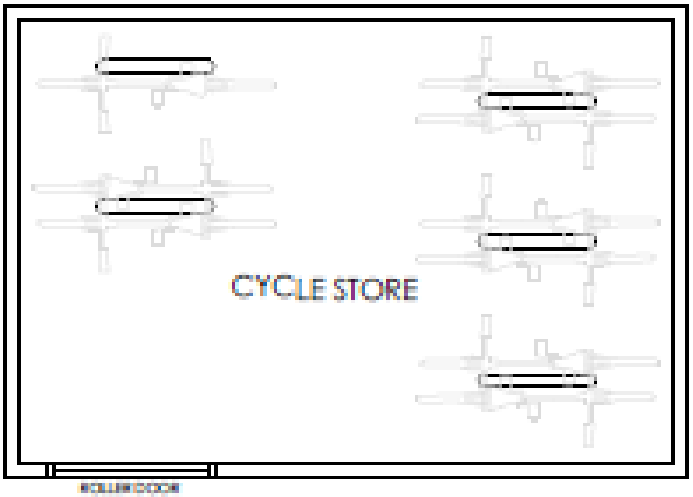

PLANNING COMMITTEE

Application Address	53 Southcliffe Road Christchurch BH23 4EW
Proposal	Demolish existing buildings and erect block of 10 apartments with basement parking. Variation of condition 2 (Approved Plans) of App. 8/16/1842/FUL for additional details/minor amendments. Reconfiguration of basement entrance element of building at both basement and ground floor level. Changes to ground floor plan of the building in vicinity of the ramp. Single storey projection on north east elevation between two approved masonry buttresses and beneath approved balcony. Insertion of further buttress features on ground floor Changes to window details including - Insertion of obscure glazed windows in western elevation, two new windows in north elevation, two roof lights in south elevation and flat roof skylights. Reduction of hardstanding in front entrance forecourt area. Small patio areas to some of the ground floor units
Application Number	8/20/0682/CONDR
Applicant	Jackson Developments Ltd
Agent	Mr Ken Parke
Date Application Valid	18 August 2020
Decision Due Date	17 November 2020
Extension of Time Date (if applicable)	01 December 2020
Ward	Mudeford, Stanpit & West Highcliffe
Report status	Public
Meeting date	26th November 2020
Recommendation	Delegate to the Head of Planning to Grant, subject to: • the completion of a s106 agreement to secure mitigation of impact on the Dorset Heathlands, and • conditions as shown:

Reason for Referral to Planning Committee	More than 20 representations from different properties objecting to the proposal and the officer recommendation is for approval
Case Officer	Kevin Chilvers

Description of Development

1. Demolish existing buildings and erect block of 10 apartments with basement parking. Variation of condition 2 (Approved Plans) of App. 8/16/1842/FUL for additional details/minor amendments. Reconfiguration of basement entrance element of building at both basement and ground floor level. Changes to ground floor plan of the building in vicinity of the ramp. Single storey projection on north east elevation between two approved masonry buttresses and beneath approved balcony. Insertion of further buttress features on ground floor
2. Application is made under Section 73 to vary a condition (Condition 2 - the approved plans) of an existing consent granted in 2016. The proposed amendments are; Changes to window details including - Insertion of obscure glazed windows in western elevation, two new windows in north elevation, two roof lights in south elevation and flat roof skylights. Reduction of hardstanding in front entrance forecourt area. Small patio areas to some of the ground floor units
3. The proposal also includes the erection of an extractor vent (to serve the basement parking) located in front of the proposed building

Key Issues

4. The key issues are:
    - Principle of development
    - Impact on character and appearance of area
    - Impact on neighbouring properties
    - Highway safety, Parking and access arrangements
    - Biodiversity/Dorset Heathlands
    - Affordable Housing
    - Flood risk and cliff stability
5. Consideration in particular needs to be given to the extent to which the scheme differs from the previous consent for similar redevelopment and whether the current proposal results in any significant additional impact to the character of the area and residential amenities. The applicant has a fall-back position to implement the earlier consent.

6. As the proposal would result in additional residential accommodation the proposal also needs to demonstrate compliance with:

- the Dorset Heathlands Planning Framework,
- the Council's adopted Housing and Affordable Housing Supplementary Planning Document.

Planning Policies

7. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications must be determined in accordance with the development plan for an area, except where material considerations indicate otherwise. The development plan in this case comprises the Christchurch and East Dorset Local Plan 2014 and saved policies of the Borough of Christchurch Local Plan (2001).

8. The following Development Plan policies are of particular relevance in this case:

Christchurch and East Dorset Local Plan – Core Strategy (2014)
KS1 Presumption in favour of sustainable development
KS12 Parking Provision
KS4 Housing Provision in Christchurch and East Dorset
LN1 The Size and Type of New Dwellings
LN2 Design, Layout and Density of New Housing Development
LN3 Provision of Affordable Housing
ME1 Safeguarding biodiversity and geodiversity
ME2 Protection of the Dorset Heathlands
ME3 Sustainable development standards for new development
ME4 Renewable energy provision for residential and non-residential developments

Christchurch Borough Council Local Plan (2001) – saved policies.
H12 Residential Infill
ENV 1 Waste Facilities in New Development
ENV 5 Drainage and New Development
ENV 9 Development in the Coastal Zone
ENV 21 Landscaping in New Development
BE 5 Setting of Conservation Areas
BE 16 Views and Vistas
H16 Crime Prevention and Design
P5 Replacement for Loss of Car Parking
T16 Access for those with impaired mobility

9. Supplementary Planning Guidance:

The Christchurch Borough-wide Character Assessment (2003)

The application site is located within the Friars Cliff character area. Section 5.28 acknowledges the estate type development with a mix of house types in

an area of mature spacious character with open sea views. The Assessment states that the sea front properties on Avon Run Road stand out as some of the most individual designs. The houses, coastal setting and dominant tree line give the area a very strong sense of place.

10. Supplementary Planning Documents:

- Dorset Heathland Planning Framework 2020-2025
- Christchurch and East Dorset Councils Housing and Affordable Housing Supplementary Planning Document 2018

11. National Planning Policy Framework 2019 (NPPF)

The guidance contained in the NPPF is a material consideration. Paragraph 11 sets out the presumption in favour of sustainable development. Development plan proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent or relevant policies are out-of-date then permission should be granted unless any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF or specific policies in the NPPF indicate development should be restricted.

12. Relevant NPPF sections include:

- Section 5 Delivering a sufficient supply of homes
- Section 12 Achieving well-designed places
- Section 15 Conserving and enhancing the natural environment

13. Para 117 stipulates that decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

14. Para 122 requires decisions to take into account:
- the identified need for different types of housing;
- desirability of maintaining an area's prevailing character and setting, or of promoting regeneration and change; and
the importance of securing well-designed, attractive and healthy places.

15. Para 123 advises LPA's to refuse applications which they consider fail to make efficient use of land, taking into account the policies in the Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).

16. Para 127 requires decisions to ensure that developments:

- will function well, and add to the overall quality of the area
- are visually attractive as a result of good architecture, layout and appropriate and effective landscaping
- are sympathetic to local character and history

- establish or maintain a strong sense of place
- optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development
- create places that are safe, inclusive and accessible with a high standard of amenity for existing and future users.

17. Para 130 states 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, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.

18. Decision making principles are set out in Para 170 which advises that the planning system is to contribute to and enhance the natural and local environment including protecting and enhancing valued landscapes, minimising impacts on biodiversity and providing net gains in biodiversity where possible.

Relevant Planning Applications and Appeals

19. 8/19/1148/CONDR Demolish existing buildings and erect block of 10 apartments with basement parking - Variation of Condition 2 of 8/16/1842/FUL to Site Plan, Basement, Ground Floor Plan, First Floor Plan, Second Floor and Elevations.

    Refused on 14/07/2020 for the following reasons

    - Impact on the character of the area
    - Failure to demonstrate whether scheme is not viable to provide affordable housing
    - Lack of heathlands mitigation

20. 8/18/3211/CONDR Demolish existing buildings and erect block of 10 apartments with basement parking. Variation of Condition 2 (Approved plans) of 8/16/1842/FUL to make amendments to the building design.
    Withdrawn February 2019

21. 8/17/0184/FUL Demolish existing building and erect block of 10 flats
    Refused July 2017 Appeal dismissed December 2017

22. 8/16/1842/FUL Demolish existing buildings and erect a block of 10 apartments with basement parking. Approved December 2016

Representations

23. In addition to letters to neighbouring properties the application was advertised in the Bournemouth Echo and site notices were posted outside the site.

24. Although some respondents welcomed attempts to clarify proposed modifications “that were so unclear in previous application”, 47 Objections were received from 38 properties and the following concerns were raised:

25. Inadequate information:

- No height details on elevations.
- Roof plan shows a flat section incorporating 6 roof lights. No previous roof plan so unclear whether this flat roof is new if it is assume roof pitch and bulk of roof changed
- Facts misrepresented to or ignored by Committee on original application

26. Virtually the same as scheme recently refused by the Council

- Increase in size and volume of building that’s already too big for the plot
- Concern about piecemeal incremental enlargement of building on site

27. Impact on neighbours:

- Building (including buttresses) would have a dominant and overbearing appearance that would in combination with larger buttresses and darker materials dominate neighbouring properties and result in loss of amenity to neighbours
- Impact on outlook from neighbouring properties and use of balcony at no.51
- Concern about possibility of bin storage in space close to no.51
- Structural differences encroach on views from neighbouring properties
- Noise, smell from extractor unit, disturbance and loss of light

28. Loss of privacy:

Additional windows and changes to balcony screening will increase overlooking and loss of privacy to neighbours in particular to:

- 15 Rook Hill Rd from increase in glazed area of windows (should be obscure glazed) and balcony of unit 6
- 51 Southcliffe Rd (hall, stairs, landing, bathroom and balcony) from 2 additional windows including another oriel window, and reduction in size of balcony screen in unit 6
- 55 Southcliffe Rd from new windows and inadequate size of balcony screens
- Original condition preventing use of flat roof above unit 6 should be reiterated

29. Impact on visual amenity and character of area:

- Will intrude into much valued view of Christchurch Bay
- Additional buttresses and enlargement of approved buttresses increase the bulk and mass of the building
- Scale and siting of ventilation unit,

- Projection of front wall of units 2,3 and 4 beyond the building line along Southcliffe Rd increases footprint and prominence of development to detriment of street scene
- Overly large building for small corner site will have adverse over domineering impact on street scene
- Poor design, bulk and mass out of scale and out of character
- Harmful, discordant and detrimental to appearance and character of the area and amenities of neighbours
- Encroachment of paved areas at front

30. Inappropriate development:

- Proposed amendments are not insignificant and minor
- Would set a precedent
- No affordable housing

31. Bin store:

- Support for relocation of bin store to basement but bin storage area reduced in size compared to approved scheme and poor access to store for residents
- Inadequate details of waste/recycling arrangements
- Unclear what the area adjacent to the curved access ramp (i.e. space adjacent to no.51) will be used for – should not be used for bin storage
- Condition should be imposed to ensure that no other locations at ground level are used for bin storage

32. Highways:

- Changes to access and wall around external parking will impact on visibility and highway safety and increase danger for pedestrians.
- Highway safety implications of large building on bend in road
- Inadequate parking provision in basement (loss of one space) and unusable layout
- Concerns about limited emergency access to basement and ventilation room
- Absence of dedicated pedestrian access from basement

33. Landscaping:

- Loss of tree from front garden
- Absence of proposed landscaping scheme – details required to ensure improved screening/privacy to neighbours and future occupiers

34. Ventilation unit:

- Concern that visual prominence of and noise and fumes from ventilation equipment would have a detrimental impact on neighbours

Consultations

35. BCP Highways - Major Dev

Received 18/09/2020

The access drive radius is being increased, which will make it easier for drivers to enter/exit the basement car park area. The width of the access drive has narrowed, although the increased radius makes the access drive more efficient than the previously approved scheme.
Parking provision has reduced by one space to 19 spaces, although still meets the parking standards.
Therefore, Transport policy can support the proposals, subject to the same conditions (Conds. 2 – 5) as with planning permission 8/16/1842/FUL

36. BCP Lead Flood Authority

Received 17/09/20
Do not think the proposed modifications have any effect on the drainage. Detailed queries raised with regard to liaison with Wessex Water, Size of attenuation tank, Health and Safety Management, position of drains and rising main. (Inf. 6).

37. Christchurch Town Council

None received

38. BCP Waste and Recycling

Received 1/10/2020
Communal Residential Capacity & Collection Requirements:
Residential Bin Sizes & Capacity:
Recycling 2 x 1280L
Rubbish 1 x 1100L 1 x 660L
Food Waste 2 x 140L

The containers are not within 10m of the highway and the bin store is not compliant with guidelines. The site does not qualify for BCP Council collection services and a Refuse Management Plan is required.

The application fails to meet the requirements of the WCA, however, with a RMP detailing private collection no objection is raised (Cond 11).

Submitted plans should clearly detail all the requirements listed in Communal Residential Capacity & Collection Requirements.
Submitted documents should contain / may need to a waste management plan (WMP) detailing the requirements listed in the WCA response.

39. **Constraints**

- SSSI Impact Risk Zone
- Heathland 5km Consultation Area
- Rights of Way
- Airport Safeguarding
- Coastal Area (Policy)
- Wessex Water Sewer Flooding

Planning Assessment

Site and Surroundings

40. The 0.12 ha application site is located on the inside of a bend on the western side of Southcliffe Road as it rounds towards Avon Run Road which runs alongside Friars Cliff Beach and looks out over Christchurch Bay. On the opposite side of the road there is a two/three storey block of 9 flats. The other properties in vicinity of the site comprise a mixture of predominantly two storey detached dwellings of various designs, height, width and depth.

41. At the time of the original consent the site was occupied by a large two storey, hipped roof building which was vacant but until December 2015 the building was in use as a nursing home. The nursing home had balconies to the southern and eastern elevations as well as bay windows. The two primary buildings had been extended and were also linked by a single storey red brick wing which created an L shaped built form on the site.

42. The nursing home had a tarmacked parking area (approx.12 spaces) in front of the building served by two vehicular access points. There was also a garden area to the south of the building and limited additional private amenity space to the rear of the building. The roadside edge to the site was marked by a low stone wall (part of which has been demolished) and the remaining boundaries around and within the site are marked by a mixture of fences and walls.

43. In July when the Planning Committee last considered an application on this site the nursing home was subject to ongoing demolition operations which have since finished. The cleared site is now enclosed by hoardings.

44. To the rear of the site there is a public footpath, on the other side of which a new dwelling has recently been erected following the demolition of no.15 Rook Hill Road (App. No. 8/15/0580).

Proposed development

45. The proposed revisions to the approved scheme are as follows: -

    • The entrance ramp has been reconfigured for technical and construction reasons. The submitted plan 8652/900A shows the minor differences between the approved and the proposed ramp.
    • The reconfiguration of the entrance ramp has necessitated changes to the layout of parking and facilities in the basement, and to the ground floor plan

of the building in the vicinity of the ramp. This has resulted in changes of built form at ground floor level for some of the units. The upper floors remain as previously approved.

- Single storey projection on north east elevation to Southcliffe Road.
- The proposals insert 4 windows at ground floor level and 4 obscure glazed windows at first floor level in the western elevation.
- The proposals include the insertion of further buttress features on the ground floor.
- The site plan illustrates the reduction of hardstanding in the front entrance forecourt area and details of an Extractor vent located in front of the new building have also been provided
- Additional roof lights are indicated in the south facing roof slope and in the flat roof of the main building

The proposals show small patio areas to external areas to some of the ground floor units as annotated on the plan. These elements are considered to be landscaping details, and the application also specifies some changes to materials.

Key Issues:

Principle of development

46. As the site benefits from a previous permission (8/16/1842/FUL), the loss of the previous nursing home and its replacement by a residential development of 10 units has been accepted under current Local Plan policies. Since this time, the housing land supply position for this Local Plan area has worsened and following the publication of the Housing Delivery Test, the Council cannot currently demonstrate a five year land supply with a 20% buffer applied. Consequently the tilted balance in paragraph 11 of the National Planning Policy Framework applies to the scheme and there is a presumption in favour of approval unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Impact on character of area

47. Having regard to the above Government Guidance, adopted policies and the Character Assessment, and the recent consent for similar development, there is no objection in principle to new dwellings on the application site. Policy HE2 requires development to be compatible with or improve its surroundings in its layout; site coverage; architectural style; scale; bulk; height; materials and visual impact. The Christchurch Borough-wide Character Assessment shows the site falling within the Friars Cliff Character Area wherein it is acknowledged that the general mix of styles, density and mature character gives the area a pleasant sense of place.

48. The recently demolished care home building was of greater scale and footprint than most of the buildings in the area. There are flats in vicinity of the site and

given the varied characteristics of the built form in the area, there is no objection in principle to the additional residential development of this type in this area subject to consideration of the specific impacts on the area. The principle of the demolition and introduction of a flatted development on the site has been established by the extant permission; as have the number of units, the overall ridge height, relationship to the rear boundary, proposed materials, and basement parking provision. The proposed building follows the same alignment and general footprint as the original care home and recently approved buildings. Examination of the plans show limited differences in the overall scale and bulk of the building against the previous consent and ridge heights and pitches remain the same.

49. A recent refusal and dismissed appeal for enlargement/ alteration of the approved building was refused partly due to concerns with regard to the impact of the built form on the character of the area. The Inspector dismissed the appeal noting; *"Irrespective of the percentage increase, the proposed mass and bulk in combination with the deviation from the predominant building-line would cause the development to stand out as harmfully out of place".*

50. During the assessment of the previous CONDR application the LPA acknowledged the Inspector's conclusion that the appeal proposal would adversely affect the character and appearance of the area. It is therefore necessary to consider the extent to which the current proposal addresses concerns about impact on the character and appearance of the area and the applicant has provided a Comparison Plan (8652/903) to assist with this assessment. The plan clearly illustrates the differences in footprint between the approved, appeal and current proposal.

51. The amendments to the building arise for technical and construction reasons in order to provide a greater radius into the basement ramp simply to facilitate ease of access. This has necessitated reconfiguration of the basement entrance element of the building at both basement and ground floor level. That element of the building however is mostly recessed and not visible from outside of the site with the upper floors remaining unchanged. These changes in and around the top of the ramp are within the built envelope of the overall building and will not significantly alter the impact of the building in the street scene over the approved building.

52. The single storey projection on the north east elevation towards Southcliffe Road is between two approved masonry buttresses and beneath a balcony. From various views from the side and front this element will not be discernible as additional mass but rather as infilling. The movement of the ground floor elevation towards Southcliffe Road would basically infill the space beneath and between built projections and the applicant contends that this would not

therefore step forward of the existing front elevation presentation of the approved building.

53. The Committee report on the recently refused CONDR application raised concerns over the potential encroachment towards Southcliffe Road in a prominent location and reducing the available space for landscaping. The previous report acknowledged that the proposed building would retain the approved separation of built form from the neighbouring properties. However, the report advised that "the additional bulk and mass of the building associated with its increased depth, modified design features and darker material palette, and revised balconies increase the visual prominence of the building in the street scene to the detriment of the character and appearance of the area".

54. In the submission supporting the current application, the applicants have provided additional information and sought to clarify details of the proposed revisions to the approved scheme. The site plan illustrates the reduction of hardstanding in the front entrance forecourt area, and the plans illustrate how the insertion of further buttress features on the ground floor do not add to the overall mass of the building. The features also provide privacy between the ground floor sitting out areas and are similar features to the balcony screens on the upper floors.

55. The submission explains that the addition of the single storey element is to compensate for the loss of floor space required to facilitate the reconfiguration of the ramp. Overall, this unit will remain of similar size to the approved unit. The additional information accompanying the current application helps to clarify the extent to which the ground floor encroachment would be perceived in the context of the over sailing balcony and enclosing buttresses.

56. The current proposals are an improvement on the scheme dismissed in 2017 (para. 21 above). It is noted that the Inspector back in 2017 did not consider the proposals in light of the current housing land supply. This is a finely balanced assessment but officers have concluded that on balance (when compared to the approved scheme) this additional ground floor encroachment towards Southcliffe Road would not significantly alter the perception of the building's relationship to Southcliffe Road. Bearing in mind the similarities to the applicant's fallback position, any additional impacts do not significantly and demonstrably outweigh the benefits of the proposals in redeveloping this now vacant brownfield site.

Impact on neighbouring properties

57. Policy HE2 of the Local Plan states that development will be permitted if it is compatible with or improves its surroundings in its relationship to nearby properties including minimising general disturbance to amenity.

58. App. No. 8/17/0184 was refused by the Local Planning Authority on account of a loss of privacy to neighbouring properties. However, whilst the appeal was dismissed, the Inspector did not uphold this reason for refusal, concluding that

the impact to neighbouring living conditions was acceptable; "*All things considered, I do not consider that the proposed development would have a harmful impact on the living conditions of adjacent occupiers, with specific regard to loss of privacy as a result of overlooking. The proposal would therefore accord with Policy HE2 of the CS and Saved Policy H12 of the Local Plan."*

56. The existing building is aligned close to the rear boundary, reflecting the original footprint of the former building and as a result has an unusual physical relationship to no.55 which would continue to be evident from the road and the public footpath to the rear of the site. The current proposal removes the access stairs to the basement and also sets back further part of the rearward projecting element from the shared boundary with no.55.

57. The scheme proposes 9 additional openings on the south-west and south-east elevations closest to No.55 and the occupier has raised concerns with regard to increased overlooking and loss of privacy from the window changes. As noted by the appeal Inspector, the 4 additional ground floor windows would be screened by intervening boundary treatments and would have an acceptable impact. Of the additional 1st floor windows to the SW elevation, two serve a lobby, one a stairwell and one an en-suite. All are shown as obscure glazed. These would not therefore result in a substantial loss of privacy to No.55 and (as with the Officer report for the previous CONDR application) it is concluded that there is no issue with additional obscure glazed windows in the western elevation because they would not affect privacy.

58. The additional window to the SE elevation is a secondary bedroom window. The distance from this window to the rear of No.55 is approximately 19m and this is considered acceptable.

59. Three additional windows are proposed to the NE elevation. These look out across Southcliffe Road and are considered acceptable. Two new windows are proposed to the NW elevation, one each at ground & 1st floor. The 1st floor opening is an oriel window serving a bedroom. Its outlook is towards the side elevation of No.51 which has a bedroom window and a balcony partly to the front and side. Nonetheless, it is noted it was considered acceptable in the approved scheme to have a similar oriel window on this elevation closer to No.51's balcony and this additional window is considered to have an acceptable impact to this property. The bulk of the building closest to No.51 is similar although part of the ground floor flat nearest to this neighbour has been enlarged at the expense of the drive to the underground parking, the proposal does however include a reduction in height of the two storey flat roofed element compared to the approved plan. The Care Home had a 2-storey structure in this position and the alteration to the built form of the current proposal in this location compared to the originally approved plan is not considered to result in any significant additional impact on no.51.

60. Additional roof lights are indicated in the south facing roof slope and in the flat roof of the main building, these windows would not significantly impact on the appearance of the building or on the privacy of adjacent properties.

61. The remaining openings and balconies form part of the approved scheme and remain acceptable, however, it is considered that the balcony side panels should not be reduced in height and a condition (13) to ensure they are installed and maintained at the originally approved height should ensure that the current proposal does not result in a diminution of privacy to the neighbours compared to the approved scheme.

62. The proposed alterations do not make significant changes to the layout or size of the flats from the approved scheme.

63. The scheme is considered to comply with the test in Policy HE2 to be compatible in its relationship to nearby properties including minimising general disturbance to amenity.

Parking and access arrangements

64. Policy KS12 of the Core Strategy requires adequate vehicle and cycle parking provision to serve the needs of the development. The Highways Officer does not raise any objection. The layout provides adequate parking for the flats and provides for 2 visitor spaces at ground level in front of the building adjacent to the proposed vehicular access. Subject to a condition to ensure that disabled compliant spaces are provided it is therefore considered that the scheme complies with Policy KS12 and the currently adopted parking guidelines.

65. Policy ENV1 of the Local Plan requires adequate bin storage be provided. Details of the proposed bin storage in the basement have been submitted and condition (no.6) on the original consent requires a refuse management plan (RMP). This condition is attached to the recommendation as condition no.11. Provided this RMP details private collection, the Council's Waste collection officer raises no objection to the current application. The proposal would comply with the requirements of policy ENV1 and criteria (ii) of Policy H12. The Council's Waste collection officer has provided specific advice with regard to waste collection requirements and this advice is referenced in the proposed informatives.

Biodiversity/Landscaping/Dorset Heathlands

66. Criteria (iii) of policy H12 states that proposals "will be permitted provided that they do not result in the loss of an important landscape or other environmental feature, such as open space or trees, which is part of the character of the area.' The proposal would not result in the loss of any significant amenity

trees and the proposed building would not significantly encroach further into the open space in front of the building.

67. The site plan illustrates the reduction of hardstanding in the front entrance forecourt area and shows small patio areas to external areas to some of the ground floor units as annotated on the plan. These hard landscaping elements do not significantly reduce the opportunity to accommodate landscaping which could have a positive impact on the biodiversity balance on the site. The physical proximity to the rear boundary provides limited opportunity for landscaping at the rear of the proposed building.

68. A biodiversity mitigation plan has been agreed in regard to the original consent (condition 10) and the requirements of the BMP is therefore conditioned (7) in the recommendation below.

69. The application site lies within 5km but beyond 400m of Dorset Heathland which is designated as a Site of Special Scientific Interest and as a European wildlife site. The proposal for a net increase in residential units is, in combination with other plans and projects and in the absence of avoidance and mitigation measures, likely to have a significant effect on the site. It has therefore been necessary for the Council, as the appropriate authority, to undertake an appropriate assessment of the implications for the protected site, in view of the site's conservation objectives.

70. The appropriate assessment has concluded that the likely significant effects arising from the proposal are wholly consistent with and inclusive of the effects detailed in the supporting policy documents. When there is a completed legal agreement the proposal will be wholly compliant with the necessary measures to prevent adverse effects on site integrity detailed within the documents: Dorset Heathlands Planning Framework SPD.

71. The appropriate assessment has concluded that the mitigation measures set out in the Dorset Heathlands 2020-2025 SPD can prevent adverse impacts on the integrity of the site. The SPD strategy includes Heathland Infrastructure Projects (HIPs) and Strategic Access Management and Monitoring (SAMM). In relation to this development the Council will fund HIP provision via the Community Infrastructure Levy but SAMM, which forms the second strand of the strategy, requires that contributions be secured via s106 from all development where there is a net increase in dwellings. The strategic approach to access management is necessary to ensure that displacement does not occur across boundaries.

72. The completed Unilateral Undertaking submitted with the original application addressed the requirement to mitigate the impact of the development in regard to the Dorset Heathland. A further Undertaking has not been submitted to accompany the current application although the applicant confirmed in connection with the previous CONDR application that they are willing to enter into such an agreement.

73. Although the consented development has commenced (in that the original building has been demolished and minor access works have been carried out) contributions in connection with the approved development have not been secured. The approval recommendation below is therefore conditional on securing a financial contribution to mitigate the impacts of the amended scheme on protected heathlands.

Affordable Housing

74. The scheme is above the 1000sqm threshold for affordable housing requirement and policy LN3 on affordable housing requirement applies subject to viability assessment. The LPA accepted on the consented scheme that the scheme was not sufficiently viable to fund affordable housing. Whilst this may well still be the case that determination was made in December 2016. Given the time lapse since the original consent the decision on the previous CONDR application included a refusal reason (no.2) stating that the proposal was contrary to Policy LN3 of the Christchurch and East Dorset Core Strategy. The refusal reason referred to the applicant's failure to demonstrate that the scheme cannot provide a policy-compliant affordable housing contribution on financial viability grounds.

75. In the current submission the agent refers to this refusal reason and expresses the view that the Section 73 application procedure need only consider the conditions the subject of the application. Having regard to the change in floor area the agent contends that the amount of floor space increase is similar to the amount lost as part of the overall reconfiguration of the ramp. Nonetheless the applicant has submitted a brief statement on the viability position from the expert who completed the initial viability analysis.

74. The brief statement on Affordable Housing Viability clarifies that there is not any financial surplus to fund affordable housing and consequently this does not constitute a reason for refusal of the current application.

Flood risk and cliff stability

75. The application site falls outside of the flood risk area and it is considered that clarification of outstanding drainage matters can be resolved by condition.

Summary

76. The proposed development would alter the bulk and mass of built form when compared to the previously approved proposal. However, the additional projection forward of the building line at ground floor level indicated in the current proposal would be framed by the balcony above and buttresses to the site such that it would not have a significantly greater prominence and impact in the street scene when compared to the originally approved scheme.

77. Bearing in mind the conclusions of the previous Inspector, the changes to the scheme have an acceptable impact on the living conditions of the neighbouring properties.

78. Subject to securing acceptable mitigation for its impacts on protected heathlands via a s106 agreement, this aspect is acceptable and the submission indicates that the scheme continues to have insufficient viability to provide an affordable housing contribution.

Planning Balance

79. The decision to refuse the previous scheme was finely balanced. The amendments to the current scheme detailed above are considered to have successfully tipped the balance in favour of the scheme, bearing in mind the fallback position to the lawfully commenced approval.

80. The proposed development would make a contribution of 10 dwellings, which would have benefits in terms of boosting the supply of housing, contributing to a choice of homes, making use of a previously developed site in a location that has good access to a range of services and facilities. There would also be economic benefits associated with the construction phase and with regard to the future occupation of the properties.

81. That there would be no harm in relation highway safety, is a neutral factor. While not counting against the proposed development, this absence of harm does not weigh in the balance in its favour.

82. As there is an existing commitment to 10 new housing units, the scheme does not provide additional benefits in addressing the significant shortfall in housing delivery in the Christchurch Local Plan area which could provide additional weight in favour. However, it has been concluded that the proposed development would not result in material harm to the character and appearance of the area or to the amenities of adjacent properties.

83. The scheme is considered to comply with the development plan when taken as a whole and is therefore recommended for approval.

RECOMMENDATION

Delegate to the Head of Planning to Grant, subject to:

- the completion of a s106 agreement to secure mitigation of impact on the Dorset Heathlands, and
- the following conditions;

Conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:
   8652/900 Rev A Site, Block and Location Plans

8652/902 Rev A		Elevations
8652/903		Comparison Plan
8652/901	Rev B	Floor Plans & Street Scene

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

2. Prior to occupation of the development, the first 5.00 metres of the access crossing, measured from the nearside edge of the carriageway, shall be laid out and constructed to a specification previously submitted to and approved in writing by the Local Planning Authority.

   Reason: In the interests of road safety.

3. Prior to the access being brought into use for the purposes of the approved development, the visibility splay areas as shown on Drawing No. 8652/900A shall be cleared/excavated to a level not exceeding 0.6 metres above the relative level of the adjacent carriageway. The splay areas shall thereafter be maintained and kept free of all obstructions.

   Reason: In the interests of road safety.

4. The development hereby permitted shall not be occupied or brought into use until the areas shown on Drawings No's 8652/901 rev B and 8652/900 for the manoeuvring, parking, loading and unloading of vehicles have been surfaced, marked out and made available for these purposes. Thereafter, these areas shall be maintained, kept free from obstruction and available for the purposes specified.

   Reason: In the interests of road safety.

5. The development hereby permitted shall not be occupied or utilised until the cycle parking facilities shown on Drawing No. 8652/901 rev B have been constructed. Thereafter, these shall be maintained, kept free from obstruction and available for the purposes specified.

   Reason: In the interests of road safety.

6. Details of a drainage scheme for the development is to be submitted to and approved in writing by the LPA within 1 month of the date of this permission. The development shall be carried out in accordance with the approved details and made available in all respects prior to the first occupation of the development and thereafter retained.

   Reason: Details as currently submitted do not provide sufficient information/clarity with regard to the appropriateness of the drainage arrangements for the site.

7. The development shall be carried out in accordance with the Biodiversity Mitigation Plan approved under App. No. 8/16/1842/FUL and this shall not be altered without the prior written approval of the Local Planning Authority.

Reason: In order to safeguard and enhance the ecological value of the site.

8. Details and samples of all external facing and roofing materials shall be submitted to and approved in writing by the Local Planning Authority prior to their use on site. All works shall be undertaken strictly in accordance with the details as approved.

   Reason: This information is required to ensure satisfactory visual relationship of the new development to the existing to accord with Policies H11 and HE2 of the Local Plan and Government Guidance contained in the National Planning Policy Framework.

9. No construction work shall take place, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The Statement shall include Structural Engineers submissions to demonstrate what measures are proposed to ensure that the construction does not prejudice the stability of the adjacent cliff, and the Statement shall provide for:
   i. the parking of vehicles of site operatives and visitors
   ii. loading and unloading of plant and materials
   iii. storage of plant and materials used in constructing the development
   iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
   v. wheel washing facilities
   vi. measures to control the emission of dust and dirt during construction
   vii. a scheme for recycling/disposing of waste resulting from demolition and construction works

   The approved Statement shall be adhered to throughout the construction period
   Reason: This information is required prior to commencement to safeguard the amenity of the locality in accordance with Policy ENV1 of the Local Plan and Government Guidance contained in the National Planning Policy Framework.

10. Screening in the form of either 1.8 metres high close boarded fence or a 0.6 metres high wall (of materials to be agreed with the Local Planning Authority) surmounted by a 1.2 metres high close boarded fence shall be erected concurrently with the development along the side and rear boundaries of the application site. The new dwellings hereby permitted shall not be occupied until the screening has been erected and such screen shall be subsequently retained.

    Reason: This boundary treatment is required prior to occupation of the development hereby approved in order to provide privacy and to accord with Policies H12 and HE2 of the Local Plan and Government Guidance contained in the National Planning Policy Framework.

11. The development hereby permitted shall not be occupied until a Refuse Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include: details of the management company to be set up; the employment of a private contractor to collect the refuse; measures to be taken if no private contractor is available at any time in the future; and that bins will not be stored in the open. The refuse management plan

shall be carried out in accordance with the approved details, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development includes a long-term management plan for the collection of refuse in the interests of visual and residential amenities, and to accord with Policy ENV1 of the Christchurch and East Dorset joint Core Strategy adopted 2014.

12. There shall be no gates hung so as to form obstruction to the vehicular access serving the site.

    Reason: In the interests of road safety.

13. Obscure glazed balcony screening to a minimum height of 1.8m shall be erected at both ends of the balcony to flat 6 prior to occupation of the flat. The screens shall thereafter be retained.

    Reason: In order to protect the privacy of adjacent properties in accordance with Policies H12 and HE2 of the Christchurch and East Dorset Core Strategy adopted 2014.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 and the Town and Country Planning Act 1990 or any subsequent re-enactments thereof, the flat roof areas at 3rd floor hereby permitted shall not be used as a balcony, roof garden or similar amenity area.

    Reason: In the interests of the privacy of adjacent properties.

Informatives:

1. In so far as details were required the pre-commencement conditions (3, 4, 7 & 10) on the original consent 8/16/1842/FUL were discharged in June 2020.

2. The applicant is referred to section 4.2 in the Council's Waste and Recycling Services Planning Guidance document available here https://www.bournemouth.gov.uk/planningbuilding/PlanningPolicy/PlanningPolicyFiles/SPD-SPG-PGN/waste-and-recycling-services-planning-guidance-note-v10-bcp.pdf

3. The applicant is advised that notwithstanding this consent Section 184 of the Highways Act 1980 requires the proper construction of vehicle crossings over kerbed footways, verges or other highway land. Before commencement of any works on the public highway, BCP Council's Highways Team should be consulted to agree on the detailed specification. To request a quote email streetworks@poole.gov.uk.

4. The modification of the existing vehicle access necessitates the re-siting of a lamp column on the public highway. The applicant must contact the street lighting team to initiate the procedure.

5. The Council, under section 46 of the Environmental Protection Act 1990, can specify the type of bin provided for waste collections, where bins are to be placed for emptying, the items that may or may not be put into bins and the steps to be taken by occupiers to assist the collection of waste. The EPA s46 (4e-g) state that collection arrangements (including the time when receptacles must be placed for collection and subsequently removed) can be set by the Council. With regard these collection arrangements, the Council's website provides clear instructions of when and where bins need to be put out for collection and returned your property, (https://www.bournemouth.gov.uk/binsrecycling/BinCollections/HouseholdRecyclingCollections-BigBin/HouseholdRecyclingCollectionsBigBin.aspx

6. Regarding bin placement on the highway, the Highways Act 1980 section 130 imposes a duty on the Highway's Authority to assert and protect the rights of the public to use and enjoy the highway. This general duty is reinforced by s.130 (3) which states that the Highway Authority have a duty to prevent, as far as possible, the obstruction of the highway.

7. The sewer from No 55 becomes a public sewer under the land of No 53 even though it is not shown on the current public sewer records (this occurred because of the private sewers transfer regulations of 2011). The developer will have to agree any diversion with Wessex Water. The capacity of the attenuation tank(s) shall be confirmed once the water discharge rate has been agreed with Wessex Water.

Background Papers

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APPROVED SITE PLAN



SITE PLAN
SCALE 1:200
BASED ON TOPOGRAPHICAL SURVEY

PLEASE NOTE SOME DISCREPANCY BETWEEN ORDNANCE AND TOPOGRAPHICAL SURVEYS



SITE PLAN
SCALE 1:500
BASED ON ORDNANCE SURVEY EXTRACT
OS LICENCE NO: 100007080



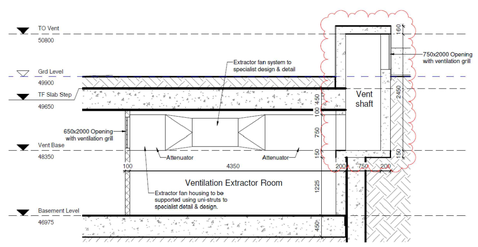
LOCATION PLAN
SCALE 1:1250
BASED ON ORDNANCE SURVEY EXTRACT
OS LICENCE NO: 100007080

PROPOSED SITE PLAN



SITE PLAN
SCALE 1:200
BASED ON TOPOGRAPHICAL SURVEY

PLEASE NOTE SOME DISCREPANCY BETWEEN ORDNANCE AND TOPOGRAPHICAL SURVEYS



SECTION THROUGH VENTILATION EQUIPMENT
SCALE: NTS

50m @ 1:1250

25m @ 1:500

10m @ 1:200

10m @ 1:100

NOTES

1. The contents of this drawing are copyright.
2. Do not scale. Figured dimensions only to be used.
3. Contractors must verify all dimensions and report any discrepancies before putting work in hand or making any shop drawings.
4. All flat roofs to be fitted with a man safe system.
5. Please note a domestic sprinkler system may be required - check with your building control inspector
6. Fixed shut fire safety glass windows may be required where windows are in close proximity to boundaries (subject to building regulations).
7. Stair design to be independently checked by stair fabricator for regs. compliance, prior to construction/ ordering.
8. Maclennan waterproofing specialists (or similar company with relevant PI insurance) to be instructed and detail all basement waterproofing designs. - ARC cany no responsibility for basement designs in terms of waterproofing or structure in any way.
9. "AS BUILT" drawings will only be issued upon request from the client/ contractor. All information within as built drawings is to be confirmed and provided by the client/ contractor. ARC Architecture do not perform regular site inspections to guarantee as built information so contractor or client must sign a letter from ARC to confirm compliance with our plans on site.
10. Any discrepancies between specification notes and details must be clarified for design intention with ARC before continuing with construction.
11. At Building Regulation stage our instruction is to gain a certificate of building regulations compliance from the chosen inspector (LA or Private)
12. To ensure compliance with EWS1 fire safety forms an independent and an appropriately qualified and insured fire consultant / engineer should be appointed by the client to ensure the finished project can be mortgaged.
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LEGEND

SITE BOUNDARY

APPROVED

DISMISSED APPEAL

GIA = 1629.4 SQ.M

SITE AREA: 0.12 HECTARES / 0.29 ACRES
19 x PARKING SPACES (BASEMENT)
2 x SURFACE SPACES

No.	Revision.	date	by
A	BASEMENT VENT NOTE ADDED	10/08/20	GR

53 SOUTHCLIFFE ROAD
CHRISTCHURCH
DORSET
BH23 4EW

SITE, BLOCK AND LOCATION PLANS

scale	AS SHOWN @ A1	checked	
date	AUG 2020	drawn	
8652 / 900		A	

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E-mail: enquiries@andersroberts.com
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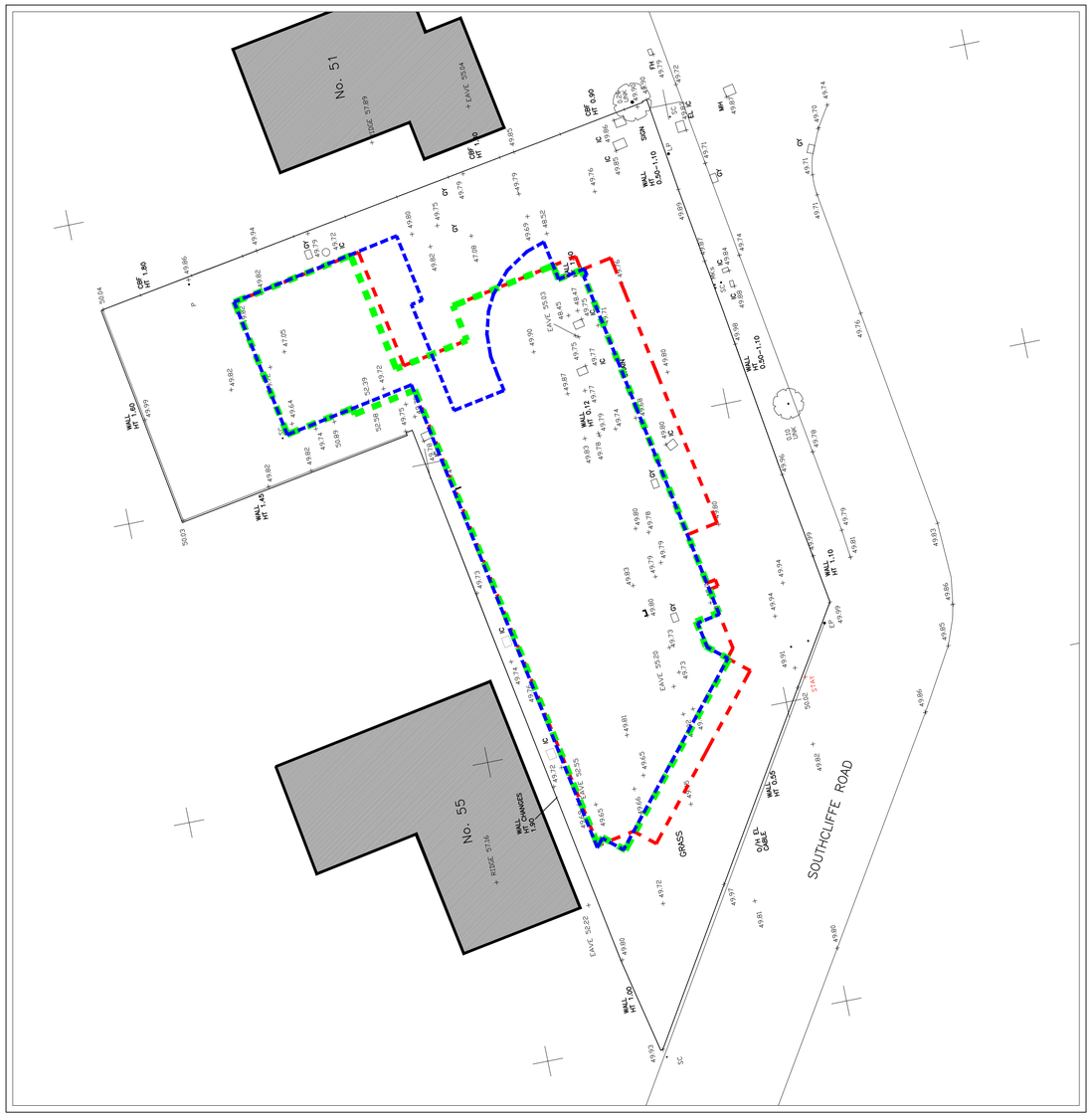
COMPARISON PLAN



SCALE 1:200
BASED ON TOPOGRAPHICAL SURVEY

10m @ 1:200

NOTES

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2. Do not scale. Figured dimensions only to be used.
3. Contractors must verify all dimensions and report any discrepancies before putting work in hand or making any shop drawings.
4. All flat roofs to be fitted with a man safe system.
5. Please note a domestic sprinkler system may be required - check with your building control inspector.
6. Fixed shut fire safety glass windows may be required where windows are in close proximity to boundaries (subject to building regulations).
7. Stair design to be independently checked by stair fabricator for regs. compliance, prior to construction/ ordering.
8. Maclennan waterproofing specialists (or similar company with relevant PI insurance) to be instructed and detail all basement waterproofing designs. - ARC cany no responsibility for basement designs in terms of waterproofing or structure in any way.
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LEGEND

APPROVED (INC FIRST FLOOR BALCONIES)

DISMISSED APPEAL (INC FIRST FLOOR BALCONIES)

NEW FOOTPRINT (INC FIRST FLOOR BALCONIES)

No.	Revision.	date	by

53 SOUTHCLIFFE ROAD
CHRISTCHURCH
DORSET
BH23 4EW

COMPARISON PLAN
GROUND FLOOR FOOTPRINTS
INCLUDING FIRST FLOOR BALCONIES

scale AS SHOWN @ A1	checked
date AUG 2020	drawn
8652 / 903	

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LEGEND

OUTLINE OF APPROVED

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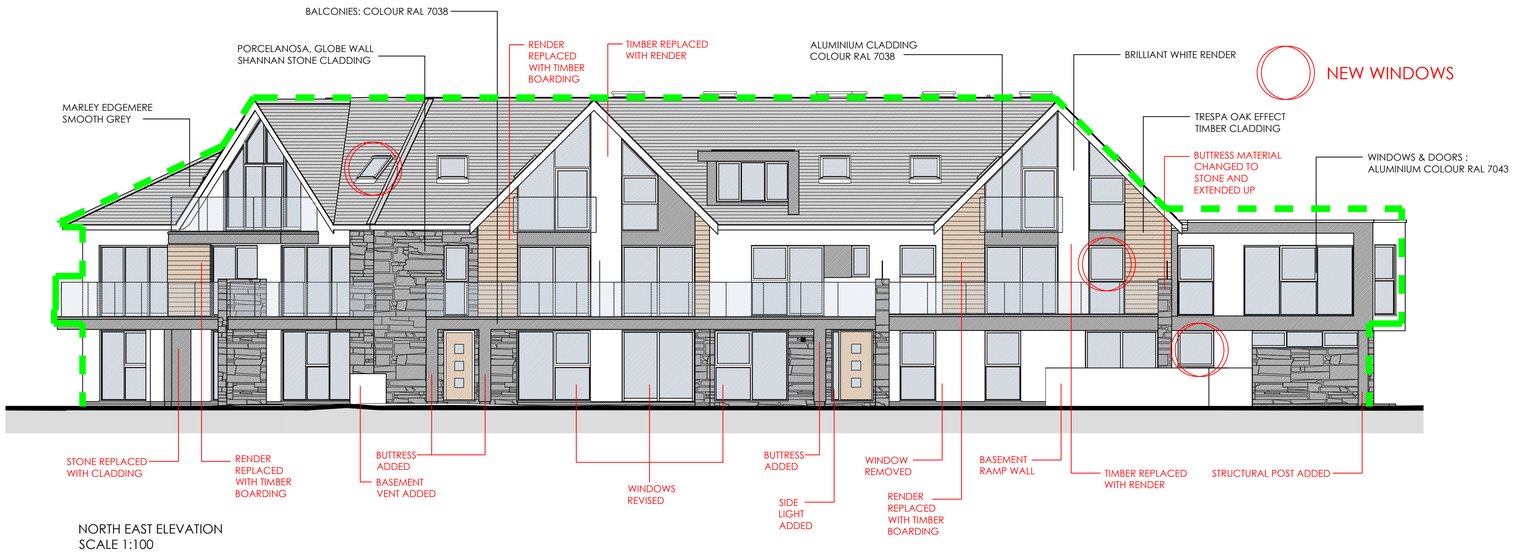
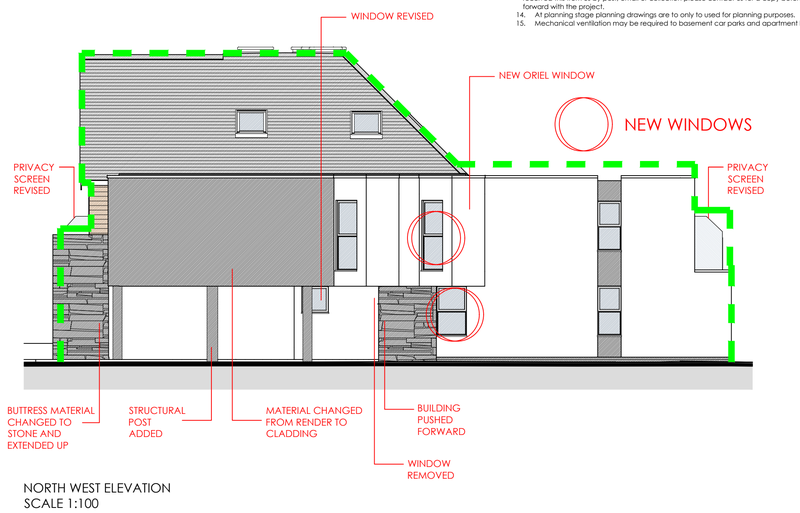
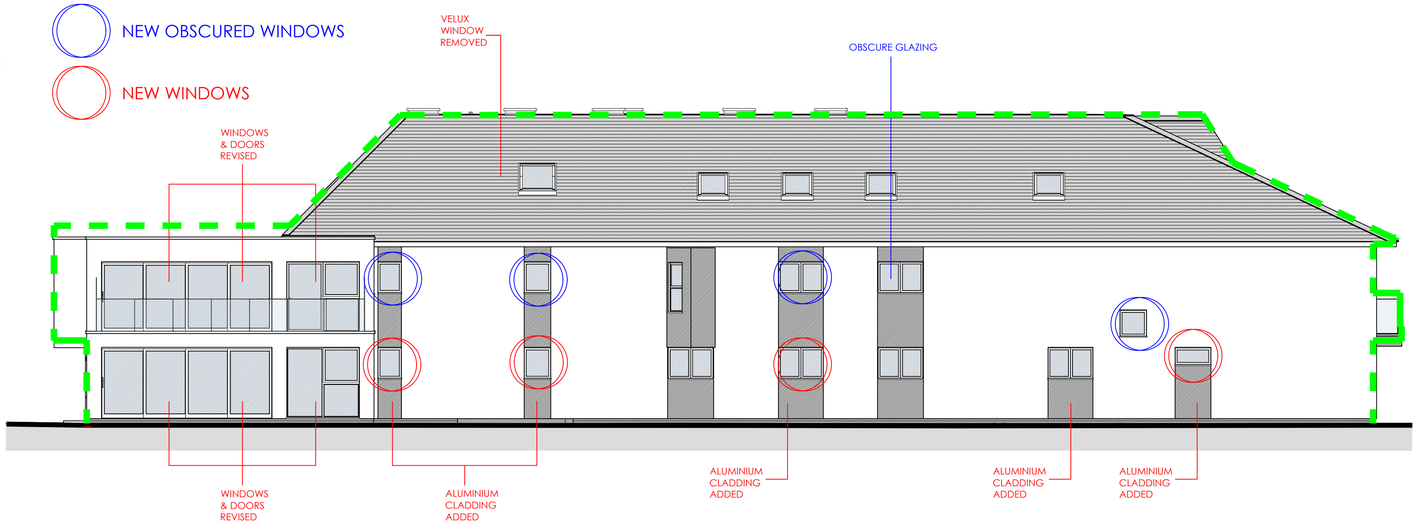


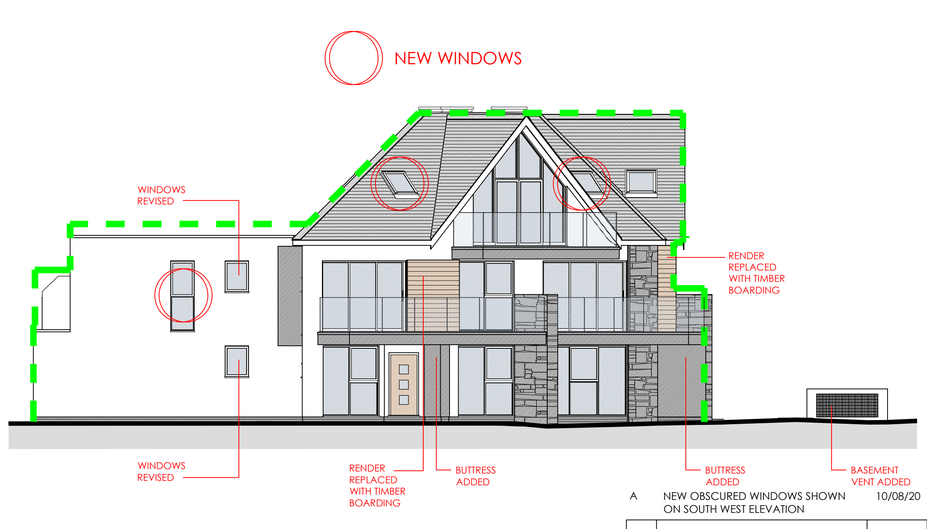
NORTH EAST ELEVATION
SCALE 1:100



NORTH WEST ELEVATION
SCALE 1:100



SOUTH WEST ELEVATION
SCALE 1:100



SOUTH EAST ELEVATION
SCALE 1:100

10m @ 1:100

No.	Revision.	date	by
A	NEW OBSCURED WINDOWS SHOWN ON SOUTH WEST ELEVATION	10/08/20	GR

53 SOUTHCLIFFE ROAD
CHRISTCHURCH
DORSET
BH23 4EW

ELEVATIONS

scale	AS SHOWN @ A1	checked	
date	AUG 2020	drawn	
8652 / 902		A	

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LEGEND

OUTLINE OF APPROVED

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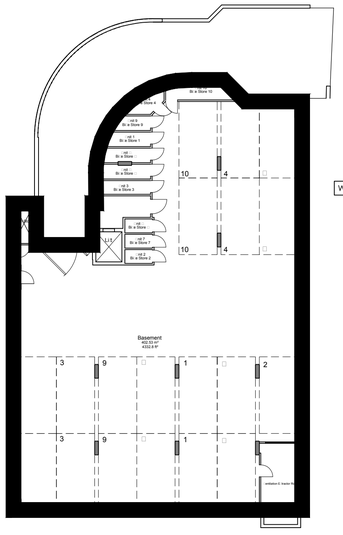
PROPOSED STREET SCENE - FOR INDICATIVE PURPOSES ONLY

SCALE 1:100

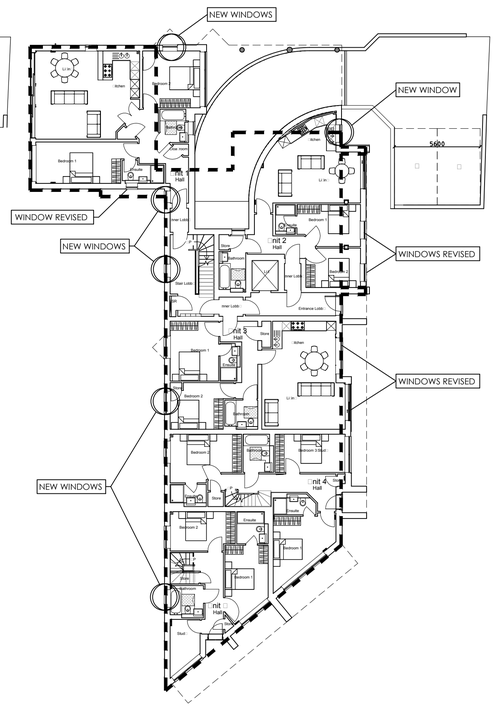
10m @ 1:100



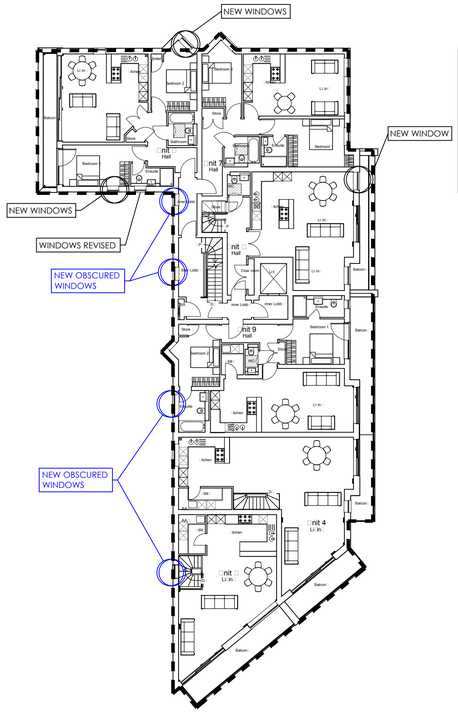
328



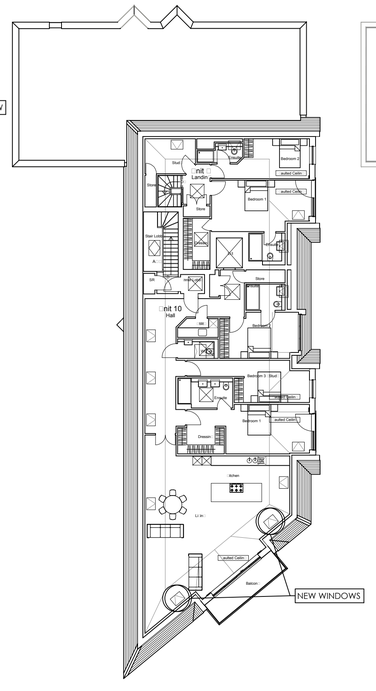
BASEMENT PLAN
SCALE 1:200



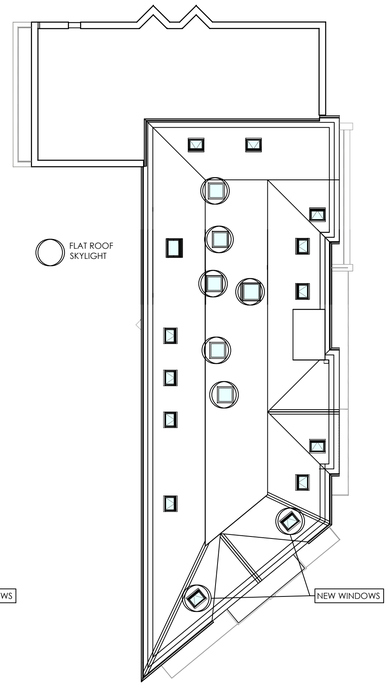
GROUND FLOOR PLAN
SCALE 1:200



FIRST FLOOR PLAN
SCALE 1:200



SECOND FLOOR PLAN
SCALE 1:200



ROOF PLAN
SCALE 1:200

10m @ 1:200

No.	Revision.	date	by
B	NEW OBSCURED WINDOWS SHOWN ON FIRST FLOOR PLAN	10/08/20	GR
A	PARKING SPACES 2 SWAPPED WITH SPACES 7	10/08/20	GR

53 SOUTHCLIFFE ROAD
CHRISTCHURCH
DORSET
BH23 4EW

FLOOR PLANS & STREET SCENE

scale	AS SHOWN @ A1	checked	
date	AUG 2020	drawn	
8652 / 901		A B	

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