

Notice of Planning Committee



Date: Thursday, 1 June 2023 at 10.00 am

Venue: Committee Room, First Floor, BCP Civic Centre Annex, St Stephen's Rd, Bournemouth BH2 6LL

Membership:

Chair: To be appointed

Vice Chair: To be appointed

Membership as appointed at
Council meeting on 23 May 2023

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?MIId=5439>

If you would like any further information on the items to be considered at the meeting please contact: Jill Holyoake, 01202 127564 or email democratic.services@bcpCouncil.gov.uk

Press enquiries should be directed to the Press Office: Tel: 01202 118686 or email press.office@bcpCouncil.gov.uk

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

GRAHAM FARRANT
CHIEF EXECUTIVE

23 May 2023

**DEBATE
NOT HATE**



Available online and
on the Mod.gov app



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



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. **Election of Chair**

To elect a Chair of the Planning Committee for the 2023/24 Municipal Year.

4. **Election of Vice Chair**

To elect a Vice Chair of the Planning Committee for the 2023/24 Municipal Year.

5. **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.

6. **Confirmation of Minutes**

To confirm and sign as a correct record the minutes of the meeting held on 20 April 2023.

5 - 10

7. **Future Meeting Dates**

The Committee is asked to note the current schedule of Planning Committee meetings for the 2023/24 Municipal Year as follows:

2023:	2024:
15 June	18 January
20 July	15 February
17 August	14 March
21 September	18 April
19 October	
16 November	
14 December	

No other items of business can be considered unless the Chair 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 20 April 2023 at 10.00 am

Present:-

Cllr D Kelsey – Chairman

Cllr T Johnson – Vice-Chairman

Present: Cllr S Baron, Cllr D Borthwick, Cllr S Bull, Cllr M Davies,
Cllr P R A Hall, Cllr P Hilliard, Cllr R Lawton, Cllr M Le Poidevin,
Cllr T O'Neill, Cllr Dr F Rice, Cllr V Ricketts (In place of Cllr S
McCormack) and Cllr T Trent

141. Apologies

Apologies were received from Cllr G Farquhar and Cllr S McCormack

142. Substitute Members

Cllr V Ricketts substituted for Cllr S McCormack for this meeting.

143. Declarations of Interests

There were no declarations of interest.

During the debate on 19a Rozelle Road, for the avoidance of doubt Cllr T O'Neill confirmed that he had not pre-determined the application.

144. Confirmation of Minutes

The minutes of the meeting held on 16 March 2023 were confirmed as an accurate record for the signing by the Chairman.

145. Public Issues

There were a number of requests to speak on planning applications as detailed under individual items below.

146. Schedule of Planning Applications

The Committee considered planning application reports, copies of which had been circulated and which appear as Appendices A to D to these minutes in the Minute Book. There was an interim addendum sheet and an

addendum sheet published on 14 and 19 April 2023 respectively which appear as Appendix E and F to these minutes. The Committee considered the planning applications in the order set out below:

147. Parrs Quality Confectionery, 26 Alder Road, Poole BH12 2AQ

Alderney and Bourne Valley Ward

APP/20/00877/F

Erection of a Class E discount foodstore and Class E coffee shop with associated access, car parking and landscaping

Public Representations

Objectors

- ❖ None registered

Applicant/Supporters

- ❖ Barbara Bayliff
- ❖ Alan Williams, on behalf of the applicant

Ward Councillors

- ❖ None registered

RESOLVED that planning permission be REFUSED in accordance with the recommendation set out in the Officer's report.

Voting: For – 9, Against – 4, Abstain – 1

Notes:

Prior to this, a move to grant the application was seconded but not carried:

Voting: For – 5, Against – 8, Abstain – 1

148. 19a Rozelle Road, Poole BH14 0BX

Penn Hill Ward

APP/22/01585/F

Demolish existing house and erect 3 detached houses with parking

Public Representations

Objectors

- ❖ Chris Marsden
- ❖ Andrew Creedy

Applicant/Supporters

- ❖ Matt Annen on behalf of the applicant

Ward Councillors

❖ Cllr Bryan Dion, objecting

In addition, the Chairman exercised his discretion to permit Andrew Harries, a local resident in attendance, to raise a point of clarification arising from the applicant's agent's submission.

RESOLVED that planning permission be REFUSED contrary to the recommendation to grant set out in the Officer's report, for the following reasons:

1. Notwithstanding the recognised variations in the surrounding built form, the scale of development, as represented by the overdevelopment of the plot, and mass of the proposed dwellings is considered to be out of character with the local area. The perceived mass of the buildings being greater due to the lack of suitable separation between them such that they would appear as one. The proposal would therefore result in a detrimental impact to the visual amenities of the area. As such, it is considered that the scheme would fail to preserve or enhance the area's residential character, contrary to Policies PP27 and PP28 of the Poole Local Plan 2018.
2. The proposed dwellings, due to their proximity and orientation to surrounding residential properties, would result in an overbearing relationship with unacceptable levels of overlooking and loss of privacy, particularly to those dwellings along Earham Drive. The proposal is therefore contrary to Policies PP27 of the Poole Local Plan 2018 in that it would result in a harmful impact upon the amenity of neighbouring residents.
3. The application site is within 5Km of a Site of Special Scientific Interest (SSSI). This SSSI is also part of the designated Dorset Heathlands SPA (Special Protection Area) and Ramsar site, and is also part of the Dorset Heaths SAC (Special Area of Conservation). The proximity of these European sites (SPA and SAC) means that determination of the application should be undertaken with regard to the requirements of the Conservation of Habitats and Species Regulations 2017. The applicant has failed to demonstrate in accordance with the Habitat Regulations that the proposals will cause no harm to the SPA and SAC heathland. It is clear, on the basis of advice from Natural England that, notwithstanding the CIL contribution, no avoidance or mitigation of adverse effects through Strategic Access Management and Monitoring (SAMM) has been secured. In the absence of any form of acceptable mitigation it is likely to have an adverse effect on the heathland special features including those which are SPA and SAC features. Having regard to the Waddenzee judgement (ECJ case C-127/02) the Council is not in a position to be convinced that there is no reasonable scientific doubt to the contrary. For these reasons, and without needing to conclude the appropriate assessment, the proposal is considered

contrary to the recommendations of the Berne Convention Standing Committee on urban development adjacent to the Dorset Heathlands, and Policy PP32 and PP39 of the Poole Local Plan (November 2018).

4. The application site is within close proximity to Poole Harbour which is a Special Protection Area (SPA), Site of Special Scientific Interest (SSSI) and Ramsar site and the determination of the application should be undertaken with regard to these European designations and the requirements of the Conservation of Habitats and Species Regulations 2017. The applicant has failed to demonstrate in accordance with the Habitat Regulations that the proposals will cause no harm to the SPA. It is clear, on the basis of advice from Natural England that, notwithstanding the CIL contribution, no avoidance or mitigation of adverse effects through Strategic Access Management and Monitoring (SAMM) has been secured. In the absence of any form of acceptable mitigation it is likely to have an adverse effect on the special features of Poole Harbour including those which are SPA features. Having regard to the Waddenzee judgement (ECJ case C-127/02) the Council is not in a position to be convinced that there is no reasonable scientific doubt to the contrary. For these reasons, and without needing to conclude the appropriate assessment, the proposal is considered contrary to the recommendations of the Berne Convention Standing Committee on urban development adjacent to Poole Harbour, and Policy PP32 and PP39 of the Poole Local Plan (November 2018).

Voting: For – 10, Against – 4, Abstain – 0

149. Herbert Hospital, 49 Alumhurst Road, Bournemouth BH4 8EW

Westbourne and West Cliff Ward

7-2022-7797-AW

Demolition of existing buildings and erection of a new hospital building comprising treatment rooms, bedrooms, ancillary accommodation, associated car park reconfiguration, generator reconfiguration and associated works

Public Representations

Objectors

- ❖ Gary Wooding
- ❖ Stuart and Suzanne Otter

Applicant/Supporters

- ❖ Dawn Dawson, on behalf of the applicant
- ❖ Alison Broderick, on behalf of Sarah Langdale, Children's Commissioning Services, BCP Council

Ward Councillors

❖ None registered

In addition, the Chairman exercised his discretion to permit Dr Stephen Turberville, consultant child and adolescent psychiatrist at the current provision on site at Pebble Lodge, to provide a more detailed definition of a Child and Adolescent Mental Health Service (CAMHS) Psychiatric Intensive Care Unit (PICU), to assist the Committee in its consideration.

Resolved that the application be delegated to the Head of Planning to grant planning permission subject to the conditions as set out in the report and updated in the Addendum Sheet (and any amendments to those conditions as deemed necessary).

Voting: Unanimous

150. 21 Christchurch Road, Bournemouth BH1 3NS

East Cliff and Springbourne

7-2023-5931-AV

Prior Approval Procedure – Change of use of offices (Class E) to 14 flats (Class C3)

No Public Representations had been registered for this item.

The Head of Planning gave a verbal update as indicated in the Addendum Sheet. Following consideration of a written submission from the applicant's agent which highlighted their view that, because no decision or request for an extension of time was received within the 56 day period, that the proposal therefore had a deemed planning consent, it was now recommended to withdraw the application from the agenda as there was no decision for the Committee to make. Officers would follow up with the applicant regarding the issue around the decision notice.

Resolved that the application be withdrawn from the agenda in accordance with the updated verbal recommendation of the Head of Planning.

Voting: Unanimous

The meeting ended at 1.27 pm

CHAIR

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