

Notice of Planning Committee



Date: Thursday, 20 July 2023 at 10.00 am

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

Membership:

Chair:

Cllr M Le Poidevin

Vice Chair:

Cllr P Hilliard

Cllr C Adams
Cllr S Carr-Brown
Cllr J Clements
Cllr J Challinor

Cllr D A Flagg
Cllr M Gillett
Cllr B Hitchcock
Cllr G Martin

Cllr Dr F Rice
Cllr K Salmon
Cllr P Sidaway
Cllr M Tarling

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=5441>

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

12 July 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. 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

9 - 14

To confirm and sign as a correct record the minutes of the meeting held on 15 June 2023.

5. Public Issues

15 - 22

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

The deadline for the submission of requests to speak is 10.00am of the working day before the meeting. 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 meetings is contained in the Planning Committee Protocol for Public Speaking and Statements, a copy of which is included with this agenda sheet and is also published on the website on the following page:

<https://democracy.bcpccouncil.gov.uk/mgCommitteeDetails.aspx?ID=290>

Summary of speaking arrangements as follows:

Speaking at Planning Committee (in person or virtually):

- There will be a maximum combined time of five minutes to speak in objection and up to two persons may speak within the five minutes.
- There will be a further maximum combined time of five minutes to speak in

support and up to two persons may speak within the five minutes.

- No speaker may speak for more than half this time (two and a half minutes) UNLESS there are no other requests to speak received by the deadline OR it is with the agreement of the other speaker.

Submitting a statement to Planning Committee as an alternative to speaking:

- Anyone who has registered to speak by the deadline may, as an alternative to attending/speaking in person or virtually, submit a written statement to be read out on their behalf.
- Statements must be provided to Democratic Services by 10.00am of the working day before the meeting.
- A statement must not exceed 450 words (and will be treated as amounting to two and a half minutes of speaking time).

Please refer to the full Protocol document for further guidance.

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.

(b) To update the wording of Paragraph 8.3 of the Protocol as follows to reflect the contents of Paragraph 18.9 in Part 4D of the Council's Constitution (Meeting Procedure Rules – Voting)

“Any member of the Planning Committee who has exercised their call in powers to bring an application to the Planning Committee for decision should not vote on that item but subject to any requirements of the Member Code of Conduct, may have or, at the discretion of the Chair, be given the opportunity to speak in connection with it as a ward councillor or otherwise in accordance with the speaking provisions of this protocol. Such a member will usually be invited after speaking to move themselves from the area where voting members of the Planning Committee are sitting and may be requested to leave the room until consideration of that application has been concluded.”

6. Schedule of Planning Applications

To consider the planning applications as listed below.

See planning application reports circulated with the agenda, as updated by the agenda addendum sheet to be published one working day before the meeting.

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 Chair 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. To search for planning applications, the following link will take you to the main webpage where you can click on a tile (area) to search for an application. The link is:

<https://www.bcpCouncil.gov.uk/Planning-and-building-control/Search-and-comment-on-applications/Search-and-comment-on-applications.aspx>

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.

To view Local Plans, again, the following link will take you to the main webpage where you can click on a tile to view the local plan for that area. The link is:

<https://www.bcpCouncil.gov.uk/Planning-and-building-control/Planning-policy/Current-Local-Plans/Current-Local-Plan.aspx>

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| a) | <p>257-259 Belle Vue Road, Bournemouth, BH6 3BD</p> <p>East Southbourne and Tuckton Ward</p> <p>7-2022-263-D</p> <p>Outline submission to erect a block of 13 x dwellings (reduction of 1) with associated access, parking, bin and cycle storage, involving demolition of existing buildings with Landscaping a Reserved Matter</p> | 23 - 70 |
| b) | <p>320 - 328 Ashley Road, Poole BH14 9DF</p> <p>Newtown and Heatherlands Ward</p> <p>APP/22/01755/F</p> <p>Extension at roof level to create 6 flats with new stairwell and lift to rear elevation and bike and bin store to rear.</p> | 71 - 98 |
| c) | <p>Fairlea, 16 West Cliff Road, Bournemouth BH2 5EZ</p> <p>Westbourne and West Cliff Ward</p> <p>7-2023-1227-AS</p> | 99 - 124 |

Erection of a roof structure for emergency escape access and revised roof terrace and balustrade - Part existing unauthorised

d)	Land R/O 91 The Grove, Christchurch BH23 2EZ Commons Ward 8/22/0694/CONDR Proposed 2 bedroom bungalow to the rear of existing property, with private garden, parking, turning and associated garage. Variation of conditions 2, 4 & 11 (Approved Plans, Confirmation of Tree Protection and Car Parking Facilities) of 8/20/1167/FUL to replace approved plans with revised versions, for development to be undertaken in accordance with Tree Report, Tree Protection Plan and amended Proposed Site Plan.	125 - 152
e)	103 Wick Lane, Bournemouth BH6 4LB East Southbourne and Tuckton Ward 7-2023-1420-J Alterations and single storey extension to dwellinghouse rendered to match front elevation and installation of porch canopy and replacement windows.	153 - 178
f)	15 Branksea Close, Poole BH15 4DR Hamworthy Ward APP/23/00517/F Extend to the front, side and rear. New roof. Paved car standing to the front. Extend dropped kerb to the front. First floor dormer to the side (Part retrospective).	179 - 192
g)	Hurn Court, Hurn Court Lane, Christchurch BH23 6BH (8/22/0734/FUL application) Commons Ward 8/22/0734/FUL Provide Electric Vehicle Charging Points (EVCP) on posts within allocated parking spaces. Replace/repair 3rd floor casements to dormer windows on north elevation to include double glazing (amended plans).	193 - 216
h)	Hurn Court, Hurn Court Lane, Christchurch BH23 6BH (8/22/0735/LB application) Commons Ward 8/22/0735/LB	217 - 236

Listed Building Consent for electrical works in association with providing Electric Vehicle Charging Points (EVCP) within allocated parking spaces.
Replacement of existing cast iron downpipes and hoppers.
Replacement/repair of 3rd floor dormer window casements including upgrade from single glazing to double glazing (amended plans).

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.

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BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
PLANNING COMMITTEE

Minutes of the Meeting held on 15 June 2023 at 10.00 am

Present:-

Cllr M Le Poidevin – Chairman

Cllr P Hilliard – Vice-Chairman

Present: Cllr C Adams, Cllr S Carr-Brown, Cllr J Clements, Cllr M Gillett,
Cllr B Hitchcock, Cllr G Martin, Cllr Dr F Rice, Cllr J Salmon,
Cllr P Sidaway, Cllr M Tarling and Cllr B Dove (In place of Cllr J
Challinor)

Also in attendance
virtually: Cllr M Cox

8. Apologies

Apologies for this meeting were received from Cllr J Challinor and Cllr D Flagg.

9. Substitute Members

Cllr B Dove substituted for Cllr J Challinor

10. Declarations of Interests

Cllr M Tarling declared that in relation to agenda item 6b, 32 Addington Place, Christchurch BH23 3PB, that they were pre-determined. They withdrew from the meeting for the consideration of this item after making a statement as a ward Councillor on behalf of local residents objecting to the application.

Cllr G Martin – declared an other registerable interest in agenda item 6a, The Captains Club Hotel, Wick Lane, Christchurch BH23 1HU, and withdrew from the meeting for the duration of this item

11. Confirmation of Minutes

The minutes of the meeting held on 1 June 2023 were confirmed as a correct record for signing by the Chairman.

12. Public Issues

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

13. 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 addendum sheet published on 14 June 2023 which appears as Appendix E to these minutes. The Committee considered the planning applications in the order set out below:

14. The Captains Club Hotel, Wick Lane, Christchurch BH23 1HU

Christchurch Town Ward

8/22/1069/FUL

An extension to the existing hotel to create additional hotel bedrooms and suites and ancillary plant rooms.

Public Representations

Objectors

- ❖ Mark Stickland
- ❖ David Buist, read out by the Democratic Services Officer on behalf of the objector

Applicant/Supporters:

- ❖ Peter Lamb
- ❖ Andrew Emery, BCP Council

Ward Councillors:

Cllr M Cox

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

1. The proposed extension to the hotel, by reason of its design, which introduces significant fenestration to the north elevation, scale which increases the building's height and projects closer to the nearest residential properties and the subsequent proximity to neighbours in Creedy Drive will adversely impact on living conditions at these neighbouring dwellings by reason of a loss of privacy, overlooking and light pollution and disturbance from north facing windows in the proposed extension.

The proposal is therefore contrary to Policy HE2 of the Christchurch and East Dorset Local Plan Part 1 - Core Strategy (2014).

2. The proposal 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 Habitat Regulations 1994, in particular Regulations 48 and 49. If the Council had been minded to grant permission in all other respects it would have to carry out an appropriate assessment in accordance with the advice and procedures set out broadly in Circular 06/2005.

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, the proposed development would in combination with other plans and projects within close proximity to heathland and in the absence of any form of acceptable mitigation be 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 close to the Dorset Heathlands and also the provisions of the Dorset Heathlands Planning Framework 2020-2025 Supplementary Planning Document (SPD), which took effect in November 2020. The proposal is also contrary to policy ME2 of the Christchurch and East Dorset Local Plan.

Voting: For – 6, Against – 5, Abstain – 1

Notes:

The motion was moved and seconded with an additional reason to refuse regarding the scale, bulk and mass impact on heritage assets contrary to Policy BE5 of the Christchurch and East Dorset Local Plan and the impact on conservation areas contrary to Policy HE1 of the Christchurch and East Dorset Local Plan.

A motion to amend the initial motion to remove this reason from the substantive motion was moved and seconded.

Voting: For – 8, Against – 4

This reason was therefore removed from the list of reasons for refusal for the substantive motion.

15. 32 Addington Place, Christchurch BH23 3PB

Christchurch Town Ward

8/23/0027/HOU

Two storey side extension and single storey rear extension (amended).

Public Representations

Objectors

- ❖ Residents of Addington Place represented by Cllr M Tarling

Applicant/Supporters:

- ❖ Matt Bell (also read a statement on behalf of the applicant)

Ward Councillors:

- ❖ Cllr M Cox
- ❖ Cllr M Tarling

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

Voting: For – 9, Against – 3

Notes:

Prior to this, a move to refuse the application was seconded but not carried:
Voting: For – 5, Against – 8, Abstain – 1

16. 46 Winston Avenue, Poole, BH12 1PF

Alderney and Bourne Valley Ward

APP/23/00185/F

Single storey side extension and alterations. Front porch and front dormer.

There were no public representations

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

Voting: Unanimous

17. Land at Aviation Business Park, Viscount Road, Hurn, Dorset BH23 6NW

Commons Ward

1) 8/19/0864/OUT

Outline planning application for the erection of up to 85,100 sqm GIA of Class B1, B2, B8 employment floorspace, of which no more than 34,000 sqm GIA shall be B1/B2 (Business and General Industrial), and of that, no more than 4,000 sqm GIA shall be B1a (Offices), with access and associated works. All matters reserved save for Access.

2) Application 8/19/0870/FUL

Development of estate road and drainage infrastructure with associated works (full).

3) Application 8/19/0882/FUL

Development of employment unit (use classes B1c, B2, B8) with access, landscaping, car parking and associated works (full)

There were no public representations.

Resolved that the Director of Planning and Destination be delegated the power to determine all of the applications: with power to negotiate and determine the wording, terms and associated documentation of any condition(s) and /or planning obligation(s) that the Director of Planning and Destination considers necessary in relation to any such determinations and issue all relevant documentation/ decision notices.

Voting: For - 12, Against – 1

The meeting ended at 2.43 pm

CHAIRMAN

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PLANNING COMMITTEE - PROTOCOL FOR SPEAKING / STATEMENTS AT PLANNING COMMITTEE

1. Introduction

- 1.1 The following protocol facilitates opportunities for applicant(s), objector(s) and supporter(s) to express their views on planning applications which are to be considered at a Planning Committee meeting. It does not therefore relate to any other item considered at Planning Committee in respect of which public speaking/questions shall only be permitted at the discretion of the Chair.
- 1.2 This protocol is separate from and is not intended to replicate or replace the procedure for submitting a written representation on a planning application to the Council during the consultation period.
- 1.3 **The email address for any person who wishes to register a request to speak and / or submit a statement for the purposes of this protocol or to correspond with Democratic Services on any aspect of this protocol is democratic.services@bcpcouncil.gov.uk**

2. Order of presentation of an application

- 2.1 The running order in which planning applications are heard will usually follow the order as appears on the agenda unless the Planning Committee otherwise determines.
- 2.2 In considering each application the Committee will normally take contributions in the following order:
 - a) presenting officer(s);
 - b) objector(s);
 - c) applicant(s) /supporter(s);
 - d) councillor who has called in an application (who is not a voting member of the Planning Committee in relation to that application) / ward councillor(s);
 - e) questions and discussion by voting members of the Planning Committee, which may include seeking points of clarification.

3. Guidance relating to the application of this protocol

- 3.1 The allocation of an opportunity to speak / provide a statement to be read out at Planning Committee under this protocol is not intended as a guarantee of a right to speak / have a statement read out.
- 3.2 The Chair has absolute discretion as to how this protocol shall be applied in respect of any individual application so far as it relates to the conduct of the

meeting and as provided for in this protocol including whether in any circumstance it should be waived, added to or otherwise modified. This discretion includes the opportunity to speak (or submit a statement), varying the speaking time allowed and the number of speakers. In the event of any uncertainty as to the interpretation or application of any part of this protocol a determination by the Chair will be conclusive.

- 3.3 A failure to make a request to speak / submit a statement in accordance with any one or more of the requirements of this protocol will normally result in the request / submission of the statement not being treated as validly made and therefore not accepted.

4. Electronic facilities relating to Planning Committee

- 4.1. All electronic broadcasting and recording of a Planning Committee meeting by the Council and the provision of an opportunity to speak remotely at such a meeting is dependent upon such matters being accessible, operational and useable during the meeting. As a consequence, a meeting other than a wholly virtual meeting may proceed, including consideration of all applications relating to it, even if it cannot be electronically broadcast, recorded and/or any person is unable to speak / be heard at the time when the opportunity to do so on an application is made available.

5. Attending in person at a Planning Committee meeting / wholly virtual meetings

- 5.1. Unless otherwise stated on the Council's website and/or the agenda Planning Committee will be held as a physical (in person) meeting. A Planning Committee meeting will only be held as a wholly virtual meeting during such time as a decision has been taken by BCP Council that committee meetings of the Council may be held in this way. In the event of there being a discretion as to whether a Planning Committee meeting shall be held as a wholly virtual meeting, then the Head of Planning in consultation with the Chair shall be able to determine whether such a discretion should be applied.

6. Provisions for speaking at Planning Committee (whether in person or remotely)

- 6.1. Any applicant, objector or supporter who wishes to speak at a Planning Committee meeting must register a request to speak in writing with Democratic Services at democratic.services@bcpcouncil.gov.uk by **10.00 am of the working day before the meeting.**
- 6.2. A person registering a request to speak must:
- a) make clear as to the application(s) on which they wish to speak and whether they support or oppose the application; and
 - b) provide contact details including a telephone number and/or email address at which they can be reached / advised that they have been given an opportunity to speak.

- 6.3. There will be a maximum combined time of **five** minutes allowed for any person(s) objecting to an application to speak. A further combined **five** minute maximum will also be allowed for any supporter(s). Up to **two** people may speak during each of these allotted times (the applicant(s) and any agent for the applicant(s) will each count as separate speakers in support). No speaker may speak for more than half this time (i.e. **two and a half minutes**) unless:
- a) there is no other speaker who has also been allotted to speak for the remainder of the five minutes allowed;
 - b) or the other allotted speaker fails to be present or is unable to be heard (in the case of remote speaking), at the Planning Committee meeting at the time when the opportunity to speak on the application is made available; or
 - c) the other allotted speaker expressly agrees to the speaker using more than half of the total speaking time allowed.
- 6.4. If more than two people seek to register a wish to speak for either side, an officer from Democratic Services may ask those seeking the opportunity to speak to appoint up to two representatives to address the Planning Committee. In the absence of agreement as to representatives, entitlement to speak will normally be allocated in accordance with the order when a request was received by Democratic Services. However, in the event of an applicant(s) and / or the agent of the applicant(s) wishing to speak in support of an application such person(s) will be given the option to elect to speak in preference to any other person registered to speak in support.
- 6.5. A person registered to speak may appoint a different person to speak on their behalf. The person registered to speak should normally notify Democratic Services of this appointment prior to the time that is made available to speak on the application.
- 6.6. A person may at any time withdraw their request to speak by notifying Democratic Services by email or in person on the day of that meeting. However, where such a withdrawal is made after the deadline date for receipt of requests then the available slot will not be made available for a new speaker. In cases where more than two requests to speak within the allocated five minutes were received by the deadline, Democratic Services will, where practicable, reallocate the slot in date receipt order.
- 6.7. During consideration of a planning application at a Planning Committee meeting, no question should be put or comment made to any councillor sitting on the Planning Committee by any applicant, objector or supporter whether as part of a speech or otherwise.

7. Questions to person speaking under this protocol

- 7.1. Questions will not normally be asked of any person who has been given the opportunity to speak for the purpose of this Protocol. However, the Chair at their absolute discretion may raise points of clarification.

8. Speaking as a ward councillor or other BCP councillor (whether in person or remotely)

- 8.1. Any ward councillor shall usually be afforded an opportunity to speak on an application at the Planning Committee meeting at which it is considered. Every ward councillor who is given the opportunity to speak will have up to **five** minutes each.
- 8.2. At the discretion of the Chair, any other councillor of BCP Council not sitting as a voting member of the Planning Committee may also be given the opportunity to speak on an application being considered at Planning Committee. Every such councillor will have up to **five** minutes each.
- 8.3. Any member of the Planning Committee who has referred an application to the Planning Committee for decision but who exercises their discretion not to participate and vote on that application as a member of the Planning Committee (whether because they consider they may have a predetermined view or otherwise), may have or at the discretion of the Chair be given the opportunity to speak as a ward councillor or otherwise in accordance with the provisions of this protocol. Such a member may be invited to leave the room after speaking until consideration of that application has been concluded.

9. Speaking as a Parish or Town Council representative (whether in person or remotely)

- 9.1. A Parish or Town Council representative who wishes to speak as a representative of that Parish or Town Council must register as an objector or supporter and the same provisions for speaking as apply to any other objector or supporter applies to them. This applies even if that representative is also a councillor of BCP Council.

10. Content of speeches (whether in person or remotely) and use of supporting material

- 10.1. Speaking must be done in the form of an oral representation. This should only refer to planning related issues as these are the only matters the Planning Committee can consider when making decisions on planning applications. Speakers should normally direct their points to reinforcing or amplifying planning representations already made to the Council in writing in relation to the application being considered. Guidance on what constitutes planning considerations is included as part of this protocol. Speakers must take care to avoid saying anything that might be libellous, slanderous, otherwise abusive to any person or group, including the applicant, any officer or councillor or might

result in the disclosure of any personal information for which express consent has not been given.

- 10.2. A speaker who wishes to provide or rely on any photograph, illustration or other visual material when speaking (in person or remotely) must submit this to Democratic Services **by 12 noon two working days before the meeting**. All such material must be in an **electronic** format to be agreed by Democratic Services and will usually be displayed on the speaker's behalf by the presenting officer. The maximum number of slides to be displayed must not exceed **five**. Material provided after this time or in a format not agreed will not be accepted. The circulation or display of hard copies of such material at the Planning Committee meeting itself will normally not be allowed. In the interests of fairness, any material to be displayed must have already been submitted to and received by the Council as part of a representation/submission in relation to the application by the date of agenda publication for that Planning Committee meeting.
- 10.3. The ability to display material on screen is wholly dependent upon the availability and operation of suitable electronic equipment at the time of the Planning Committee meeting and cannot be guaranteed. Every person making a speech should therefore ensure that it is not dependent on such information being displayed.

11. Remote speaking at Planning Committee

- 11.1. In circumstances where the Council has put in place electronic facilities which enable a member of the public to be able to speak remotely to a Planning Committee meeting, a person may request the opportunity to speak remotely via those electronic facilities using their own equipment. In circumstances other than a wholly virtual meeting this would be as an alternative to attending the meeting in person. The provisions of this protocol relating to speaking at Planning Committee shall, unless the context otherwise necessitates, equally apply to remote speaking.
- 11.2. The opportunity to speak remotely is undertaken at a person's own risk on the understanding that should any technical issues affect their ability to participate remotely the meeting may still proceed to hear the item on which they wish to speak without their participation.
- 11.3. A person attending to speak remotely may at any time be required by the Chair or the Democratic Services Officer to leave any electronic facility that may be provided.

12. Non-attendance / inability to be heard at Planning Committee

- 12.1. It is solely the responsibility of a person who has been given an opportunity to speak on an application at a Planning Committee meeting (whether in person or remotely) to ensure that they are present for that meeting at the time when an opportunity to speak is made available to them.
- 12.2. A failure / inability by any person to attend and speak in person or remotely at a Planning Committee meeting at the time made available for that person to speak on an application will normally be deemed a withdrawal of their wish to speak on that application. This will not therefore usually be regarded as a reason of itself to defer or prevent an application from being heard.

- 12.3. This protocol includes provisions enabling the opportunity to provide a statement as an alternative to speaking in person / as a default option in the event of a person being unable to speak at the appropriate meeting time.

13. Submission of statement as an alternative to speaking / for use in default

- 13.1. A person (including a councillor of BCP Council) who has registered to speak, may submit a statement to be read out on their behalf as an alternative to speaking at a Planning Committee meeting (whether in person or remotely).
- 13.2. Further, any person speaking on an application at Planning Committee may, at their discretion, additionally submit a statement which can be read out as provided for in this protocol in the event of not being able to attend and speak in person or remotely at the time when an opportunity is made available for that person to speak on the application. The person should identify that this is the purpose of the statement.

14. Provisions relating to a statement

- 14.1 Any statement submitted for the purpose of this protocol:
- a) must not exceed **450** words in total unless the statement is provided by a ward councillor or any other councillor who is not voting on the application under consideration in which case the statement may consist of up to **900** words;
 - b) must have been received by Democratic Services by **10.00am of the working day before the meeting** by emailing democratic.services@bcpcouncil.gov.uk
 - c) when submitted by a member of the public (as opposed to a councillor of BCP Council), will be treated as amounting to **two and a half minutes** of the total time allotted for speaking notwithstanding how long it does in fact take to read out;
 - d) must not normally be modified once the deadline time and date for receipt of the statement by Democratic Services has passed unless such modification is requested by an officer from Democratic Services; and
 - e) will normally be read out aloud by an officer from Democratic Services having regard to the order of presentation identified in this protocol.
- 14.2 A person who has been given the right to speak and who has submitted a statement in accordance with this protocol may at any time withdraw that statement prior to it being read out by giving notice to Democratic Services. Where such withdrawal occurs after the deadline date for registering a request to speak has passed, then a further opportunity for a statement to be submitted will not be made available. If the statement that has been withdrawn was submitted as an alternative to speaking, then if the person withdrawing the statement wishes instead to exercise their opportunity to speak in person they should notify Democratic Services on or before the time of withdrawing the statement.

15. Assessment of information / documentation / statement

- 15.1. BCP Council reserves the right to check any statement and any information / documentation (including any photograph, illustration or other visual material) provided to it for use at a Planning Committee meeting and to prevent the use of such information / documentation in whole or part, in particular, if it:
- a) is considered to contain information of a kind that might be libellous, slanderous, abusive to any party including an applicant or might result in the disclosure of any personal information for which express consent has not been given; and / or
 - b) is identified as having anything on it that is considered could be an electronic virus, malware or similar.
- 15.2 The Head of Planning in consultation with the Chair shall have the absolute discretion to determine whether any such statement / information / documentation should not be used / read out in whole or part. If circumstances reasonably permit, Democratic Services may seek to request a person modify such statement / information / documentation to address any issue identified.

16. Guidance on what amounts to a material planning consideration

- 16.1. As at the date of adoption of this protocol, 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#:~:text=A%20material%20consideration%20is%20a,Loss%20of%20light%20or%20overshadowing

Note

For the purpose of this protocol:

- (a) reference to the “Chair” means the Chair of Planning Committee and shall include the Vice Chair of Planning Committee if the Chair is at any time unavailable or absent and the person presiding at the meeting of a Planning Committee at any time that both the Chair and Vice Chair of Planning Committee are unavailable or absent;
- (b) reference to the Head of Planning includes any officer nominated by them for the purposes of this protocol and if at any time the Head of Planning is unavailable, absent or the post is vacant / ceases to exist, then the Development Management Manager or if also unavailable / absent or that post is vacant/no longer exists then the next most senior officer in the development management team (or any of them if more than one) who is first contactable;
- (c) reference to ‘ward councillor’ means a councillor in whose ward the application being considered at a meeting of Planning Committee is situated in whole or part and who is not a voting member of the Planning Committee in respect of the application being considered; and
- (d) a “wholly virtual meeting” is a Planning Committee meeting where no one including officers and councillors physically attend the meeting; however, a meeting will not be held as a “wholly virtual meeting” unless legislation permits

Adopted by the Planning Committee on 17.11.22



Planning Committee

Application Address	257-259 Belle Vue Road, Bournemouth, BH6 3BD
Proposal	Outline submission to erect a block of 13 x dwellings (reduction of 1) with associated access, parking, bin and cycle storage, involving demolition of existing buildings with Landscaping a Reserved Matter
Application Number	7-2022-263-D
Applicant	Harlequin Homes
Agent	Pure Town Planning
Ward and Ward Member(s)	East Southbourne and Tuckton Cllr Nanovo and Cllr Richardson
Report status	Public Report
Meeting date	20 July 2023
Summary of Recommendation	Delegate powers to grant permission subject to S106 and conditions
Reason for Referral to Planning Committee	<p>Councillor Nanovo requested call-in on following grounds:</p> <ul style="list-style-type: none"> • Demolition contributes to landfill; • 3 of the 4 flats are occupied, residents will be made homeless; • Traffic from the development will blight clean air and amenity; • Neighbour reports 'newts' and bats in the adjacent garden; • An tree/shrub is to be removed, harming environment; • Proposal will extend further back than adjacent buildings / overshadow gardens; • Construction noise and dust will harm care home next door; and • No affordable housing will be provided.
Case Officer	Franc Genley

Description of Proposal

- 1 Outline planning permission is sought to demolish the existing pair of 2 storey detached (former) houses and ancillary outbuildings and erect in its place a single block of 13 dwellings set over 3 floors. The Outline proposal includes details of Access, Appearance, Layout and Scale but retains Landscaping as a Reserved Matter. The proposal has undergone changes and reductions since submission, negotiated by the case officer including a reduction in unit nos. from 14 to 13, smaller footprint, elevational changes and set-ins, relocated cycle parking, and increased capacity for landscaping at the frontage.
- 2 Pedestrian access to the development would be taken from the footway along Belle Vue Road, alongside a retained and upgraded vehicular crossover to the northeast side of 259 which would serve the 6no. parking spaces to the rear of the site. Other crossovers serving 257 would either be removed through redundancy or significantly reduced in length to facilitate only the servicing of the below ground bin storage, at the frontage.
- 3 The proposal would provide a symmetrically fronted building with twin gables and projecting two storey Regency-style roofed bays either side. Windows would pronounce their vertical height, befitting the era being emulated. A portico over the porch would announce/provide the entrance to 12 of the dwellings within the block.
- 4 As the building moves backwards (south-eastwards) into the site, the footprint steps in both to follow and step in from the staggered boundary with no.255 (3 storey care home) and also move away in steps from the straight boundary with no.261 (three storey house). A flat roof would sit over the building, partially disguised by pitched roofs, gutters, rainwater goods and recessed hips. Smaller windows within square dormers would be positioned at roof level on all four elevations to emulate historic serving quarter accommodation. Some of the frontage windows would incorporate stone effect lintels or high level meeting rails.
- 5 To the rear a duplex flat is now proposed, with the 2-bed unit set over two floors, now independently accessible from the rear and with its own enclosed garden area. The unit would be set within a pitched roof, with first floor dormers and a smaller gable emulating the main ones on the frontage. It would be accessed independently like a house.
- 6 A 10.5m long, 3.7m wide, single storey cycle parking store is proposed along the boundary with no.255. The building would be set in 0.6m from the boundary behind a panel fence/block wall and be over 11m away from the closest elevation of no.255, and 14.5m from the nearest facing window within 255. Bins will be stored underground at the site frontage, shielded with some soft landscaping, with surface openings and lifting mechanisms and level gradient paths to the highway for collection day.

7 The table below sets out some comparators between existing and proposed.

Comparator	Existing	Proposed
Set in from boundary with no.255 Total separation distance between facing elevations (257 and 255)	0.8m / 0.6m / 2.4m / 2.6m	1.2m / 2.3m / 2.9m / 4.3m / -
Set in from boundary with no. 261 Total separation distance between facing elevations (259 and 261)	2.84m (+0.3 set in) 3.1m	3.78m / 5.2m / 7.1m 4m / 5.5m / 7.4m
Setback of main* front building line relative to back edge of BV Rd footpath No.255 No.257 or position of new build No.259 or position of new build No.261 <small>*main front building line excludes bay and porch projections.</small>	6.3m / 8.6m 8.1m 6.97m 5.95	No change 6.9m 6.6m No change
Comparator	Existing	Proposed
Approx depth from main* front building line to rear elevation No.255 No.257 or position of new build No.259 or position of new build No.261 <small>*main front building line excludes bay and porch projections.</small>	3 and 2 storey 16m / 17.2m 12.5m 11.95m 16.1m	3 storey / 2 storey No change 18.7m / 21.9m 18.7m / 21.9m No change
Rear building line, approx depth into site from back edge of BV Rd footpath No.255 No.257 or position of new build No.259 or position of new build No.261	3 and 2 storey 22.3m / 23.5m 20.6m 18.92m 22.05m	3 storey / 2 storey No change 25.6m / 28.8m 25.3m / 28.5m No change
No of storeys above ground No.255 No.257 or new build No.259 or new build No.261	2 + Roof level 2 2 2 + Roof level	No change 2 + Roof level 2 + Roof level No change
Height from existing ground to ridge (street rises gently from NE to SW) No.255 No.257 or new build No.259 or new build	Highest point Ridge / Eaves 10.8m / 6.4m 8.8m / 5.2m 8.8m / 5.5m	 9.7m / 6.4m 9.7m / 6.4m

No.261	11m / 7.5m	
Parking Spaces	Car / Cycle	Car / Cycle
No.257	2 / 0	6 / 20 combined for
No.259	4 / 0	both plots

- 8 Within the main block, accessed from the street frontage there would be 4no. flats per floor off a central core staircase and services riser. All doorways to these flats would sit off a communal landing on each floor, lit from a central overhead lantern skylight. Room arrangement 'Stacking' would be replicated on each floor. Primary windows would face front or back, with bedroom windows facing sideways (or frontwards) within dormers. The rear duplex unit would be independently accessible from the rear, with internal staircase and rear only facing windows.
- 9 The 13 unit mix would comprise:
- 6no. 1 bed (1no.double bedroom, 2 person) units
 - 6no. 2 bed (2no. double bedroom, 4 person) units
 - 1no. 2 bed (1no. double bedroom / 1no. single bedroom, 3 person) unit
- 10 With regard for the National Minimum Internal Space Standards the:
- 6no. 1-bedroom units all exceed the standards by 0.4sqm to 4sqm;
 - 1no, 2-bedroom duplex exceeds the standards by 2sqm;
 - All 6no. of the 2-bedroom units would meet or exceed the standards.
- 11 Based on the existing two houses (the flats have never been officially authorised by the Council, nor regularised by the applicant), the proposal represents a net increase of 11 dwellings on the site, falling above the 10 unit threshold at which adopted Policy AH1 requires affordable housing provision or off-site contributions to be made. The proposal is supported by a viability appraisal which concludes the provision of affordable housing would be 'unviable'. No affordable housing contribution is offered with this proposal and the matter is discussed later in this report.

Description of Site and Surroundings

- 12 The site is located on the south west side of Belle Vue Road and comprises a detached pair of (former) Class C3 dwellinghouses. Historic photos indicate a flat use may have occurred at both properties for sufficient time for the use to become lawful, but it remains that no permission to subdivide has ever been granted nor exemption sought under the lawful development certificate process. The Google street photos do not show interiors. Neither building stands out as architecturally or visually attractive or historically important. The plot levels and roadway drops gradually away to the north east, and rises slowly to the southwest.
- 13 The stock on the road is of Edwardian origin but much of this has been redeveloped with flats. Character comprises traditional frontage development along the streets and a reasonably consistent building line along this part of Belle Vue Road. The plot widths vary significantly from semi-detached plots around 10m width up to 20-25m for detached buildings. Buildings are typically two or two and a roof storey. The main exception to this is Compton Court which has a full third floor.
- 14 To the immediate northeast sits 261, a 2/3 storey semi-detached house that abuts the boundary with the site with a windowless flank wall and eaves overhang, set in

approx. 0.3m from the boundary line. To the southwest sits 255, also known as 'Redcroft', in use as a care home and set over three floors, including the roof. Comparative depths, set ins and separation distances relative to the existing dwellings, 255 and 261 and the proposal are given in the table in paragraph 7 earlier.

- 15 To the southeast (rear) of the site of the site sit the rear elevations of no's 9 and 7 Southlands Avenue. The rear garden of no.9 Dog-legs back behind that of no.9 so that it borders the site. There would be interface distances in excess of 34m between the rear elevations (with windows) of the Southlands Ave houses and the rear face of the 2storey duplex element of the proposal, rising to over 40m from/to the proposed rear facing dormer windows lighting main habitable rooms, at roof level. Materials in surrounding elevations vary.
- 16 Mixed densities depending on development form whether redeveloped as flats or detached or semi-detached houses; example densities of flats on Belle Vue Road include Priory Court (no.174) at 138 dwellings per hectare (dph), Lewis Court (no.180) at 224dph, 1A Broadway at 167dph and Compton Court at 133dph.

Relevant Planning History

- 17 7-2007-263-B
Erection of a 2/3 storey block of 14 flats with bin and cycle stores, formation of new vehicular access and parking spaces
Refused Jan 2008; Appeal Allowed July 2008
- 18 This 2008 appeal proposal (263-B) was very similar to this current 263-C proposal. Design is different but the scale and layout are generally similar. The current proposal would sit further back into the site, but also project marginally further than the appeal approval as detailed within this report. The Inspector did not agree with Bournemouth Council's decision to refuse and allowed the appeal on the 9th July 2008. A minor plan change was accepted and conditions were applied by the Inspector. Costs were appealed but not successful as the Inspectorate considered that the Council had offered reasonable defence of its decision. The context and relevance of this decision on this current proposal is addressed in the assessment part of this report. Further comparisons are given in paragraph 51 of this report.

Constraints

- 19 The site has the following constraints:
 - Trees marked T5 and T6 within the tree study are TPO protected.

Public Sector Equalities Duty

- 20 In accordance with section 149 Equality Act 2010, in considering this proposal due regard has been had to the need to —
 - eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

21. As part of the planning assessment section, cross reference can be made back to this section in relation to any particular issues / matters which might be particularly impacted by this duty.

Other relevant duties

- 22 In accordance with section 40 Natural Environment and Rural Communities Act 2006, in considering this application, regard has been had, so far as is consistent with the proper exercise of this function, to the purpose of conserving biodiversity.
- 23 For the purposes of this application, in accordance with section 2 Self-build and Custom Housebuilding Act 2015, regard has been had to the register that the Council maintains of individuals and associations of individuals who are seeking to acquire serviced plots in the Council's area for their own self-build and custom housebuilding.
- 24 For the purposes of this application, in accordance with section 17 Crime and Disorder Act 1998, due regard has been had to, including the need to do all that can reasonably be done to prevent, (a) crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment); (b) the misuse of drugs, alcohol and other substances in its area; and (c) re-offending in its area.
- 25 For the purposes of this application in accordance with regulation 9(3) of the Conservation of Habitats and Species Regulations 2017 (as amended) ("the Habitat Regulations) regard has been had to the relevant Directives (as defined in the Habitats Regulations) in so far as they may be affected by the determination.

Consultations

- 26 The following statutory parties were consulted on the proposals. Expanded details of their responses are included within the assessment part of the report. Summaries:

Highway Officer: *No objections subject to conditions and s106.*

Waste & Recycling Officer: *No objections subject to conditions.*

Regulation (Noise): *No objections subject to conditions.*

Wessex Water: *No objection, Standing advice given.*

Tree Officer: *Objections overcome, subject to conditions.*

Ecology Officer: *No objections, subject to conditions.*

Representations

- 27 Three site notices were erected outside the site on 20 December 2022 with an original consultation expiry date in January 2023. A second round of consultation in June 2023 followed reductions to the proposal as detailed below.

Response to Initial proposal (as submitted)

- 28 16 responses received, all of whom objected.

Summary of the 16 objections:

- *No one was aware of the refused 2007 application allowed on appeal in 2008 as neighbours allege (in 2023) that the notices were removed from lampposts;*
- *Significant height increase over the existing;*
- *Height not in keeping with nearby bungalows and rear cycle store will dominate;*

- *Development out of character with local area, making negative contribution to street*
- *Proposed materials are not in keeping with local style;*
- *Significant doubling of built depth into the gardens;*
- *Would overshadow and overlook neighbouring rooms in houses;*
- *Would overlook neighbouring gardens and harm privacy;*
- *Would introduce noise and activity to rear garden harming neighbouring amenity;*
- *View from adjacent houses would be of a car park;*
- *Would remove significant natural habitat and harm wildlife (sand lizards);*
- *14 flats will generate at least 28 cars, the 6 spaces are insufficient and will lead to congestion and indiscriminate parking on surrounding streets;*
- *If a child suffers a road accident as a result of this proposal, it will be the Council's fault for allowing more cars to rush up and down Southlands Avenue;*
- *Proposed houses comprise rabbit hutches similar to multiple occupation units and would not be of a high enough quality to match existing stock in the area;*
- *Since development on this site was first considered in 2007, two Oak trees have been removed from the garden of 9 Southlands Avenue, worsening the impact;*
- *Only rooflights should be allowed, no dormer windows on privacy / overlooking grounds;*
- *The Cycle store should be relocated to ensure Tree T6 can remain;*
- *No solar panels are shown;*
- *The underground bin store would contravene the Highways Improvement Line (Policy 8.43) that crosses the frontage;*
- *No affordable housing is included;*
- *Own grandchildren unable to afford to buy locally because developers put profit ahead of local ownership;*
- *Parking spaces beneath trees will cause sap damage and lead to off site parking pressure;*
- *Concerns that homes will be let out as holiday rentals, causing blight to neighbours;*
- *Flats adjacent to the boundary with neighbours raise questions prompted by the by the Grenfell (High Rise) Tower Fire, neighbour considers revisions to a previous approved application (2008) should not be allowed;*
- *Approved scheme form 2008 is out of time and was not implemented so it should not count as planning history;*
- *Reference from occupant of 261 that their own domestic planning extension refusal from 2002 is relevant as rear projections were prohibited.*

Objections were received on the grounds of Land Registry inaccuracies at the rear of the site alongside 7 Southlands Avenue. The applicant reduced the redline of their site to exclude the contested land. No261 also claims that land has been taken from their demesne down the border but land registry documents provided for the legal agreement do not confirm this. The applicant has served notice on no 9 Southlands

Avenue and the Council consider them to have fulfilled their obligations to notify other owners under the Planning Act.

Reference was made to there being no fire precautions set out on the drawings. Matters of fire and construction safety are governed by Building Regulations not planning.

Response to Amended proposal

- 29 In May/June the scheme was reduced in size from 14 to 13 units; the red line site outline reduced to exclude land where ownership was contested; the footprint reduced; cycle store moved; and layout and building exterior redesigned. New site notices were erected on site and Southlands Avenue on 29.06.2023, allowing until the 9th July 2023 for additional comments. At the time of writing this report, 3 further objections had been received, two of them additional taking the total to 18. The objection reiterated the comments made in earlier objections, stressing the concerns about parking, construction noise and highway safety in general. Any letters received
- 30 The previous Ward Councillor Coope had discussed the case and potential for call-in but elections interrupted the process and Cllr Coope was not re-elected. In June 2023, once re-consultation was reopened, newly elected Ward Councillor Nanovo called-in the amended proposal to committee. Cllr Nanovo previously wrote into object as a concerned resident and their objection comprises one of the number listed above. The Councillor call-in sets out the following objections/concerns:
- Demolition contributes to landfill;
 - 3 of the 4 flats are occupied, all of which will be made homeless by the proposal;
 - Traffic associated with development will blight clean air and amenity;
 - A neighbour reports newts and bats in the adjacent garden;
 - An evergreen tree/shrub is to be removed, harming the environment;
 - Proposal will extend further back than adjacent buildings / overshadow gardens;
 - Construction noise and dust will harm care home next door; and
 - No affordable housing will be provided.

Key Issue(s)

- 31 The key issues involved with this proposal are:
- Principle of the proposed development
 - Comparison and Context of Allowed 2008 Appeal
 - Impact on character and appearance of the area
 - Residential Amenity – Neighbouring Residents
 - Residential Amenity – Future Residents
 - Highway Safety, Capacity & Flow

Policy Context

Core Strategy (2012)

CS1: NPPF – Presumption in Favour of Sustainable Development
CS2: Sustainable Homes and Premises
CS3: Sustainable Energy and Heat
CS4: Surface Water Flooding
CS5: Promoting a Healthy Community
CS6: Delivering Sustainable Communities
CS16 Parking Standards
CS17: Encouraging Greener Vehicle Technologies
CS18: Increasing Opportunities for Cycling and Walking
CS19: Protecting Small Family Dwellinghouses
CS20: Encouraging Small Family Dwellinghouses
CS21: Housing Distribution Across Bournemouth
CS31: Recreation, Play and Sports
CS33: Heathland
CS38: Minimising Pollution
CS41: Design Quality

District Wide Local Plan (2002)

4.25: Landscaping
6.10: Flatted Development

Supplementary Planning Documents

Dorset Heathlands Planning Framework SPD 2020
Residential Development: A Design Guide – PGN (2008)
Sustainable Urban Drainage Systems (SUDS) - PGN
BCP Parking Standards – SPD (2021)

National Planning Policy Framework (“NPPF” / “Framework”)

The National Planning Policy Framework (NPPF) sets out the Government’s planning policies for England and is a material consideration in planning decisions.

Planning Assessment

Principle of the proposed development

Housing Supply

- 32 At the heart of the NPPF is the presumption in favour of sustainable development, reiterated in Bournemouth Core Strategy Policy CS1. NPPF paragraph 11 applies this presumption to decision making where the local plan classed as out of date. Footnote 8 of paragraph 11 classifies a local plan as out of date if the local planning authority is (i) unable to demonstrate a five-year supply of deliverable housing sites or

(ii) where the Housing Delivery Test (HDT) result is less than 75% of the housing requirement over the previous three years.

- 33 The 5-year housing supply and HDT results continue to be applied to each local plan area separately until replaced by a BCP wide Local Plan. In the Bournemouth area there is a 2.3 year housing land supply with a 20% buffer (a shortfall of 4,862 homes) and a 2021 HDT result of 67%. The local plan is thus considered as out of date as the local planning authority is unable to demonstrate a five-year supply of homes and under the HDT test threshold of 75%. Although the presumption in favour of sustainable development always applies the benefit of providing additional new homes must be given considerable weight if there are reasons that warrant a refusal on other grounds.

Loss of Existing Family Dwellinghouses

- 34 The site is within the Urban area of Bournemouth. Policy CS19 seeks to retain small family dwellinghouses where the original gross external floorspace comprises less than 140sqm. The houses, excluding the rear extensions would each exceed 140sqm, and mean policy CS19 does not apply. For awareness, the houses likely ceased to be such with online street photography showing them addressed as 4no.flats since at least 2009. Although there is no planning approval on record, the demolition will not result in loss of family dwellinghouses.
- 35 Policy CS20 sets a presumption in favour for the redevelopment of sites for small family dwelling houses as opposed to other forms of accommodation where a) the site is capable and suitable for them and b) the resulting development would not be out of character. The surrounding area is comprised of large detached and semi-detached houses with original floor areas in excess of 140sqm. Some of the surrounding sites have already been redeveloped for flats or host care-home conversions. Smaller terraced houses on this site would jar with the streetscene and further dropped kerbs necessary for off street parking would be unlikely to garner Highways support. The site is suitable for redevelopment for two replacement 'larger houses' that match the proportions of neighbouring dwellings or, subject to appropriate design and massing, a single building reflecting proportions similar to two large houses.

Housing Distribution

- 36 Core Strategy Policy CS21 seeks to ensure a balanced distribution of residential development across Bournemouth, and ensure that the best use is made of appropriate sites if and when they become available for redevelopment. This proposal would offer a more sustainable use of this large plot than the existing pair of houses, even factoring in the unauthorised conversion to 4 flats. Policy CS21 states that urban intensification will be permitted in areas well served by sustainable modes of travel. The site would sit on a road served by buses and within 250m of the range of services offered along Tuckton Rd to the north, falling within the 400m zone of a District Centre. This would satisfy the qualifying requirements for 'Area B' of Policy CS21, which is defined as land being 'within 400m of a district centre'. Thus the relevant policy against which the proposal must be assessed is CS21, *not* CS22.
- 37 Policy CS21 states that proposals for residential development within Area C will be expected to:
- reflect the housing size demands of the Borough as identified in the SHMA;
 - be of good design;
 - contribute positively to the character and function of the neighbourhood;
 - maintain and enhance the quality of the street scene;

- respect residents' amenities; and
- ensure a positive contribution to achieving a sustainable community.

38 Bullet Point 1 refers to the SHMA which seeks to provide homes with at least 2 no. bedrooms, rather than developments with just 1 bed units. The creation of 13 self-contained dwellings would diversify the existing stock and offer 54% of the total as two-bedroom units and 46% as one-bedroom units. The slight balance towards 2-bed units is welcomed. With no balcony space or communal garden space, only one unit (the duplex would have outdoor amenity space or clothes drying space. With reference to points 2, 3 and 4, design and appearance are considered in 'Impact on Character' below, which concludes the visual impact to be acceptable, subject to conditions to secure high quality materials. With regards to point 5; The position, scale and proportions of the building are such that privacy and overshadowing impacts have been designed out or can be addressed by way of condition (see 'Residential Amenity (Neighbours)' below), satisfying this point. Point 6: The new dwellings would benefit the local community by making better use of the large plot to deliver 13 homes in an accessible and sustainable location, near local schools, bus routes, public recreation space and local shops, all of which would aid the local economy. From a policy perspective the principle of the proposed development fully meets the threshold of points 1-6, of Policy CS21. This will be revisited later in the report (future resident amenity).

39 Some of the previous policies from the 2002 District Wide Local Plan were saved after the adoption of the Core Strategy in 2012. Policy 6.10 was one of the saved policies. It is now 20 years old and although relevant, its aims have generally been replicated and superseded by Core Strategy policies which have served the LPA's decision making and appeal defences over the last 10 years. In this case, Policy 6.10 supplements Policy CS21 as it specifically refers to flats, rather than just 'urban intensification'. Policy 6.10 states:

"Flats will be permitted in the built up area provided the development:

- i) respects or enhances the character and appearance of the area particularly as regards materials, landscaping, scale and massing of development; retains, enhances or creates urban spaces, views or landmarks and other townscape features which make a material contribution to the character of the area;*
- ii) respects or enhances the character or appearance of open spaces either publicly or privately owned which contribute to the character and appearance of the area;*
- iii) Takes account of important trees, ridge lines and other landscape features; and*
- iv) Respects the living conditions of the occupiers of buildings in the vicinity."*

40 With regards to the first part of point i) and the relevant 'Character' assessment (later section of this report), it is considered the proposal comprises sufficient design solution and, setbacks, articulation and height controls so as to diminish its visual impact and proportions to a structure similar in scale to two large dwellings placed side by side. Subject to robust material and landscaping conditions, the development would respect the character and appearance of the locality and satisfy the first part of i). With regards to the second part of point i) the existing pair of dwellings do not make a substantially positive contribution to the character of the area and their loss would not harm the surrounding townscape. With reference to other parts of this report, the proposal readily satisfies points ii), iii) and iv) of 6.10. The duplex unit could be considered a self contained house and it is assessed in the following paragraphs against policy.

Appropriateness of Development Scale

- 41 Policy CS41 seeks to ensure that density should, amongst other criteria aimed at securing the best possible development of a site, respect the site and surrounding areas. The external appearance of the development is such that there is no demonstrable or obviously identifiable harm that would result from its height or scale, despite the increase in number of units on site.
- 42 Returning to the distinction between Policies CS21 and CS22. CS22 states that development outside the preferred housing areas (A B or C) will only be permitted where (amongst other criteria) “*scale, appearance and density of proposal is in keeping with surrounding area*”. The site falls within Area B, so it is Policy CS21 that applies and this does not explicitly require density or scale to match the locality, relying instead on broader criteria expressed in bullet points 2,3, and 4 of Policy CS21.
- 43 The road is characterised by large semi/detached properties set in plots of a reasonable size. The proposed building would retain sufficient set ins and separation distances to its adjacent neighbours, in both cases increasing the distances. The position of the front building line and depth into the site of the rear building line would have sufficient regard for the existing pattern, particularly as the rear portion of the proposal steps and staggers inwards from boundaries once it starts to pass the adjacent rear building lines.
- 44 Examples of flatted conversion exists both immediately opposite the site at Priory Ct, and full site redevelopment at: nos.164 Belle Vue Rd; Lewis Ct; Compton Ct; and 269 BV Rd/1A Broadway. Here the design of the building to accommodate the top floor flats into the roof space results in a form that has no discernible harm on: neighbouring amenity (see below); general street scene (see below); and would respect the site and surrounding areas through its use of pitched roof slopes and gables already common throughout the area. To make the best use of the sustainable urban site for housing provision and having regard for the significantly set-back front building line (which prevents a ground floor footprint forward of this), has resulted in this development proposing residential accommodation within the roof space at 2nd (rear duplex) and 3rd floor (main building) levels to achieve the quantum of flats the site has previously been given permission to host on Appeal. The rear duplex unit resembles a self-contained house, and having access to an enclosable rear garden would form a small family dwelling, the creation of which is supported by policy CS20. This is an additional benefit that resulted from officer negotiations.
- 45 The potential for the site to host a given number of dwellings is subject to the assessments of impact on neighbouring amenity, privacy, outlook and sunlight / daylight / shadowing made later in this report. With reference to the Character and Amenity assessments below, the proposed density would satisfy the density aims of policy CS41 by securing the best possible development of the site, whilst respecting the character of the surrounding area. Taking this further, Section 11 of the NPPF sets out that “*planning policies and 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.*” The aim of the policy is to encourage development that “*makes as much use as possible of previously-developed or ‘brownfield’ land*”, which this site seeks to do.

Heritage & Design Considerations

- 46 The buildings set for demolition are of no heritage quality, dating from the interwar building boom and maintained in such an unsympathetic way so as to already be out of visual-kilter with the adjacent run of detached 1910s-20s houses and more modern flatted blocks. Their loss would be of no great consequence. The proposed building

would offer replacement visual interest for this site, with much more street identity and townscape merit than the more simplistic structure allowed on appeal in 2008. As discussed later in this report, it is the view of planning officers that the proposal has sufficient regard for both the scale and height of the existing houses to warrant approval in view of design policies.

- 47 The principle of the proposal is thus of a compatible redevelopment, responding to the constraints of the site. A significant factor in this conclusion is that the proposal would add townscape interest to the otherwise uninteresting mid-block plots. This is discussed later in the report. However, with regards to the principle of this proposal; because the development would deliver a positive mix of new 1 and 2 bedroom flats and a self contained small family dwelling in a sustainable location, the proposal would satisfy the aims of Core Strategy Policies CS20 and CS21, and saved District Wide Local Plan Policy 6.10. The principle of the proposed residential redevelopment would be acceptable, subject to compliance on the design detail and site-specific impacts assessed below.

Comparison and Context of Allowed 2008 Appeal

- 48 Although dating from 2007/2008, the Planning Appeal decision remains relevant to this proposal as the proposal is a very similar scheme, bar an increase in depth to the rear and a reduction in the number of units and exterior changes to improve integration in the streetscene. A comparator table is shown below:

Building Details	257 Existing	259 Existing	2008 Appeal	Proposal
Width (frontage)	7.4m	7.8m	15.6m	15.8m
Width (middle)	7.4m	7.8m	14.4m	12.95m
Width (rear)	7.8m	7.8m	10.1m	9.24m
Main Depth	11.5	11m	16.65m	18.2m
1 Storey Rear Projection	2.85m	2,85m	-	-
2 Storey Rear projection	-	-	3.3m	4.4m/3.96m
Gable Height	8.8m	8.8m	11.3m	10.9m
Ridge Height	8.8m	8.8m	10.2m	9.7m
Eaves Height	5.2m	5.5m	6.1m	6.1m

- 49 The Inspector in 2008 considered the main issues to be the effect of the proposals on the character and appearance of the area; on neighbours' living conditions; and on transport considerations. The inspector considered that the 2007 scheme proposing a two-storey block of 14 flats within three floors "would, in respect of:
- character and appearance the proposals, accord with the requirements of saved Local Plan Policies 4.19(i), 4.19(ii), and 6.10(i).
 - neighbours' living conditions the proposals, accord with the requirements of saved Local Plan Policies 4.19(iii), and 6.10(v).

- parking and highways matters, proposals complied with the requirements of the Development Plan, except for the matter of the development control line where there would be some infringement.”

50 The Inspector concluded that *“the proposals would make more efficient use of previously developed land in accordance with government policy. They would in my opinion have a positive impact on the streetscene and would have no material detrimental effect on the interests protected by the Development Plan. The small weight I give to the infringement of the development plan line does not outbalance the overall benefit of the proposals.”* For these reasons, and taking into account all other matters raised, the Inspector determined to allow the appeal.

51 Although the appeal decision is therefore of significant relevance, the current proposal seeks permission for 13 units, not 14, in a smaller footprint, with what are considered to be improved external elevations and roof treatments. Although the 2008 Appeal has set out quite clearly that a larger development is acceptable on this site, the decision was made against a set of policies mostly replaced by the new Core Strategy Policies adopted in 2012. Although some of the policies such as 6.10 have been saved and are still of relevance, the NPPF came into being in 2012. In its most recent 2021 iteration it sets out robust preference and strategic support for sustainably located development. If anything, since 2012 there has been a greater emphasis towards locating housing in sustainable locations and development. The Council’s own Core Strategy Policy CS21 supports the amended proposal.

Impact on Character and Appearance of the Area

52 Core Strategy Policy CS6 requires good design principles for new buildings, regard for how spaces are treated, and enhancement of features that contribute to an area’s character and local distinctiveness. Policy CS21 requires good design and for proposals to enhance the quality of the street scene. Part i) of saved policy 6.10 and Core Strategy Policy CS41 are similar and relates to securing good design.

Character

53 Across the borough a regeneration of the local housing stock continues apace, with examples of large detached and pairs of houses on suitable sites being demolished to make way for flatted redevelopments existing elsewhere. Given the character of the locality already comprises a mix of traditional housing interspersed with flatted redevelopment, there is no design/character objection on policy grounds to the loss of the pair of non-descript dwellings. A development of slightly wider proportions, comprising 14 rather than 13 dwellings, with less architectural detail has previously been allowed on appeal on this sustainably located site. That previous development did not project as far into the rear of the site as this proposal now does, but the design treatment to the rear adds an architectural interest to the rear and helps diminish the scale of the rear elevation in a positive way that the appeal decision proposal did not.

Height

54 The development would reference the two storey + roof space heights present within the local area and in the properties immediately flanking the site. The 2008 Inspector considered that the development at that time had *“a complex roof shape, including a front cropped gable, which provides substantial accommodation space for a second floor in the roof space. The streetscene produced on behalf of the appellant shows that it would sit between two comparably complex and substantial buildings of a similar height, albeit that their design details are very different. Buildings on the opposite side of the road are generally smaller, but there are other large buildings*

and blocks of flats in the area and to my eye the proposed building would not look out of place in its setting.”

- 55 Although the roof design has changed in places, with full gables rather than the cropped type, the overall height had reduced by over 0.5m. So, notwithstanding the differences between the appeal approval and the current proposal at roof level, Officers are satisfied that the Inspector’s assessment of height remains pertinent. This view is taken in light of the physical extensions made to no.261 since 2008 and detailed in paragraph 76. The deletion from the design of the somewhat bland and atypical cropped gable and incorporation of two full height gables to the frontage adds identity rather than detracts it from the site. It is important to mention that the position of the proposed main frontage had moved backwards into the site by approx. 1.8m compared with the appeal approval, replicating the positions of the frontages to 255 and 261 and further diminishing the scale of the proposal.

Perceived Depth from Street

- 56 With reference to the appeal approval, the Inspector stated *“The perceived depth of the proposed building, as seen from the public road, would be no more than that of No 255 to the south and only a little more than that of the rear extension to No 261 to the north.”* No. 261 has been extended since that time with an extension to the side/rear along the boundary with the site.
- 57 Using the comparison table in paragraph 51 of this report, the proposal would be marginally deeper than the appeal approved development. The 2008 scheme 263-B gave permission for a 16.5m deep three storey development with a 3.2m deep two-storey element, having a rear width of 14.5m. The current proposal would deliver an 18.2m deep three storey building, with a 4m deep two-storey rear element, having a width of 12.95m. The set ins to the side and rear as the building steps backwards into the site would again assist in diminishing the impact of the building’s perceived depth from the street. With reference to the interface distances set out the table of paragraph 7 the building would be set in sufficiently from both side boundaries so as to not undermine the pattern of gaps between the larger and extended detached dwellings along this block face. The impacts of the rear parts of the building on neighbour amenity are addressed in the ‘Neighbouring Amenity’ section of this report.

Visual Appearance

- 58 The Inspector previously overruled the Council’s concerns about the 2007 proposed roof arrangement (which were that it was contrived and bulky, akin to a mansard design) and concluded that *“with a pitch little different from that of its conventionally-roofed neighbours the appearance from the street would be unexceptional. It would certainly not appear as a contrived horizontal stripe of near-vertical tile-hanging as seen on some buildings of a less appealing design.”*
- 59 The 2007 scheme permitted in the 2008 Appeal decision presented longer, uninterrupted side-returns to the side boundaries than the current proposal. The current amended proposal seeks permission for a rear portion having steps and staggered set ins from the boundaries. This would have the effect of introducing shadow lines, and physically stepping the building’s form back away from the boundaries and diminishing its scale and impact on the less public vistas from the rear gardens and down the side driveways. The pronounced pair of gables repeat in a singular gable to rear and roof faces are broken up by small subservient square dormers. As a result, the flat roofed sections that sit above the building would have no visual dominance or discernible harm on the general street scene.

- 60 The side and rear faces of the building would be simpler in their design, reflecting the less complicated architecture typically found on secondary and tertiary elevations. The rear elevation breaks the previously approved two storey component into not just an independently accessed duplex unit, but by way of the smaller gable referencing the frontage pair, offers a refreshed design that emulates a smaller garden cottage or coach house and donates more visual interest to the rear elevation.
- 61 The indicative palette of materials are considered distinct enough to establish a contemporary identity for the building so that while it shares the form and scale of an extended 1910s/20s building, the upper floor parts will include a lighter render so as to not entirely pastiche the era from which it borrows some of its features. The replacement also offers sufficient interest and articulation to comprise a significant improvement over the uninspiring pair of dwellings currently on site. Whilst the drawings are indicative of a stylistic and attractive building, the *excellence* of the final building as constructed will hinge on the use of high-quality palette of finish materials. Applying suitable conditions to secure their future approval and delivery ensures the scheme is capable of satisfying the relevant adopted policy.
- 62 On balance, the design, scale and appearance are not so dissimilar from local vernacular to raise significant concerns. The building exudes a residential identity, with domestic components such as bays' gables, portico, and a regular balanced window arrangement, and has a comparable 2-storey plus roof accommodation height similar to its adjacent neighbours. The principle of the **Layout***, **Scale*** and **Appearance** of this outline proposal are accepted on this busy road. The proposal would maintain and enhance the quality of the street scene, satisfying policies CS21, CS41 and saved policy 6.10. *An assessment of the proposed Layout and Scale against policies designed to safeguard neighbouring amenity follows in the 'Residential Amenity' section.
- Landscaping (a Reserved Matter)*
- 63 With regards to the manner in which the new building will be visually linked to the street, details of hard and soft landscaping across the site, and exact means of enclosure are reserved for future determination as a Reserved Matter. Sufficient space is shown around the site frontage to accommodate landscaping capable of adequately screening the above surface infrastructure needed for the below ground refuse and recycling storage. The design and layout of which should be such that it does not impede the servicing of the bins once they are brought to the surface, leaving level, 2m wide pathways clear through the site to kerbside dropped kerbs. The standard Reserved Matter Condition should be amended to reflect the need to secure this detail. The tree officer is also satisfied with the site layout to the rear, subject to additional conditions regarding the safeguarding of the existing/retained trees and their root protection areas during construction. Details of hard and soft landscaping can be sufficiently controlled by an augmented Reserved Matters condition to enable a conclusion that relevant adopted policies area capable of being satisfied.
- 64 Boundaries are readily capable of hosting upgraded treatments for enclosure to reduce the spread of noise from the six vehicles and 20 cycles to be accommodated in rear parking.
- 65 Subject to these conditions, the proposal has the capacity to accord with design and street scene elements of Core Strategy Policies CS6, CS21 and CS41. It is considered that the proposed scale, form and general appearance of the proposed development would be acceptable, subject to compliance with the amenity, highway and other impacts that remain to be assessed.

Residential Amenity – Neighbouring Residents

- 66 Plans helpfully show the proposed footprint and silhouette relative to that of the existing houses. A further comparison against the 2008 Appeal Approval plans of the 2007 scheme enables a full assessment of impact on neighbouring amenity as follows:
- 255 Belle Vue Road (Redcroft Care home),
- 67 This building comprises a large detached house to the southwest of the application site. The comparison table in paragraph 7 sets out the separation distances that currently exist, and that would exist post completion of the development. The distances between the built form on plot 257 relative to the flank wall of 255 would increase by between 0.4m and 1.67m.
- 68 The side elevation of no.255 contains several windows at ground floor and two at first floor, all facing the flank of no 257 and the forecourt.
- 69 During the 2008 appeal, the Inspector considered the impacts of windows in similar positions within the proposal and came to the following: *"at 255 Belle Vue Road, which I understand is a care home, there would be some inter-visibility of side-facing windows. On the appeal site, this could be reduced by obscured glazing of the kitchen windows which face towards No 255."* The internal layouts now proposed mean that the windows facing no 255 light bedrooms not kitchens. The same solution is considered appropriate on these short interface distances, modified to take account of improved condition wording to require only parts of the windows below 1.7m (above internal finished floor level) to be obscure glazed in perpetuity and fixed closed below that height. As the windows within the proposal that face the side of 255 would all comprise bedrooms, their function does not require long outlook or direct sunlight. Subject to the conditions set out no harmful overlooking or impacts on privacy to occupants within no. 255 would ensue.
- 70 Although the 3 storey built form of the proposal relative to the rear building line of no.255 would be 3m deeper than the position it was approved in at in the 2008 appeal, it would be set in approx. 0.5m more than it previously was from the boundary. Similarly, the 2 storey element would be approx. 0.7m deeper on the side facing 255 than it was approved at appeal, albeit now sitting 3m further back into the garden of no.257 on account of the 3 storey projection (detailed above). This rear 2storey projection would be set in nearly 3m from the boundary with 255 (as it was in 2007), with a hipped roof forming the upper floor. It would feature no side windows.
- 71 Subject to conditions, the proposal would therefore respect the amenities of neighbouring residents within no.255 as required by policies CS21, CS41 and 6.10.
- 261 Belle Vue Road (house)
- 72 This building comprises a semi-detached house to the northeast of the application site. The comparison table in paragraph 7 sets out the separation distances that currently exist, and that would exist post completion of the development. The distances between the built form on plot 259 relative to the extended flank wall of 261 would increase.
- 73 It is worth noting that since the 2008 appeal, a two-storey side extension has been built at no 261, obscuring the windows that did exist in its side elevation and moving the flank wall closer to the boundary. The side elevation of no.261 contains one low level (knee high sill) window; and the windows within the proposal that face the side of 261 would all comprise bedrooms, their function not requiring long outlook or direct

sunlight. Due to the limited positioning of windows in the side elevation no harmful overlooking or impacts on privacy to occupants within no. 261 would ensue, though there would be a need to obscure glaze the ground floor side windows to protect privacy of the future residents of the proposal.

- 74 The impacts on 261, of the increased depth of the proposals comparative to the development allowed on appeal, are significantly diminished by the extensions that have taken place to the side and rear of no.261. The three-storey part of the proposal would be 1m deeper than previously approved relative to the previous rear of 261 (2.4m now rather than 1.4m in 2008). Behind this, the proposed two storey rear element would be 4.2m deep rather than 3.3m approved in 2008. The 2008 appeal permitted the 3 storey part of the building to be within 4.01m of the boundary with 261 and the two storey part within 6.3m. This proposal would be set in 5.1m and 7.05m respectively from the same boundary. There would be no windows in the elements that directly face the rear garden of no.261.
- 75 During the 2008 appeal, the Inspector considered the impacts on 261 and came to the following conclusions: *“Because of the orientation and spacing, the difference in shadowing would be small compared with the existing situation. There would be some intensification of use of this access, but as it is separated from the house at No 261 by its own driveway I do not consider that the disruption would be unreasonable.”* This driveway has now been built over and an extension with only one knee-level window has been built upon it. The window could be obscured by a fence or planting if the owner of 257 opted to do so and has no right to outlook or light from this new addition. The parts of the proposal closest to the side of 261 would now be set further away from the boundary with 261 than previously approved, reducing shadowing and any remaining concerns about privacy have been designed out with no windows directly facing the rear garden of 261. Subject to landscaping, fencing and obscure glazed window conditions Planning Officers are satisfied that there would be no harm to the amenity, privacy, sunlight, daylight or outlook to the occupiers of 261 resulting from this development.
- 76 Subject to conditions, the proposal would therefore respect the amenities of neighbouring residents within no.261 as required by policies CS21, CS41 and 6.10.
- 7 and 9 Southlands Avenue*
- 77 At their closest point, the windows of the proposed flats and duplex unit within the rear elevation of the new building would face the rear elevations of the houses on Southlands Avenue with an interface distance between 34 and 40m. This significantly exceeds the typical suburban minimums of 21m for main windows facing main windows (enshrined in the Residential Design Guide SPD) and is wholly acceptable. Similarly, the objections raising concerns that the *rear gardens* to these houses will be overlooked fail to acknowledge that the existing houses in flatted use already have rear windows doing this. Moreover, the distances involved still range between 19m and 29m from first and roof top windows, all far in excess of the over 10-13m distances that the Residential Design SPD suggests for new builds with windows facing neighbouring gardens.
- 78 During the 2008 appeal, the Inspector considered the impacts and came to the following conclusions (for a development sharing the same interface distances as this proposal): *“Although I recognise the concern of some of the neighbours on Southlands Avenue to the rear, it seems to me that the line of mature trees on the common boundary and the spacing of around 40m between the rear-facing façades would be sufficient to limit adequately any impact on their privacy and outlook.”* Although two trees have been removed since the appeal decision, others are part of

a TPO. Following the relocation of the cycle store and special foundation dig conditions, no further harm is envisaged to these trees from the development.

- 79 The proposal would therefore respect the amenities of neighbouring residents within no's 7 and 9 as required by policies CS21, CS41 and 6.10.

Other neighbouring dwellings

- 80 All other neighbouring properties, including those opposite in Priory Court are sited at an appreciable distance from the proposal. On this basis, it is not considered that any significant adverse impact in residential amenity would be caused.

Noise

- 81 The Environmental Health (Noise) Officer considers that noise from the demolition and construction works on this site is likely to be intrusive or disruptive to local residents. To offset this a construction management plan should be required by way of condition. The construction management plan should outline the start and finish times; provide an indication of noisy and dusty works that are likely to be audible beyond the site boundary; and outline a community consultation strategy which includes how and when local residents will be kept informed during the development. A noise survey will be required as a condition and may necessitate the need for soundproof glazing to the frontage windows of the proposal.

- 82 The development would have a greater intensity of use than the existing pair of dwellinghouses, though they themselves have been used on and off as pairs of flats on site, with a similar number of parking spaces. The site is located on a busy road rather than a quiet residential side street meaning the impact of additional comings and goings would not be so alien as to be unreasonable. The area is residential in nature and the proposal is for residential units. The aural impacts from the domestic properties are unlikely to replicate commercial or industrial levels of noise and the impacts on adjacent dwellings, including the care home are likely to be appropriate for the urban setting. Although the 2010 Equalities Act made 'age' a protected characteristic requiring the LPA to formally consider the impact on the care home, the matter was previously considered by the Inspector in 2008. The conclusion remains that the proposed units would not harm the amenity and enjoyment of adjacent residents in any of the properties. Construction will bring disruption, but condition could regulate hours of construction, and the construction process. In this specific case, the Environmental Health officers have requested a dust control condition to limit impacts on the care home.

- 83 Overall, it is considered that the combination of the building height, interface distances, window positions and set-ins from adjacent plots would result in development that does not oppress or be overbearing to those neighbouring units, having an acceptable level of impact on privacy, outlook, daylight, sunlight and satisfying with policies CS21, CS41 and 6.10.

Residential Amenity – Future Residents

Location

- 84 The site sits within 250m of shops and local services in the Tuckton district centre so that it would be well situated for foot journeys to those commercial places. Schools are within similar walking distances. Buses serve the road, making the site a very sustainable location for future residents.

Dwelling Mix

85 Policy CS21 of the Core strategy seeks that new development reflects the housing size demands of the Borough as identified in the SHMA. The scheme would deliver 7no. 2-bed units (54%) [including a self contained house/maisonette] and 6no. 1-bed units (46%) in an area predominated by semi and detached dwellings, flatted conversions and new build flats. The provision of a number of smaller dwellings would assist in diversifying the housing stock to meet local needs, which is in part what the SHMA seeks to achieve. Smaller housing would enable single persons, couples and smaller families to live, work and study locally, and reduce the need for private vehicular trips and pollution.

86 The proposal would remove 4 unauthorised flats (or two authorised family houses) and diversify further the mix of local housing types to provide homes consistent with the needs of the urban community where people who work, live or study nearby can live locally and reduce their need to travel. The development would make the best use of previously developed land and assist in delivering local housing targets in a sustainable manner and location, according with the aims of the NPPF.

Internal Space

87 The previous 14 unit scheme was larger, but was also assessed at a time before the Space Standards existed. The 13 units now proposed all satisfy and exceed the minimum prescribed space standards (as set out by the Governments Technical Housing Standards 2015). The units would provide a good standard of amenity for future residents with separate outdoor cycle space and tidy waste/recycling facilities below ground, all of which is welcomed by the LPA.

Outlook/Privacy

88 Primary outlook from units would be to the front and rear of the site. Windows to the sides lighting bedrooms are acceptable, subject to those facing the side of 255 being partially obscure glazed as detailed in the previous section. The ground floor side bedroom windows facing on to the access road (towards flank of no. 261) would also need the same treatment to avoid loss of internal privacy for residents. Subject to these conditions, there would be no privacy conflicts between windows in existing dwellings and those proposed. Subject to this condition, this aspect would satisfy the aims of Policy CS41.

Amenity Space

89 None of the two bed units count as family accommodation (a definition which requires 3 bedrooms) and as such the Council does not require each unit to be provided with private external amenity space. The duplex unit has direct access to a private 22sqm section / open 20sqm section of the amenity space. The remaining 75sqm of amenity space is spread around the rear of the site and would be communal. It would offer a reasonable quantum of on-site space to supplement local authority parkland nearby. Adequate supplemental amenity provision exists in Tuckton to overcome any on-site amenity shortfall. Space exists for seating and/or clothes drying. Though no details are provided. Subject to conditions to secure delivery of the private and communal amenity spaces, and any necessary fencing, or fixed paths or infrastructure, this aspect would satisfy the aims of Policy CS41.

Noise

90 The Environmental Health (Noise) Officer considers that noise from the adjacent roads has the capacity to be intrusive or disruptive to future residents within the block. To offset this, the noise survey already required in response to construction noise in an earlier paragraph of this report should also be sufficiently robust to establish whether soundproof glazing to specific windows within the proposal is

required. A linked condition requiring identification and implementation of appropriate mitigation is capable of addressing this matter to ensure compliance with Policy CS41.

Refuse/Recycling

- 91 Bin stores would be provided below ground at the site frontage, making use of the Council's agreed new methods for sub surface storage and servicing. Resident access to the bins would be easy and carefree through surface openings as they leave and enter the site. Some works will be required to the dropped kerbs outside the site and within the landscaping reserved matter to ensure path widths and gradient levels permit easy servicing of the underground bins once lifted to ground level. Subject to conditions, this aspect would satisfy the aims of Policy CS41.

Highway Safety, Capacity & Flow

- 92 Core Strategy Policy CS6 seeks to deliver sustainable communities. Policy CS16 sets out parking standards, as amended by the recently approved BCP Parking Standards SPD (Jan 2021). Policy CS17 encourages greener vehicle technologies and Policy CS18 advocates support for development that increases opportunities for cycling and walking. In Jan 2021 the LPA adopted the BCP Parking Standards SPD (Parking SPD) which reflect paragraph 111 of the NPPF. It is against this guidance that the proposal has been assessed.

Pedestrian Access

- 93 The main pedestrian access will be taken across a pedestrianised forecourt where cars are not permitted to park. The entrance is easily accessed from the street and provides a sideways route down the roadway to car/cycle parking at the rear. Some assurances will be needed to ensure the roadway surface is sufficiently demarcated visually to enable pedestrians to travel along it with priority and high visibility – particularly as it serves as the only walking access to the communal open space and the parking. The details can be secured as part of the hard landscaping details of the Reserved Matters, and a reworded condition is suggested.

Cycle Parking

- 94 The proposed cycle store has been relocated due to the reduction in the red outline of the application site. The cycle store has 10 Sheffield stands housing 20 cycles. The level of cycle parking is acceptable. The access door measures 1.2m wide and the layout within the cycle store is acceptable. An external cycle stand is provided to the rear for visitors to the development who will not have access to the secure cycle store.

Vehicular Access

- 95 The 'site' has three existing vehicle access points; one serving 259 and two serving 257. The vehicle crossover (dropped kerb) serving 257 will remain and be adapted to become the only point of vehicular access serving the cycle and car parking to the rear of the site. The other two will be removed or shortened to reinstate safely edged public footpath and/or facilitate free movement of the underground wheeled bins to the roadway on collection day. The latter will need to be resolved by way of further details controlled by condition and potentially a Highways Act 1980 s278 agreement. The rationalisation of dropped kerbs and reduction in length of dropped kerb represents a significant improvement in highway terms.

Car Parking

- 96 The number of parking spaces is 6 and remains the same as the original site plan. The number of parking spaces is acceptable. In addition, each bay measures 2.6m x

4.8m which is accords with the SPD. Allocation for disabled spaces can be conditioned.

- 97 No.259 currently has 4 parking spaces associated with it (2 to the rear and 2 to the front). No. 257 has two frontage spaces, accessible via two dropped kerbs. The number of vehicles associated with the site will not change and the reduction in number of crossovers will be an improvement to pedestrian safety as it will focus movement to a specific point rather than three separate positions. This proposal complies with Saved Policy 8.1 of the Bournemouth District Wide Local Plan (2002) which seeks to enhance traffic safety on main roads by limiting direct access.

Manoeuvring

- 98 Furthermore, there is sufficient space for vehicles to manoeuvre out of the parking spaces.

EV Charging Facility

- 99 The layout of the parking area is acceptable. 3 of the car spaces will have active and 3 will have passive Electric Vehicle charging which is an acceptable provision. The installation of 'active' charging points for 50% of the parking spaces satisfies the Parking SPD. No information has been provided regarding the infrastructure and a condition has been added to the recommendation to provide this detail.

Servicing

- 100 The collection of waste from the frontage of the site will take place from the public highway. Bins are to be stored beneath the ground in lifting chambers operated from a control panel on site. Waste will be inserted through top-side openings and on collection day the below ground Eurobins will be lifted hydraulically to the surface and wheeled across level gradients to the kerbside collection point. They will then be wheeled across the pavement, down a reconfigured dropped kerb to the rear of the lorry and emptied before reversing the journey. Conditions will be needed to secure the route. A waste management plan will be needed to set out how the bins will be managed on site and where they will be stored on collection day. The volume of waste associated with this development would have a minimal impact upon stop duration and is not considered to result in material harm to the operation of the local highway network.

- 101 The proposals would satisfy the Waste & Recycling standing advice for underground storage. A condition requiring details of a waste management contingency plan in the event of a breakdown is suggested alongside conditions requirements to ensure the delivery of an operational below ground waste storage facility. However, the WCA typically recommends that a separate bulky goods storage space is provided for when large items need to be disposed of when residents vacate or move in. Space exists to the side of the bin service controls where this could be positioned, and the matter can be sufficiently addressed during the discharge of the Reserved Matters submission for hard and soft landscaping.

Construction Phase

- 102 The Highways Officers have not raised any issues and the matter can be adequately addressed through the application of conditions governing the Construction Environment Management Plan and construction traffic attending the site.

Highways Conclusion

- 103 The Local Highway Authority (LHA) has considered the amended proposal and raise no highways objections subject to imposition of conditions to address/secure the matters raised. The highway and vehicular impacts of the proposal would be acceptable, having regard for paragraph 111 of the NPPF. Subject to the conditions

to address points and secure delivery of facilities, the proposed access and egress arrangements for vehicles, cycles and pedestrians, and general servicing would satisfy the highway user safety and the sustainable development aims of Core Strategy Policies CS6, CS16, CS17, CS18 and the BCP Parking Standards SPD (Jan 2021).

Landscaping and Trees

- 104 A small number of unremarkable trees would be lost on this site, but revisions have now taken place to move the cycle store away from the rear boundary and the root protection area of Tree T6. The Tree officer is satisfied with the revised layout. Specialist surfacing is proposed for the root protection area incursion to T6 for an access area and a parking space which the Officer considers achievable without harm. The proposed Tree protection details for retained trees is suitable. All of these aspects should be conditioned to secure delivery.
- 105 Following earlier concerns about landscaping, Indicative locations for new tree planting (one new tree for the site frontage and five for the rear garden) and the proposed soft landscaping to screen some of the refuse storage infrastructure shown on indicative layout plans should be secured in a reworded Reserved Matters Condition to secure their delivery and ongoing maintenance.
- 106 Subject to these conditions the proposal would satisfy Policy 4.25 of the Bournemouth District Wide Local Plan and Policy CS41 of the Core Strategy.

Land Contamination

- 107 Environmental Health returned no concerns or comments in respect of this matter. Subject to the application of a watching brief informative, the scheme is capable of satisfying related planning policies and NPPF requirements.

Flood Risk and Drainage

- 108 The site is located within current day Flood Zone 1 and has a very low risk (less than 0.1% annual probability) of surface water flooding. The land is previously developed with a domestic drainage system connected to the sewer network.
- 109 To prevent flooding and provide satisfactory drainage in accordance with National Planning Policy Framework paragraph 163, 165 and 170 and Policy CS4 of the Bournemouth Local Plan: Core Strategy (October 2012) a surface water drainage strategy is normally required. This is to ensure the satisfactory management of local flood risk, surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and that the SuDS proposed operates as designed for the lifetime of the development. Illustrative drainage features are shown on the Indicative Drainage Plan drawing accompanying this outline application. No objections have been received to the indicative SUDS drawings and sufficient space exists within the site to accommodate the proposed SUDS, or alternatives without further layout changes. Accordingly, a pre-commencement condition can be applied to secure details ahead of any construction commencing. Demolition can be permitted if it would aid investigative works in respect of the SUDS condition.
- 110 Subject to the application of such a condition, the proposal, in this layout has the capacity to deliver a suitable and policy compliant surface water drainage strategy as part of a Sustainable Urban Drainage system, sufficient to satisfy the requirements of the NPPF and local adopted policy.

Climate Change Mitigation

- 111 BCP and the Government have declared a climate emergency. Policy CS2 seeks to secure the use of green technology in new developments, and applies to schemes of more than 10. As 13 dwellings are proposed, plans shown a flat roof area above the development capable of hosting photovoltaic solar panels and the applicant has agreed to the application of a condition to secure details of PV panels and their installation prior to first occupation. The orientation of the building is such that the solar panels at this level, subject to them being set in at least 1m from the roof 'ridge' edge would have little direct impact on views of the main frontage or surrounding homes. Similarly, the drawings show 3 of the 6 car parking spaces would be fitted out with active EV charging capability, with the remaining 3 laid out with passive conduiting, ready for upgrade. This should be conditioned to secure delivery. Policy compliant cycle parking is provided, in a convenient and safe position, with easy access for residents. Whilst these three elements would help the proposal comply with Policy CS2 aspirations, conditions will need to be worded to ensure the elements are delivered.
- 112 No sustainability details are given in respect of any construction materials. Permeable paving products made from recycled materials could be utilised on any hard surface landscaping to aid the natural return of rainwater runoff to the ground. No outdoor clothes drying space is set out and the LPA strongly advise that tenancy agreements should not preclude this functionality. This would assist in helping the units not rely solely on tumble dryers and radiators for clothes drying, reducing the reliance on those utilities and lowering the carbon footprint of occupancy.
- 113 The loss of the two houses is noted, but to deliver the quantum of housing units the site is capable of sustainably hosting, relative to adopted local and national policies and standards would be stymied by the retention of the dated low-density structures. Previous Pre-Application enquiries have considered this at length without successful resolution.

Ecology & Biodiversity

- 114 Government Circular 06/2005 states that "*it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before planning permission is granted.*" Without knowledge of whether or not protected species are present, the LPA would not be able to comply with NPPF 2021 paragraph 174. In respect of Protected European Species, the LPA also has a statutory duty under the Habitat Regulations 2017 (which are regulated by temporarily surviving EU legislation) . In this case the site was identified as a potential host to bats, which are a protected European Species. A preliminary survey was undertaken at the request of the Ecology officer and its findings were that bats were not present.
- 115 One neighbour has stated that ('protected') Sand Lizards have been seen in gardens. Another neighbour reported, via a councillor that 'newts' had been seen in their garden adjacent to the site. The Ecology survey comprised a Phase 1 habitat survey for Badgers; Bats; Dormice; GCN; Nesting Birds; and Reptiles.

Newts

- 116 The nearest recorded sightings for Amphibians / Reptiles were between 0.9km 1.45km away. The site was assessed for its potential to support great crested newts (GCN). The habitats on site are considered to be of limited to negligible potential to support GCN. There are no records of GCN in the nearby area (DERC, 2023) and no ponds were identified within 250m of the site. There is no EPS licence for GCN within

10km of the site (MAGIC, 2023). For these reasons, GCN are not considered likely to be present on site and no further action is recommended for this species.

Sand Lizards

- 117 The site was assessed for its potential to support reptiles. The habitats on site have potential to host reptiles. However, due to the site being amongst well-maintained gardens and there being minimal commuting opportunities for reptiles to the site, it has been concluded that the site is not considered to currently hold the potential for reptiles. Therefore, no further action is recommended for reptiles.

Bats

- 118 The nearest recorded bat locations were between 0.36km and 0.61m away. No evidence of roosting bats was recorded within or around the building on site, despite a thorough inspection. Within the buildings 'Negligible potential' for roosting bats was recorded. No trees within the site were noted to possess any Potential Roosting Features (PRFs) for bats; therefore, all trees within the site are considered to hold 'negligible potential' for roosting bats. Habitats within the nearby area provide good commuting paths and foraging habitats and lighting on site should be controlled by a condition.

Hedgehogs

- 119 There are 46 records for hedgehogs within the local area, with the closest record being within 110m of the site (DERC, 2023). Due to the grassland on site, it is considered possible that hedgehogs would utilise the site for foraging and commuting. It is therefore considered possible that hedgehogs will be adversely impacted in the short-term by the proposed development, including through entrapment in trenches/excavations, and in the long-term through loss of foraging opportunities and access into the site, if unmitigated for. Therefore, to ensure the long-term viability of the local hedgehog population, a mitigation and compensation strategy is proposed in the Ecology report. Conditions can secure the implementation of this.
- 120 The development is thus unlikely to harm the natural habitats of any protected species. The NPPF requires that "*decisions should contribute to and enhance the natural and local environment by: d) by minimising impacts on biodiversity and providing net gains in biodiversity where possible*". The Ecology officer is satisfied that the mitigations identified within the ecology report would be appropriate and should be conditioned to require implementation on site.
- 121 Subject to these conditions the proposal has the capacity to satisfy the aims of local policies CS30 and CS41 which seek that development enriches biodiversity and wildlife habitats; and comply with the NPPF by contributing to, and enhancing, the natural and local environment by minimising impacts on, and providing net gains for biodiversity. Furthermore, the Council's duties under the Habitats Regulations are satisfied.

Heathland Mitigation

- 122 The site is within 5km of a designated Dorset Heathlands SPA (Special Protection Area) and Ramsar Site, and part of the Dorset Heaths candidate SAC (Special Area of Conservation) which covers the whole of Bournemouth. As such, the determination of any application for an additional dwellings resulting in increased population and domestic animals should be undertaken with regard to the requirements of the Habitat Regulations 2017.

- 123 The Dorset Heathlands Planning Framework SPD 2020 sets out an approach to the mitigation of the harmful effects of residential development in South East Dorset on Dorset's lowland heaths. This requires that all new residential development between 400m – 5km from protected Heathlands shall be subject to a financial contribution towards heathland mitigation measures in the borough. The proposed development would result in the formation of 13no. dwellings (13@ £331 = £4,303). Subtracting the existing pair of (authorised) dwellings (2x £485 [£970]) this would be a net increase of 11 dwellings. A capital contribution is therefore required and in this instance is £3,333 plus a 5% administration fee. A signed legal agreement is in progress, to provide this contribution.

Affordable Housing

- 124 Policy AH1 of the Affordable Housing DPD seeks to secure the delivery of affordable housing (AH) from general market housing schemes. This applies to major developments of 10 or more units, so the policy applies to this application. Provision of an appropriate affordable housing contribution is a significant benefit to a scheme and carries significant weight where provided.
- 125 The proposal originally proposed 14 dwellings, a net gain of 12. In its revised form it proposes 13 dwellings, a net gain of 11 on the site, just over the threshold at which SPD policy AH1 is triggered / required. The District Valuation Office (DVO) considered the applicant's viability statement for the development and responded in June 2022. The DVO did not consider the proposal would deliver sufficient profit to be considered 'viable' enough to provide affordable housing. No affordable housing or offside contribution is an acceptable proposal in this situation given the wording of the policy.

Community Infrastructure Levy

- 126 The site/development is liable for Community Infrastructure Levy contributions for any net increases in floor space.

Planning Balance/Conclusion

- 127 The planning balance set out in Paragraph 11 of the NPPF should always be considered whether there is conflict with a specific local policy or not.
- 128 Given the shortfall of number of homes delivered in the Bournemouth area, the balance is tilted in favour of sustainable development to grant 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. The proposed scheme would contribute to the need for new housing, delivering 11 additional homes, all of which would have internal space that meets or exceeds minimum, supplemented by communal and private outdoor space and storage.
- 129 The scheme would provide policy compliant cycle and vehicular parking, in a sustainable accessible location, sufficient to satisfy all policies. Other matters can be sufficiently addressed through conditions.
- 130 Contrary to this, local residents have raised concerns that too many units are proposed and that the degree of activity, disturbance and vehicles associated with the number of households would impact harmfully on the established character of the area, diminishing the quality of life.

- 131 It remains that the aims of policy CS21 *require* redevelopment of this sustainably located site to deliver an increased number of dwellings, so long as the scale, form and general appearance of the proposal do not harm the character of the locality. It is recognised that there are similar blocks of flats to the proposed nearby. The proposal would deliver new housing within an attractive building and well laid out site.
- 132 Policy CS21 also requires that new development “respects residents’ amenities”. The scheme has been amended and conditioned to secure a design that does not result in loss of privacy, sunlight or outlook; or cause overshadowing, to any habitable room in neighbouring dwellings. Where impacts exist, interface distances exceed minimums and/or conditions can adequately mitigate for residual impacts. Highways Officers do not consider there to be any highways safety issues resulting from the proposed access arrangements.
- 133 Sufficient mitigations have been proposed to address biodiversity impacts and adequately protect Species using the site, and these can be adequately secured by condition, satisfying polices and Habitat Regulations.
- 134 The proposal would deliver 13 dwellings in a sustainable location, compliant with policies of the local plan. Chapter 5 of the NPPF sets out the National aims to help deliver a sufficient supply of homes. Paragraph 62 of the NPPF discusses the need for a mixture of dwelling sizes, types and tenures to meet the needs of different groups in the community. Para 63 refers back to this as ‘*the objective of creating mixed and balanced communities*’. The proposal would diversify the mix of dwelling sizes, types and tenures and assist in delivering a mixed and balanced community.
- 135 The development would also invoke short and long term economic benefits in the form of construction jobs and by way of 11 additional households able to contribute to the local economy. The benefits of replacing the mediocre houses with a modern, attractive building that itself makes better use of the site would not hinder the delivery of a worthy hard/soft landscaping scheme to be secured by reserved matters condition.
- 136 So, factoring in the constraints of the site, neighbouring amenity and the need to balance Core Strategy policy aims against each other and the main aims of the NPPF - the proposed unit mix and density represents an appropriate provision achievable on this site; in a building having an acceptable scale, height, mass, and interface relationship with adjacent and surrounding buildings and street scene; and no severe impact on highway capacity or flow. All other matters can be addressed by condition. The benefits of the proposals and would align with Chapter 11 of the NPPF
- 137 With regard for the ‘tilted balance’ set out in paragraph 11(d) of the NPPF, and footnote no.7 and having considered the appropriate development plan policies and other material considerations and proposed conditions, it is considered that:
- a) the proposal would accord with the local Development Plan policies; and
 - b) the conditions securing biodiversity mitigations would sufficiently overcome any reason for refusing the proposal under paragraph 11(d)(i) of the NPPF so that ii(d)(i) does not apply; and
 - c) that Paragraph 11(d)(ii) does apply here, but the tilted balance is such that there are no harms that significantly or demonstrably outweigh the benefits of the scheme.
- 138 In conclusion, the proposals would deliver benefits comprising provision of new housing, as well as the economic, social and environmental objectives of sustainable

development. The proposal would satisfy the local plan policies and the provisions of the NPPF. The Development Plan Policies considered in reaching this decision are set out throughout this report.

Recommendation

- 139 It is recommended that this application be delegated to the Head of Planning to **Grant permission** subject to:

- a) the completion of a Section 106 agreement to secure the required financial contributions of £3,333 (+ 5% fee) towards Heathland Mitigation; and
- b) the conditions as set out below (and any amendments to those conditions as deemed necessary).

Conditions

- 1 Approved Plan Numbers
In Accordance with Approved Plans
Subject to any landscaping details approved as part of the landscaping reserved matters application as set out in condition 3 below, the development shall only be carried out in accordance with the following approved plans and details:
9632/100: Rev H - Site Plan (Red Line edged) & PROPOSED Block Plan
9632/101: Rev A – Floor Plans PROPOSED
9632/102: Rev B – Elevations PROPOSED
9632/103: Rev C – Street Scene & Cycle Store elevations PROPOSED
9632/104: Rev G – SUDs Indicative
9632/106: Bin Stores Indicative sketch views
GH22105 Rev 2a - Tree Constraints Plan
GH22105 Rev 2b - Tree Protection Plan

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

2. Time Limit
Reserved Matters Time Limit (3 years)
Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates:
- a) the expiration of three years from the date of this permission,
 - b) the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: This condition is required to be imposed by Section 92 of the Town and Country Planning Act, 1990.

3. Reserved Matters
Reserved Matters details (Landscaping)
Before any development is commenced approval shall be obtained from the Local Planning Authority with respect to the reserved matters, namely, the landscaping of the development.

The details submitted in respect of the Landscaping Reserved Matters should in particular include sufficient information and drawings to permit the LPA to assess and discharge the following matters:

- a) Hard landscaping materials/finish. To include: *Ground Surfacing materials for pedestrian, bin servicing, cycle and vehicular routes and circulation areas; Section and fall-ratio of any proposed ramps within the site, connection to highway footway and dropped kerbs outside the site, external fixtures, specific details (including layout and finish materials of external surfaces of the shared roadway to the rear parking areas) of the ground floor exteriors, including any pathway or patio associated with the duplex unit to the rear, and an oversized/bulky waste storage area within the frontage.*
- b) Soft landscaping. To include *Planting plans for the outdoor areas of the scheme including the site frontage and surface bin storage equipment area ; Schedule of plants suited to the environment (including at least one new frontage tree, 1 new tree to the rear, and native shrubs and planting which are ecologically beneficial to local wildlife; and an implementation timetable.*

None of the treatments or landscaping pertinent to (a) or (b) shall be planted or installed on site until the relevant details have been approved in writing by the LPA. After which:

- i) the hard landscaping elements shall be implemented in full, prior to first occupation of any of the units hereby permitted, in accordance with the details approved in part (a) of this condition; and
- ii) the soft landscaping shall be carried out in accordance with the approved details.

Reason: To ensure that the approved outline development proposes a coherent design of the land around the building and suitably landscaped amenity areas sufficient to address visual amenity, bat colony mitigations and to accord with Policy 4.25 of the Bournemouth District Wide Local Plan (February 2002) and Policies CS41 and CS30 of the Bournemouth Local Plan: Core Strategy (October 2012).

Pre-commencement Requirement

4

Noise

No development shall take place, including demolition and site clearance works, until a detailed acoustic report on the existing noise climate at the development site, and a scheme of mitigations as set out later in this condition has been submitted to and been approved in writing by the Local Planning Authority.

The report shall include a scheme of noise insulation measures for the proposed residential accommodation that have windows facing Belle Vue Road. The noise insulation measures shall be designed to achieve noise insulation to a standard that adverse amenity impact will not be caused to the occupiers of the residential accommodation by noise from road traffic.

The assessment report shall include 2no periods for daytime as 0700-2300 hours and 2no. for night-time as 2300-0700 hours, and identify appropriate noise mitigation measures. All residential units shall thereafter be designed so as not to exceed the noise criteria based on current figures by the World Health Authority Community Noise Guideline Values/BS8233 "good" conditions given below:

- Dwellings indoors in daytime: 35 dB LAeq,16 hours
- Inside bedrooms at night-time: 30 dB LAeq,8 hours (45 dB LAm_{ax})

- Outside bedrooms at night-time: 45 dB LAeq,8 hours (60 dB LAmax)

The noise assessment and report shall be carried out by a suitably qualified acoustic consultant/engineer and shall take into account the provisions of BS4142: 2014 "Method of rating industrial noise affecting mixed residential and industrial areas" and BS 8233: 2014 "Sound Insulation and Noise Insulation for Buildings - Code of Practice".

The approved scheme shall be implemented prior to the first occupation of any of the residential units hereby approved and be permanently maintained as agreed thereafter.

Reason: In order to safeguard the amenities of future occupiers of the noise sensitive development.

Dust Management Controls

- 5 No development shall take place, including demolition and site clearance works, until a detailed dust management plan for the control of dust and emissions arising from the demolition and construction of the development has been submitted in writing to the Local Planning Authority for approval. Once approved, all works which form part of the approved dust management plan shall be implemented throughout the construction and demolition phase of the development.

No activity hereby permitted shall cause dust to be emitted so as to adversely affect adjacent residential properties and/or other sensitive uses and/or the local environment. Should such an emission occur, the LPA shall be notified, and activity shall be immediately suspended and not recommenced until a revised dust management plan is submitted in writing to and approved in writing by the LPA.

Reason: To safeguard the amenities of occupiers of adjoining and nearby properties and in the interest of highway safety in accordance with Policies CS38 and CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

- 6 CEMP Construction environment management plan
No development shall take place, including demolition and site clearance works, until a construction management plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The CMP shall provide for:
 - 24 hour emergency contact number;
 - Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
 - Locations for loading/unloading and storage of plant, waste and construction materials;
 - Method of preventing mud being carried onto the highway;
 - Measures to protect vulnerable road users (cyclists and pedestrians)
 - Any necessary temporary traffic management measures;
 - Arrangements for turning vehicles;
 - Arrangements to receive abnormal loads or unusually large vehicles;
 - Methods of communicating the Construction Environment Management Plan to staff, visitors and neighbouring residents and businesses;

The approved Construction Management Plan shall be adhered to throughout the demolition and construction period.

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 Surface Water Drainage (SuDS)

Notwithstanding the indicative details shown on drawing 9449/104: Rev B; No development shall take place, excluding demolition and site clearance works, until a scheme for the whole site providing for the disposal of surface water run-off and incorporating sustainable urban drainage systems (SUDS), has been submitted for approval in writing to the Local Planning Authority. The scheme shall in particular include the following:

- a) A surface water drainage strategy report/statement produced in accordance with national and local policies, including supporting information and agreements in principle, if appropriate.
- b) Area characteristic assessment plans for both pre- and post-development scenarios. These plans should clearly show red line boundary, areas types (e.g. impermeable surface, soft landscaping), and corresponding gross area values.
- c) Drainage layout plan showing the contributing impermeable catchment areas, drainage assets, the location of SuDS features, conveyance paths, surface water point(s) of discharge, storage and treatment areas.
- d) Surface water drainage calculations which must include an assessment of the pre-development scenario runoff rates (i.e. greenfield or brownfield), post-development runoff rates for the 1:1, 1:30 and 1:100+40% climate change together with the proposed storage requirements and attenuation features;
- e) a management and maintenance plan for the lifetime of the development that secures the operation of the approved [surface water] drainage scheme throughout this time; and
- f) A timetable for implementation of the approved drainage scheme.

No installation or instatement of the details shall be undertaken until approval is given for them, in writing, by the Local Planning Authority.

The drainage works shall be completed in accordance with approved details in accordance the agreed timetable (f).

Thereafter the approved drainage works shall at all times be retained and also managed and maintained in accordance with the approved management and maintenance plan (e).

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.

Ground Levels

- 8 Prior to the commencement of any below ground development, a plan indicating the finished site levels above Ordnance Datum of the buildings hereby approved, and the finished site levels shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be completed in accordance with these approved details.

Reason: To ensure that the development relates satisfactorily to its surroundings in the interests of visual amenity and in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

- 9 Tree Root protection (Specialist No Dig surfacing)
Prior to the commencement of any below ground development, a written submission including plans, providing full details for the specialist no-dig surfacing proposed within the root protection area of Tree no. T6 (as identified on approved drawings) shall be submitted to the Local Planning Authority in writing for approval. The details shall contain technical specifications from an engineer or supplier of the system. Once approved, the development shall proceed, making use of the agreed surfacing in the location specified within the documents discharging this condition. The development shall then be completed in accordance with these approved details.

Reason: To ensure that the development relates satisfactorily to its surroundings in the interests of visual amenity and in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

- 10 During Construction
Construction Hours / Delivery & Dispatch of Materials
No site machinery or plant shall be operated, no process shall be carried out and no demolition or construction related deliveries received or dispatched from the site except between the hours of:
08.00 and 18.00hrs Monday to Friday and
08.00 to 13.00hrs Saturday
and at no time on Sundays, Bank or Public Holidays.

Reason: To ensure satisfactory control of the construction process, to maintain the free flow of the public network, and to avoid harm to neighbouring amenity in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

- 11 Tree Protection / Arb Method Statement
No part of the development hereby permitted shall be commenced, including any site clearance, the digging of any trenches and the bringing on to the application site of any equipment, materials and machinery for use in connection with the implementation of the development save as is necessary for the purposes of this condition, unless all barriers and ground protection for the purposes of any retained tree have first been provided in accordance with the details contained in the Tree Protection Plan (no. GH22105 Rev 2b. dated 14.01.2023) and arboricultural method statement (ref. GH22105 Rev 02f, dated 03.05.2023 and authored by Gwydion's Tree Consultancy) ("the Approved Tree Protection Measures"). The Approved Tree Protection Measures shall thereafter be retained until both the development has been substantially completed and all equipment, machinery and surplus materials relating to the construction of the development have been removed from the site, unless an alternative time is provided for in the Approved Tree Protection Measures.

Within the areas secured by the Approved Tree Protection Measures, until such time as the Approved Tree Protection Measures have all been removed, nothing shall be stored or placed in any area secured by any part of the Approved Tree Protection Measures nor shall the ground levels within those areas be altered or any excavation made without the written consent of the local planning authority.

In this condition “retained tree” means an existing tree which is to be retained in accordance with the approved plans and particulars

Reason: To ensure that trees and other vegetation to be retained are not damaged during construction works and to accord with Policy 4.25 of the Bournemouth District Wide Local Plan (February 2002).

12 Reporting of Unexpected Contamination

In the event that any contamination, which has not previously been reported to the local planning authority as part of the planning application to which this permission relates, is found during the implementation of the development hereby permitted then this shall be reported without any unreasonable delay (and in any event within [2] working days) to the local planning authority and furthermore no work on any part of the application site shall be carried out at any time after the contamination has been found save as provided for in this condition (or as otherwise agreed in writing by the local planning authority) unless a risk assessment has been carried out, submitted to and approved in writing by the local planning authority and either:

(a) the local planning authority has confirmed in writing that work can recommence without any further action; or

(b)

(i) a detailed remediation scheme(s) in relating to that identified contamination which include:

- an appraisal of remediation options;
- identification of the preferred option(s);
- the proposed remediation objectives and remediation criteria;
- a description and programme of the works to be undertaken; and
- a verification plan which sets out the measures that will be undertaken to confirm that the approved remediation scheme has achieved its objectives and remediation criteria;

has been submitted to and approved in writing by the local planning authority and thereafter fully implemented in accordance with the approved scheme(s); and

(ii) a verification report(s) which identify the results of the verification plan and confirms whether all the contamination objectives and remediation criteria set out in the relevant approved remediation scheme(s) have been met has been submitted to and approved in writing by the local planning authority; and

(iii) there has been submitted to and approved in writing by the local planning authority a verification report which confirms that all the objectives and remediation criteria of the approved remediation scheme to which it relates have been met.

All schemes, reports and other documents required for the purposes of this condition shall include the qualifications and experience of the person(s) who produced them sufficient to demonstrate their competence.

Reason: To ensure that the development is carried out safely in the public interest and in accordance with best practice and with Policy 3.20 of the Bournemouth District Wide Local Plan (February 2002).

Within set time of commencement

13 Finish Materials

Prior to the erection of any above damp proof course level, details of the proposed finish exterior materials to be applied to glazing, walls, roof areas, doors, including any colour finish and texture shall be submitted to and approved in writing by the Local Planning Authority. The details shall include information sufficient to satisfy the requirements of Biodiversity Condition no.20.

No installation or instatement of the details shall be undertaken until approval is given for them, in writing, by the Local Planning Authority. The development shall then be completed in accordance with the details approved by this condition, prior to the first occupation of any of the residential units hereby permitted.

Reason: To ensure a satisfactory visual relationship between the existing and the new development in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

14 Boundary Treatment (Location & Type):

Within 4 months of the date of commencement of the development, details of the proposed boundary treatment shall be submitted in writing to the Local Planning Authority for approval. Details shall include a plan showing: the positions, height, design, and materials, having regard for the root protection areas shown on the approved tree protection plan (no. GH22105 Rev 2b. dated 14.01.2022).

All means of site enclosure shall include provision for 1no. hedgehog gap at ground level (15cm by 13cm) within every 10m distance of the means of enclosure.

Once approved, the boundary treatment scheme shall be implemented in full prior to first occupation of any of the dwellings hereby permitted and permanently retained and maintained for the lifetime of the development.

Reason: To secure well-planned development, in the interests of amenity and privacy assist wildlife and to safeguard the visual amenities of the locality and in accordance with Policies CS30 and CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

15 Climate Change Mitigation

Within 4 months of the date of commencement of the development, full details of any sustainability mitigations for the site, including solar panel specification and dimensions upon the roof areas shall be submitted to the Local Planning Authority in writing for approval. Details shall set out how at least 10% of the energy to be used in the development shall come from decentralised and renewable or low carbon sources. No installation or instatement of the details shall be undertaken until approval is given for them, in writing, by the Local Planning Authority. The equipment shall then be installed in accordance with the details approved by this condition before the first occupation of any of the dwellings hereby approved.

Reason: To ensure a satisfactory visual relationship with the new and surrounding development in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

- 16 Servicing & Waste Management Plan
Within 4 months of the commencement of development a Servicing Management Plan, incorporating a Waste Management Plan (CWMP) for the dwellings hereby approved shall be submitted to the Local Planning Authority in writing for approval. The plan shall include
- a) details of how the building is to be serviced and the waste collected from the approved bin stores and moved to the collection day dwell space at the end of the service path, including a weekly timetable with hours;
 - b) sufficient arrangements to prevent any bins or waste from being stored within the bin collection point other than on the collection day the bins are due to be collected, commencing four hours before collection is due and returned to basement bin store within 6 hours;
 - c) Technical details of the hydraulic plant and electronic control systems, including manufacturer, model, operational specifications, load capacities;
 - d) A programmed maintenance schedule for the hydraulic plant, electronic control systems and underground chamber, detailing scope of maintenance actions and frequency of inspections; and
 - e) details of an agreed back-up Waste Management Plan to handle the storage, management and collection of waste in the event of a partial / total hydraulic/mechanical/electrical failure on site (eg pre-agreed private collection contract);

No instatement of the details shall be undertaken until approval is given for them, in writing, by the Local Planning Authority. None of the dwellings hereby approved shall be first occupied until the servicing and waste management plan has been approved and implemented AND any dropped kerbing, path widening and demarcation approved by way of Landscaping Condition no.3(a) has also been fully implemented on site in accordance with that condition. The approved details within sections (a), (b), (c), (d) of this condition shall remain complied with at all times while the building is occupied by any residents.

In the event of a hydraulic, mechanical or other failure of the waste storage systems on site the approved backup plan detailed within section (e) shall be implemented within 24 hours of the breakdown being identified and both the Local Planning Authority and Local Waste Combined Authority notified in writing on the first working day after the breakdown is identified.

Reason: To ensure that the business meets its duty under Environmental Protection Act 1990 (section 34) to have suitable commercial waste agreement in place, guidance relating to capacity is based on Waste management in buildings — Code of practice BS 5906:2005, also the safe servicing and collection of refuse from the site so as not to impact the efficiency of the local highway network nor the safety of its users and in the interests of preserving visual amenities, meeting the needs of intended occupiers and highway safety and in accordance with Policy CS41 adopted October 2012

- 17 Redundant Dropped kerbs expunged
Within 4 months of the commencement of development plans and a written specification shall be submitted to the Local Planning Authority for approval setting out the intended reconfiguration of the public footway outside the site to:
- remove dropped kerb crossovers across the footway which are redundant and reinstate standard footway; and

- retain or modify a dropped kerb crossover and lowered footway necessary to enable the wheeled waste bins to be moved from within the site to the roadway within the service parameters of adopted Waste Management guidance having regard for the position of pedestrian access points to the site and the location of the below ground waste containers and service routes set out on the approved drawing nos. 9632/100: Rev H and 9632/106, as informed by the discharge of condition no.16 of this permission.

Once approved in writing, the works shall be undertaken in agreement with the Local Highways Authority, at the applicant's expense before any of the dwellings hereby approved are first occupied. (see informative)

Reason: To ensure the proper and appropriate reinstatement of the adjacent highway in accordance with adopted policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012) and Adopted BCP Parking Standards SPD (Jan 2021).

18 Car Parking / Turning Space / Walkway Provision

- (a) Within 4 months of the commencement of the development, details demonstrating which space(s) is/are to be laid out and demarcated as disability / accessible space(s), shall be submitted to the Local Planning Authority in writing for approval. No demarcation of the spaces shall be undertaken until approval is given for the arrangement, in writing, by the Local Planning Authority.
- (b) Prior to the first occupation of any of the residential units hereby approved, the vehicle parking spaces, turning areas and pedestrian walkways shall be constructed, laid out and demarcated in accordance with the approved drawing 9632/100 Rev H and as augmented by part (a) of this condition and Reserved Matters condition no.3(a). The turning and car parking spaces shall be made available for the residents of the development and those persons visiting residents of the development, and shall remain unallocated to any specific resident or residence for the lifetime of the development by way of the details approved by this condition.

Reason: In the interests of highway safety and in accordance with Policies CS14 and CS16 of the Bournemouth Local Plan: Core Strategy (October 2012) and Adopted BCP Parking Standards SPD (Jan 2021).

19 Cycle Parking Provision

Within 4 months of the commencement of the development, details of the internal layout of the proposed 20-cycle store, and outdoor visitor cycle spaces shall be submitted to the Local Planning Authority in writing for approval. Details shall include:

- a) specification and product details for the stands to be used within the store shown on the approved drawing nos. 9632/100 Rev H and 9632/103 Rev C; and
- b) specification and product details for the external visitor stand,

No installation or instatement of the stand details shall be undertaken until approval is given for them, in writing, by the Local Planning Authority. The approved cycle store building depicted on drawing nos. 9632/100 Rev H and 9632/103 Rev C, and the details approved by way of parts (a) and (b) of this condition shall be implemented in full on site prior to the first occupation of any of the dwellings hereby approved. The cycle store and stands, shall thereafter be retained, maintained in full working order and kept available for the residents/visitors of the development for the lifetime of the development.

Reason: To ensure the proper construction of the parking facilities and to encourage the use of sustainable transport modes in accordance with Policy CS17 of the Bournemouth Local Plan Core Strategy (October 2012).

20 Electric Vehicle Charging Points

Within 4 months of the commencement of the development details of the provision of 3no. Active Electric Vehicle charging Points shown on drawing 9632/100 Rev H, and associated infrastructure shall be submitted to the Local Planning Authority in writing for approval. Those technical details shall be in accordance with the BCP Council Parking Standards SPD (2021).

No installation or instatement of the details shall be undertaken until approval is given for them, in writing, by the Local Planning Authority. The approved details shall be implemented and brought into operation prior to the first occupation of any of the dwellings hereby approved. Thereafter the Electric Vehicle Charging Points shall be permanently retained available for use at all times.

Reason: To ensure the proper construction of the parking facilities and to encourage the use of sustainable transport modes in accordance with Policy CS17 of the Bournemouth Local Plan Core Strategy (October 2012).

Prior to first Occupation of any unit (and retained for lifetime of development)

21 Pedestrian inter-visibility splays

Prior to occupation of any of the dwellings hereby permitted the pedestrian visibility splays within the site and vehicular access along the boundary with 261 Belle Vue Road, as shown on the approved plan (9632/100: Rev H) shall be cleared of all obstructions over 0.6m in height above ground level and no fence, wall or other obstruction to visibility over 0.6m in height shall be erected within the area of the splay at any time, and the roadway within the site shall be finished in bonded porous material.

Reason: In the interests of highway safety and in accordance with policies CS16 and CS41 of the Bournemouth Local Plan Core Strategy (October 2012).

22 Biodiversity Enhancement Mitigation

Before any of the dwellings hereby approved is first occupied, the mitigation and enhancement as specified in Section 5 and appendix 5 of 'Ecological Assessment Report 257-259 Belle Vue Road, Bournemouth, Dorset' by ABR Ecology Ltd shall be implemented on the site in full in accordance with the timescales set out within that report.

All approved mitigations shall be maintained and retained in situ for the lifetime of the development.

Planks shall be left in foundation trenching overnight and at weekends to permit the escape of hedgehogs and other animals during construction work.

Reason: To ensure the development contributes to and enhances the natural and local environment by minimising impacts on and providing net gains for biodiversity in accordance with Policy CS30 of the Adopted Core Strategy (2012) and the aims of the National Planning Policy Framework (2021)

23 Lighting

Before the development hereby approved reaches first floor level above ground level, a scheme for external lighting across the site shall be submitted to the Local Planning

Authority in writing for approval. Details shall include a scaled site plan, with relevant elevations/sections through the site, showing:

- a) where all external lighting proposed, including height, direction, degree of luminosity expressed in candelas;

For the purposes of any submission, plans submitted in respect of part (a) of this conditions shall be annotated to repeat, and be in accordance with, the following specifications:

- i) Any overnight security lighting that is to be provided to building entrances and pathways shall be operated only by PIR sensor and extinguish by timer after a maximum of 3 minutes of no activity;
- ii) Any lighting installed to the exterior of the building or within the site (including that operated by the PIR) shall point downwards at an angle of no more than 30 degrees perpendicular from a point above the ground, and not be mounted higher than 4m above the adjacent ground level;
- iii) No external light shall at any time be directed towards any neighbouring residential windows within or outside the site;
- iv) A timer shall regulate all external lighting on the site between the hours of 23.00h and 06.00h each night so that it remains extinguished unless activated by the PIR sensor.

The approved lighting scheme shall then be installed prior to the first occupation of any of the dwellings hereby approved and thereafter at all times retained and maintained as approved in full working order.

Reason: In the interest of neighboring amenity and, in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

Always Relevant

- 24 **Obscure Glazing (windows) Flats 1 and 2**
Prior to the first occupation of ground floor flat nos.1 and 2 (marked on approved plan no 9362/101 Rev A) hereby approved, the lower portions of the ground floor windows within the north-eastern side and south-eastern rear facing external elevation, lighting bedrooms within flat nos. 1 and 2, and shown on the same approved floor plan as above and elevation drawing (9362/102 Rev B), shall be fitted with obscure glazing up to a point at least 1.7m above internal finished floor level; to Pilkington Level 3 obscuration or above (or the nearest equivalent standard) and shall be permanently retained as such. The portion above this point does not need to be obscured.

Reason: To protect the amenity and privacy of future residents from passing pedestrians in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

- 25 **Obscure Glazing (windows) Flats 3 and 4**
Prior to the first occupation of ground floor flat nos.3 and 4 (marked on approved plan no 9362/101 Rev A) hereby approved, the lower portions of the ground floor windows within the south-western side and south-eastern rear facing external elevation, lighting bedrooms within flat nos. 3 and 4, and shown on the same approved floor plan as above and elevation drawing (9362/102 Rev B), shall be fitted with obscure glazing up to a point at least 1.7m above internal finished floor level; to Pilkington Level 3 obscuration or above (or the nearest equivalent standard) and shall be permanently retained as such. The portion above this point does not need to be obscured.

Reason: To protect the amenity and privacy of future residents from passing pedestrians in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

- 26 Removal of PD Rights (self contained duplex house to rear)
Notwithstanding the provisions of [Part 1 or] Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any order revoking and re-enacting that order with or without modification no extensions including porches, roof extensions, dormers; outbuildings or swimming pools; or insertion of any additional windows at ground for first floor or roof level site shall be added to the components comprising the self-contained dwellinghouse, nor within the demesne of its domestic curtilage.

Reason: To protect the amenity and privacy of adjacent residents, to require further assessment by way of a planning application and to accord with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

- 27 No gates
Notwithstanding the provisions of [Part 1 or] Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any order revoking and re-enacting that order with or without modification no pedestrian or vehicular entrance gates to the application site shall be provided.

Reason: To ensure the free and easy movement of vehicles through the access and to prevent any likely interruption to the free flow of traffic on the adjacent public highway and in accordance with policies CS16 and CS41 of the Bournemouth Local Plan Core Strategy (October 2012).

Informatives

Ecology

Bats

INFORMATIVE NOTE: Bats remain a European protected species. If bats are found during demolition, all work shall cease and if possible, part of structure that was removed and exposed bats, shall put back into place. Within the 24 hours that follow discovery, a bat ecologist shall be engaged to address situation and Natural England informed in writing.

Bird nesting months

INFORMATIVE NOTE: To safeguard the active nests of all wild birds which in England are protected under the Wildlife & Countryside Act 1981, all work to trees and/or hedgerows on the site shall be carried out outside of the bird nesting season which runs from March to August inclusive.

Highways

No Storage of Materials on Footway/Highway

INFORMATIVE NOTE: The applicant is advised that there should be no storage of any equipment, machinery or materials on the footway/highway including verges and/or shrub borders or beneath the crown spread of Council owned trees.

Surface Water/Loose Material

INFORMATIVE NOTE: The applicant is advised that in order to avoid contravention of highways legislation, provision shall be made in the design of the access/drive to ensure that no surface water or loose material drains/spills directly from the site onto the highway.

Crossover Reinstatement

INFORMATIVE NOTE: The vehicle crossing serving this proposal (that is, the area of highway land between the nearside carriageway edge and the site's road boundary) must be constructed and reinstated to the specification of the Highway Authority in order to comply with Section 184 of the Highways Act 1980. The applicant should contact BCP Highways by email at highways.highways@bcpcouncil.gov.uk, or in writing at BCP Highways, Town Hall Annexe, St Stephens Road, Bournemouth, BH2 6EA, before the commencement of any works on or adjacent to the public highway.

Contamination

Building Fabric (Asbestos)

INFORMATIVE NOTE: The grant of planning permission does not remove the separate legal requirements for the safe removal and disposal of any asbestos within the existing buildings during demolition which are subject to separate Environmental Health legislation and related controls outside the planning system.

Climate Change Mitigation

INFORMATIVE NOTE: Roof faces are capable of hosting PV solar panel arrays, connected to internal storage batteries serving the development. Green roofs and walls (planting such as sedum) should also be incorporated above the cycle store building to assist in reducing speed of rainwater runoff the SUDS system has to handle. Grey water recovery systems can also complement on site efforts to counter climate change and are best designed in rather than retrofitted.

Where expanses of flat roofs are proposed with no planting or PV equipment, white colour finishes should be used on horizontal surfaces to assist in reducing the localised temperature within the building and on the site. Sustainably sourced construction materials should also be considered. Internal lighting within communal bin and cycle parking stores should be powered from renewable sources and operated by PIR to avoid wastage when not needed.

Permeable paving products made from recycled materials could be utilised on any hard surface landscaping proposed. No outdoor clothes drying space is set out, but space exists on balconies/terraces and the LPA encourages the use of flexible and lenient tenancy and leasehold agreements that do not preclude this functionality as it would prevent the flats from being reliant upon tumble dryers and radiators in perpetuity.

Statement required by National Planning Policy Framework

In accordance with paragraph 38 of the revised NPPF the Council takes a positive and proactive approach to development proposals focused on solutions. The Council work with applicants/agents in a positive and proactive manner by: offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions. In this instance the applicant did not seek pre-application advice, but the submission resulted from a review of the previous 2008 appeal decision to allow. The proposal was amended following feedback from statutory consultees and the planning service and is recommended for approval.

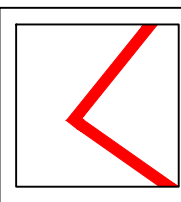
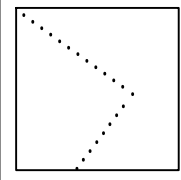
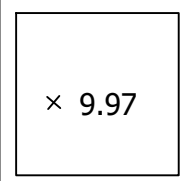
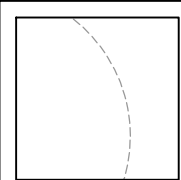
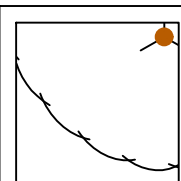
Background Documents

For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.

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7. Accidental waterproofing specialists (or similar company with relevant PI Insurance) to be instructed and detail all basement waterproofing designs. - ARC carry no responsibility or PI cover for basement designs in terms of waterproofing or structure in any way.
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LEGEND

-  SITE BOUNDARY
-  EXISTING BUILDING TO BE DEMOLISHED
-  EXISTING LEVELS
x 9.97
-  EXISTING TREES TO BE REMOVED
-  EXISTING TREES TO BE RETAINED

10m @ 1:100

SCHEDULE

SITE AREA: 0.1074 HECTARES / 0.265 ACRES
7 X 2 BEDROOM UNITS & 6 X 1 BEDROOM UNITS
6 X PARKING SPACES
20 X RESIDENTS CYCLE SPACES
2 X VISITOR CYCLE SPACES
GIA = 848.8 SQ.M

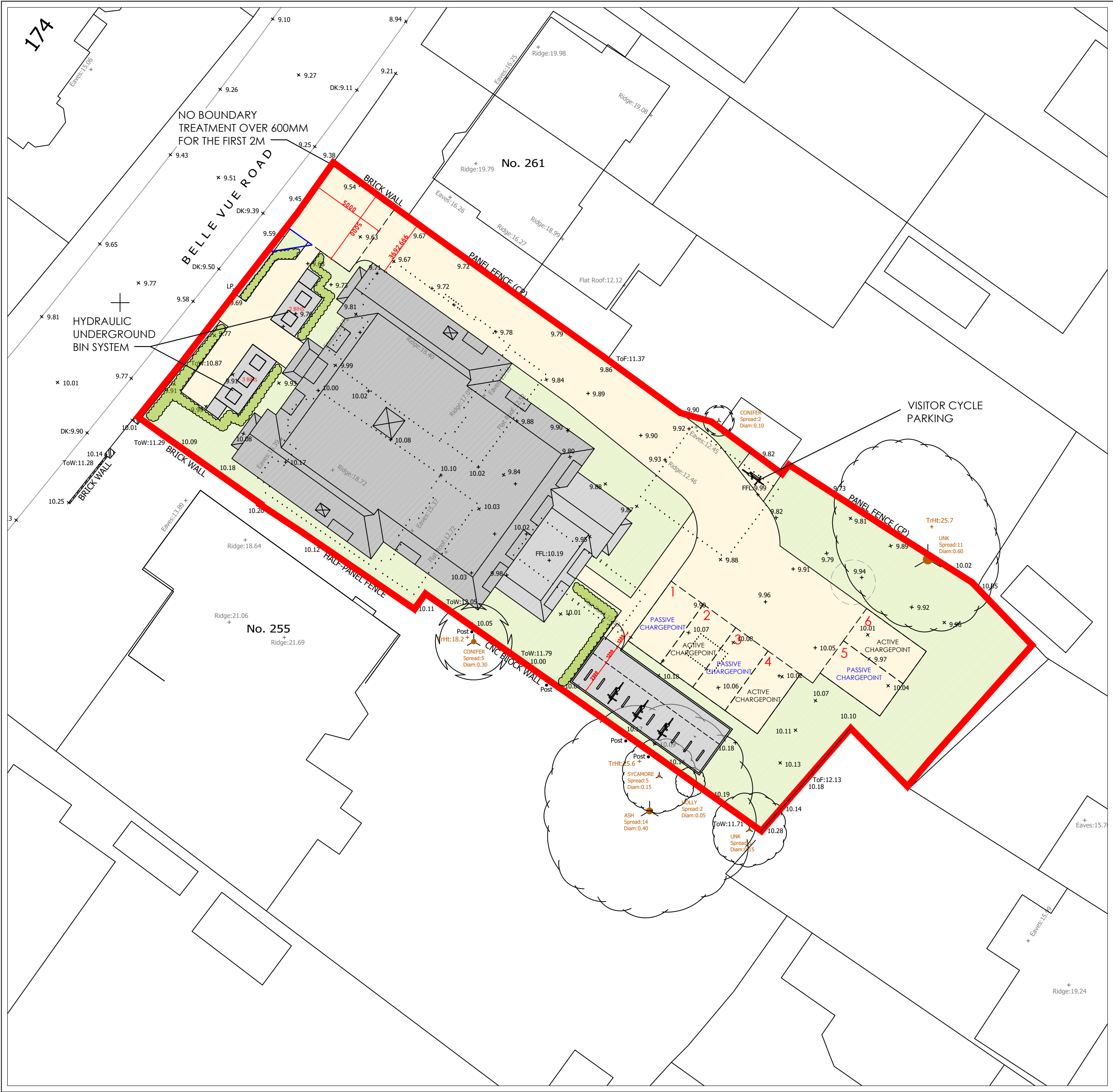
H	SITE PLAN UPDATED	26/04/23	JA
G	BOUNDARY REVISED	10/01/23	GR
F	BOUNDARY REVISED	05/01/23	GR
E	CYCLE STORE MOVED	03/11/22	GR
D	PARKING & BIN SYSTEM REVISED	01/11/22	GR
C	PARKING REVISED	15/09/22	GR
B	PARKING REVISED	12/09/22	GR
A	SITE PLAN UPDATED	31/08/22	GR

No.	Revision.	date	by
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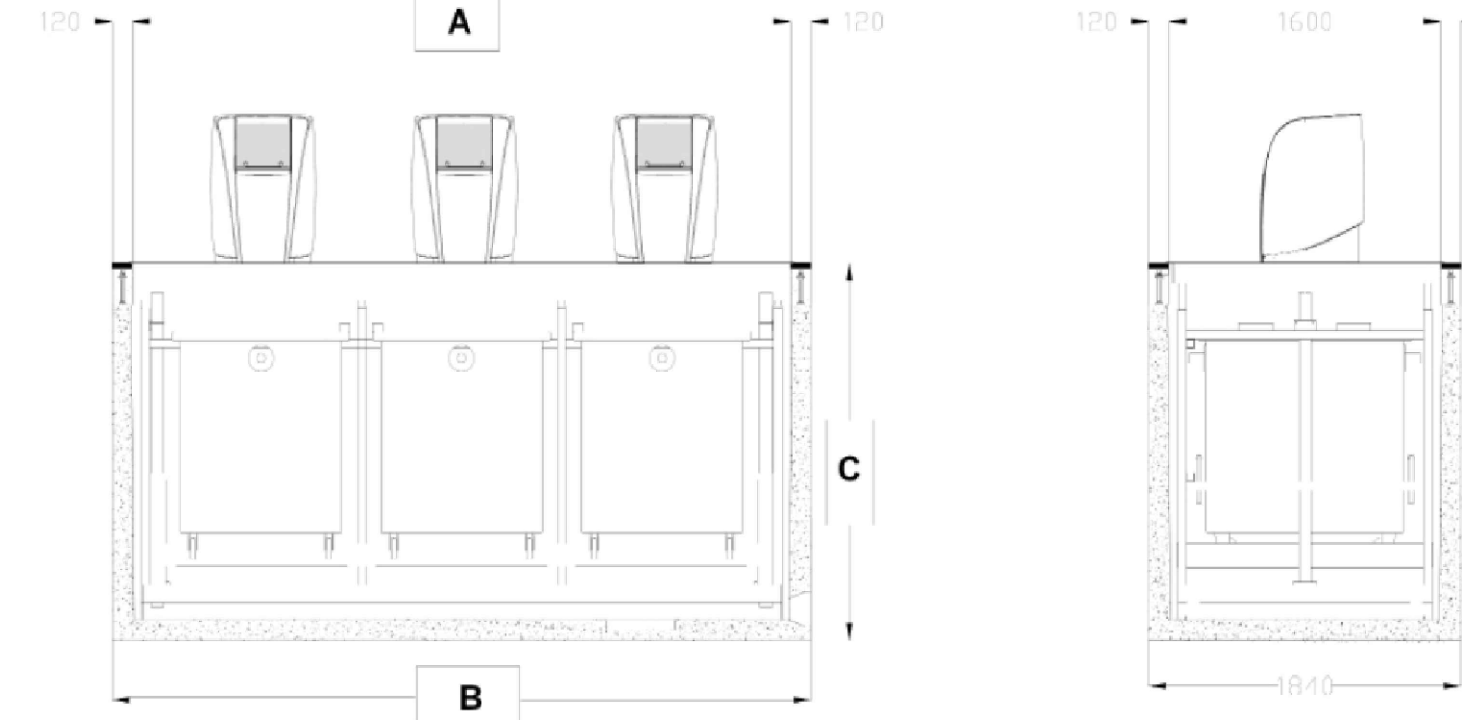
PROPOSED DEVELOPMENT
257 - 259 BELLE VUE ROAD
BOURNEMOUTH
BH6 3BD

SITE, BLOCK, LOCATION PLANS & DRA

scale	AS SHOWN @ A1	checked	//
date	AUG 2022	drawn	GR
9632 / 100			
A B C D E F G			
H			



SITE PLAN
SCALE 1:200
BASED ON TOPO SURVEY
PLEASE NOTE DISCREPANCY BETWEEN TOPO & O.S



HYDRAULIC UNDERGROUND BIN SYSTEM

DESIGNERS RISK ASSESSMENT

Building Products and Construction Execution Hazards

The design team have highlighted unusual and significant risks only that may not be obvious to a competent contractor. They are to assist with risk reduction only and are not necessarily comprehensive. It is assumed that all works will be carried out by a competent contractor following good site management, site practice procedures, to an approved method statement (where appropriate) and in accordance with HSE guidance.

The proposed works are designed on a well established method of construction which can be carried out by a competent contractor. However, should the contractor find any area of concern he must inform the designer in order that appropriate action can be taken.

For significant hazards specific to this project see the following:

GENERAL NOTES:

- Principal Contractor to provide method statements for the safe working practice for: demolition, excavations, cutting of materials, support of adjacent structures, protecting personnel, neighbours & the public, working at height including crash bags & fall restraint systems.
- Principal Contractor to ensure Temporary Works Designer and Coordinator appointed for all propping works for structural alterations of existing building, including temporary guardrail and edge protection around voids and stairwells.
- This Designers Risk Assessment should be passed on to the Appointed Principal Designers and or Principal Contractor carrying out the next phase of works on this site.

INFORMATION

CDM - PRE-CONSTRUCTION INFO FROM CLIENT

CDM Information requested from client:
1) Topographical Survey

Outstanding CDM information remains as residual risk, please request ARC appendix C for full list requested.

DESIGN INFORMATION

Further design info to be provided at subsequent stages of design / building regulations process

MAINTENANCE RISKS

*** Maintenance to be undertaken by specialist using specialist equipment, e.g. permanent 950mm guarding / scaffolding / appropriately designed and installed man safe system by specialist designer.

ACCESS TO AOV'S CHANGING LIGHT BULBS

No lighting or electrical fixtures or fittings to be positioned above or close to double height space, where possible. Parapets and valleys to be accessed when required via scaffolding - to be assembled by a specialist.

CONSTRUCTION RISKS

* Safe construction method to be considered by Principal Contractor within Construction Phase Plan, pre-construction works starting on site.

- PROPOSED BUILDING IN CLOSE PROXIMITY TO BOUNDARY
- WORKING AT HEIGHT
- CONSTRUCTION ACCESS
- PROXIMITY TO HIGHWAYS / FOOTPATHS
- LARGE / HEAVY GLAZING UNITS

PLACEMENT OF SUDS

When positioning heavy machinery - The layout of the proposed SUDS plan should be considered by the Principal Contractor during the construction phase plan

PLACEMENT OF ROOF FEATURES (SOLAR PANELS / AOV'S / PLANT ETC)

Positioning of roof features to be as remote from edge of building as possible

FLAT ROOF ACCESS

Roof access for construction to be undertaken by specialist using specialist equipment, e.g. scaffolding, appropriately designed and installed man safe system by specialist designer.

PROXIMITY TO OVERHEAD SERVICES

Mitigation / Diversion to be considered by Principal Contractor within Construction Phase Plan, pre-construction works starting on site.

ROOFLIGHT SPECIFICATION

To be designed by specialist supplier to be structurally sound (where roof access is required), and to incorporate self cleaning glass

CLOSE PROXIMITY TO TREES

Any required remedial work to trees for example - low hanging branches or rotting and unstable branches, to be evaluated and undertaken prior to construction commencing.

ARBORICULTURAL METHOD STATEMENT

There is an approved arboricultural method statement for this project that must be followed

UNKNOWN UNDERGROUND SERVICES

Location and nature of all existing underground services to be ascertained and mitigation / plan of works to be devised by specialist prior to commencement.

IN - USE RISKS

FLOOD RISK

SUDS plan to be designed at building regulations phase to provide excess surface water drainage

GAS PRESENCE

Potential for presence of Gas (various types) to be investigated. If present, specialist to provide design to negate.

INTERNAL GUARDING

To be provided at regs stage where window cills fall below 800mm

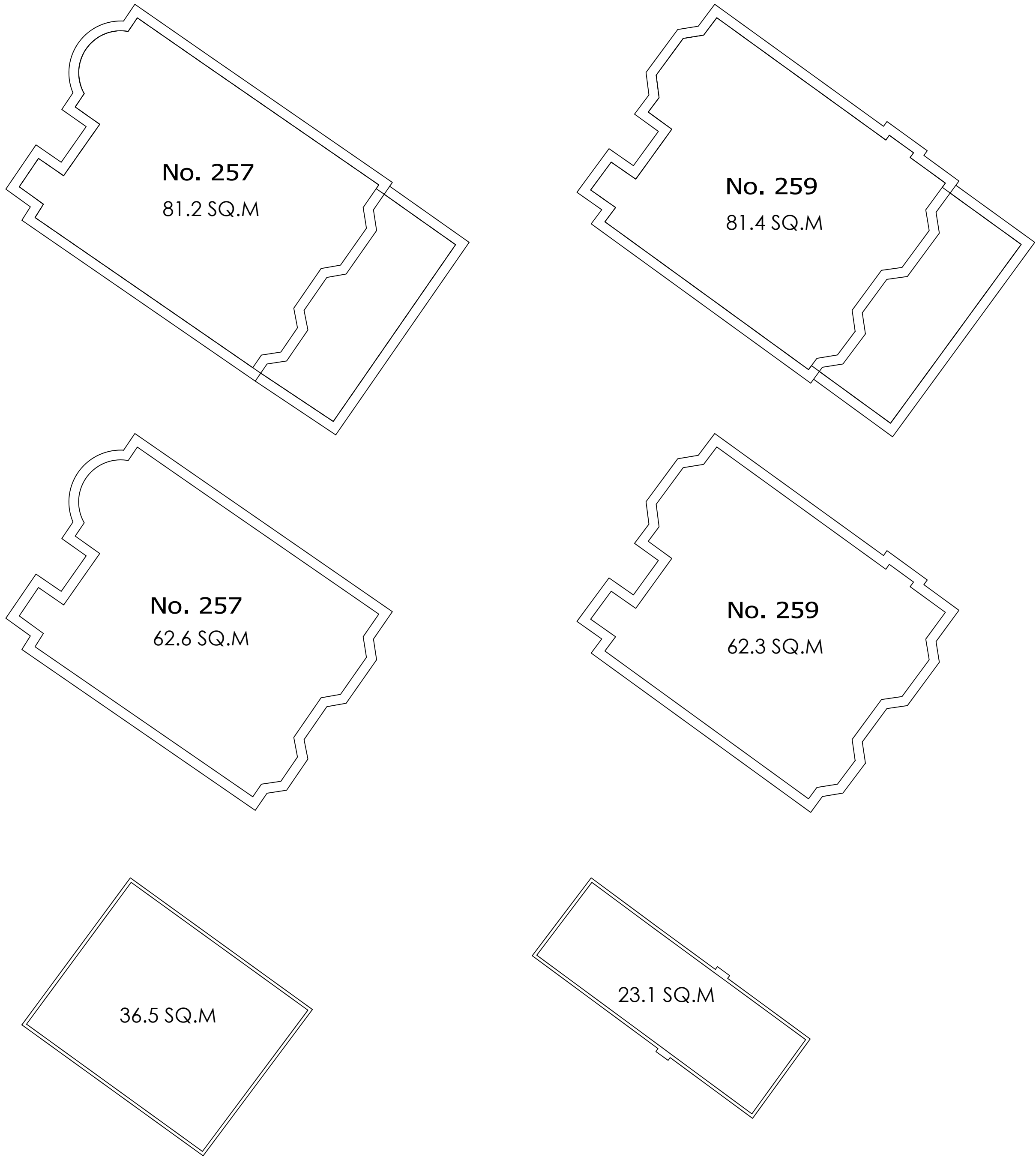
DEMOLITION RISKS

REFURBISHMENT AND DEMOLITION SURVEY

Hazardous material survey to undertaken prior to any on site works commencing - including stripping out.

TREE REMOVAL

Tree removal/trimming works to undertaken prior to any on building works commencing by approved arboricultural surgeon. Waste to be removed from site responsibly.



EXISTING PLANS
SCALE 1:100

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10m @ 1:100

EXISTING GIA = 347.1 SQ.M

No.	Revision.	date	by
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PROPOSED DEVELOPMENT
257 - 259 BELLE VUE ROAD
BOURNEMOUTH
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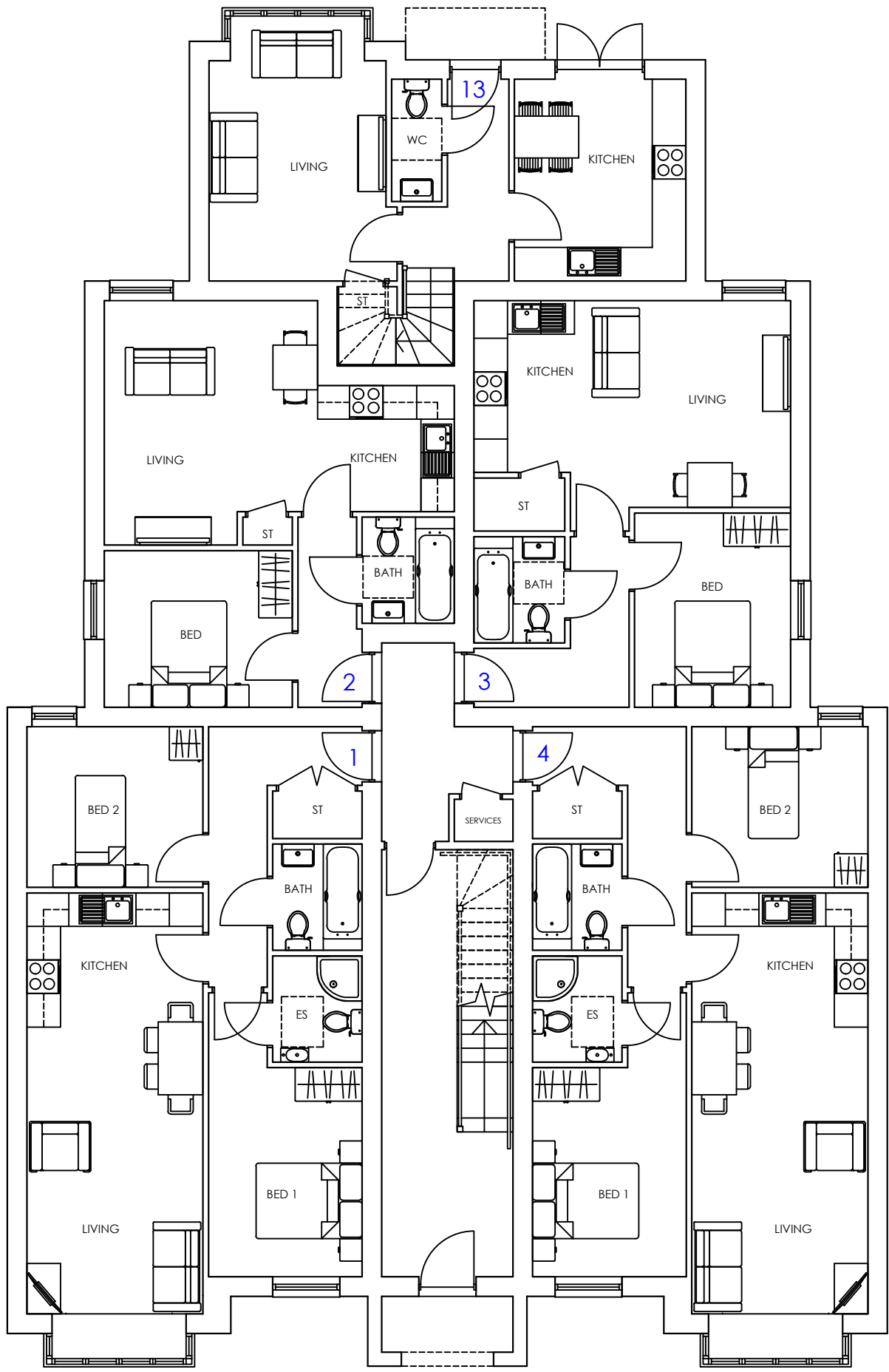
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date	AUG 2022	drawn	GR

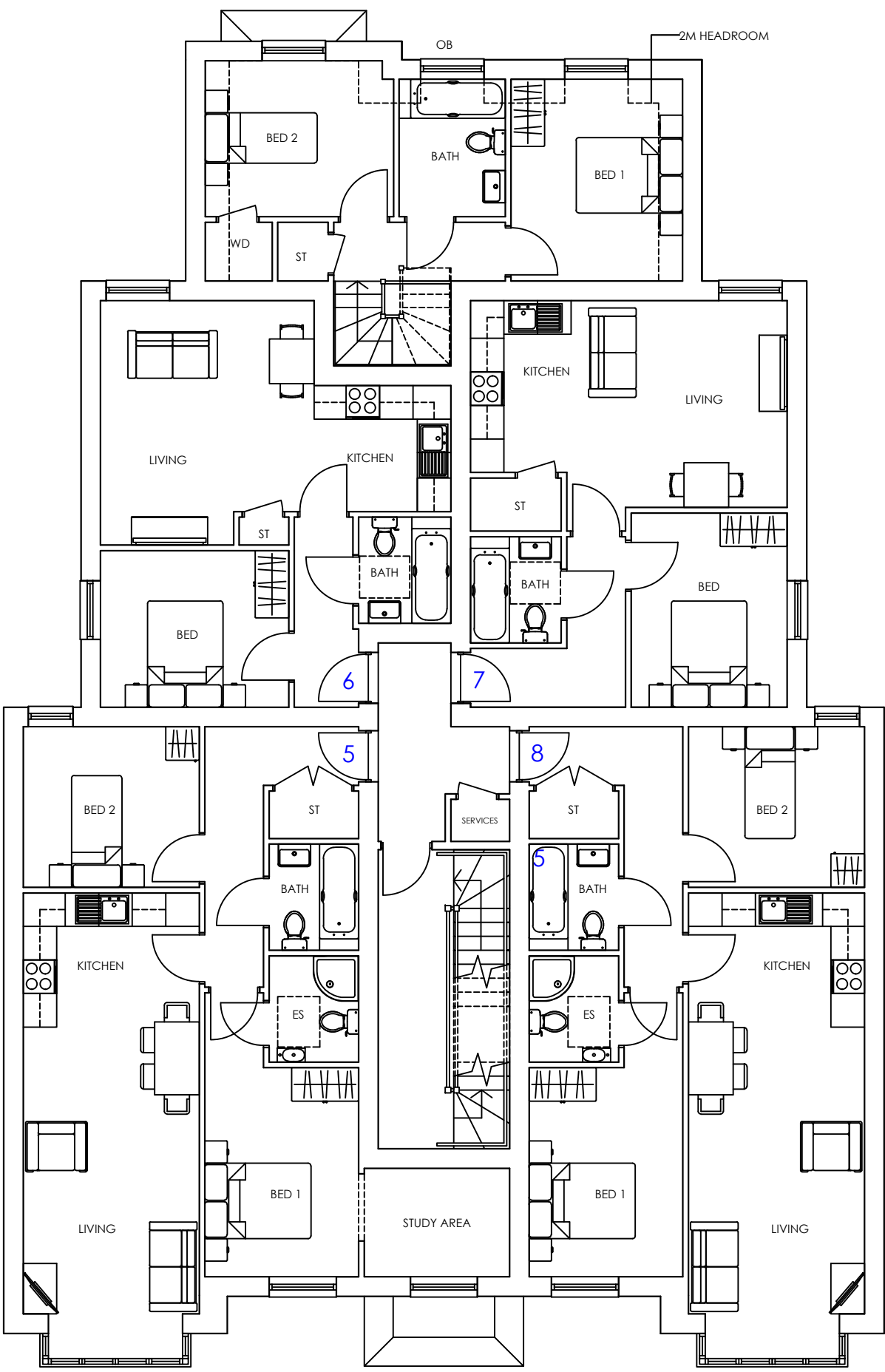
9632 / 105

ARC Architecture Ltd.

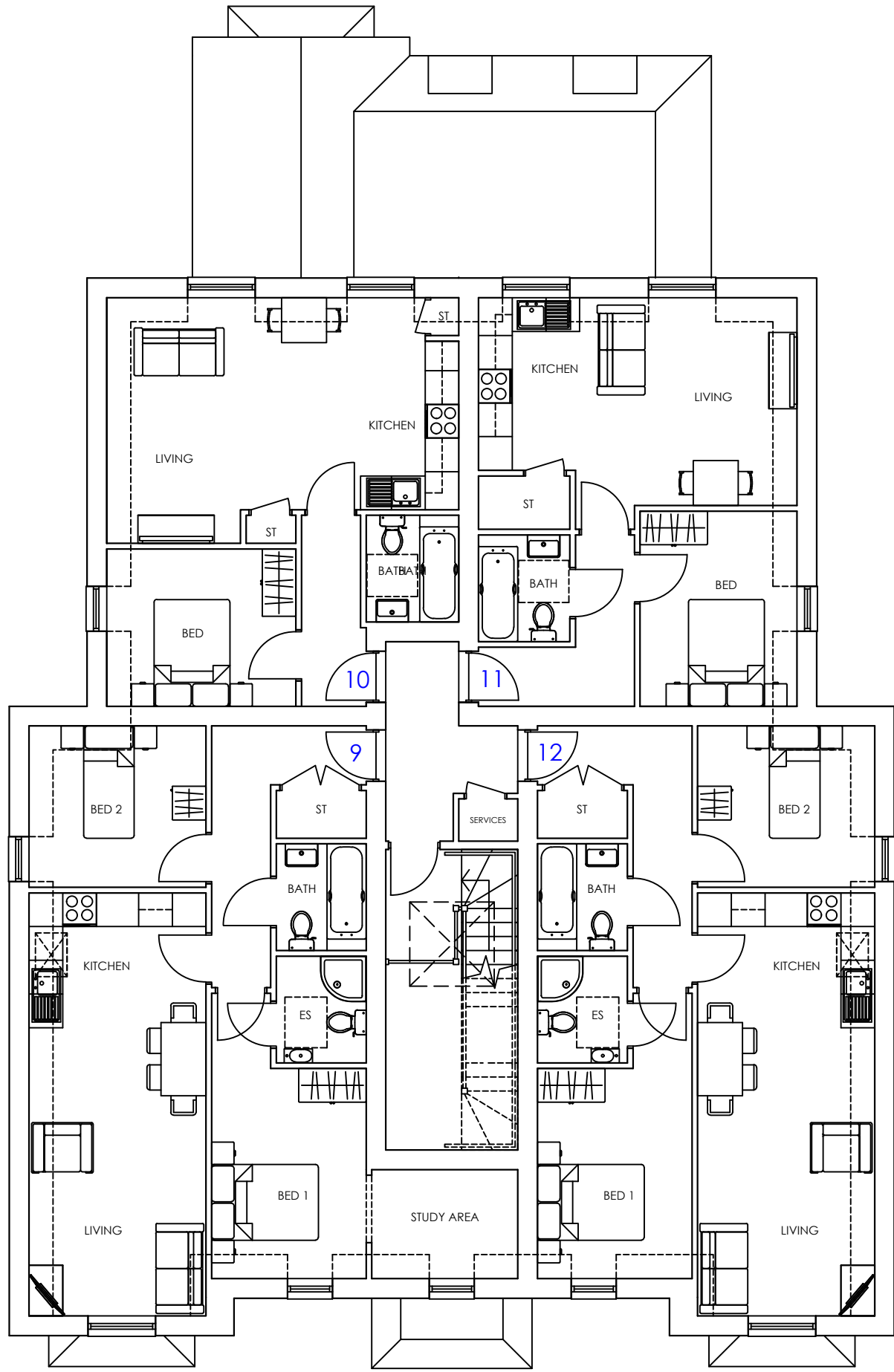




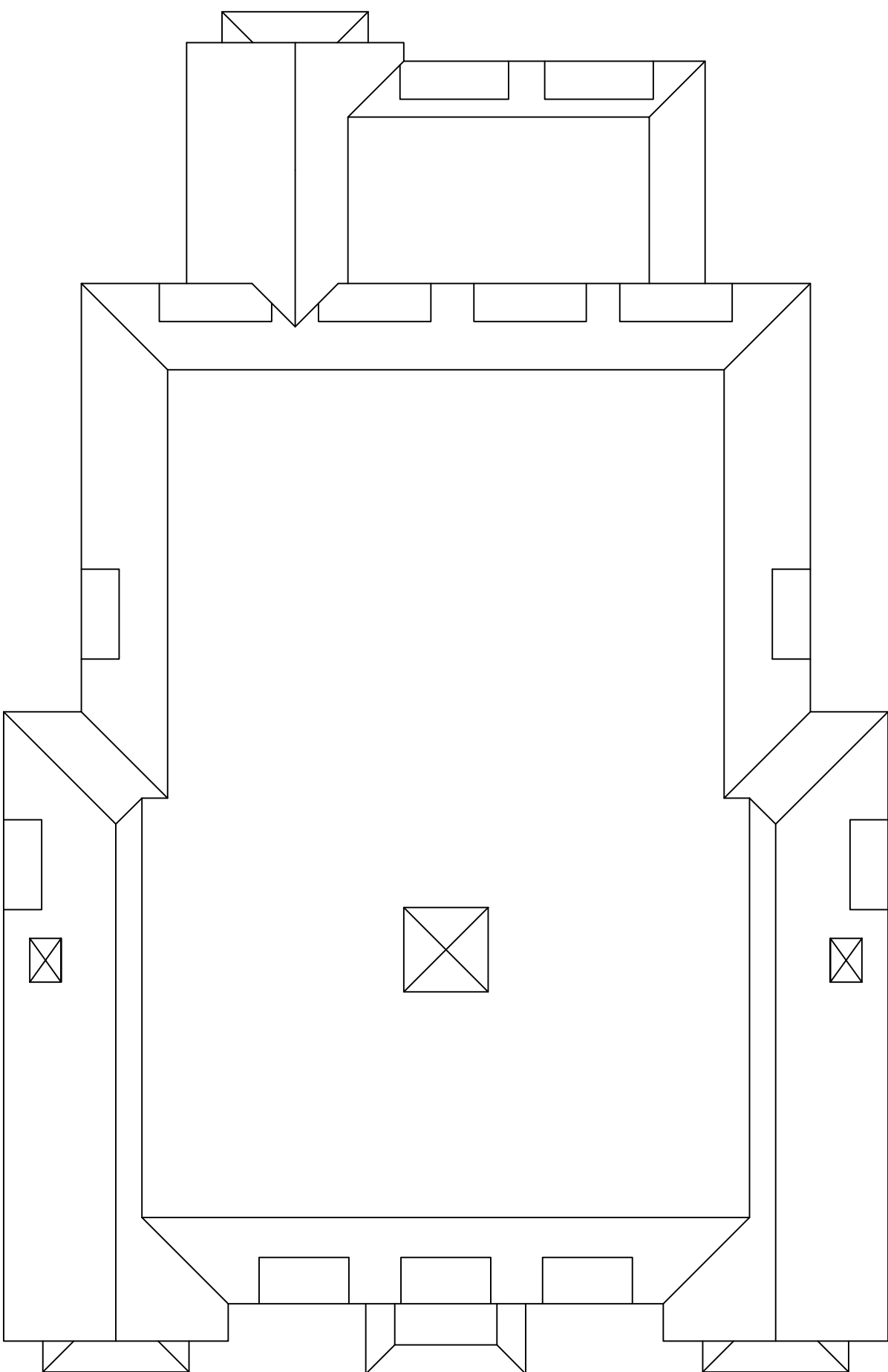
GROUND FLOOR PLAN
SCALE 1:100



FIRST FLOOR PLAN
SCALE 1:100



SECOND FLOOR PLAN
SCALE 1:100



ROOF PLAN
SCALE 1:100

NOTES-PLANNING rev-19-05-22

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SCHEDULE OF ACCOMMODATION			
UNIT	BEDS	SQ.M	SQ.FT
1	2	61.1	657
2	1	39.4	423
3	1	41.2	443
4	2	61.1	657
5	2	68.2	733
6	1	39.4	423
7	1	41.2	443
8	2	63	677
9	2	66.3	713
10	1	43.1	463
11	1	41.2	443
12	2	61.1	657
13	2(DUPLEX)	71.9	773

10m @ 1:100

A FLOOR PLANS REVISED		26.04.23 JA	
No.	Revision.	date	by

PROPOSED DEVELOPMENT
257 - 259 BELLE VUE ROAD
BOURNEMOUTH
BH6 3BD

PROPOSED FLOOR PLANS

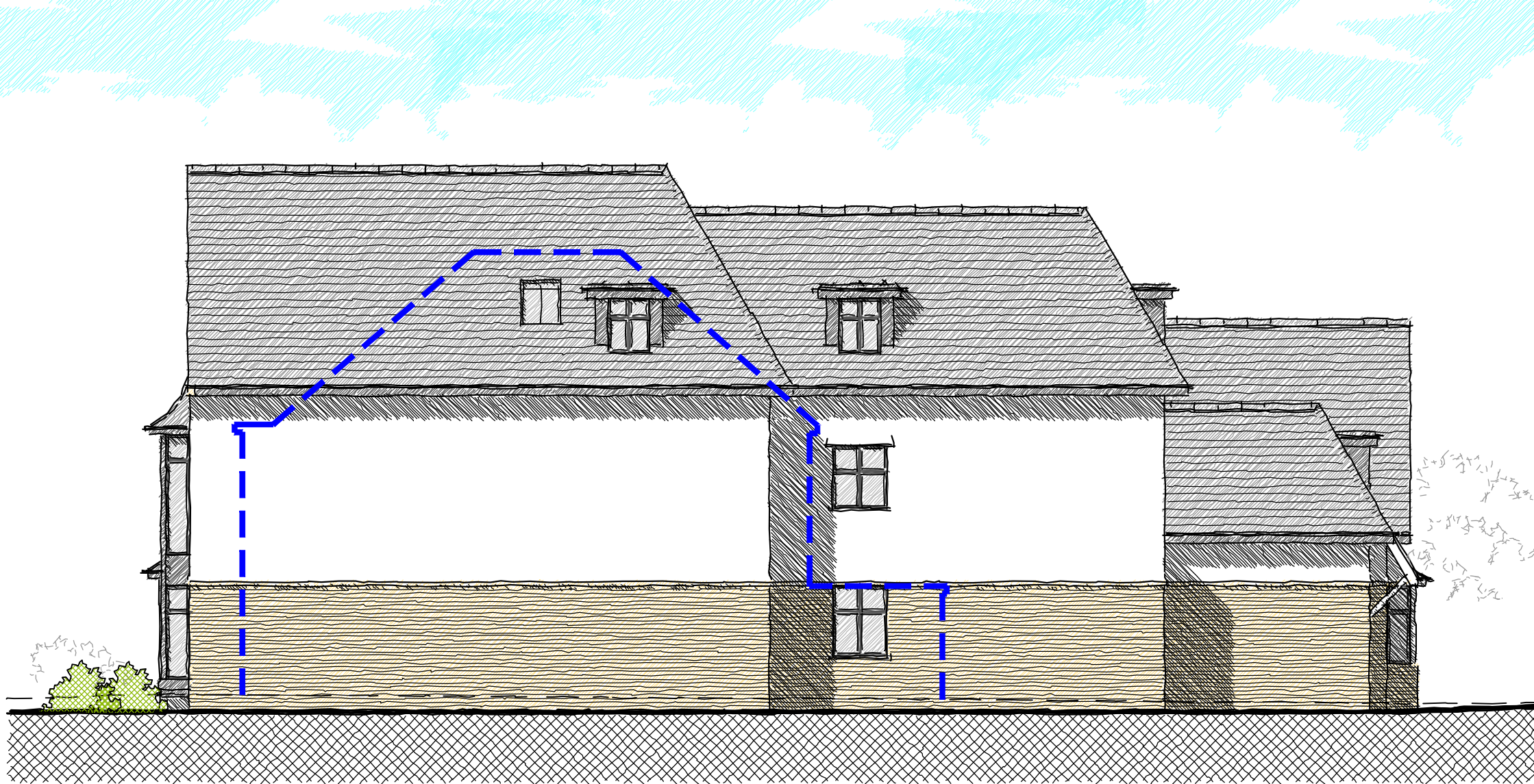
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date	AUG 2022	drawn	GR
9632 / 101		A	

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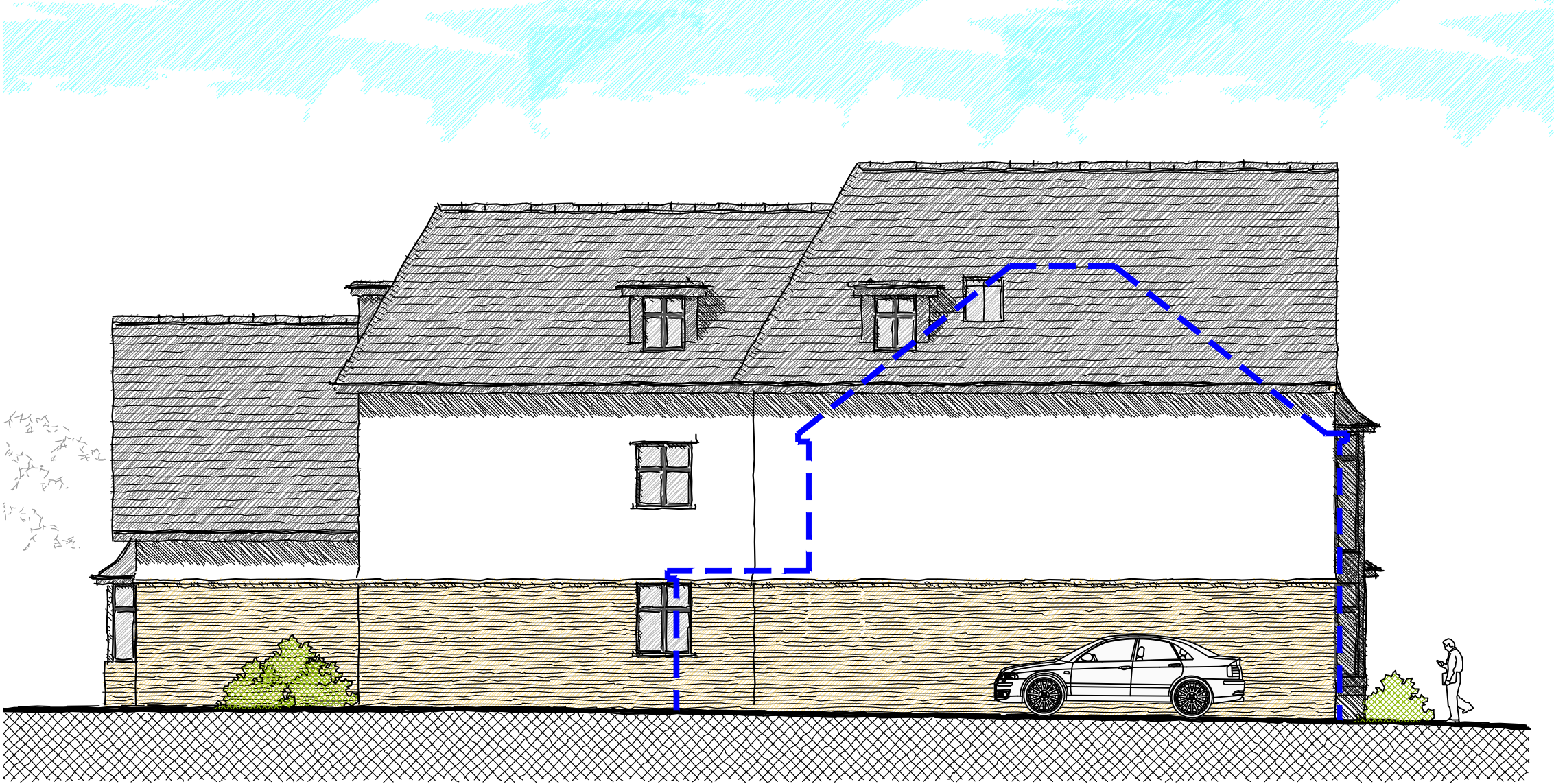
NORTH WEST ELEVATION
1:100



SOUTH WEST ELEVATION
1:100



SOUTH EAST ELEVATION
1:100



NORTH EAST ELEVATION
1:100

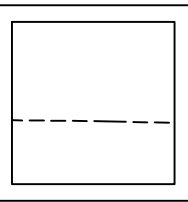
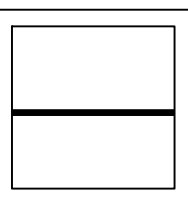
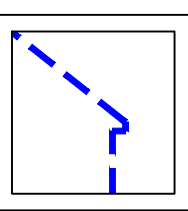
NOTES-PLANNING

rev-19-05-22

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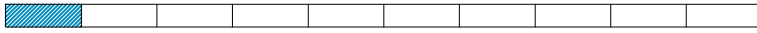
LEGEND

-  EXISTING GROUND LINE
-  PROPOSED GROUND LINE
-  EXISTING BUILDINGS TO BE DEMOLISHED

MATERIAL SCHEDULE

ROOF :	1) SLATE EFFECT TILES
WINDOWS & DOORS :	1) UPVC
EXTERNAL FINISH :	1) SMOOTH RENDER / PAINTED WHITE 2) BUFF BRICKS

10m @ 1:100



B	ELEVATIONS REVISED TO MATCH AMENDED FLOOR PLANS	26/04/23	JA
A	OUTLINE OF EXISTING BUILDINGS SHOWN ON ALL ELEVATIONS	13/12/22	GR

No.	Revision.	date	by
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PROPOSED DEVELOPMENT
257 - 259 BELLE VUE ROAD
BOURNEMOUTH
BH6 3BD

PROPOSED ELEVATIONS

scale	AS SHOWN @ A1	checked	//
date	AUG 2022	drawn	GR
9632 / 102		A	B

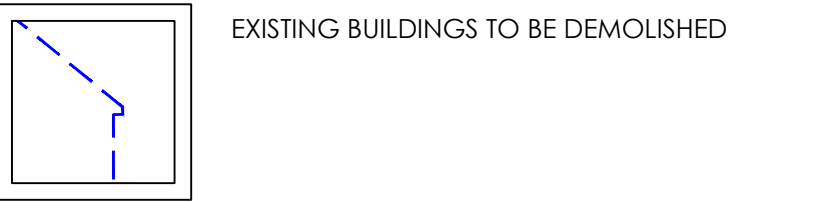
ARC Architecture Ltd.



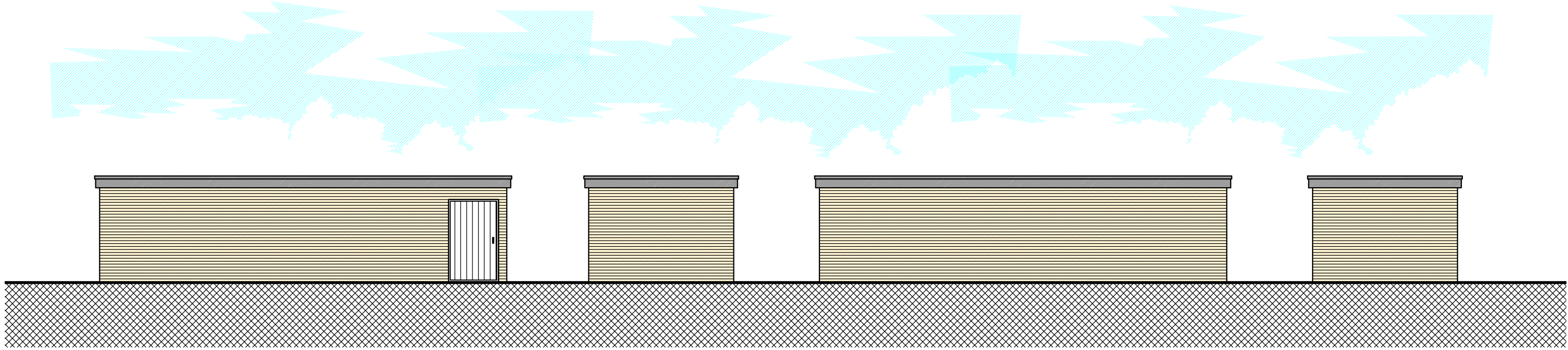
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LEGEND



PROPOSED STREET SCENE
FOR INDICATIVE PURPOSES ONLY
DRAWN FROM TOPO, O.S & PHOTOS
1:100

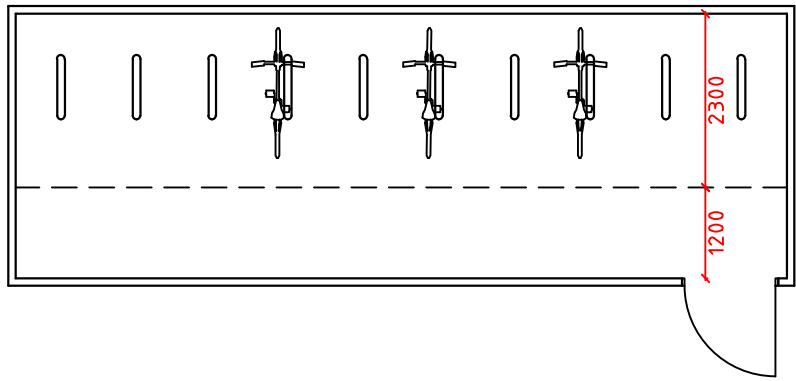


FRONT ELEVATION
1:100

SIDE ELEVATION
1:100

REAR ELEVATION
1:100

REAR ELEVATION
1:100

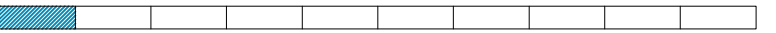


FLOOR PLAN
1:100



ROOF PLAN
1:100

10m @ 1:100



C	STREET SCENE UPDATED	26/04/23	JA
B	CYCLE STORE REVISED	05/03/23	GR
A	STREET SCENE UPDATED & CYCLE STORE DOOR MOVED	31/10/22	GR

No.	Revision.	date	by
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PROPOSED DEVELOPMENT
257 - 259 BELLE VUE ROAD
BOURNEMOUTH
BH6 3BD

PROPOSED STREET SCENE
& CYCLE STORE

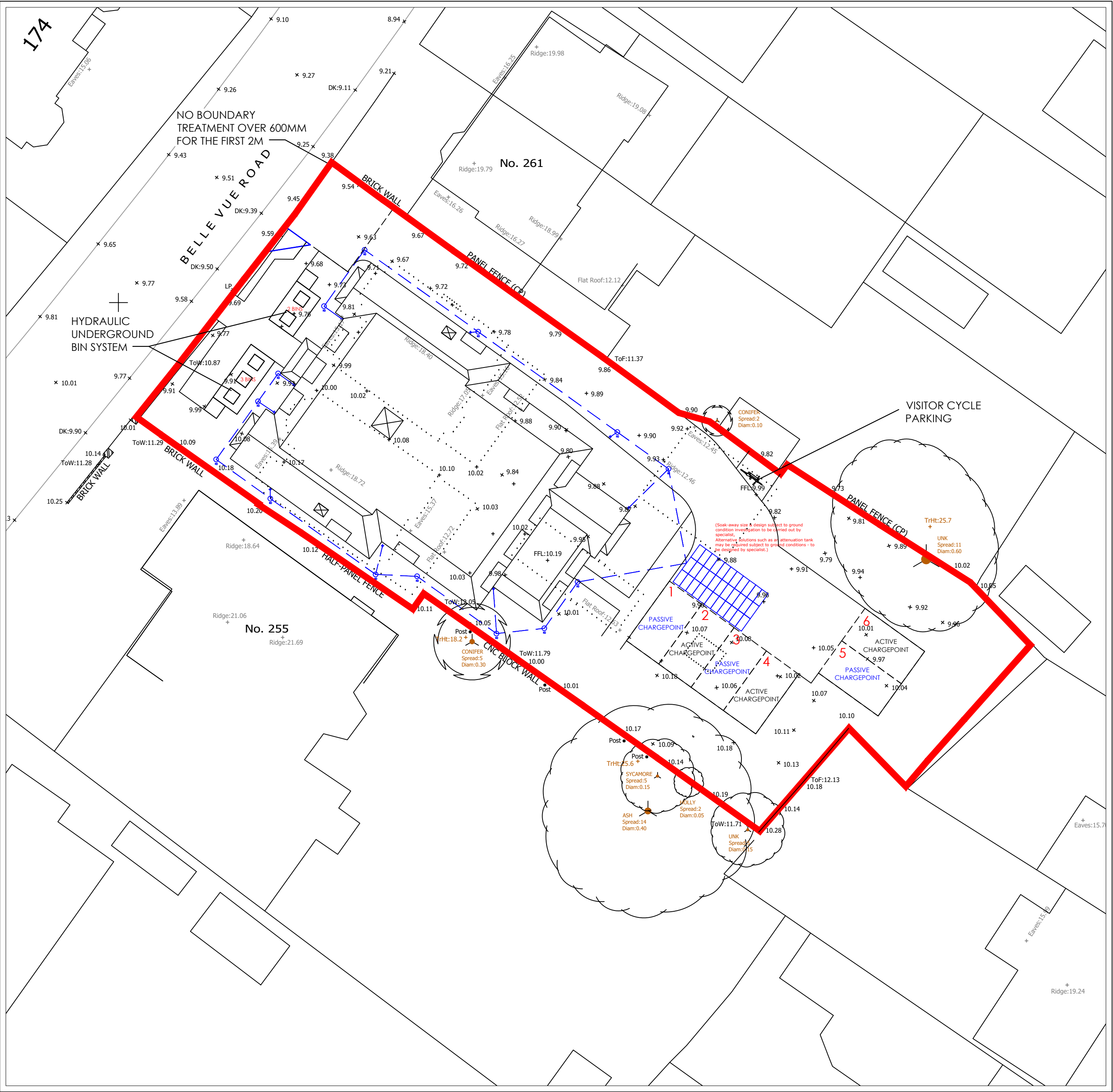
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date	AUG 2022	drawn	GR

9632 / 103	A	B	C		

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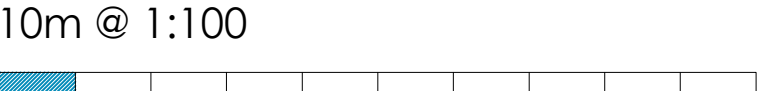
SUDS PLAN
SCALE 1:200

TYPICAL MAINTENANCE PLAN	
MAINTENANCE	WHEN TO BE CARRIED OUT
· INSPECTION OF INLETS & OUTLETS · REMOVAL OF LITTER · GRASS CUTTING	MONTHLY
· REMOVAL OF SILT AROUND COMPONENTS · REMOVAL OF VEGETATION AROUND COMPONENTS	ANNUALLY

NOTES

Should soakaways prove to be ineffective after trial hole testing (subject to ground conditions) they must be replaced with another method of drainage that must be approved by both the Local Authority and the appropriate Water Utilities company.

Responsibility for soakaway maintenance to be allocated to each unit and approved by the Local Authority, where soakaways are used for fish and where the use located in the road or parking courts for houses they will be the responsibility of the management company.



G	SITE PLAN UPDATED	26/04/23	JA
F	SITE PLAN UPDATED	10/01/23	GR
E	SITE PLAN UPDATED	05/01/23	GR
D	SITE PLAN UPDATED	03/11/22	GR
C	SITE PLAN UPDATED	01/11/22	GR
B	SITE PLAN UPDATED	12/09/22	GR
A	SITE PLAN UPDATED	31/08/22	GR

No.	Revision.	date	by
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PROPOSED DEVELOPMENT
257 - 259 BELLE VUE ROAD
BOURNEMOUTH
BH6 3BD

SUDS PLAN

scale	AS SHOWN @ A1	checked	//
date	AUG 2022	drawn	GR

9632 / 104	A	B	C	D	E	F	G

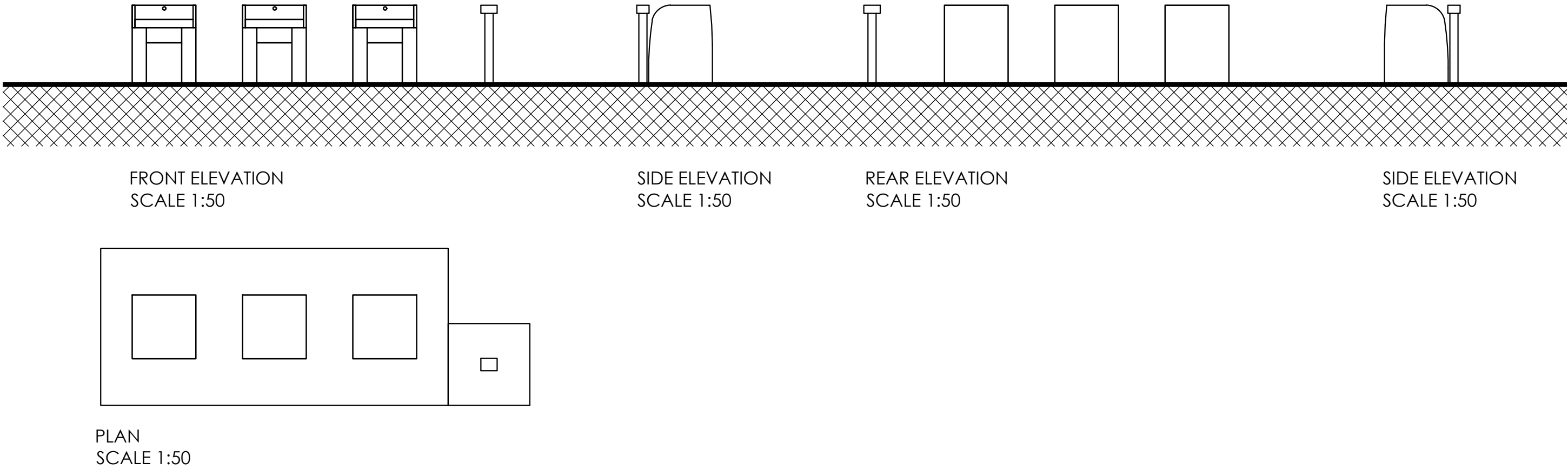
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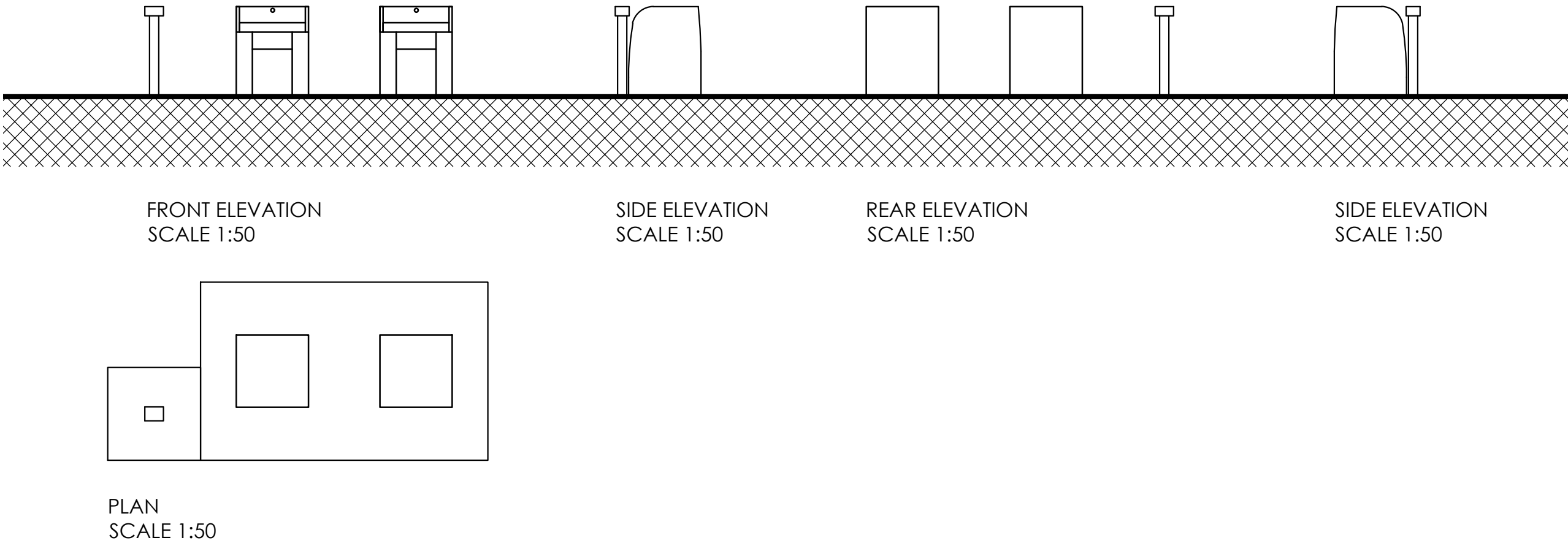
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3 BIN STORE

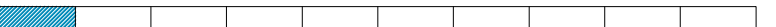


2 BIN STORE



BIN STORE EXAMPLE

10m @ 1:100



No.	Revision.	date	by
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PROPOSED DEVELOPMENT
257 - 259 BELLE VUE ROAD
BOURNEMOUTH
BH6 3BD

UNDERGROUND BIN STORES

scale	AS SHOWN @ A1	checked	//
date	AUG 2022	drawn	GR

9632 / 106

ARC Architecture Ltd.



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Planning Committee

Application Address	320-328 Ashley Road, Poole, BH14 9DF
Proposal	Extension at roof level to create 6 flats with new stairwell and lift to rear elevation and bike & bin store to rear
Application Number	APP/22/01755/F
Applicant	Mr Patterson
Agent	ARC Architects
Ward and Ward Member(s)	Newtown and Heatherlands Cllr Earl, Cllr Le Poidevin and Cllr Robson
Report status	Public Report
Meeting date	20 July 2023
Summary of Recommendation	Grant permission subject to conditions.
Reason for Referral to Planning Committee	<p>Councillor Millie Earl called the application in for the following reason:</p> <p>The proposals that would block rear ground floor commercial access doors and would extend the building and erect bin and cycle stores within the rear loading/service area fronting Carlton Grove would compromise rear access and loading opportunities for the existing commercial users of the site.</p> <p>In removing rear access/servicing opportunities, the commercial units would be forced to load/unload deliveries from vehicles parked on Carlton Road or Ashley Road, where there are no permitted on street loading opportunities in the vicinity of the site.</p> <p>It is therefore likely that unauthorised stopping/loading will occur on the highway, which will be detrimental to highway safety and efficiency. The proposals are therefore contrary to the aims of Policy PP35 of the Poole Local Plan.</p>
Case Officer	Jedd Goodwin-Roberts

Description of Proposal

1. The application seeks full planning permission for the erection of a third storey to the existing two storey building to form 6 x 1-bedroom flats. The proposed flats are proposed to be dual aspect. Access to the residential dwellings would be via the rear access road. To the rear there would be a new entrance point and a cycle store capable of storing 8 cycles and a refuse store which would comprise of 2 x 660 litre refuse bins and 2 x 820 recycle bins.
2. The proposed development would be a car free scheme.

Description of Site and Surroundings

3. The application site is occupied by a two storey flat-roofed and rendered building containing three retail units at ground floor level (a card shop, Savers and grocery shop) with ancillary offices and/or storage at first floor level. The building fronts Ashley Road and is primary retail frontage in the Ashley Road district centre. There is a parking/ delivery area to the rear accessed via Carlton Grove, an otherwise residential cul de sac. Bins are also stored in this area and it provides access to the first floor of the building.
4. Surrounding development is in a mixture of commercial and residential uses. The application site is attached to and wraps around the rear of No.330, which contains a grocer shop at ground floor level and a flat above accessed via the alley along the west side of the site, linking Ashley Road to Carlton Grove. There is a similar alley along the east side of the site.
5. Surrounding development is typically two storeys with pitched, hipped, flat and/or parapet roof forms and brick and render finishes. No.318 which adjoins the site to the east is a single storey building.
6. Nos 300, 207-211 and 245 Ashley Road are locally listed buildings in relatively close proximity. The application site is not located within a Conservation Area nor is the site a registered designated heritage asset.
7. Ashley Road forms part of the Local Transport Plan Quality Bus Corridor.

Relevant Planning History

8. APP/20/00282/F
Extension at roof level to form 4no. 2 bedroom apartments. (Revised scheme)
Approved 2020 with CIL contribution.

Constraints

9. The following constraints apply to the site:
 - Primary Retail Frontage – Ashley Road District Centre
 - Sustainable Transport Corridor
 - BCP Parking Zone B

Public Sector Equalities Duty

10. In accordance with section 149 Equality Act 2010, in considering this proposal due regard has been had to the need to:
 - eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
11. As part of the planning assessment section, cross reference can be made back to this section in relation to any particular issues / matters which might be particularly impacted by this duty.

Other relevant duties

12. For the purposes of this application, in accordance with section 17 Crime and Disorder Act 1998, due regard has been had to, including the need to do all that can reasonably be done to prevent, (a) crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment); (b) the misuse of drugs, alcohol and other substances in its area; and (c) re-offending in its area.
13. In accordance with regulation 9(3) of the Conservation of Habitats and Species Regulations 2017 (as amended) ("the Habitat Regulations), for the purposes of this application, appropriate regard has been had to the relevant Directives (as defined in the Habitats Regulations) in so far as they may be affected by the determination.

Consultations

BCP Highways Authority

14. Initially raised objection for the following reasons:
 - The proposals include the extension of the existing building to provide an additional floor, comprising six flats at third floor level. This would be in addition to the previously approved four second floor flats (20/00282/F). These would be situated above existing retail units occupying the ground and first floors.
 - Rear commercial loading and servicing. The previous scheme included parking and loading at the rear of the building, accessed from Carlton Grove. The current proposals would result in much of the approved parking and lading area being taken up with a building extension to form a stairwell, and a bin and cycle store. These structures could also result in rear doorways to the commercial units being blocked off. The rear loading area is clearly well used by the existing commercial units, for loading by larger delivery vehicles parking parallel to the road, and removing or reducing this loading area, would reduce off street loading opportunities for delivery vehicles and would result in rear doors to the commercial units being blocked. I am therefore concerned that the proposals would result in the loss of important rear loading and servicing opportunities, which will result in delivery vehicles taking short term stopping risks either on Carlton Grove or Ashley Road which is a busy classified road, which will result in highway obstruction, and cause congestion and highway safety dangers.

- Other matters: The proposals would not require any car parking for the flats within this sustainable location, but should be provided with an operational parking bay for loading/delivery and service vehicles.
 - The proposals would include sufficient numbers of cycle parking, however for the aforementioned reasons, the siting of the cycle store would not be acceptable.
15. During the course of the application, amended plans were submitted to the Council and the Council's Highways officer made the following comments:
- The proposed cycle parking would now be located within the building. The stairwell has also been reduced in size. The proposals now show a loading area similar to the previously approved scheme. In addition two parking spaces would be provided that would be suitable as operational parking.
 - No objections subject to conditions relating to parking areas; construction management plan and an Informative Note in respect of parking permits.

Representations

16. In addition to letters being sent to neighbouring properties, site notices were erected at the site on 13 January 2023, with an expiry date of 6 February 2023.
17. 10 representations have been made on the application. 10 objections were received commenting on the following:
- Traffic and congestion caused by a car free development
 - Construction noise and pollution
 - Where will delivery vehicles park for the commercial units
 - Highway safety issues with existing residents and children using Carlton Road
 - Noise generation from additional residential dwellings
 - Concerns with additional waste generation

Key Issue(s)

18. The key issue(s) involved with this proposal are:
- Principle of development
 - Housing need
 - Impact upon the character and appearance of the area
 - Impact on living conditions of neighbours
 - Quality of accommodation
 - Impact on highways and parking
 - Biodiversity
 - Sustainability
 - Impacts to protected habitats sites
 - Other Matters

Policy context

Poole Local Plan 2018

Policy PP1 – Presumption in favour of sustainable development
Policy PP2 – Facilitating a step change in housing delivery
Policy PP8 – Type and mix of housing
Policy PP27 – Design Policy
Policy PP28 – Flats and plot severance
Policy PP32 – Poole's nationally, European and internationally important sites
Policy PP33 – Biodiversity and geodiversity
Policy PP34 – Transport strategy Policy
Policy PP35 – A safe, connected and accessible transport network
Policy PP36 – Safeguarding strategic transport schemes
Policy PP37 – Building sustainable homes and businesses
Policy PP38 – Managing flood risk
Policy PP39 – Delivering Poole's infrastructure

Other Development Plan Documents

Dorset Heathlands Planning Framework 2020-2025 SPD
Dorset Heathlands Interim Air Quality Strategy 2020-2025
Poole Harbour Recreation 2019-2024 SPD
Design Code SPG 2001
Sustainable Urban Drainage Systems (SPDS) 2002
Storage and Collection of Waste in New Developments 2019

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

The policies in the Framework are material considerations which should be taken into account in dealing with applications.

Planning Assessment

Principle of Development

19. The Poole Local Plan sets out a spatial planning framework to meet objectively assessed needs to 2033. In accordance with Policy PP01, the Council will take a positive approach when considering development proposals that reflects the presumption in favour of sustainable development contained in the NPPF.
20. In terms of meeting housing needs, a strategic objective of the Poole Local Plan is to deliver a wide range and mix of homes in the most sustainable locations. Policy PP2 identifies the amount and broad locations of development and states that the majority of new housing will be directed to the most accessible locations within Poole, these being the town centre, district and local centres and locations close to the sustainable transport corridors. 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. The site falls within an identified sustainable transport corridor and in accordance with PP2 such areas are the second ranked sequentially appropriate locations for additional residential development in the plan area, after Poole town centre. The Local Plan seeks to deliver 5,000 units in these areas across the Plan period. Development in these areas has environmental benefits of delivering additional dwellings in the urban area reducing reliance on the private car and social benefits of additional homes in an area that could readily support and benefit from such a form of accommodation.

21. 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 been applied to the provision of additional residential accommodation which meets these policy objectives.
22. The application site is within the area identified as a sustainable transport corridor in the Local Plan and is within a designated district centre location. As such, the principle of residential development on this site is acceptable, subject to its compliance with the relevant adopted policies in the remainder of the Development Plan.

Housing need

23. At the heart of the NPPF (as set out in paragraph 11) is the presumption in favour of sustainable development, reiterated in Policy PP01 of the Poole Local Plan.
24. NPPF Paragraph 11 states that in the case of decision making, the presumption in favour of sustainable development means that where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, planning permission should be granted unless policies in the Framework that protect areas or assets of particular importance provide a clear reason for refusing the development proposals or any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.
25. Footnote 8 of paragraph 11 provides that in the case of applications involving the provision of housing, relevant policies are out of date if the local planning authority is (i) unable to demonstrate a five-year supply of deliverable housing sites or (ii) where the Housing Delivery Test (HDT) result is less than 75% of the housing requirement over the previous three years.
26. The 5-year housing supply and HDT results continue to be applied to each local plan area separately until replaced by a BCP Local Plan. In the Poole area there is a 4.1 year housing land supply with a 20% buffer (a shortfall of 423 homes) and a 2021 HDT result of 78%. For the purposes of paragraph 11 of the NPPF, the '*tilted balance*' is therefore potentially engaged. However, the site is also within an area where the cumulative impacts of increased residential has the potential to adversely impact on habitats sites. In a situation where this impact cannot be acceptably mitigated, then following the guidance in Footnote 7, the tilted balance may not apply. This will be explored below.
27. For this planning application the benefits provided from the supply of 6 x 1-bedroom new homes carry significant weight in the planning balance.

Impact on character and appearance of area

28. Policies PP27 and PP28 set out the criteria against which all new development should be assessed to ensure that the established pattern of development and residential character of the area is preserved or enhanced.
29. Policy PP27(1) states that good standard of design is required in all new development and development will be permitted provided that, where relevant, it:
 - a) reflects or enhances local patterns of development and neighbouring buildings in terms of:
 - layout and siting, including building line and built site coverage;
 - height and scale;
 - bulk and massing, including that of the roof;
 - materials and detailing;
 - landscaping; and
 - visual impact.
30. Policy PP28 of the Poole Local Plan states that flats which are not considered to fall within the scope of Policy PP29 (tall buildings) will be permitted where the plot can accommodate a form of development that ensures:
 - a. the scale and massing of the building(s), including the width, height and roof profile and spacing between buildings is in keeping with neighbouring buildings and the established pattern of development in the street, or part of the street, where the site is located;
 - b. the resultant plot coverage (including buildings, cycle storage, bin storage, car parking, roads, and any other hard surfacing) respects that which prevails in the street, or part of the street where the site is located;
 - c. car parking and turning areas do not dominate the site, allowing for the retention, or provision, of a boundary between the site and adjacent streets; and
 - d. car parking, turning areas and vehicle access should avoid harm to the neighbouring residents privacy and quiet enjoyment of their rear gardens.
31. Poole Local Plan Policy PP27 outlines that a good standard of design is required in all new developments and that development should reflect or enhance local patterns of development. Policy PP28 states that flats are to be permitted where the plot can accommodate a form of development which ensures the scale and massing is in keeping with neighbouring properties and that the established pattern of development respects the prevailing character.
32. The existing building is somewhat incongruous in the Ashley Road street scene, due, cumulatively, to its flat-roofed form, fenestration, height and bulk in the context of more modest two storey buildings with hipped and pitched forms, more regular fenestration and/ or a finer grain. It is however of its time and there are examples of other contemporary, large, two storey, flat-roofed buildings further west along this side of Ashley Road, so it is not without precedence in the streetscene.
33. The proposed development is considered to have an acceptable impact upon the character and appearance of the surrounding area. Whilst predominantly buildings within the surrounding area are two storeys in height with more traditional roof forms, the 2020 planning permission has established the position that this site can

accommodate a third storey. The major change between this application and the previous application is that there is a greater set back from the front (Ashley Road) elevation. In doing so, this has resulted in the extension with a greater degree of subservience than the previous approval. The recessed siting would not readily disguise or 'hide' the proposed additional floor, it would still be visible in longer distance views, however that would be as part of a townscape of varying roof heights, especially on buildings that already appear different in the streetscene due to their age and style of architecture.

34. With regards to the proposed rear elevation, this faces towards Carlton Grove. The proposed alterations would result in the formation of an active frontage along this road. The proposed roof extension would again be set back from the principal rear elevation, resulting in a more subservient addition to the building which in turn reduces the bulk and mass of the building when viewed from this street. This elevation also includes a new core added to the rear of the building which would house a private entrance to the flats and the lift shaft. This has a simple appearance that would break the existing austere rear facade, though, it can not be concluded to be an attractive feature, the proposed materials would contrast and provide a vertical feature up the existing elevation.
35. In summary, the proposed development by reason of its design, scale, mass and its placement on the site would reflect character of the surrounding environment and would not result in a form of development at odds with the prevailing character and as such in this regard the proposal would accord with Poole Local Plan Policies PP27 and PP28 and it achieves a satisfactory standard of design.

Impact on living conditions of neighbours

36. Policy PP27 of the Poole Local Plan states that development will be permitted where it is compatible with surrounding uses and would not result in a harmful impact on amenity for local residents and future occupiers in terms of sunlight, daylight, privacy, noise and whether it would be overbearing/oppressive.
37. The NPPF states that planning decisions should provide attractive, welcoming and distinctive places to live and visit; create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users (para.130).
38. With regards to the immediate neighbours to the east of the site at number 1A and 1B Carlton Road, the previously submitted plans resulted in potential direct overlooking from proposed habitable windows into these properties. Amended plans now have omitted one of the windows on the development's eastern elevation, obscure glazed two of the other windows on this elevation and reduced the size of another window. With these amendments, it is now considered that this has overcome these issues. The removal of the northernmost window on this eastern elevation and the obscuring of two windows on the eastern elevation have now removed any opportunities for overlooking from the proposed development to Nos 1A and 1B whilst retaining acceptable living conditions for proposed occupiers.
39. With regards to the southernmost wrap around window on the eastern elevation, this has been reduced in its overall width. Whilst the window is still present, the window has been reduced in its size reducing opportunities to look into the habitable windows of these neighbours. It should be noted that there would be a separation distance of over 20 metres between this window and No.1A/B and at an oblique angle which would result in an acceptable relationship. For these reasons, it is considered the

development proposal would have an acceptable impact on these neighbours regarding privacy and overlooking concerns.

40. With regards to the development and neighbours at 1A/B Carlton Grove, the proposed development is not considered to result in an oppressive and overbearing form of development that would result in a loss of light/outlook for these neighbours. The proposed building would be set in from its eastern most boundary by some 2m. This pushes the bulk and mass of the development away from these neighbours and as such, it is considered that this helps to mitigate against any significant adverse impacts of the development from these neighbours in this regard.
41. With regards to neighbouring properties along Carlton Grove, the proposed development would be set at least 24 metres away from the nearest neighbouring residential properties to the north of the site. The proposed development would face towards the gable walls of No.10 and 13, thus no overlooking towards habitable rooms. The proposed set back of the development (from the rear wall of the lower part of the building) by over 2 metres is considered to be sufficient to ensure that there would be no direct overlooking to neighbouring properties with regards to the rear gardens of these properties. The proposed scale and mass of the development is set back from the rear elevation of the building and this helps to reduce impacts, pushing the bulk and mass further away from these neighbours.
42. The proposed materials and set back also helps to break up the visual appearance of the development and as such, it is considered the scheme would not result in a form of oppressive and overbearing development in regards to these neighbours.
43. To the south of the site are flats above retail units along Ashley Road at units 237A and 225. There would be a separation of 26 metres between the proposed new units and the existing flats. Given this distance, it is considered that there would be no significant overlooking which would prejudice the living environments of these neighbours.
44. Objections from local residents outlined that the proposed development would result in more residential dwellings within this location which would have a harmful impact on neighbouring amenity by reason of increased noise due to more comings and goings to the site. Poole Local Plan Policy PP27 stated that developments should be compatible with surrounding uses. The proposed development would be for a residential development of 6 one-bedroom flats. It is considered that the activity generated by the proposal would be entirely compatible with the mixed use character of the area. It is inherently acceptable for residential uses to adjoin other residential properties and the noise generation caused by the proposal is considered to accord with the surrounding residential uses and as such poses no adverse impacts on neighbouring residential amenity.
45. It is considered that the proposed development would have an acceptable impact on neighbouring residential amenity on neighbours along both Ashley Road and Carlton Grove which is to the rear of the site.
46. The proposed development is not considered to prejudice neighbouring residential living conditions by reason of loss of privacy, noise generation or a form of development that would be incompatible with surrounding uses. In this regard, the proposed development is considered policy compliant with Poole Local Plan Policy PP27 and neighbouring residential amenity is safeguarded and would have comparable impacts to the previous approval.

Quality of Accommodation Provided

47. The Technical housing standards – nationally described space standard document provides the gross minimum internal space standards in which all new dwellings are expected to achieve. The standard requires that in order to provide one bedspace, a room should be at least 7.5 SQM and should be at least 2.15m in width. In order to provide two bed spaces, it should be at least 2.75m in width and provides 11.5 SQM for its internal floor space. Each additional double bedroom should measure 2.55m in width and should seek to provide 11.5 SQM. One bedroom, one person flats should achieve at least 37 SQM whilst one bedroom two person flats should provide at least 50 SQM of floor space. Section 9 of the Poole Local Plan requires 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% will need to be fully justified.
48. Unit 1 measures 47.4 SQM, Unit 2; 47.3 SQM, Unit 5; 48.7 SQM and Unit 6; 48.2 SQM. These units fall short of the 50 SQM nationally described space standard for a one bedroom two person flat. However, the smallest flat is only 5.6% smaller than the nationally described space standard. As such, it is considered that whilst there is a departure from national guidance, the proposed development would still accord with local planning policies with regards to quality of accommodation provided. Given its compliance with Poole Local Plan Policy PP27 and the tilted balance in favour of sustainable development and given that it falls within the 20% buffer outlined in Local Plan Policies, the proposed development would provide acceptable living conditions for future occupiers.

Impact on highways and parking

49. The application site is located within Parking Zone B as set out in the Parking Standards SPD. For the size of the dwelling, it equates to zero parking spaces for a 1-bedroom flat. The proposed development is proposed to be a car free development and it would accord with the BCP Parking Standards SPD in this regard. The Council's highways officers have reviewed the cycle parking facilities as submitted with the application. The minimum requirement would be one space per single bed space. The proposal complies in this regard. With regards to the proposed cycle storage, highways officers have raised no objections to the proposal.
50. Initially, the Council's Highways Officer raised concerns with the proposed plans blocking the rear ground floor commercial access doors and extending the building and erecting bin and cycle stores within the rear loading/service area fronting Carlton Grove as this would compromise rear access and loading opportunities for the existing commercial users of the site. In removing rear access/servicing opportunities, the commercial units would be forced to load/unload deliveries from vehicles parked on Carlton Road or Ashley Road, where there are no permitted on-street loading opportunities in the vicinity of the site. It is therefore likely that unauthorised stopping/loading will occur on the highway, which will be detrimental to highway safety and efficiency.
51. The applicant has amended the plans which includes cycle parking being integrated within the building. The stairwell has also been reduced in size. The proposals now show a loading area similar to the previously approved scheme. In addition, two parking spaces would be provided that would be suitable as operational parking.

52. Highways Officers raise no objections to the amended proposals. It is considered that the amendments have overcome concerns raised by Highways Officers and as such, the proposal is in compliance with Poole Local Plan Policy PP35.

Biodiversity

53. Regarding biodiversity, the Poole Local Plan PP33 states that proposals should seek to incorporate ecologically sensitive design features to secure a net gain of biodiversity as appropriate. The Council has declared a climate emergency and the NPPF under part 15 emphasises the importance for new development to take the opportunity to reinforce biodiversity by providing measures within development. Appropriate potential measures include bird and bat boxes, bricks and insect tubes & aquatic habitats which will be ensured by condition. As such, the proposed scheme would contribute to the enhancement of the existing biodiversity in the area and would comply with Policy PP33 of the Poole Local Plan and the provisions of the NPPF.

Sustainability

54. Being a new build development, it would be readily possible to deliver an energy efficient and sustainable development in accordance with the requirements of the latest Building Regulations. It is appropriate and reasonable to impose a condition to secure details of the measures that are to be implemented to achieve 10% of the energy needs of the proposed dwellings through renewable energy sources, in accordance with Policy PP37 of the Poole Local Plan.

Infrastructure and developer contributions

55. 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.
56. 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.
57. 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.
58. The applicant has paid the relevant contributions towards Dorset Heathlands and Poole Harbour Recreation through the fast tract UU Section 106. As such, the proposed scheme complies with Policies PP32 and PP39 of the Poole Local Plan.

Section 106 Agreement/CIL compliance

Contributions Required			Dorset Heathland SAMM	Poole Harbour Recreation SAMM
Flats	Existing	0	@ £331	@ £118
	Proposed	6		
	Net increase	6	£1,986	£708
Houses	Existing	0	@ £485	@ £172
	Proposed	0		
	Net increase	0		
Total contributions			£1,596 (plus 5% admin fee, min £75)	£568 (plus 5% admin fee, min £25)
Cil	Zone A		@ £240.85sq m	

Impact on Trees

59. Policy PP27 of the Poole Local Plan 2018 outlines how development will be permitted provide that it responds to natural features on the site and does not result in the loss of trees that make a significant contribution to the character and local climate of the area. The site contains no trees and the proposed development would not be harmful to any nearby trees.

Surface water drainage

60. The site is not identified at being at risk from surface water flooding and is not within a flood zone.

Planning Balance/Conclusion

61. The Council encourages sustainable development. This seeks to strike a balance between the economic benefit of the development, the environmental impacts and the social benefits derived by the creation of much needed housing. The proposal would provide for 6 dwellings, a net increase of 6 homes within a sustainable area. It is considered that the principle of six properties on this plot is acceptable and the layout, scale and access arrangements are compliant with Local Plan policies. The potential impacts on the living conditions of neighbouring residents have been carefully considered but it is considered that the site could accommodate 6 properties in the layout and scale as set out without compromising their living conditions in terms of light, privacy and a dominant built form.
62. Given the shortfall of the number of homes delivered in the Local Plan area and as the scheme provides acceptable mitigation for its impacts on habitats sites, the balance is tilted 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. The tilted balance is relevant because the report does not identify any relevant policies in the NPPF to provide a clear reason for refusal.

63. Having recognised the collective benefits of the proposed scheme and the tilted balance approach, it is concluded that the scheme would achieve the economic, social and environmental objectives of sustainable development, in line with the adopted local policies and the provisions of the NPPF.

Recommendation

64. It is recommended that this application be **Granted** subject to the following conditions.

Conditions

- 1) 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) The development hereby permitted shall be carried out in accordance with the following approved plans:

Indicative Street Scene Amended. 9655/104 received 07/03/2023
Proposed Elevations Amended 9655/103 Rev B received 29/06/2023
Floor Plans Amended 9655/101 received 07/03/2023
Site Plan Amended 9655/100 Rev B received 29/06/2023
Existing Elevations 1 9655/107 received 21/12/2022
Existing Floor Plans 2 9655/106 received 21/12/2022
Existing Floor Plans 1 9655/105 received 21/12/2022
Proposed Floor Plans 2 9655/102 Rev B received 29/06/2023

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

- 3) Prior to the commencement of the approved development, a construction management plan shall be implemented and continued thereafter for the whole contract period, in accordance with details to be submitted to and agreed in writing by the Local Planning Authority. The construction management plan shall include details of loading and delivery arrangements to the site for construction traffic and a temporary car park within or near the site to accommodate operatives' and construction vehicles for the whole contract period.

Reason - In the interests of highway safety and convenience and in accordance with Policy PP35 of the Poole Local Plan (2018).

- 4) The approved parking bays shall be available as operational parking for the use of all of the approved flats with no parking space allocated to any individual or individual unit. The area annotated as 'Loading Area' on the approved plans shall be fully marked out as 'Keep Clear/ Loading Only' prior to the first use of the dwellings hereby approved, and shall be made available at all times for service and delivery vehicles only to the ground floor commercial unit, and shall not be used for parking, and no parking barriers shall be placed to restrict access to it. For the avoidance of doubt no

markings shall extend on to the road or adopted footway/pavement along the south side of Carlton Grove.

Reason - In the interests of highway safety and in accordance with Policies PP27, PP34, PP35 and PP36 of the Poole Local Plan (November 2018).

- 5) Prior to first occupation of any part of the development hereby permitted, details of measures to provide 10% of the predicted future energy use of the approved flats 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. Documents required by the Local Authority include:

The 'as built' SAP assessment documents. These should be the same documents issued to Building Control to address the Building Regulations Part L; The corresponding EPC (Energy Performance Certificate); and a statement, summary or covering letter outlining how the data given in the above documents demonstrates that a minimum of 10% of energy use is provided by the renewable technology.

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).

- 6) 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).

- 7) Details of biodiversity enhancement to be delivered on site shall be submitted to and approved in writing by the Local Planning Authority and implemented prior to first occupation of the development hereby approved. The details could include, but not restricted to a bat and bird boxes and bricks, or bee bricks.

Reason In order to deliver the biodiversity enhancement required by the NPPF and in accordance with Policy PP33 of the Poole Local Plan 2018.

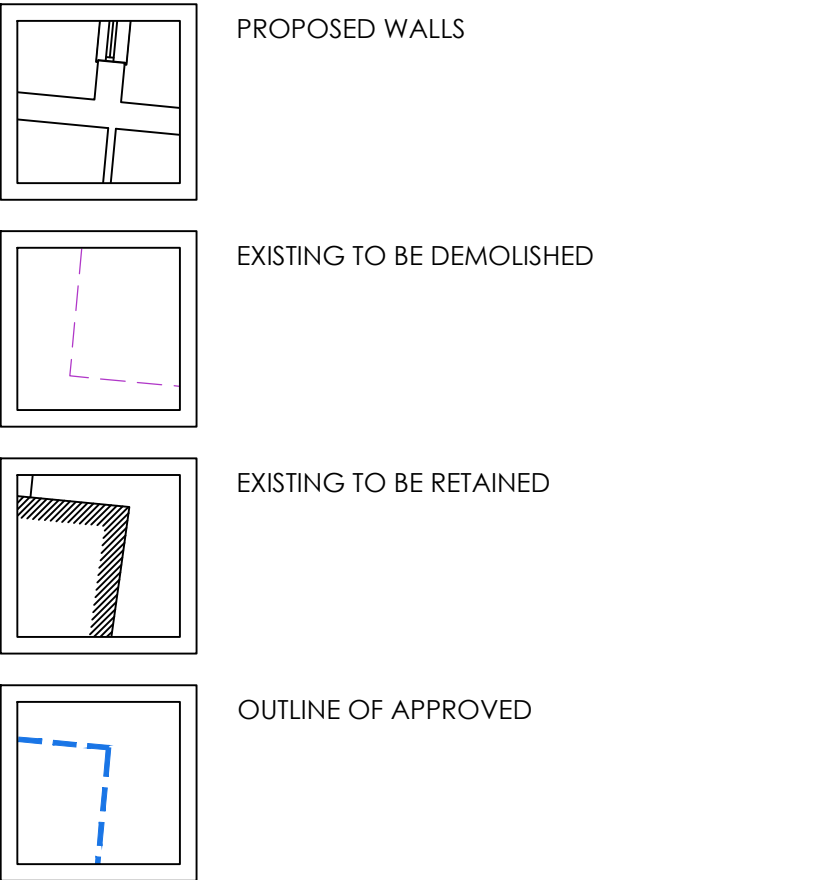
- 8) The proposed cycle and bin storage facilities as shown on Drwg. No. 9655/101 Rev A shall be provided in full prior to the first occupation of any of the approved residential units and thereafter retained for the benefit of occupiers of the development.

Reason: In the interests of the amenity of occupiers.

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 2. Planning drawings are only to be used for planning purposes & no reliance on compliance with Building regulations should be assumed.
 3. Do not scale, figured dimensions only to be used.
 4. Contractors must verify all dimensions and report any discrepancies before putting work in hand or making any shop drawings.
 5. All flat roofs to be fitted with a man safe system to satisfy CDM 2015 regulations unless written confirmation from Principle Designer/ Principle Contractor is provided to show alternative compliance has been sought and approved.
 6. Stair design to be independently checked by stair fabricator for regs, compliance and sizing, prior to construction/ ordering. Dimensions to be checked before fabrication.
 7. Macleanan waterproofing specialists (or similar company with relevant PI insurance) to be instructed and detail all basement waterproofing designs. - ARC carry no responsibility or PI cover for basement designs in terms of waterproofing or structure in any way.
 8. A design and risk assessment should form part of our drawing package. If you have not received this from us by post, email or collection please contact us for a copy before moving forward with the project.
 9. We take no responsibility for the depicted site ownership boundary. Clients must notify us if they feel the our plans do not accurately depict their ownership or area of control for planning purposes.
 10. We do not take responsibility for meeting minimum space as set out in Government technical housing standards - nationally described space standards document.
 11. All Cropping & building attachments externally to be at A1 fire rated.
- NOTE:** We do NOT take any responsibility and do not carry any PI cover in relation to any matters relating to the safety, Part B building regulations, BS 9991 for fire or FWS 1 and drawings in no way form a fire strategy/ report. All design details relating to Fire Safety are shown for indicative purposes only and should be read in conjunction with the latest version of the Appointed Fire Consultant Fire Strategy Document/ Report - all information contained in such a report supersedes ARC drawings in all aspects. No assumption of any responsibility is accepted. If you are unaware who the appointed fire consultant is or don't have a copy of the latest version of the report please contact arc in writing immediately.
- EW1:** an independent and an appropriately qualified and insured fire consultant/engineer should be appointed by the client/contractor to ensure the finished project is compliant. Some mortgage companies require EW1's on buildings outside of the EW1 standard criteria.
- Part B & Fire Safety:** An independent and appropriately qualified fire consultant should be instructed by the client/contractor at the earliest possible point in the design process to ensure compliance with Part B & Fire safety. Please note that subject to a fire consultants confirmation/input the following points may be required in some or all areas of the building: 1) Sprinkler systems (Domestic or commercial) 2) Mechanical smoke extraction 3) Fixed shut fire safety glass 4) plan changes in relation to fire safety could result in loss of saleable floor area and potential requirement for additional planning applications. (this list is not exhaustive)

LEGEND



:- ORIGINAL SURVEY CARRIED OUT BY LDS LAND & BUILDING SURVEYORS

SCHEDULE OF ACCOMMODATION			
UNIT NO.	BEDS	SQM	SQFT
UNIT 1	1	47.4	510
UNIT 2	1	47.3	509
UNIT 3	1	55.9	601
UNIT 4	2	67.8	729
UNIT 5	1	48.7	524
UNIT 6	1	48.2	518

B.	Windows along side east elevations reduced & obscured.	29.06.23	WD
A.	Amendments following planners comments.	09.02.23	WD

No.	Revision.	date	by
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PROPOSED DEVELOPMENT,
320 - 328 ASHLEY ROAD,
POOLE,
DORSET,
BH14 9DF

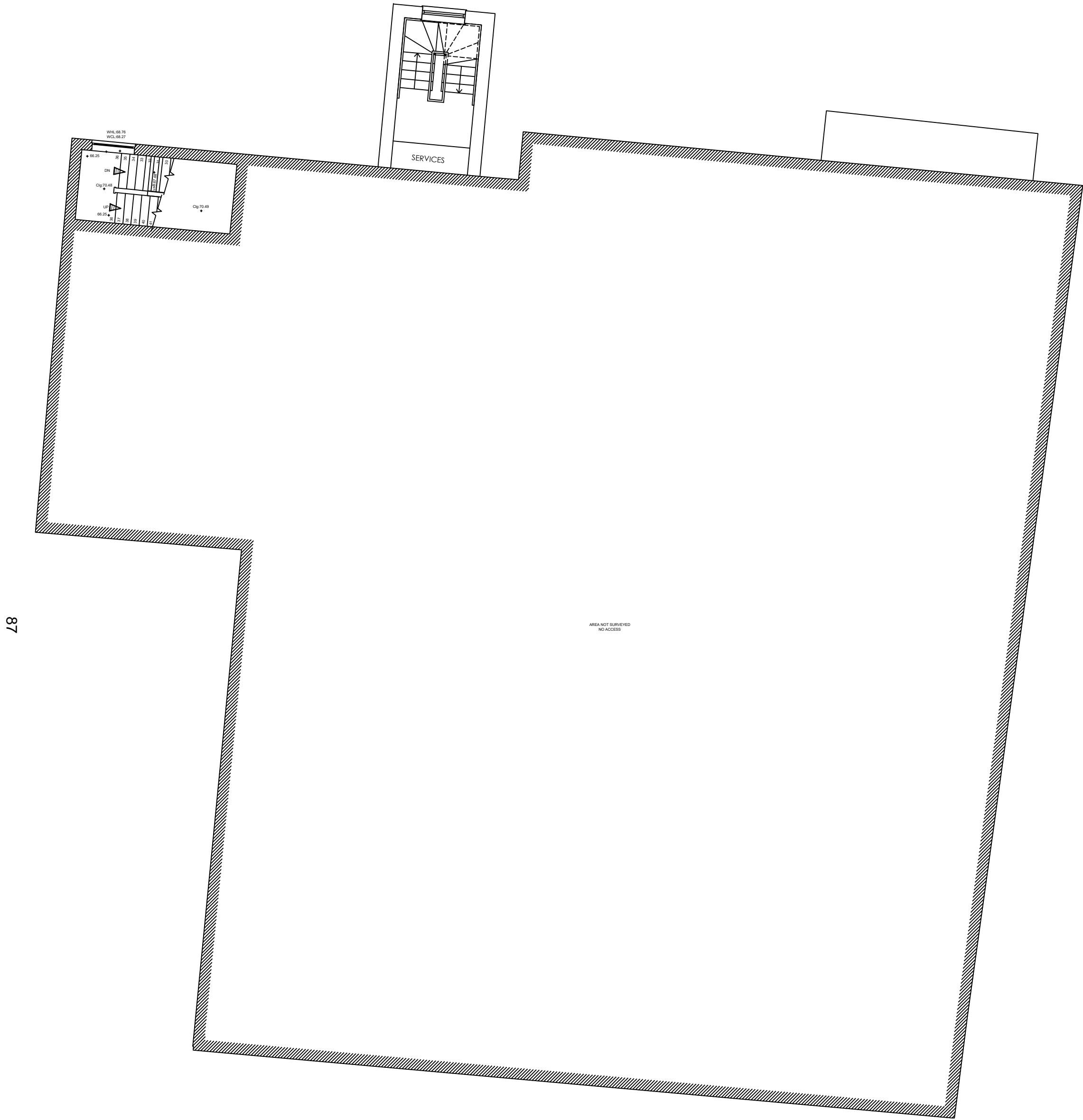
PROPOSED FLOOR PLANS 2

scale	AS SHOWN @ A1	checked	//
date	DECEMBER 2022	drawn	WD
9655 / 102		A.	B.

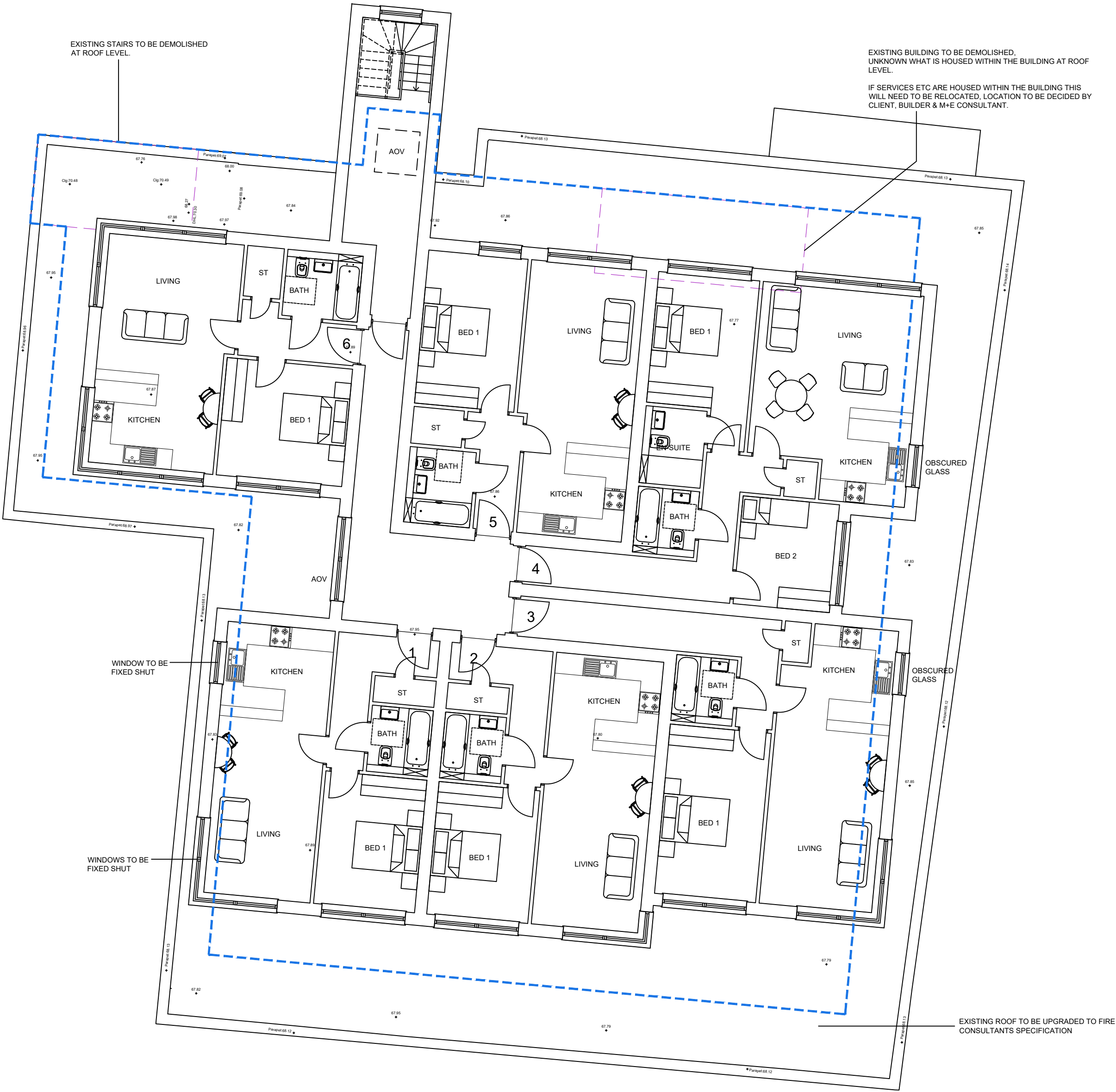
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Tel: +44 (0)1202 479919
E-mail: enquiries@andersrobertscheer.co.uk
Web: www.andersrobertscheer.co.uk



SECOND FLOOR PLAN:
SCALE: 1:100



UPPER FLOOR PLAN:
SCALE: 1:100

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5. All flat roofs to be fitted with a man safe system to satisfy CDM 2015 regulations unless written confirmation from Principle Designer/ Principle Contractor is provided to show alternative compliance has been sought and approved.
6. Stair design to be independently checked by stair fabricator for reg. compliance and string, prior to construction/ ordering. Dimensions to be checked before fabrication.
7. Macleanan waterproofing specialists (or similar company with relevant PI insurance) to be instructed and detail of basement waterproofing designs. - ARC carry no responsibility or PI cover for basement designs in terms of waterproofing or structure in any way.
8. A design and risk assessment should form part of our drawing package. If you have not received this from us by post, email or collection please contact us for a copy before moving forward with the project.
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10. We do not take responsibility for meeting minimum space as setout in Government Technical housing standards - nationally described space standards document.
11. All cladding & building attachments externally to be at A1 fire rated.

NOTE: We do NOT take any responsibility and do not carry any PI cover in relation to any matters relating to the safety. Part 8 building regulations, BS 9991 for fire or EWS1 and drawings in no way form a fire strategy report. All design details relating to fire safety are shown for indicative purposes only and should be read in conjunction with the latest version of the Appointed Fire Consultant Fire Strategy Document/ Report - all information contained in such a report supersedes ARC drawings in all aspects. No assumption of any responsibility is accepted. If you are unaware who the appointed fire consultant is or don't have a copy of the latest version of the report please contact arc in writing immediately.

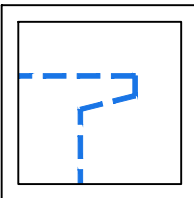
EWS1: an independent and an appropriately qualified and insured fire consultant/engineer should be appointed by the client/contractor to ensure the finished project is compliant. Some mortgage companies require EWS1's on buildings outside of the EWS1 standard criteria.

Part 8 & Fire Safety: An independent and appropriately qualified fire consultant should be instructed by the client/contractor at the earliest possible point in the design process to ensure compliance with Part 8 & Fire safety. Please note that subject to a fire consultants confirmation/input the following points may be required in some or all areas of the building: 1) Sprinkler systems (Domestic or commercial) 2) Mechanical smoke extraction 3) Fixed shut fire safety gates 4) plan changes in relation to fire safety could result in loss of habitable floor area and potential requirement for additional planning applications. (this list is not exhaustive)

LEGEND



EXISTING TO BE DEMOLISHED

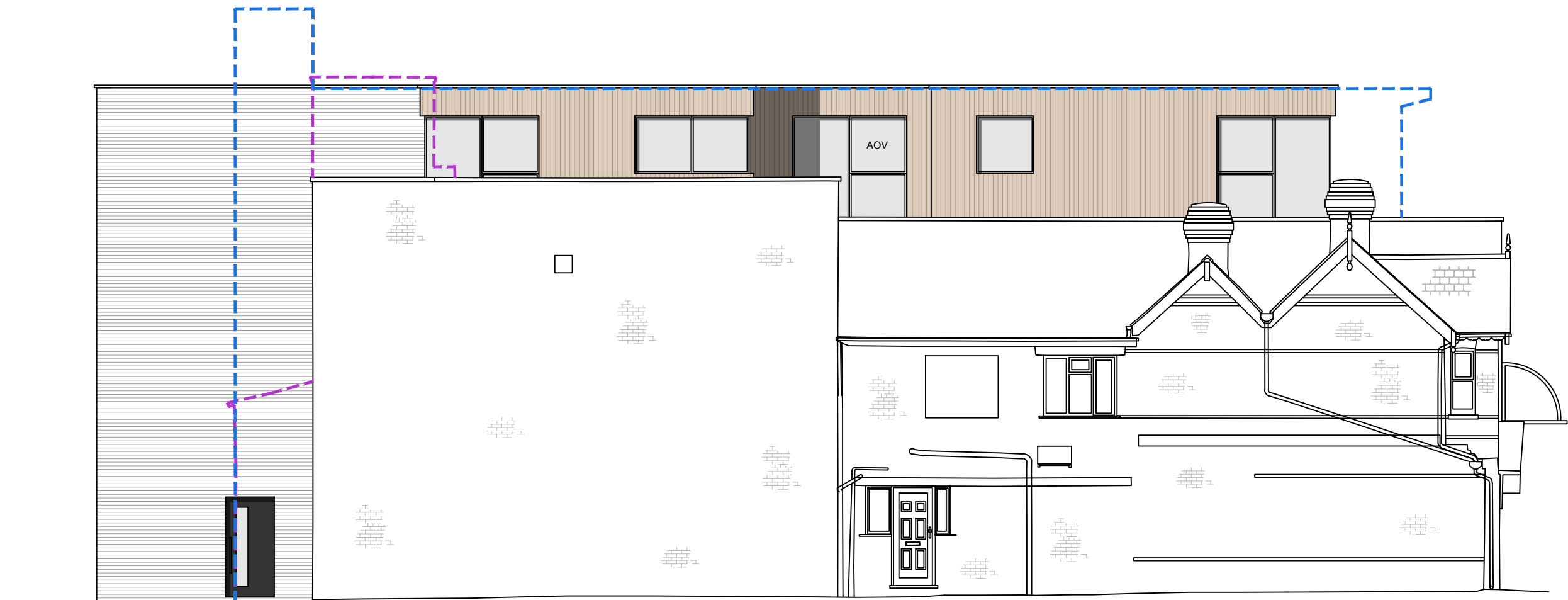


OUTLINE OF APPROVED

:- ORIGINAL SURVEY CARRIED OUT BY LDS LAND & BUILDING SURVEYORS



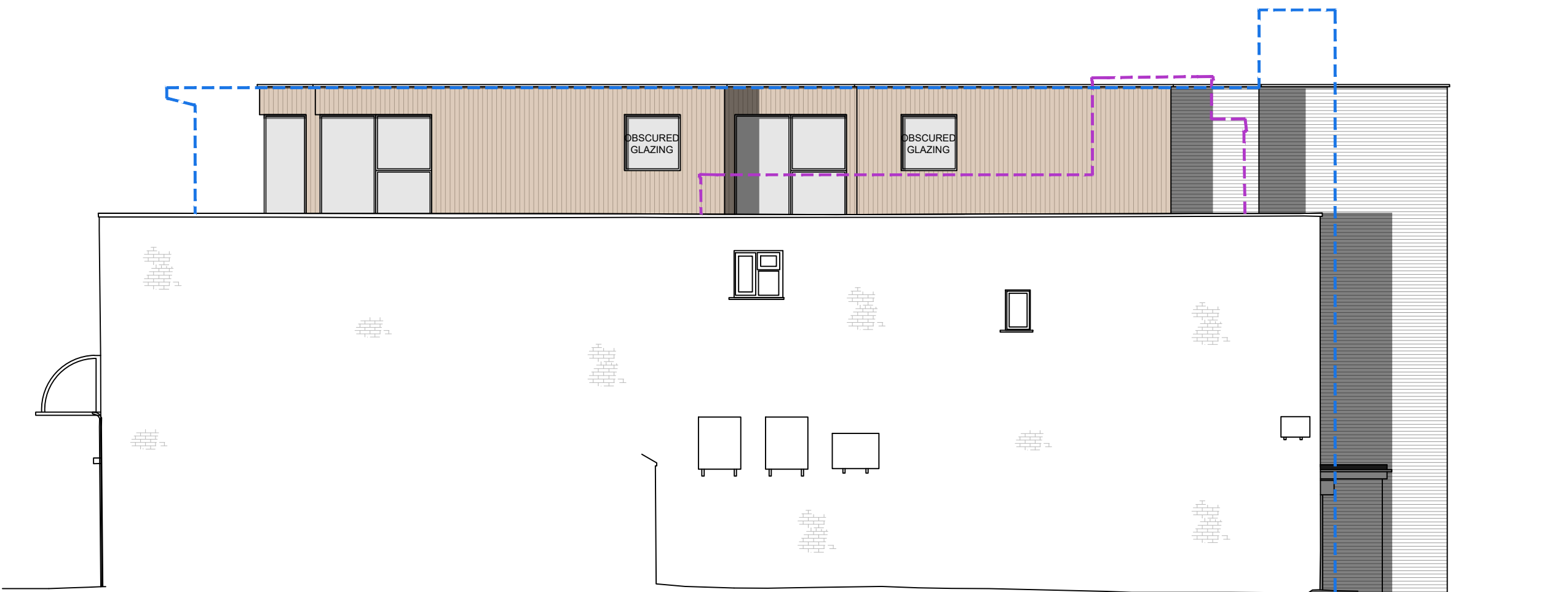
FRONT SOUTH ELEVATION:
SCALE: 1:100



SIDE WEST ELEVATION:
SCALE: 1:100



REAR NORTH ELEVATION:
SCALE: 1:100



SIDE EAST ELEVATION:
SCALE: 1:100

MATERIALS SCHEDULE:

- EXTERNAL WALLS:-
- TIMBER EFFECT CLADDING
 - PAINTED BRICK TO MATCH EXISTING
- WINDOWS & DOORS:-
- GREY ALUMINIUM
- ROOF:-
- SINGLE PLY MEMBRANE WITH ALUMINIUM FASCIA AND UNDER EAVES

Note: All materials to be confirmed by fire consultant prior to construction. The above material choices are for planning/aesthetic purposes only and confirmation of fire performance should be agreed with specialist. (If fire system behind cladding should also be non combustible A1 or A2 rated and agreed with fire consultant)

- B. Windows along side east elevations reduced & obscured. 29.06.23 WD
- A. Amendments following planners comments. 09.02.23 WD

No.	Revision.	date	by
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PROPOSED DEVELOPMENT,
320 - 328 ASHLEY ROAD,
POOLE,
DORSET,
BH14 9DF

PROPOSED ELEVATIONS

scale	AS SHOWN @ A1	checked	//
date	DECEMBER 2022	drawn	WD
	A. B.		

9655 / 103

ARC Architecture Ltd.

Chapel Studios, 14 Purewell,
Christchurch, Dorset, BH23 1EP

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1. The contents of this drawing are copyright.

2. Planning drawings are only to be used for planning purposes & no reliance on compliance with Building regulations should be assumed.

3. Do not scale. Figured dimensions only to be used.

4. Contractors must verify all dimensions and report any discrepancies before putting work in hand or making any shop drawings.

5. All flat roofs to be fitted with a man safe system to satisfy CDM 2015 regulations unless written confirmation from Principle Designer/ Principle Contractor is provided to show alternative compliance has been sought and approved.

6. Start design to be independently checked by stat fabricator for reg. compliance and stib, prior to construction/ ordering. Dimensions to be checked before fabrication.

7. Mention waterproofing specialists (or similar company with relevant PI insurance) to be instructed and detail all basement waterproofing details. - ABC carry no responsibility or PI cover for basement designs in terms of waterproofing or structure in any way.

8. A design and risk assessment should form part of our drawing package. If you have not received this from us by post, email or collection please contact us for a copy before moving forward with the project.

9. We take no responsibility for the depicted site ownership boundary. Clients must notify us if they feel the our plans do not accurately depict their ownership or area of control for planning purposes.

10. We do not take responsibility for meeting minimum space as setout in Government Technical housing standards - nationally described space standards document.

11. All Cladding & building attachments externally to be at A1 fire rated.
- NOTE: We do NOT take any responsibility and do not carry any PI cover in relation to any matters relating to fire safety. Part B building regulations, BS 999 for fire or EWS1 and drawings in no way form a fire strategy report. All design details relating to Fire Safety are shown for indicative purposes only and should be read in conjunction with the latest version of the Appointed Fire Consultant Fire Strategy Document/ Report - all information contained in such a report supersedes ARC drawing in all aspects. No assumption of any responsibility is accepted. If you are unaware who the appointed fire consultant is or don't have a copy of the latest version of the report please contact arc in writing immediately.

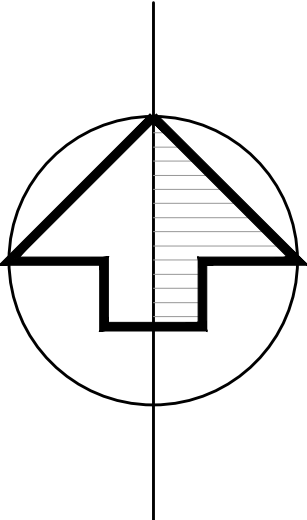
EWS1: an independent and an appropriately qualified and insured fire consultant/engineer should be appointed by the client/contractor to ensure the finished project is compliant. Some mortgage companies require EWS1's on buildings outside of the EWS1 standard criteria.

Part B & Fire Safety: An independent and appropriately qualified fire consultant should be instructed by the client/contractor at the earliest possible point in the design process to ensure compliance with Part B & fire safety. Please note that subject to a fire consultants confirmation/input the following points may be required in some or all areas of the building: 1) Sprinkler systems (Domestic or commercial) 2) Mechanical smoke extraction. 3) Fixed shut fire safety glass 4) plan changes in relation to fire safety could result in loss of suitable floor area and potential requirement for additional planning applications. (this list is not exhaustive)

LEGEND

- PROPOSED WALLS
- EXISTING TO BE DEMOLISHED
- EXISTING TO BE RETAINED

:- ORIGINAL SURVEY CARRIED OUT BY LDS LAND & BUILDING SURVEYORS



A. Amendments following planners comments. 09.02.23 WD

No.	Revision.	date	by
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PROPOSED DEVELOPMENT,
320 - 328 ASHLEY ROAD,
POOLE,
DORSET,
BH14 9DF

PROPOSED FLOOR PLANS 1

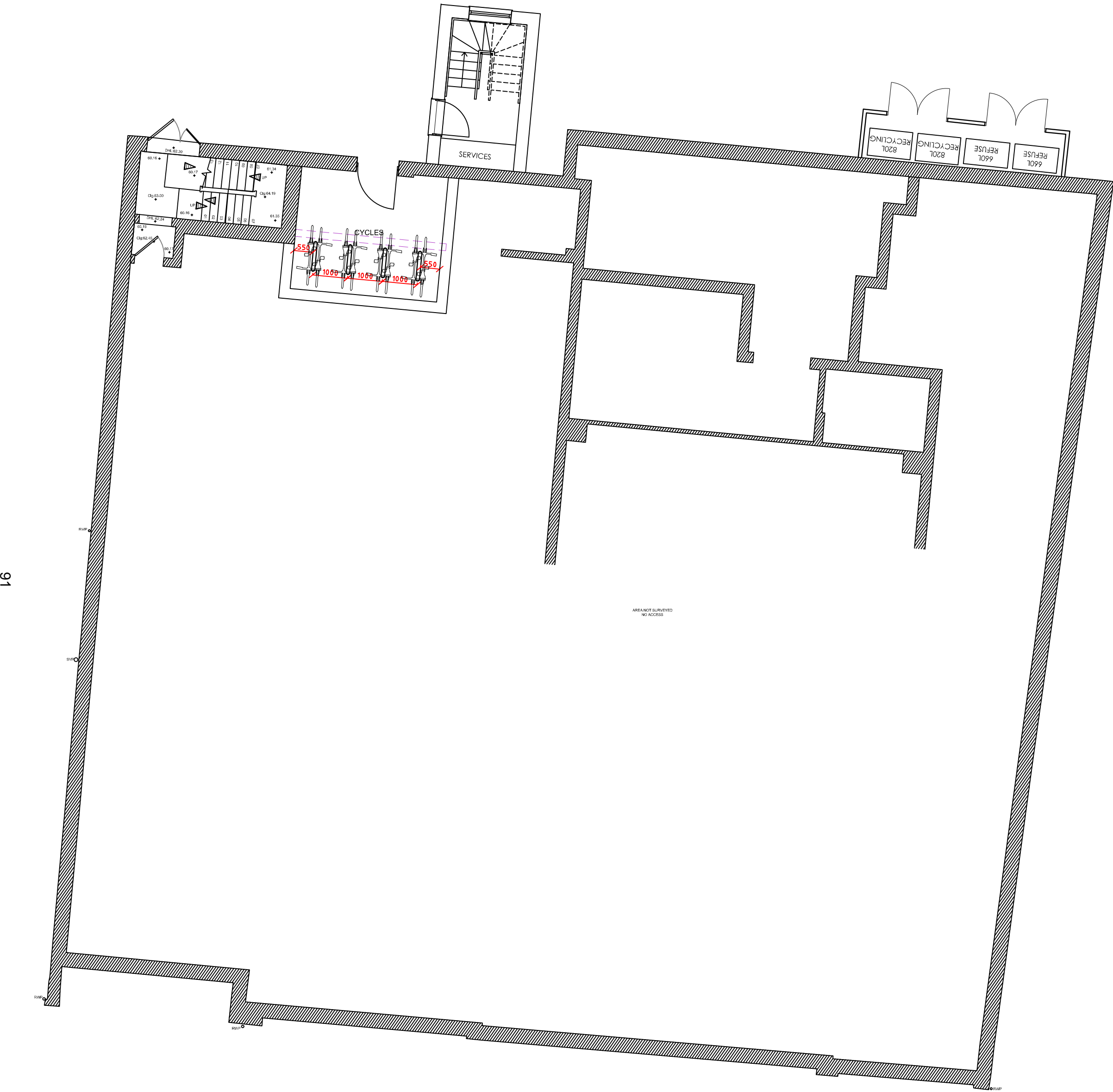
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date	DECEMBER 2022	drawn	WD
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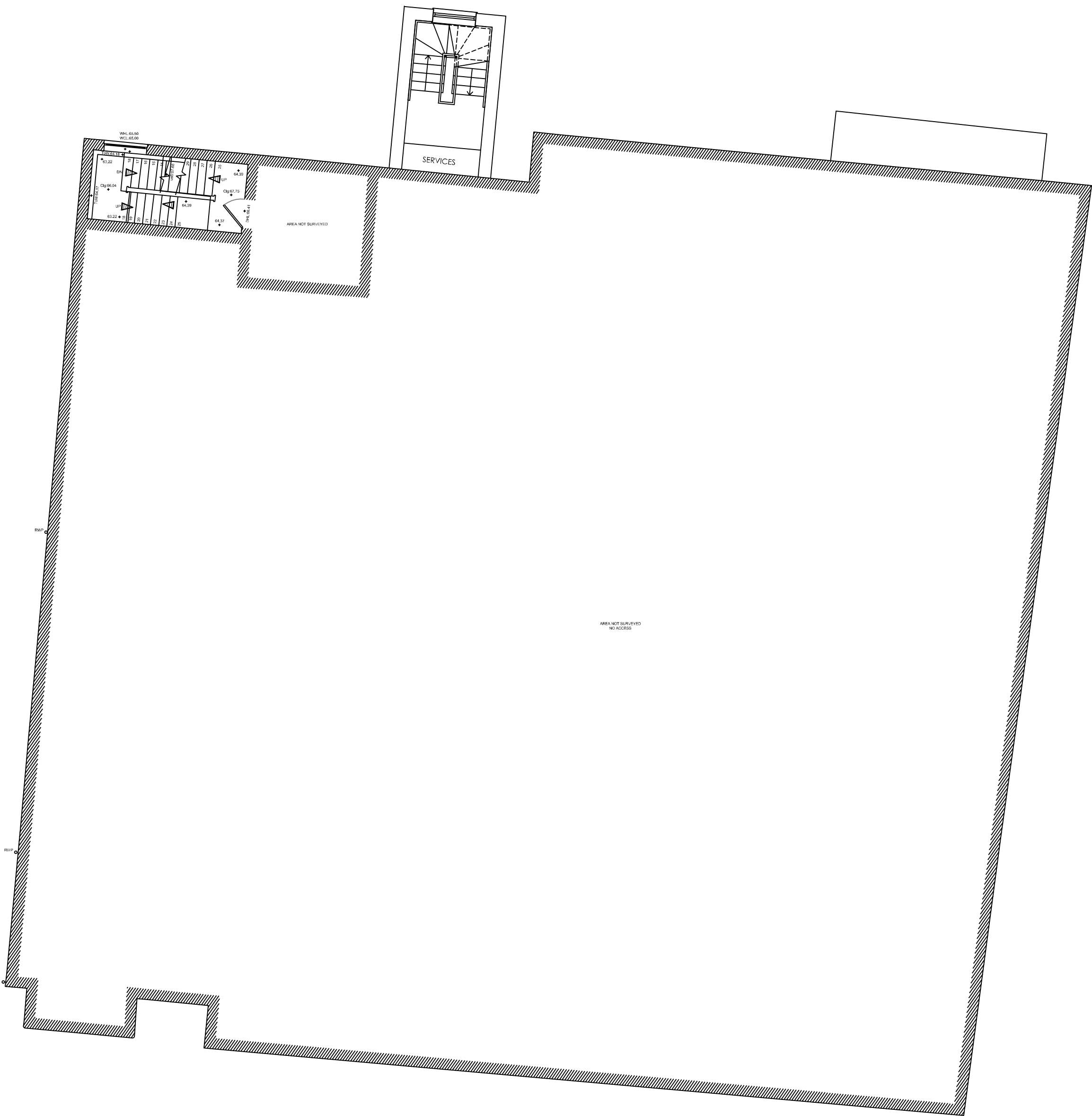
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GROUND FLOOR PLAN:
SCALE: 1:100



FIRST FLOOR PLAN:
SCALE: 1:100

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The diagram consists of two parts. The top part shows a square building footprint with a dashed purple line indicating the existing outline. The bottom part shows a similar square footprint with a dashed blue line indicating the approved outline. The approved outline is slightly larger than the existing one, extending further to the right and bottom.

:- ORIGINAL SURVEY CARRIED OUT BY LDS LAND & BUILDING SURVEYORS



STREET SCENE (FOR INDICATIVE PURPOSES ONLY):
SCALE: 1:100

A.	Amendments following planners comments.	09.02.23	WD
No.	Revision.	date	by

PROPOSED DEVELOPMENT,
320 - 328 ASHLEY ROAD,
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ARCHITECTURE

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EXISTING TO BE DEMOLISHED

OUTLINE OF APPROVED



STREET SCENE (FOR INDICATIVE PURPOSES ONLY):
SCALE: 1:100

No.	Revision.	date	by
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PROPOSED DEVELOPMENT,
320 - 328 ASHLEY ROAD,
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scale	AS SHOWN @ A1	checked	//
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Planning Committee

Application Address	Fairlea 16 West Cliff Road, Bournemouth BH2 5EZ
Proposal	Erection of a roof structure for emergency escape access and revised roof terrace and balustrade - Part existing unauthorised
Application Number	7-2023-1227-AS
Applicant	Vivir Properties (Dorset) Ltd
Agent	David James Architects & Partners Ltd
Ward and Ward Member(s)	Westbourne and West Cliff Ward Cllr Beesley and Cllr d'Orton-Gibson
Report status	Public Report
Meeting date	20 July 2023
Summary of Recommendation	GRANT subject to conditions
Reason for Referral to Planning Committee	Over 20 letters of objection received
Case Officer	Victoria Noakes

Description of Proposal

1. The proposal relates to the: Erection of a roof structure for emergency escape access and revised roof terrace and balustrade. It is noted that the proposal is partly retrospective as at the time of the case officer's site visit, the roof structure access had been extended however the railings had not been put in place. However, the fact that some works have begun does not have a bearing on decision making. Each application is assessed on its own merits.

Description of Site and Surroundings

2. The surrounding area comprises large purpose-built blocks of flats and terraces of hotels and residential accommodation. Fairlea is a three-storey block of purpose-built flats built in 1967 that shares an access with Avon House, a much larger block of purpose-built flats. Fairlea is not of any significant architectural merit and planning permission was granted at Committee in 2020 for an additional storey and to increase the number of flats from 9 to 12. Approval was also given for the replacement of the windows in the building and the addition of render and cladding.

Additional parking spaces were also approved as well as a cycle store and landscaping. This is known as the 'G' application.

3. Fairlea abuts the West Cliff and Poole Hill Conservation Area. To the south of Fairlea is a large area of green space and the cliff top which is designated public open space. Whilst Fairlea is currently outside of the conservation area, the green is proposed to be included within the conservation area boundary. The consultation process in respect of changes to the conservation area has been through public consultation and weight is given to the fact that Fairlea would most likely be included within the conservation area. The positive impact on the character of the conservation area though is the large open green, rather than the building. A public footpath also runs parallel along the eastern side of the site from West Cliff Road to the clifftop.

Relevant Planning History

4. 7-2019-1227-G
Alterations, roof extension to form three additional flats and formation of additional parking spaces
Granted at Committee 30/4/2020.
5. 7-2021-1227-AP
Non-material amendment to application no. 7-2019-1227-G to form three roof gardens to provide additional amenity space
Refused. Proposal could not be considered as non-material.
6. 7-2021-1227-AQ
Minor Material Amendment to vary condition no.1 of application 7-2019-1227-G to provide 3 no external roof terraces with access (Original description - Alterations, roof extension to form three additional flats and formation of additional parking spaces) –
Granted at Committee 19/05/2022
7. 7-2022-1227-AR
Installation of new entrance canopy and door, letter boxes and planting and new entrance gate and fence
Granted

Constraints

8. The site has the following constraints:
 - Adjacent to the Poole Hill and West Cliff Conservation Area
 - Area TPO

Public Sector Equalities Duty

9. In accordance with section 149 Equality Act 2010, in considering this proposal due regard has been had to the need to:
 - eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Other relevant duties

10. In accordance with section 40 Natural Environment and Rural Communities Act 2006, in considering this application, regard has been had, so far as is consistent with the proper exercise of this function, to the purpose of conserving biodiversity.
11. For the purposes of this application, in accordance with section 17 Crime and Disorder Act 1998, due regard has been had to, including the need to do all that can reasonably be done to prevent, (a) crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment); (b) the misuse of drugs, alcohol and other substances in its area; and (c) re-offending in its area.

Consultations

BCP Urban Design

12. No objection to principle of the works however balustrading should be amended to glazing to ensure appropriate integration with the host and previously approved works.

Representations

13. 31 letters of objection have been received raising the following issues (summary):
 - Harm to conservation area
 - Poor design
 - Increased noise and disturbance from enlarged terrace areas
 - Overlooking
 - Incongruous development
 - Out of keeping with the area
 - Loss of outlook
 - Impact on property prices
 - Works are retrospective
 - Loss of private view
 - Concern over cladding to the front elevation
 - Issue of pets being allowed on to the roof terraces
 - Development is an eye-sore
14. Site notices were erected on 29 March 2023 with an expiry date of 21 April 2023. Following the receipt of amended plans showing changes to the materials, these were advertised for a period of 7 days expiring 23 June 2023.
15. Additional representations were received raising the following issues:
 - Concerns of overlooking, noise and disturbance still remain
 - Glazing should be obscure glazed
 - Harmful to visual amenity
 - Harm to conservation area

Key Issue(s)

16. The key issue(s) involved with this proposal are:
 - Impact on the character and appearance of the area
 - Impact on local residents
17. These issues will be considered along with other matters relevant to this proposal below.

Policy Context

Core Strategy (2012)

Policy CS38: Minimising Pollution

Policy CS39: Designated heritage assets

Policy CS41: Quality Design

Bournemouth District Wide Local Plan (2002)

4.4 – Conservation Area (setting of)

Town Centre Area Action Plan (2013)

Policy D4: Design Quality

National Planning Policy Framework (“NPPF”/“Framework”)

The National Planning Policy Framework (NPPF) sets out the Government’s planning policies for England and is a material consideration in planning decisions.

Planning Assessment

18. This scheme proposes the following elements:
 - Enlargement of approved roof terraces
 - Alterations to the emergency escape access (works have already begun in relation to this on site)
 - Erection of metal railings and glazed balustrades
19. This application follows a previously approved section 73 minor material amendment scheme for installing three roof gardens, directly above Flats 10, 11 and 12. The future occupants of the three flats approved under the ‘G’ application will have private access to the roof gardens via a spiral staircase. At the top of the staircase will be a glazed roof cover ‘hatch’. Previously approved, each terrace measured 4.5m by 5m and would have a 1.1m high glazed balustrade around the parameter delineating each resident’s private space with an escape gate. As such, the principle of roof terraces in this location has been established following this approval. This approved permission also creates a fallback position, in that it can be built in any case.
20. Under this application, it is proposed to extend each of the terraces. This is largely towards the southern edge of the building, where they follow the shape of the roof. As originally proposed under this application, the terraces were to be bordered by metal railings however the plans were amended to change this to a glass balustrade.

This is discussed further within the 'Impact on the character and appearance of the area' section below. It is also acknowledged that the 1.1m height of these is retained apart from the balustrading on the east and west edges which reaches 1.3m.

21. Alterations are also proposed to the emergency access and lift overrun at the centre of the roof which results in a 1.4 metre approx. height increase to meet building regulations. It is noted that works have begun in relation to this structure. Lastly, metal railings are proposed running from the corners of the emergency access to the nearest corner of the terraces for Flats 10 and 12 to stop access to this part of the roof. Solar panels will be inserted on the rooftop.

Impact on the character and appearance of the area

22. From the cliff top there are views towards Fairlea and views towards Avon House which is located directly behind. Fairlea is located 67.5m to the north of the public footpath. Whilst the roof terraces will be visible from the public footpath, especially as they are located on the southern side of the roof, they would not be a harmful addition or cause overbearing from the public vantage points due to the distance from the clifftop. The roof gardens provide private amenity space for the future residents and whilst they will be visible, they are not considered to cause an adverse impact on the character or appearance of the area to a detrimental degree due to the lightweight appearance of the glazing.
23. Given the increase in amount of balustrading and the increased height of the emergency access, the impact on the character and appearance of the area must be considered. There is a clear, relatively open view of Fairlea with a backdrop of Avon House from West Cliff Gardens to the south. The roof top structure and roof terraces would be viewed in the context of Avon House to the rear, which is a taller building with its own balconies and roof terraces. Glimpses of the building are possible from West Cliff Road to the north, although these are between the surrounding buildings and signage. The increase in scale of the balustrades and roof structure is likely to be barely perceptible in these views. There is also a public footpath to the east of the site, from which views are available over the approx. 1.8-metre-high boundary wall, some of which are screened by trees. The balustrades would be screened by trees in this view from the footpath. It is likely that only the roof structure would be obvious in this view of the rear from this vantage point, as the roof terraces are situated towards the south of the building.
24. The approved roof terraces and stair cover building were modest in scale and appearance. The proposed increase in the scale of both would make the proposals a little more obvious in public views. However, given that the proposals would be viewed in the context of the surrounding buildings or only in glimpses between buildings or behind trees, it is considered that the proposal would be acceptable in urban design and townscape terms. Although taller in height, the proposed roof structure is inset towards the centre of the roof and reflects similar built form evident among the larger blocks of flats within the vicinity.
25. However, regard is given to the materials proposed to the balustrades where there was concern from the Case Officer and Urban Design Officer. It was considered that the proposed mix of metal railings and glazing would offer a poor quality appearance which would be visible in public views and would detract from the aesthetic of the building. To achieve a better-quality appearance in line with Policy CS41 of the Core Strategy and Policy D4 of the Town Centre APP, balustrades should be all glazed.

26. In response, the plans have been updated to include all glazing around the terraced areas and southern side of the roof. Two sections of metal railings (1.1m high) would remain, however these are positioned towards the middle of the flat roof and so are unlikely to be obvious in public views of the building. It is positive that all the balustrades at the edge of the roof would be glazed which would give a consistent appearance.
27. The north elevation plan was updated to include the proposed glass balustrading at the rear of the balconies for flats 10 and 12 for clarity and it now matches the proposed roof plan. As mentioned above Fairlea abuts the conservation area. Given it sits outside this designated area and with the works proposed minor in scale, it is not considered that it would impact negatively on the setting of the conservation area. For these reasons, the proposed amendments are considered to overcome the above concerns and are therefore considered acceptable.
28. For the reasons outlined above, the proposed works are considered to be acceptable having regard to issues of character and appearance and in accordance with Policy CS41 of the Core Strategy and Policy D4 of the Town Centre APP.

Impact on local residents

29. As mentioned above, the principle of roof terraces in this location has been considered acceptable with an extant permission meaning such additions can be built in any event under the previous application which forms a fallback position. In this current case, it is to be considered whether the additional footprint of the terraces would cause harm by way of overlooking, noise and disturbance. 1.1m high balustrades were conditioned to be obscure glazed under the previous application. Details of materials are to be submitted via condition. For consistency, the glazing shall also obscure glazed in this case and maintained by condition.

Avon House

30. This 11-storey block of flats is located to the north of Fairlea with a separation distance of 30m at the closest point. There are balconies on the south elevation of this building that overlooks Fairlea, the green, cliff top area and sea. The proposed roof terraces are to the southern side of Fairlea at a distance from this neighbour.
31. When considering the distance in context with the enlarged terraces proposed, there remains comparable separation distance. As such, there is not considered to be an intensified impact from this proposal in terms of harmful overlooking when compared with that which was previously approved. Instead, the proposed development perpetuates a relationship of existing mutual overlooking which is considered acceptable.
32. Further, as highlighted within the previous case officer's report, there is no right to a private view, so this does not form a material planning consideration, nor is any impact on property value as a result of the proposal.

Tower Court

33. This 13-storey purpose-built block of flats is located to the east of Fairlea. Good separation distances would still be maintained (approx. 23m) even with the enlargement of the closest roof terrace to this property. Again, in this case, the roof terraces are situated to the southernmost point of Fairlea, and it is not considered that the proposal would cause a materially harmful impact by way of a loss of privacy compared to what was previously approved.

Bayview Gardens

34. This 6-storey block of flat is located directly east of Fairlea. The roof terrace closest to this neighbour is proposed to be infilled up to southern edge of Fairlea. With a separation distance maintained of approx. 26m to this neighbour. It is not considered that views from this new vantage point would lead to a loss of privacy which would be more harmful than the previous application.

Rothbury, The Lindens, Flats 1-4 and 5-8, 8 West Cliff Gardens

35. These three-storey buildings are located to the west of Fairlea with the closest roof terrace serving Flat 12. Again, this terrace is to be infilled to the southern edge of Fairlea with a minimum separation distance of approx. 24m maintained at the closest point and screening provided by vegetation. It is not considered that this new vantage point would lead to harmful overlooking compared to the previous approval.

Summary

36. In light of the above, it is considered the enlarged footprint of roof terraces would not be considered harmful with regards to overlooking. The main increase in size is towards the south of the building which faces on to public open space. Further, the metal railings towards the centre of the roof also introduce a further barrier, with the northern section of roof being accessed for maintenance only.
37. Third party representations also highlighted concerns of intensified noise and disturbance due to the larger footprint of the terraces, allowing more users to potentially congregate and also the issue of pets on the roof terraces. A roof terrace management plan has been submitted as part of this application which relates to these concerns. It has also been updated to prohibit pets on to the roof. The use of terraces shall be conditioned to be in accordance with this document.
38. For the reasons outlined above, the proposed works (including the further roof works) are considered acceptable having regard to issues of residential amenity and in accordance with Policy CS41 of the Core Strategy and Policy D4 of the Town Centre APP.

Planning Balance/Conclusion

39. As discussed above, the extant permission found roof terraces to be acceptable, serving the three new flats. Having assessed views from the larger platform areas, there is not considered to be an increase in overlooking which would cause harm compared to what was previously approved. Although the proposed changes would be visible, good separation distances are maintained in terms of impact on neighbours.
40. Regarding character and appearance impact, amended plans have sought to allow consistency between materials to allow integration within the local context. Adherence to the Roof Terrace Management Plan would be controlled via planning condition. It is also highlighted that should unacceptable noise or disturbance arise, this might also be safeguarded by Environmental Health legislation.
41. Having considered the relevant issues, the proposal complies with the development plan, and it is recommended to approve the application. This accords with paragraph 11c of the NPPF which states that development proposals which accord with an up-to-date development plan should be approved without delay.

Recommendation

42. It is recommended to **GRANT PERMISSION** subject to the following conditions:

Conditions

1. Three-year time limit

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. Plans list

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

Location Plan – Drawing no. 1863 50

Block Plan – Drawing no. 1863 51

Site Plan – Drawing no. 1863-52a

Proposed Roof Plan – Drawing no. 1863-61b

Proposed South Elevation – Drawing no. 1863-64b

Proposed North Elevation – Drawing no. 1863-62c

Proposed East Elevation – Drawing no. 1863-63b

Proposed West Elevation – Drawing no. 1863-65b

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

3. Details of materials

Prior to the commencement of any superstructure works on site which form part of this planning application and which are not already approved by application no. 7-2021-1227-AQ, details of the materials to be used in the development; including the balustrades, railings and the detailed design of these components and any other materials or architectural detailing to be used in the development 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: To maintain the character and appearance of the building and to ensure a satisfactory visual relationship between the existing and the new development in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

4. Compliance with Roof Terrace Management Plan

The roof terraces shown on plan no. 1863-61b dated 09/06/2023 shall only be used in accordance with the approved Roof Terrace Management Plan received by the Council on 03/07/2023.

Reason: In order to protect the residential amenities of the occupiers of the proposed dwellings and in accordance with Policies CS38 and CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

5. Obscure glazing

The proposed glass balustrading to enclose the three roof terraces hereby permitted shall be obscure glazed on the north, east and west sides of each roof terrace area, and shall be permanently retained as such unless otherwise agreed in writing by the Local Planning Authority.

Reason: To reduce undue overlooking of adjoining residential properties and in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

Background Documents

Documents uploaded to that part of the Council's website that is publicly accessible and specifically relates to the application the subject of this report including all related consultation responses, representations and documents submitted by the applicant in respect of the application.

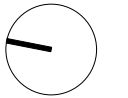
Notes. This excludes all documents which are considered to contain exempt information for the purposes of Schedule 12A Local Government Act 1972. Reference to published works is not included

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Location Plan
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revisions:



Outline of Approved Application
APP 7-2019-1227-G



Outline of existing
neighbouring
buildings

Block Plan
Scale 1: 500

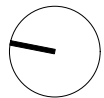


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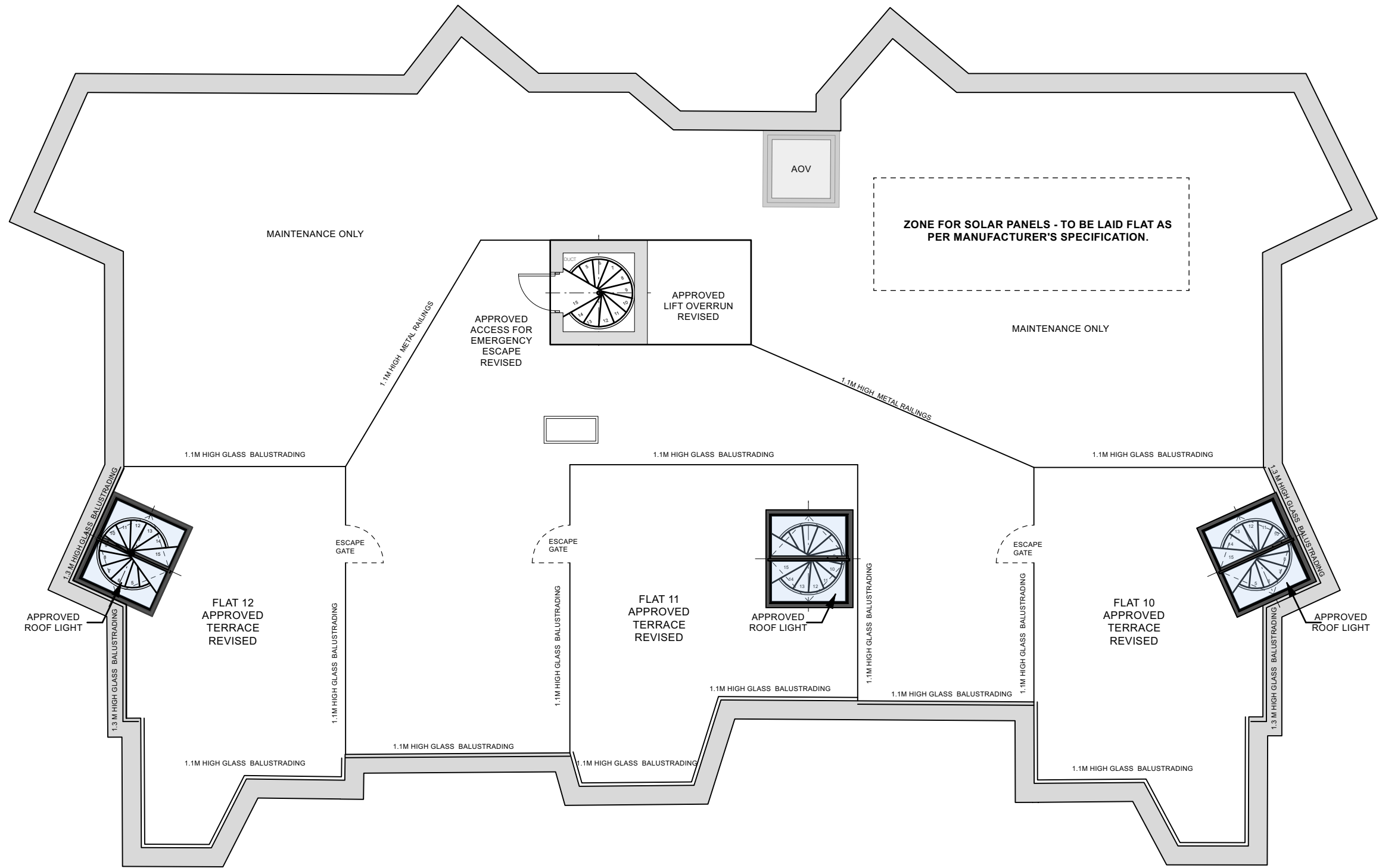


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Site Plan
Scale 1: 500

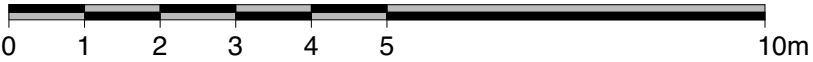


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REV A_ 28.02.23_Revised roof _HVG
REV B_ 09.06.23_Revised balustrade following comments from the LA _HVG

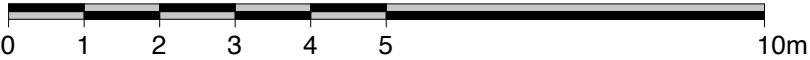


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REV A_ 28.02.23_Revised roof _HVG
REV B_ 09.06.23_Revised balustrade following comments from the LA _HVG
REV C_ 28.06.23_Revised balustrade following comments from the LA _HVG

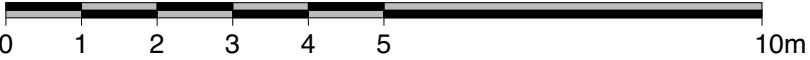


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REV A_ 28.02.23_Revised roof _HVG
REV B_ 09.06.23_Revised balustrade following comments from the LA _HVG



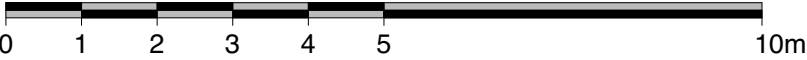
Note: This drawing is the copyright and remains the property of David James Architects & Partners Ltd. ©
Do not scale from this drawing and check all dimensions on site. Unauthorised use of the drawing for any use is prohibited.

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Drawn	HVG	Checked	—
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REV A_ 28.02.23_Revised roof _HVG
REV B_ 09.06.23_Revised balustrade following comments from the LA _HVG



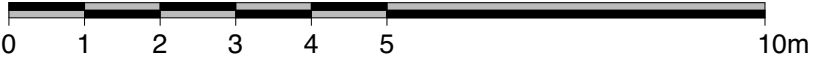
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REV A_ 28.02.23_Revised roof _HVG
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Planning Committee

Application Address	Land R/O 91 The Grove Christchurch BH23 2EZ
Proposal	Proposed 2 bedroom bungalow to the rear of existing property, with private garden, parking, turning and associated garage. Variation of conditions 2, 4 & 11 (Approved Plans, Confirmation of Tree Protection and Car Parking Facilities) of 8/20/1167/FUL to replace approved plans with revised versions, for development to be undertaken in accordance with Tree Report, Tree Protection Plan and amended Proposed Site Plan.
Application Number	8/22/0694/CONDR
Applicant	Bentley Slade Ltd
Agent	Mr Matt Stevens
Ward and Ward Member(s)	Commons Cllr Phipps and Cllr Ricketts
Report status	Public
Meeting date	20 July 2023
Summary of Recommendation	Delegate to the Head of Planning to grant permission subject to a s106 and conditions
Reason for Referral to Planning Committee	This application has been referred to the Planning Committee by Cllr Phipps for the following reasons; A Decision Notice for a previous application on this site was issued erroneously with the decision of the committee to remove permitted development rights, being omitted from the Decision Notice. In the light of this serious breach of the process, I ask that in the interests of openness and transparency this application is brought back to committee rather than being decided under delegated powers.
Case Officer	Charlotte Haines

Description of Proposal

1. Application is made under section 73 for a minor amendment to planning permission 8/20/1167/FUL granted on 22nd November 2021 for the erection of a 2-bedroom bungalow to the rear of the existing property following the demolition of the existing garage.

2. The current application seeks to vary conditions 2 (approved plans), condition 4 (tree protection) and 11 (parking arrangement) to reflect changes to the scheme made during its construction. Principally this is to convert an approved integral garage to a bedroom with changes to the fenestration to replace a garage door with a window and amend the site layout to accommodate parking and turning for two vehicles. In addition, a number of minor changes have been made to the internal layout and the external appearance of the bungalow during its construction and this application seeks to regularise the development.
3. In addition, the application seeks to amend Condition 4, which required a pre-commencement site meeting in respect of tree protection to take place before any equipment, materials or machinery were brought onto the site. No pre-commencement meeting took place in this instance and therefore it is no longer possible to comply with this aspect of the condition. Therefore, the application is seeking permission for the development without complying with this aspect of condition 4 of the original planning permission.
4. The application follows the granting of a Non-Material Amendment (8/22/0546/NMA) for the addition of a rooflight to a bathroom, change to building footprint and repositioning of a window on the NW elevation. The current proposal incorporates the previously approved changes in the NMA consent.
5. The dwelling has been built but not yet completed and occupied. The current application seeks to regularise the changes made during construction. Although, the proposal is partly retrospective, this does not have a bearing on the decision. Each application is assessed on its own merits.

Description of Site and Surroundings

6. The application site comprises part of the former rear garden of 91 The Grove and is located within a residential area where the age, scale and design of properties varies. There is a mix of two-storey, chalet bungalow and bungalows in the area situated on a variety of plot sizes.
7. The application site is enclosed by established dwellings and their gardens. To the north is a 'backland' development in The Glade. The development will be read as part of infill development in the wider area.
8. 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. Trees within the rear garden are protected by a group tree preservation order (TPO) ref:1988 No.13.
9. The garage had been demolished and the bungalow constructed at the time of the officers site visit, although works had ceased on site.

Relevant Planning History

10. 8/22/0546/NMA
Addition of a high level rooflight to bathroom and change to building footprint and window position. (Retrospective).
Granted 29/07/2022
11. 8/20/1167/FUL
Proposed 2 bedroom bungalow to the rear of existing property, with private garden, parking, turning and associated garage.

Granted 23/11/2022

12. 8/02/0749 at Land at the rear of 93-97 The Grove
Erection of two detached chalet bungalows with access from The Grove and associated car parking (demolition of existing workshop) (Amended Plans)
Granted 01/05/2003

Constraints

13. The following constraints apply to the site:
- Heathland 5km Consultation Area
 - Area Tree Preservation Order – No 13 (1988). This covers any tree species within this area. Of particular relevance to the assessment of this application is a Scots Pine which is located on neighbouring land adjacent to the northeast site boundary.

Public Sector Equalities Duty

14. In accordance with section 149 Equality Act 2010, in considering this proposal due regard has been had to the need to:
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
15. As part of the planning assessment section, cross reference can be made back to this section in relation to any particular issues / matters which might be particularly impacted by this duty.

Other relevant duties

16. In accordance with section 40 Natural Environment and Rural Communities Act 2006, in considering this application, regard has been had, so far as is consistent with the proper exercise of this function, to the purpose of conserving biodiversity.
17. For the purposes of this application, in accordance with section 2 Self-build and Custom Housebuilding Act 2015, regard has been had to the register that the Council maintains of individuals and associations of individuals who are seeking to acquire serviced plots in the Council's area for their own self-build and custom housebuilding.
18. For the purposes of this application, in accordance with section 17 Crime and Disorder Act 1998, due regard has been had to, including the need to do all that can reasonably be done to prevent, (a) crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment); (b) the misuse of drugs, alcohol and other substances in its area; and (c) re-offending in its area.

Consultations

Natural England

19. No response received

BCP Tree and Landscape Officer

20. Initially objected due to the increase in car parking facilities within the RPA of a TPO Scots Pine and bringing the built form nearer to and under the canopy of this tree. Following amendments and further information, comments as follows:

"The Officer has seen the submitted Tree Report ref: JH/AIA/20/039/REV3, dated 7/03/23 and Tree Protection Plan ref: JH-TPP-7-3-23.1 Rev 1, dated March 2023 and notes that the root protection area (RPA) of the TPO Scots Pine situated off-site, is now shown on the plan. The Report also details the measures proposed to safeguard the tree's rooting area. While the Officer welcomes these measures, the installation of the proposed Cellweb into the RPA should be supervised by the agents Arboricultural Consultant. A tree condition can be provided for this, if required by the Planning Case Officer.

The Officer's comments remain unchanged concerning the discharge of condition 4, dated 11/10/22 and 07/02/23, 'The Officer recommended that a pre-commencement meeting was undertaken before any ground/building began on site, in relation to planning application 8/20/1167/FUL. This was to ensure that adequate tree protection was in place, as per the submitted Tree Report ref: JH/AIA/20/039/Rev4, dated 19/05/21 and Tree Protection Plan ref: JH-TPP-29-7-20.1 Rev5, dated 19/05/21. Also, that the root protection areas (RPA) of neighbouring and TPO trees were afford the protection specified in the Tree Report. This meeting did not take place and therefore condition 4 was not met, and tree roots were likely exposed to the building works on site. Therefore, the Officer is unable to support the proposed variation of condition.' The Officer can confirm that a supervision statement for the removal of the existing garage, within the RPA of the Scots Pine, was submitted on the 21/09/22 and provided evidence of how the building was demolished.

The Officer has seen the submitted 'Proposed Landscape Plan' and notes the lack of native plants being proposed, as these would be more in keeping with the sylvan character of the locality. Due the above comments the following information is required in order for the Officer to be able to provide further comments on the variation of condition, in relation to the driveway."

BCP Highways

21. Initially objected as no detailed plan submitted to show where vehicles would park and how vehicles will be able to enter and egress in forward gear. Following amendments and further information, comments as follows;

"No objection as an amended plan has been submitted which takes on board the HA's comments dated 22 September 2022, and now shows tandem parking for 2 vehicles and a turning head fronting the garage which is proposed to be changed to a habitable room. Under the revised layout the dwelling will have 2 car parking spaces with a turning head to ensure vehicles can enter and leave in forward gear."

Christchurch Town Council

22. No comments received

BCP Waste and Recycling

23. No comments received

Representations

24. 4 objections received in which the following summarised concerns were raised:
- Proposed changes would make the development a 3-bedroom property which is out of keeping with the plot size and would bring the addition strains on community and services and would impact neighbours;
 - Extra bedroom will bring extra vehicle movements with associated noise and air pollution;
 - Addition of roof light is in close proximity to 2 The Glade which was approved under 8/22/0546/NMA having regard to the fact that no condition attached restricting permitted development rights;
 - Impact of the new building footprint on the RPA of the surrounding trees and also on the need for new tree protection on the pavement/verges due to any increased parking demand need to be considered by the Council's Arboricultural Officer;
 - Reduction in parking and space as there will no longer be a garage;
 - Amenity space needs to be same size as footprint of dwelling;
 - Proposed changes increase footprint of dwelling as the wall containing the "garage" door and front door of the property has also increased in physical width;
 - Re-designed footprint significantly encroaching into the Root Protection Area of the Protected Tree, Sots Pine in the adjoining garden (Tree: T-3B);
 - Window on south east elevation serving the proposed bedroom (formerly garage) would have sight lines towards 2 The Glade resulting in loss of privacy and noise and disturbance;
 - Concerns over original plans which showed a lack of turning space resulting in vehicles reversing down the driveway onto The Grove with associated highway safety impacts and engine noise.
 - Condition removing permitted development rights agreed by the Planning Committee was not attached to original planning permission 8/20/1167/FUL and should be re-imposed on any subsequent permission;
25. In addition, the following concerns were raised by a neighbour in respect of the submitted tree report for the proposed extension of the driveway dated March 2023:
- Access drive is dangerously narrow;
 - Unlikely that future occupants will use this extended area of driveway as a turning space and in reality, will simply park in the area labelled no dig cellular confinement system and then reverse back down the driveway onto the highway when exiting the site;
 - Nothing to prevent parking of unsightly vehicles in close proximity of neighbours boundary with associated impact on outlook;
 - The weight of such vehicles parking in this location would have an impact on the protected tree;
 - Parking of vehicles in this extended area would bring noise and pollution to neighbours' garden.
 - Concerns that neighbouring land is being used to widen the driveway with the resultant land ownership and boundary/fence line issues.

Key Issues

26. As the principle of this development has already established, this report will only deal in detail with the proposed changes to the approved plans. This covers the following areas:
- Explanatory comments
 - Type and size of properties
 - Internal Space standards and future occupier amenity
 - Impact on character and appearance of the area
 - Impact on neighbouring living conditions
 - Highways, Parking and Servicing
 - Impact on trees and landscaping
 - Biodiversity and Heathland Mitigation
 - Biodiversity Enhancement
 - Other Matters
27. These issues will be considered along with other matters relevant to this proposal below.

Policy Context

28. 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 Christchurch and East Dorset Local Plan Part 1 - Core Strategy (2014) and saved policies of the Christchurch Local Plan (2001).

Christchurch and East Dorset Local Plan Part 1 – Core Strategy 2014

KS1: Presumption in favour of sustainable development

KS2: Settlement Hierarchy

KS4: Housing Provision in Christchurch and East Dorset

KS11: Transport and Development

KS12: Parking Provision

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

ME1: Safeguarding biodiversity and geodiversity

ME2: Protection of the Dorset Heathlands

Christchurch Local Plan – Saved policies

H12: Residential Infill

H16: Crime Prevention and Design

ENV 1: Waste Facilities in New Development
ENV 5: Drainage and New Development
ENV 6: Connection of Development to Mains System
ENV 21: Landscaping in New Development
T16: Access for those with impaired mobility

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

The policies in the Framework are material considerations which should be taken into account in dealing with applications.

Planning Assessment

Explanatory comments

29. The principle of the proposed development has already been established under the extant planning permission 8/20/1167/FUL. This represents a legitimate fall-back position for the applicant. Whilst it is noted that the permission commenced without the complying with condition 4 due to the lack of a pre-commencement meeting going ahead, it is considered that this does not go to the heart of the planning permission and thereby does not invalidate the permission. The previously approved scheme is therefore a material planning consideration in the assessment of this revised scheme.
30. In assessing the proposals, it is the changes to the earlier consent which are under consideration. Central Government advice in the National Planning Practice Guidance on conditions advises that
- "In deciding an application under section 73, the local planning authority must only consider the disputed condition/s that are the subject of the application – it is not a complete re-consideration of the application".*
31. Notwithstanding the original permission for the development, this application needs to be considered on its own merits against the relevant Local Plan policies, national guidance and any other relevant material considerations. In this case, there has been no change in local plan policy and no changes in circumstances and the context of the site remains the same.
32. That the scheme is in part retrospective does not change the assessment of the merits of the application.

Type and size of properties

33. As identified in the previous application, the proposed Policy LN1 refers to the Strategic Housing Market Assessment (2015) and the Housing Quality Indicators and in particular the size of proposed housing. The SHMA identifies that 2- and 3-bedroom properties are what is mostly required in the Christchurch area. The proposed 2-bedroom property would meet the area of greatest housing need in the area and would thus continue to comply with Policy LN1.

Internal Space standards and future occupier amenity

34. The proposed conversion of the garage to a bedroom would increase the habitable floor area of the bungalow. The submitted plans show that the proposal would be for a 2-bedroom property. The Nationally Described Space Standards (NDSS) set out that 70sqm is the minimum for a 2-bedroom (4-persons) single storey property. The

Housing Quality Indicators for unit size state that for a 4-bedspace property, an internal floor area of 67 to 75 sqm is required.

35. The proposed changes would result in a property with an internal floor area of approximately 102sqm. It is noted that on the proposed layout, a study room could be used as an additional bedroom. Even as a 3-bed dwelling, the proposal meets NDSS for a 3-bed 6-person unit (95sqm) and the HQI for a 6-bedspace property (85 to 95 sqm) The proposal would thus comply with policy LN1 and NDSS.
36. In terms of outlook all habitable rooms would have adequate outlook and receive sufficient natural daylight to the property. The proposed new bedroom window would overlook the driveway and would be approximately 7m from the side boundary fence with 2 The Glade. This is considered to be of a sufficient size and distance to ensure adequate outlook and natural daylight into this room. This proposal would thus comply with para.130 of the NPPF and Local Plan policy HE2 and saved policy H12.
37. The Homes and Communities Agency Housing Quality Indicators (HQI) looks at the provision of private open space. According to the national advice provided in the publication 'Building for Life 12', this document promotes ensuring that rear gardens are at least equal to the footprint of the dwelling. The house would be provided with a private rear amenity space approx. 145sqm. The footprint of the dwelling is almost the same as that of the approved bungalow and measures approx. 118sqm. Therefore, the rear garden would exceed the footprint of the dwelling and therefore, would exceed this standard and is considered to accord with policy LN1 in this aspect.

Impact on character and appearance of the area

38. The amendments do not change the scale or nature of the development, and do not result in a substantially different form of development to that which has been approved.
39. There are no significant changes to the design from the previously approved planning scheme other than the replacement of the integral garage door with a window and the insertion of a new roof light over the bathroom, the latter having been approved under 8/22/0546/NMA. The proposed window would match that the windows on other elevations and a condition is recommended that would ensure the materials used for the wall surrounding the window matches those used for the external walls of the remainder of the bungalow. The proposed external changes are therefore not considered to be significant in terms of the design and appearance of the bungalow and thereby its impact on the wider character and appearance of the area.
40. Due to the set back of the bungalow from the road, these minor changes to the external appearance of the bungalow would not be perceptible in public views from the road.
41. The scheme is therefore considered to comply with the test in Policy HE2 to be compatible with or improve its surroundings in its layout; site coverage; architectural style; scale; bulk; height; materials and visual impact.

Impact on neighbouring living conditions

42. The proposed amendments do not alter the position, height or scale of the development. Therefore, the physical impact of the proposed surrounding properties is unchanged from the previous approval. The proposed window serving the new bedroom in lieu of the garage door on the north-east elevation is at ground floor and would face onto a 1.8m high close boarded boundary fence situated between the

driveway and 2 The Glade. A window to a kitchen has previously been approved on this elevation and the additional ground floor window is not considered to result in an unacceptable loss of privacy to neighbouring dwellings.

43. The rooflight on the southwest side has approval under 8/22/0546/NMA. It is high level and serves a bathroom. Thus it would not result in any overlooking or loss of privacy to the occupiers of nearby dwellings.
44. Concerns have also been raised regarding the potential noise and disturbance from the vehicular movements along the amended driveway. The approved scheme would have resulted in vehicular movements along the access drive and turning movements in largely the same location. These would be low level in keeping with the single property served. There is no evidence the amended dwelling would give rise to a significant increase in activity and associated vehicular movements. The driveway is shown to be surfaced in tarmac with the remainder as block pavements.
45. The scheme is considered to comply with the test in Policy HE2 to be compatible with or improve its surroundings in its relationship to nearby properties including minimising general disturbance to amenity.

Highways, Parking and Servicing

46. The proposed changes to the layout would result in the loss of 1 car parking space. However, the submitted site layout plan shows adequate external space within the site to provide the required number of parking spaces in accordance BCP Parking Supplementary Planning Document (SPD). In this case, the location requires two on-site parking spaces.
47. The previously approved layout made provision for turning in order to ensure cars could enter and leave in a forward gear. The plans originally submitted with this application did not show where vehicles would park and how they would turn within the site and therefore, BCP Highways objected to the proposal.
48. An amended site layout plan was submitted which now shows tandem parking for 2 vehicles and a turning head within the site. On this basis, BCP Highways withdrew their objection. The Council has previously accepted that the traffic movements associated with a single additional dwelling would have acceptable impacts on the capacity and safety of the wider highway network and the scheme is unchanged in this respect.
49. Acceptable access and parking facilities will be provided and the scheme is considered to comply with the tests in Policies KS11 & 12 to provide;
 - a) safe access onto the existing transport network;
 - b) allow safe movement of development related trips on the immediate network and;
 - c) adequate vehicle and cycle parking facilities to serve the needs of the proposed development.

Impact on trees and landscaping

50. The Council has previously accepted that a dwelling in the location proposed can be erected and is compatible with the long-term retention of mature trees shown for retention as part of the scheme. The siting of the dwelling is unchanged.

51. A condition (#4) was attached to the original planning permission which required that the development be carried out in accordance with the submitted arboricultural information. The condition also required a pre-commencement site meeting between the tree officer and site manager to confirm the tree protection measures on and adjacent to the site during development. However, the development commenced on site without a site meeting taking place.
52. The demolition of the garage and the construction of the bungalow had taken place by the time the Council's tree officer visited the site as part of processing an application to discharge a number of conditions attached to the permission. As the works had taken place on site without a site meeting taking place, the requirements of the condition could not be met and therefore, the condition could not be discharged. The applicants are therefore seeking permission for the development without complying with this condition.
53. The trees officer has objected to the variation of this condition on the grounds the meeting did not take place and therefore, the condition was not complied with and thereby tree roots were likely exposed to the building works on site. The trees officer notes that "while tree protective fencing was erected on site, there was evidence of ground works having occurred within the Construction Exclusion Zone. Remains of building waste including concrete, and rubble have been placed within the RPA of the TPO Scots Pine". They also advised that "there was evidence of soil having been moved/piled within the RPA of other trees, at the back of the site". However, they acknowledged that these activities are unlikely to have impacted on the long-term health of the trees.
54. Whilst it is regrettable that the meeting did not take place, the key consideration is whether the condition continues to serve a purpose and thereby complies with the 6 statutory tests for imposing planning conditions. The tests are that the condition is necessary; relevant to planning; relevant to the development; enforceable; precise and reasonable.
55. Condition 5 of the 2020 permission required an arboricultural supervision statement, the contents of which were to be confirmed at the pre-commencement meeting required under condition 4. Whilst this was not submitted prior to commencement of the development and nor were the contents agreed at a pre-commencement meeting, the trees officer subsequently confirmed that the details submitted in respect of this condition could be discharged. This condition also required the erection of tree protective fencing, the removal of the garage foundations and installation of services/drainage/soakaway to adhere to the approved Tree Report, Tree Protection Plans and Construction Method Statement.
56. Having regard to the trees officer's comments as set out in paragraph 56 above, there is no evidence to suggest that the currently proposed development would have an unacceptable impact on the long-term health of the trees. Therefore, the lack of a pre-commencement meeting and the resultant lack of compliance with condition 4 of the original planning permission would not warrant refusal of the planning application.
57. In respect of the proposed layout changes on the current scheme, the proposed parking/turning areas needed to be amended to address highways concerns as set out in para. 49 – 51 above. The amended plan submitted showed the driveway extended into the Root Protection Area (RPA) of the Scots Pine. Whilst this addressed BCP Highways concerns as set out above, the trees officer raised objections on the grounds of potential impacts to the tree. In particular the extension

of the driveway into the RPA would put pressure on the long-term retention of the Pine, due to debris falling into the parking spaces and the fear of storm damage.

58. In order to address these concerns, a Tree Report and Tree Protection Plan were submitted in relation to the proposed extension of the driveway. The Tree Protection Plan shows that the proposed driveway would significantly encroach into the RPA of the Scots Pine. The tree report has detailed measures to safeguard the tree's rooting area including the installation of Cellweb into the RPA. The trees officer advised that these details are acceptable subject to the installation being supervised by an arboricultural consultant controlled via condition. The submitted layout shows that there would be sufficient space within the driveway for vehicles to park outside of the RPA.
59. The trees officer also advised proposed landscape plan shows a lack of native plants which would be more in keeping with the sylvan character of the locality. However, the landscaping details have been previously agreed under condition 6 of the original permission. The planting plan shows these plants would be around the border of the rear garden and due to its location, would not be visible from the public realm. It is therefore considered that the proposed planting is acceptable.
60. Therefore, subject to the amended condition requiring adherence with the Tree Report, protection Plan and Method Statement and the amended plans for the part of the driveway within the RPA, the proposal would comply with Policies HE2 and HE3 of the Core Strategy 2014 and saved Policies H12 and ENV21 of Christchurch Borough Council Local Plan (2001) and is acceptable without complying with the pre-commencement meeting in condition 4.

Biodiversity and Heathland Mitigation

61. The application site lies within 5km but beyond 400m of Dorset Heathland which is designated as a European wildlife site and Site of Special Scientific Interest. The proposal for net increase in residential units is, in combination with other plans or 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.
62. Natural England has advised that on a site that lies between 400m and 5km from the SSSIs, an appropriate assessment may reasonably conclude that there would not be an adverse cumulative impact on the integrity of the SSSIs. This is on the site basis of the adopted Dorset Heathlands Planning Framework 2020-2025 which will provide mitigation against the impacts of new dwellings on the heathland. The Framework requires a financial contribution from the applicant to go towards funding the mitigation measures which are provision of a financial contribution to go towards Strategic Access Management and Monitoring (SAMM) of the SSSIs.
63. A unilateral undertaking was secured as part of the previous planning application. The s106 required the payment by the applicant of the contribution prior to commencement of development on the site. However, this application results in a fresh permission if granted, therefore, it is necessary to consider if there have been any changes in respect of the required mitigation. There has been an uplift in the financial contribution that is required to go towards Strategic Access Management and Monitoring (SAMM) of the SSSIs. Therefore, the applicant has agreed to enter into a deed of variation to secure the additional financial contribution to mitigate the impacts of the new dwelling on the heathland. With this mitigation secured, the development will not result in an adverse effect on the integrity of the designated

sites and is therefore in accordance with Policy ME2.

Biodiversity Enhancement

64. A condition was attached to the previous permission which required the submission of a plan indicating the positions of swift boxes to be approved. A plan was submitted which indicated the design and position of a house sparrow terrace as well positions for a hedgehog friendly fence and bat ridge tile. Whilst noted that the bird box is designed for house sparrows and not swifts, this biodiversity enhancement measure is in accordance with those set out in the preliminary ecological appraisal report submitted with the original application.
65. Subject to a revised wording of the condition requiring the installation of these measures prior to the first occupation of the dwelling and their retention thereafter, it is considered that the development would securing the biodiversity enhancement in line with Policy ME1 of the Christchurch and East Dorset Local Plan Part 1 - Core Strategy and National Planning Policy Framework (NPPF 2021), paragraphs 8, 174 and 180.

Other Matters

66. Third parties have stated that neighbouring land outside of the applicants' ownership is proposed to be used to as part of the driveway. This was raised as a concern within the original application. The agent confirmed previously that the land within the red line application site was within the same ownership as no.91.
67. The current application is accompanied by Certificate A which confirms that the applicant now owns the land within the red line area.
68. In addition, neighbours stated as part of the purchase of the site from no.91, the width of the usable drive would only be around 2.4m which is less than 3.7m scaled from the layout plan. Therefore, they consider that land that forms part of the approved driveway to now be within the separate ownership of no.91 and therefore, not within the applicants' ownership.
69. The applicant's solicitor who handled the sale of the subdivided plot from the donor property has confirmed that the applicant owns the entire width of the driveway which forms part of the application site. Therefore, the driveway entirely falls within the application site and is within the applicants' control.
70. Concerns have also been raised by neighbours in respect of a triangular area of land to the north of the application site. This area of land lies outside of the red line and therefore is not part of the previous planning permission. As this area is outside the application site, this is a civil matter that would need to be resolved between the parties. This is not a material planning consideration and as such would not be a reason to withhold planning permission.
71. In addition, comments have been made in respect of the decision on the 2020 application. This application was considered by the Planning Committee in November 2021. At the meeting members resolved to approve the application subject to adding an additional condition removing permitted development rights for alterations and extensions to the roof. This was not part of the recommendation to the committee.
72. Regrettably the condition added by the committee decision was omitted from the decision notice issued. As the applicant has implemented the permission, they have – as noted above - a legitimate fallback position to erect a dwelling which does not have permitted development (PD) rights restricted.

73. Central Government advice in the National Planning Practice Guidance on the use of conditions states that conditions restricting the future use of permitted development rights or changes of use may not pass the test of reasonableness or necessity. In addition blanket removal of freedoms to carry out small scale domestic alterations that would otherwise not require an application for planning permission are unlikely to meet the tests of reasonableness and necessity.
74. In the event that, in future, any permitted development rights to make alterations to the roof are exercised, any extensions to the side elevations would be required to have obscure glazed openings above ground floor under the regulations. Any rear roof extension would face down the garden of the new dwelling, away from neighbouring properties. No roof extension to the front elevation can be added under the regulations. Any increased bulk from dormer additions would be adequately separated from neighbours so as not to result in unacceptable overbearing impacts or loss of outlook. In addition, due to the modest size, hipped roofs and overall height of the approved dwelling, it has limited areas which would facilitate a subsequent loft conversion under PD rights.
75. Therefore, the potential harm to the living conditions of neighbouring properties from the property benefitting from the usual permitted development (PD) rights to make roof alterations is considered to be limited. Therefore there are no exceptional reasons to remove PD rights to the proposed property and it is considered that such a condition is not necessary to make the development acceptable and therefore would not comply with the six tests outlined in para. 57 above.

Planning Balance/Conclusion

76. The proposed changes to the dwelling and the parking layout are considered to be acceptable and do not harm the visual amenities of the site or wider street scene. The changes to the fenestration are not considered to result in any adverse impact on residential amenities of neighbouring properties.
77. The amended layout now includes a turning space for the 2 parking spaces parking in accordance with the adopted Parking SPD and has not generated objections from the Highways Authority in respect of highway safety or the capacity of the network.
78. Whilst the amended layout extends the driveway to bring it within the Root Protection Area (RPA) of Scots Pine, an amended site layout plan, landscaping plan and accompanying Arboricultural Report was received which proposes this part of the driveway within the RPA to be constructed of Cellweb with a porous surface to ensure surface water can drain away from the RPA and avoid localised compaction from parked vehicles. Subject to adherence with the Arboricultural Report when laying out the driveway, it is considered that the proposed extension to the driveway would not harm this protected tree.
79. There has been no significant change in planning policy following the approval of the original consent, which this application seeks to vary. The applicant retains a fallback to construct the original permission. The proposed development complies with the policies of the adopted Local Plan and the relevant sections of the National Planning Policy Framework.

Recommendation

It is recommended that this application be delegated to the Head of Planning to Grant permission subject to:

- a) the completion of a Deed of Variation to the existing Section 106 agreement to secure the required contributions towards Strategic Access Management and Monitoring (SAMM) financial contribution; and
- b) the conditions as set out below (and any amendments to those conditions as deemed necessary).

Conditions

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

ASP.20.033.001- Block & Location Plan

ASP.20.033.002 Rev D - Proposed Site Plan

ASP.20.033.100 Rev B - Proposed Ground Floor and Roof Plans

ASP.20.033.200 Rev B - Proposed Elevations

Proposed Landscape Plan received 21/11/2022

JH-TPP-7-3-23.1 - Tree Protection Plan dated March 2023

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

2. The development shall be carried out using materials already used for the external walls of the development.

Reason: In the interests of design and amenity.

3. The extension of the driveway shall be constructed in accordance with the Tree Report ref: JH/AIA/20/039/Rev3, dated 07/03/23 and Tree Protection Plan ref: JH-TPP-29-7-3-23.1 Rev1, dated March 2023 and the appended Cellweb Contractors Guide. The extended driveway shall be constructed prior to the first occupation of the dwelling.

Reason: In order to ensure the development is carried out in accordance with the approved tree protection measures and to accord with Policies HE2 and HE3 of the Core Strategy.

4. All hard and soft landscape works and means of enclosure shall be carried out in accordance with the approved landscape plan and the approved site plan drawing no. ASP.20.033.002 Rev D. The extended driveway (excluding the area within the RPA of the Scots Pine) shall be constructed of tarmac as shown on the approved site and 200x100x80mm charcoal grey colour PCC block paviours laid in interlocking herringbone pattern. 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 tree or plant found damaged, removed, dead or dying in the first 5 years following its planting shall be replaced with one of the same species and similar size or such other species and size as has otherwise been submitted to and approved in writing by the local planning authority. The landscaping shall thereafter be retained.

Reason: This information is required prior to occupation of development in order to ensure the implementation of the scheme is carried out in accordance with the approved plans.

5. The biodiversity enhancement measures shall be installed within the development prior to the first occupation of the dwelling. The measures shall be installed strictly in accordance with the details shown on the approved landscape plan and those set out within the ecological enhancements set out in the Preliminary Ecological Appraisal (PEA) and Preliminary Roost Appraisal (RPA) Report prepared by ABR Ecology Ltd and dated 4th January 2021 and shall be retained as such thereafter.

Reason: To ensure the development provides biodiversity gain and to satisfy policy ME1 of Christchurch and East Dorset Local Plan Part 1-Core Strategy 2014 and the NPPF.

6. The Electric Vehicle Charging Point and associated infrastructure shall be implemented in accordance with those details shown on the Site surfacing and Boundary Plan – Drawing Number BR-20.033-005 Rev C and brought into operation prior to first occupation of the dwelling. Thereafter the Electric Vehicle Charging Point shall be permanently retained and kept available for use at all times.

Reason: In the interests of promoting sustainable development including sustainable forms of transport.

7. The provision of the refuse and recycling bin presentation points shall be provided in accordance with the details shown on the Site surfacing and Boundary Plan – Drawing Number BR-20.033-005 Rev C and such provision shall be implemented prior to first occupation of the dwelling and shall be retained as such thereafter.

Reason: To ensure there is adequate provision for waste management facilities on the site.

8. The surface water drainage works shall be completed in accordance with the details of the soakaway as shown on Site surfacing and Boundary Plan – Drawing Number BR-20.033-005 Rev C, Drainage Strategy/SUDs statement and Soakaway tests results titled Soakaway Justification and Soakaway Design prepared by RMS Structures Ltd prior to first occupation of the dwelling and shall be retained as such thereafter.

Reason: To avoid surface water flooding to accord with Policies ME3 and ME6, of the Local Plan and Government Guidance contained in the National Planning Policy Framework.

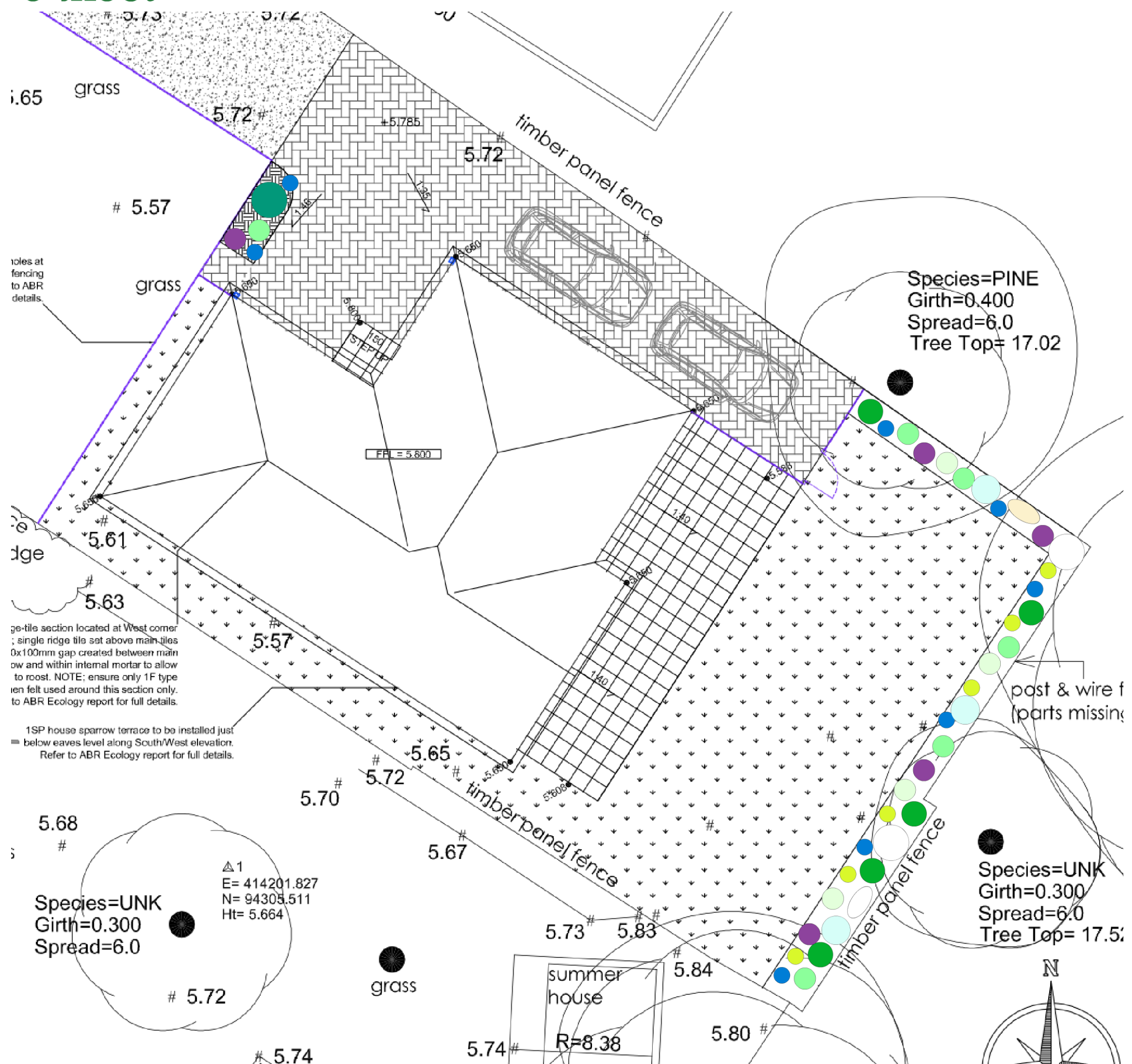
9. The car parking facilities shown on the approved plan drawing no. ASP.20.033.002 Rev D - Proposed Site Plan shall be laid out and provided prior to first occupation of the dwelling; such parking facilities shall thereafter be permanently retained for that purpose.

Reason: To ensure adequate provision is made for off street parking and to accord with Policy KS12 of the Local Plan and Government Guidance contained in the National Planning Policy Framework.

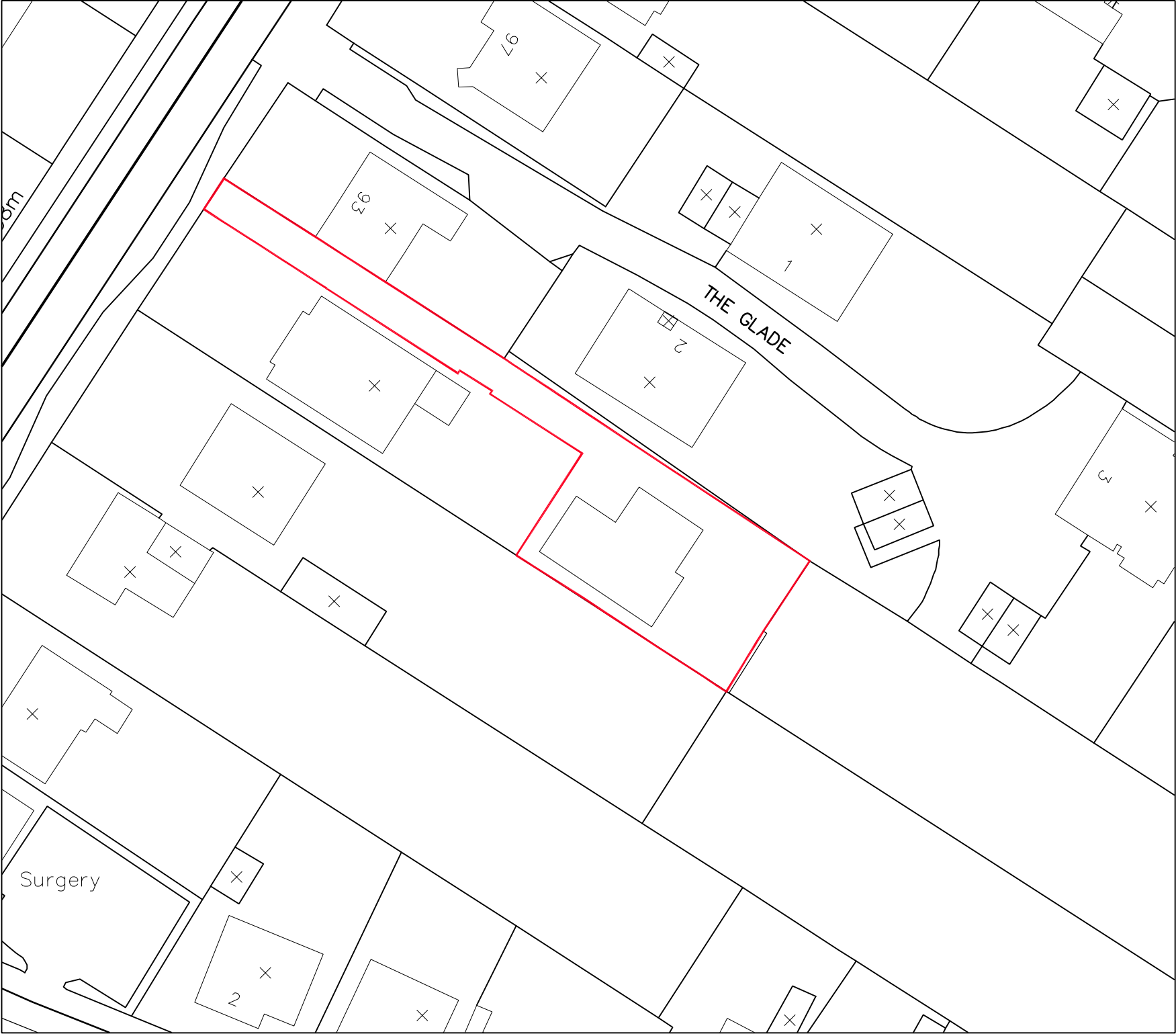
Background Documents

Documents uploaded to that part of the Council's website that is publicly accessible and specifically relates to the application the subject of this report including all related consultation responses, representations and documents submitted by the applicant in respect of the application.

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Designers' circles					
	No.	Quantity	Title	Width	Length
	1	8	Geranium 'Rozanne' (Want)	0.45m	0.45m
	2	4	Euonymus fortunei 'Silver Queen' (Want)	0.6m	0.6m
	3	6	Euphorbia x martini 'Tiny Tim' (Want)	0.45m	0.45m
	4	1	Jasminum officinale 'Clotted Cream' (Want)	1m	0.5m
	5	1	Lonicera fragrantissima (Want)	1m	0.5m
	6	5	Nepeta racemosa 'Walker's Low' (Want)	0.6m	0.6m
	7	2	Philadelphus 'Snowbelle' (Want)	1m	1m
	8	6	Pieris japonica 'Little Heath' (Want)	0.6m	0.6m
	9	1	Pittosporum tenuifolium 'Variegatum' (Want)	1m	1m
	10	3	Potentilla fruticosa 'Vilmoriniana' (Want)	0.8m	0.8m
	11	5	Skimmia x confusa 'Kew Green' (Want)	0.7m	0.7m



Block Plan (1:500)
Ordnance Survey, (c) Crown
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- NOTES:**
1. The contents of this drawing are copyright.
 2. Scaled drawing for Planning purposes only.
 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 & accord to drawing
 6. Drawings to be read in conjunction with specification.



Location Plan (1:1250)
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Rev	Date	Description	By	PM
REVISIONS:				


PROJECT STAGE: PLANNING

CLIENT:
HB Holdings Limited

PROJECT & DRAWING TITLE:

r/o 91 The Grove, Christchurch

Block and Location Plan

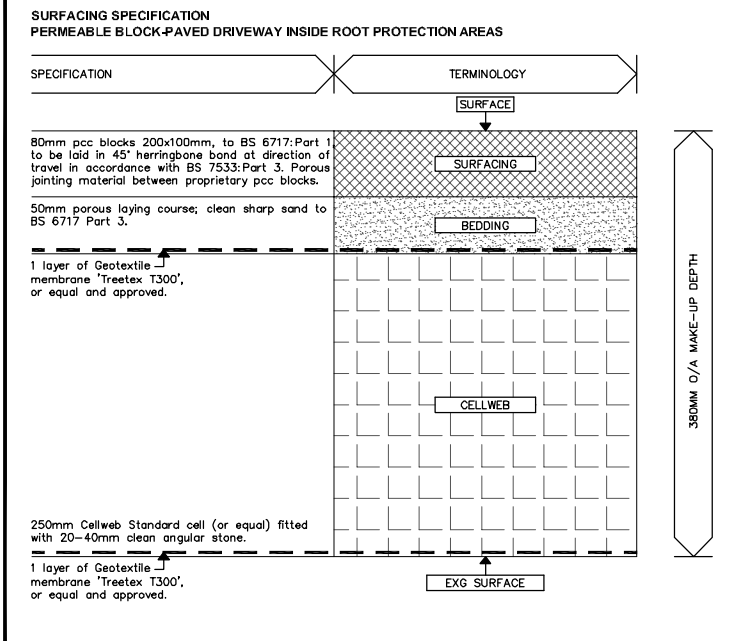
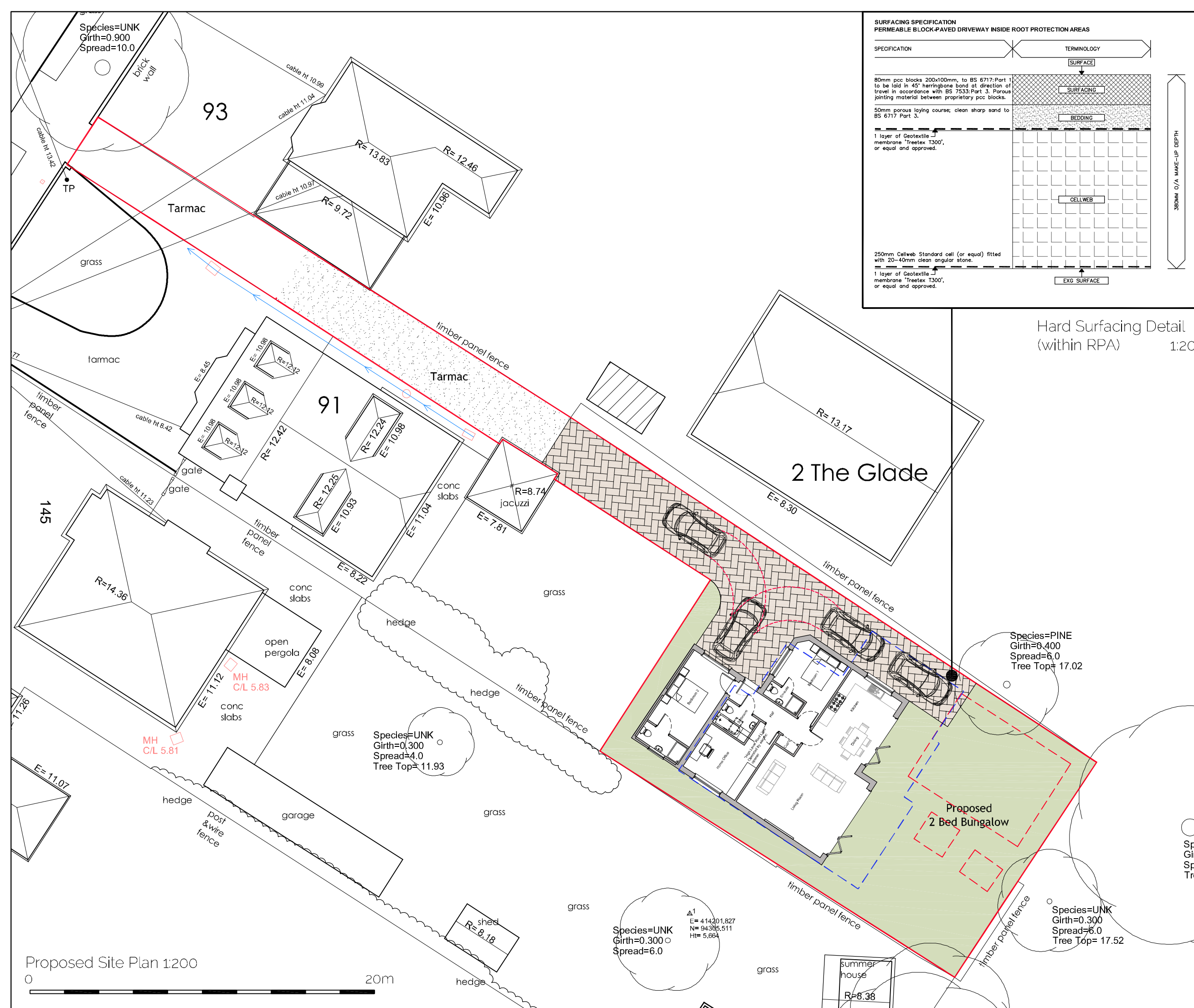
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Date: 07/12/2020		
DRAWING No: ASP.20.033.001		REVISION: 1

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Hard Surfacing Detail (within RPA) 1:20

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- Drawings to be read in conjunction with specification.

Existing Out Buildings (to be removed)

Outline of previous proposal

D 10-11-22	Parking surfacing information added	mjs		
A 26-07-22	Garage Removed, Window Added	mjs		
Rev	Date	Description	By	PM

REVISIONS:

PROJECT STAGE: AMENDMENT

CLIENT: Bentley Place Limited

PROJECT & DRAWING TITLE: r/o 9: The Grove, Christchurch
Proposed Site Plan

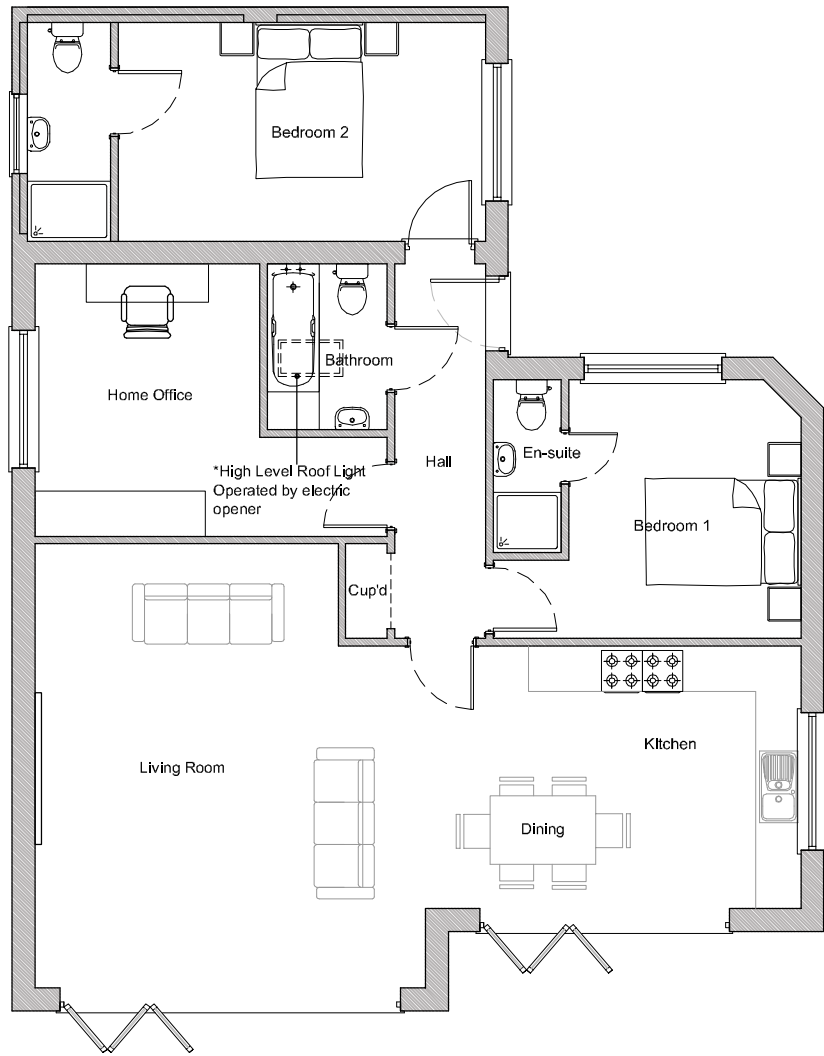
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Date: 17/10/2020		
DRAWING No: ASP.20.033.002	REVISION: D	

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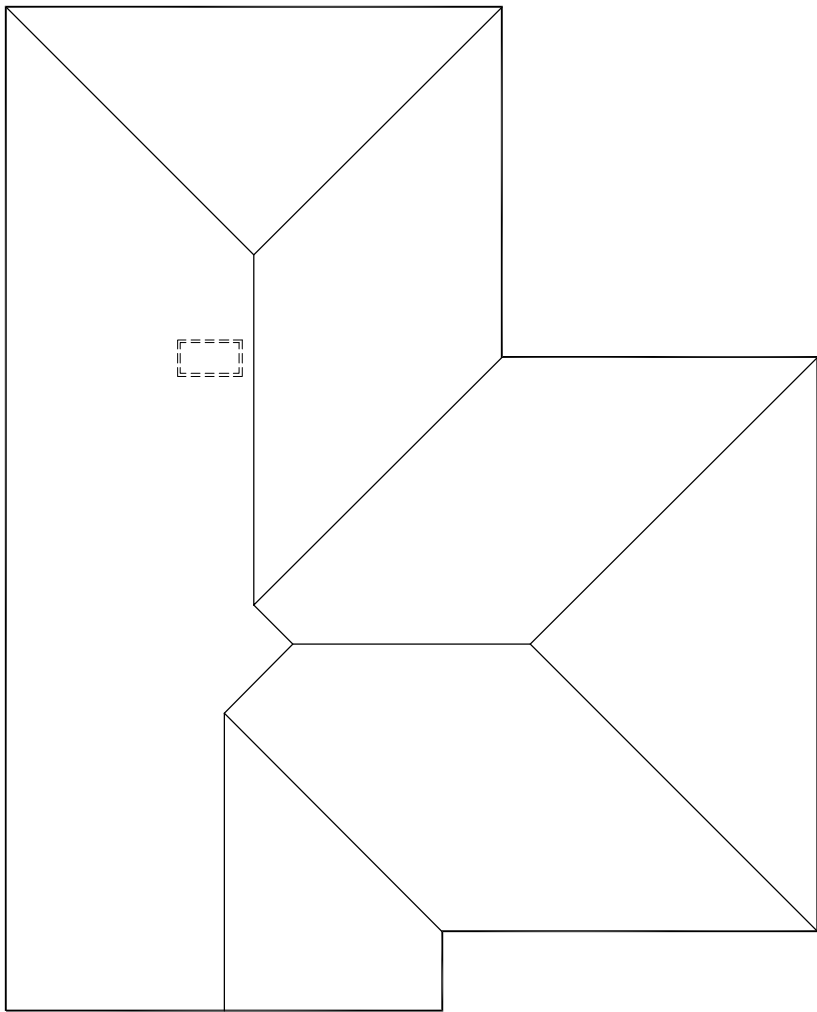
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Ground Floor Plan
85m2/ 914 sq ft



Roof Plan

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 - 6. Drawings to be read in conjunction with specification.

Rev	Date	Description	By	PM
A	20-07-22	Garage Removed, Windows Added	mjs	

Rev	Date	Description	By	PM
REVISIONS:				


PROJECT STAGE: AMENDMENT

CLIENT:
Bentley Place Limited

PROJECT & DRAWING TITLE:

r/o 91 The Grove, Christchurch

Proposed Plans

Scale @ A3:1:100	Drawn by : mjs	
Date : 17/12/2020		
DRAWING No: ASP.20.033.100	REVISION: B	

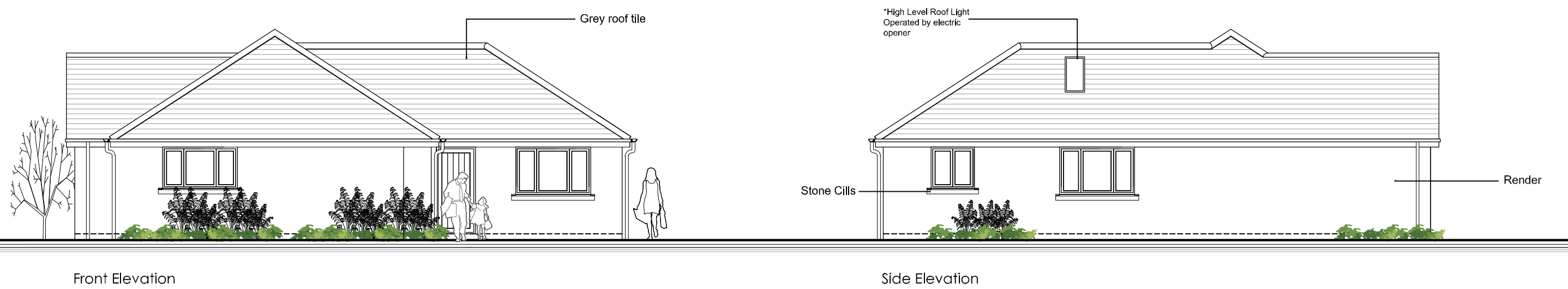
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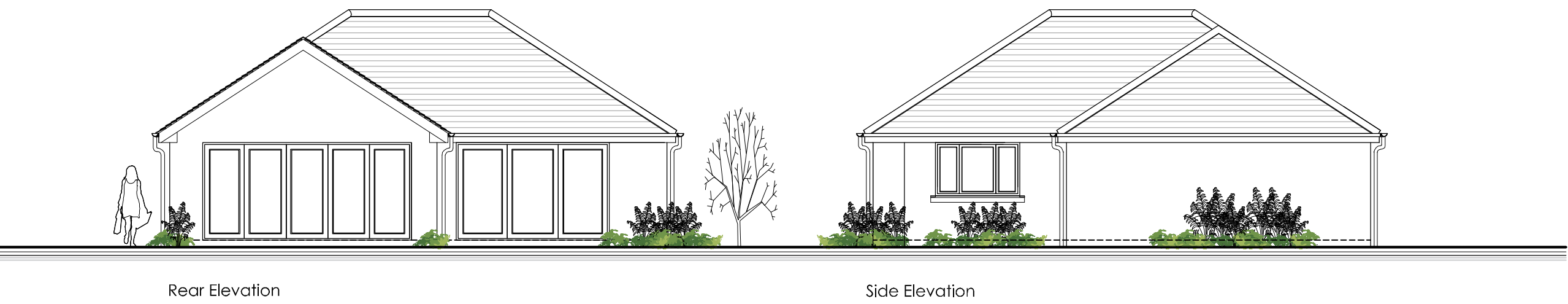


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 6. Drawings to be read in conjunction with specification.



149



A 20-07-22 Garage Removed, Window Added mjs

Rev	Date	Description	By	PM
REVISIONS:				

PROJECT STAGE: AMENDMENT

CLIENT:
Bentley Slace Limited

PROJECT & DRAWING TITLE:

170 g: The Grove, Christchurch

Proposed Elevation

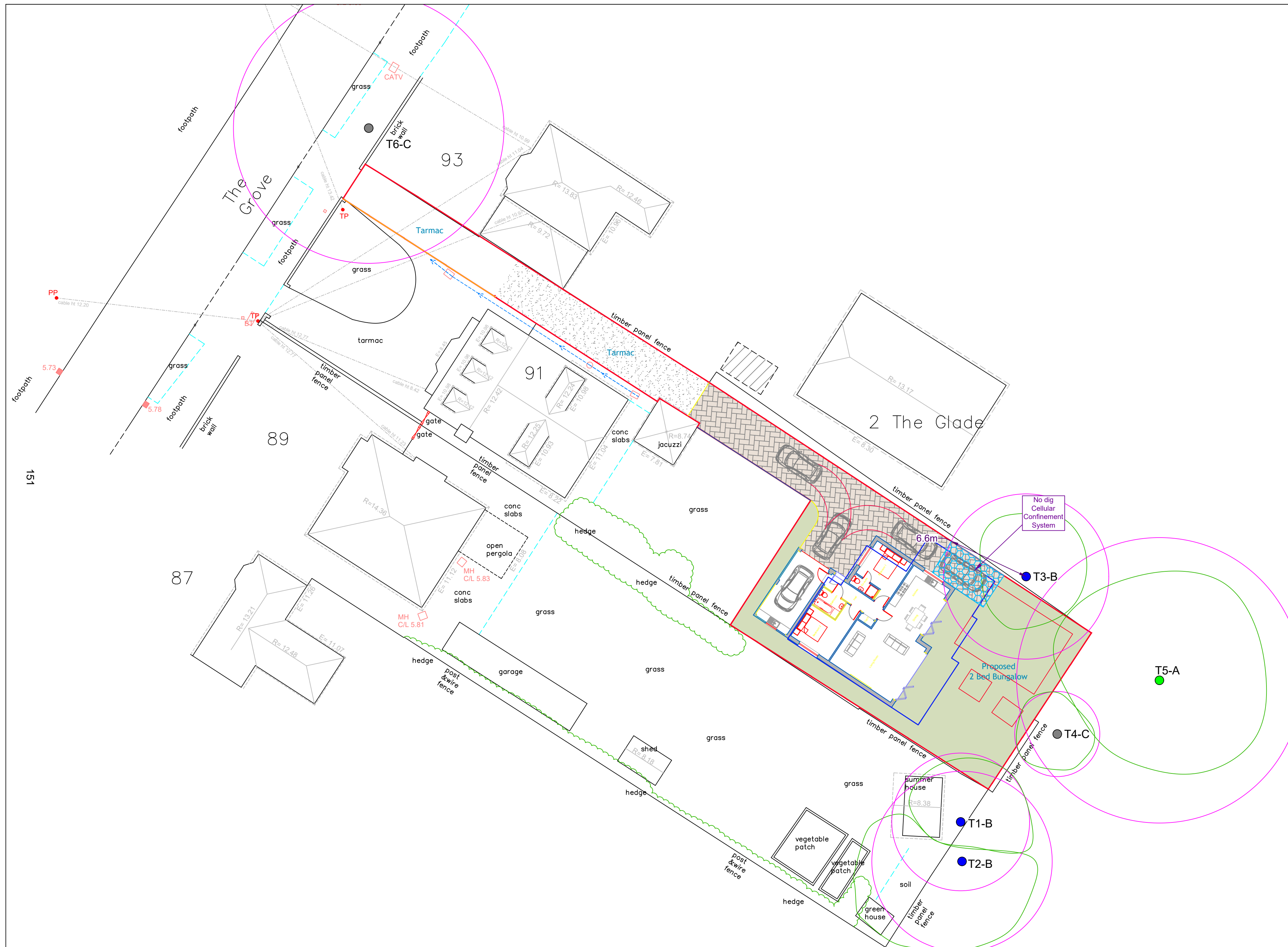
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Date: 17/12/2020		
DRAWING No: ASP.20.033.200	REVISION:	B

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Tree Protection Plan
showing proposed
layout with trees and
arboricultural controls.

Key



Tree
Showing category colour and
tag number with category.



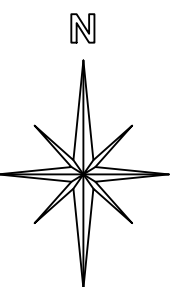
Tree Root Protection Area
Shown where applicable.



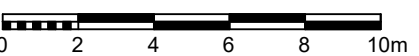
No dig Cellular Confinement System.
Refer to report for specification.

Tree/Group numbering: T1-T5.

notes
to be used in conjunction with the the tree data
schedule which accompanies this drawing.
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1:200



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Corfe Mullen, Dorset, BH21 3DN

T: 01202 884699
M: 07340113483
E: johnhearne7@gmail.com

Client
HB Holdings

Project
91 The Grove, Christchurch.

Drawing Title

Tree Protection Plan

Scale	Date	DB	CB
1:200@A2	Mar 2023	CS	JH

Drawing Number	Rev
JH-TPP-7-3-23.1	1

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Planning Committee

Application Address	103 Wick Lane, Bournemouth, BH6 4LB
Proposal	Alterations and single storey extension to dwellinghouse rendered to match front elevation and installation of porch canopy and replacement windows.
Application Number	7-2023-1420-J
Applicant	Mrs P Burns
Agent	Mrs P Burns (applicant)
Ward and Ward Member(s)	East Southbourne & Tuckton Cllr Nanovo and Cllr Richardson
Report status	Public Report
Meeting date	20 July 2023
Summary of Recommendation	Approve subject to conditions
Reason for Referral to Planning Committee	Number of representations received
Case Officer	Eden Evans

Description of Proposal

1. Planning permission is sought for alterations and single storey extension to dwellinghouse rendered to match the front elevation and the installation of porch canopy and replacement windows. The proposed single storey side extension measures approximately 3.62m in width by approximately 5.30m in length and would replace the existing garage.

Description of Site and Surroundings

2. The application property is sited within an established residential area consisting of a mix of modest two storey dwellings and bungalow type properties. It is located within the Wick Village Conservation Area. The District Wide Local Plan (2002) notes "*Wick village has a long history dating from the 14th century. A substantial proportion of the properties are listed, although some modern development falls within the conservation area boundary too. The village owes its reputation as the last village on the River Stour to its location and surroundings, and to its attractive character.*" (para 4.39 – supporting text.)

3. The application site is a modern two storey detached dwellinghouse set back from the highway. The existing property is characterised by a brick and render façade, a pitched roof and white UPVC windows. It is noted that at the time of the site visit (May 2023) some windows had been replaced as per the proposed windows in this application. There is a pitched roof garage to the side of the dwellinghouse.

Relevant Planning History

4. PRE-1420
Extension and formation of dormers.
Completed on 21/10/2021.
5. 7-2022-1420-H
Erection of a two-storey side extension, a single storey rear extension, conversion of loft to habitable use, and internal alterations involving demolition of existing detached garage.
Withdrawn on 30/06/2022.
6. 7-2022-1420-I
Resubmission of 7-2022-1420-H two-storey extension to side, single storey extension to rear, form new roof over existing dwelling house with accommodation therein.
Refused on 3/11/2022.

Reason for refusal:

The proposed scheme, by reason of the height, bulk, scale and detailed design and materials of the proposed extensions, roof alterations and due to changes in appearance of the dwelling at 103 Wick Lane, would be overwhelming to the listed cottages, undesirably prominent and out of keeping with the character and appearance of the Wick Village Conservation Area. As such they would be detrimental to the host, the street scene and the character of the area. Therefore, the proposal is considered to be contrary to Policy CS39, Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012), Policy 4.4 of the Bournemouth District Wide Local Plan (2002), the adopted document Residential Extensions: A Design Guide (2008) and the provisions of The National Planning Policy Framework (2021).

7. PRE-1420A
Single storey extension for use as bedroom.
Completed on 01/02/2023.

Constraints

8. The application site is located within the Wick Village Conservation Area and adjacent to three Listed Buildings:
 - No 99 (Quality) & No 101 (Tranquillity), 99 and 11, Wick Lane – Grade II Listed Building,
 - The Well House (including stables and outhouse), Wick Lane – Grade II Listed Building
9. In considering whether to grant planning permission or permission in principle for development which affects a listed building special regard shall be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest - section 66 - Planning (Listed Buildings and Conservation Areas) Act 1990.

10. 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 – section 72 - Planning (Listed Buildings and Conservation Areas) Act 1990.

Public Sector Equalities Duty

11. In accordance with section 149 Equality Act 2010, in considering this proposal due regard has been had to the need to:
 - eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Other relevant duties

12. In accordance with section 40 Natural Environment and Rural Communities Act 2006, in considering this application, regard has been had, so far as is consistent with the proper exercise of this function, to the purpose of conserving biodiversity.
13. For the purposes of this application, in accordance with section 17 Crime and Disorder Act 1998, due regard has been had to, including the need to do all that can reasonably be done to prevent, (a) crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment); (b) the misuse of drugs, alcohol and other substances in its area; and (c) re-offending in its area.

Consultations

Environmental Health

14. No objection to the proposal but recommending that a standard informative note be added regarding unforeseen contamination.

BCP Tree Officer

15. No objection to the proposal subject to conditions. This will be detailed in the section 'impact on trees'.

Heritage Officer

16. No objection to the proposal subject to acceptable clarification of discrepancies. These concerns have been addressed.

Representations

17. Blue site notices with an amended Conservation Area reference were posted in the vicinity of the site on 23/05/2023 with an expiry date for consultation of 16/06/2023. A press advert was published on 26/05/2023 with an expiry date for consultation of 16/06/2023.

18. 24 representations have been received, 1 comment and 23 in objection. The issues raised comprise the following (summary):
- Potential to lead to further works in future applications;
(Officer Response: this assessment considers the merits of the current proposal only)
 - Rear extension;
(Officer Response: this was completed under 'Permitted Development' and is not the subject of the current application. It is shown on the existing plans)
 - Unacceptable size and prominence of the extension and of the house if approved;
 - Overdevelopment of the site;
 - Concerns regarding the planning history;
 - Extension resulting in an unacceptable frontage appearance;
 - Discrepancies in the plans;
 - Inappropriate material choices;
 - Excessive bulk and mass of the proposal;
 - Concerns regarding proximity to the boundary;
 - Harmful/unsympathetic to the Conservation Area;
 - Changing of the windows – new windows already installed, use of UPVC;
 - Unacceptable impact on Grade II Listed buildings;
 - Loss of light to neighbouring properties;
 - Loss of privacy to neighbouring properties;
 - Overbearing on neighbouring properties;
 - Driveway and parking concerns

Key Issue(s)

19. The key issue(s) involved with this proposal are:
- Impact on design and character
 - Impact on heritage
 - Impact on residential amenity
 - Impact on trees
 - Impact on parking
 - Impact on flooding
20. These issues will be considered along with other matters relevant to this proposal below.

Policy Context

21. 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:

Bournemouth Local Plan Core Strategy (2012)

CS39: Designated heritage assets

CS41: Design Quality

Bournemouth District Wide Local Plan (2002)

4.4: Development in Conservation Areas

4.14: Development in Wick Village

4.25: Soft Landscaping

Supplementary Planning Documents

Residential Extensions: A Design Guide for Householders – PGN (2008)

National Planning Policy Framework (“NPPF”/“Framework”)

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and is a material consideration in planning decisions.

Planning Assessment

Impact on design and character

22. The proposed side extension would provide additional habitable accommodation. It would be stepped back from the front building line by approximately 0.8m, and at single storey is clearly subservient to the main dwellinghouse. The extension is set off the boundary by approximately 2.40m. The extension would be set further off the boundary than the existing garage. Considering the bulk of the extension compared to the existing garage, it is acknowledged that the footprint is larger however not considerably. Given the increased offset from the boundary, the extension would not cause a cramped effect in the street scene. Significantly less than 50% of the curtilage would be taken up by the footprint of the built form therefore the proposal is not considered to constitute overdevelopment of the site.
23. All materials for the extension are proposed to match the host dwellinghouse, including windows, roof tiles and render. A condition has been added to this effect. Whilst the render has been objected to in some of the representations, the render matches the existing ground floor element of the house. The use of matching materials to tie extensions in with the existing house is promoted by the Residential Extensions Design Guide (2008). These elements are in line with the Residential Extensions Design Guide (2008) and with CS41 of the Core Strategy (2012) on respecting the existing dwellinghouse.
24. It is noted that many of the representations reference the planning history, notably the previously refused application 7-2022-1420-I suggesting that this application does not overcome the previous reason for refusal. However, the previous application included a two-storey side extension, single storey rear extension and a

loft conversion involving the raising of the roof ridge height and the installation of dormer windows and is very different to the scheme now shown.

25. Considering the changes to the windows, the number of windows is broadly similar to the existing. A larger ground floor window has been broken into three individual windows on the front elevation with some larger windows broken into smaller ones such as the ground floor window on the front elevation. The shape of some windows has been changed to a regular form across the elevation. The existing windows (now replaced) were UPVC, and the proposed windows (as installed) are UPVC casement leaded windows. With all windows proposed to change to leaded casement, the use of materials is consistent. The fenestration of windows is good on all elevations and the windows appear proportionate within the frontage. The replacement windows are therefore considered compliant with the Residential Extensions Design Guide (2008) and with CS41 of Core Strategy on quality design.
26. The proposed porch is of modest size and design and does not appear disproportionately large in the context of the host dwellinghouse. As a canopy cover, the porch does not extend the building footprint. This element is considered compliant with the Residential Extensions Design Guide (2008) and with CS41 of the Core Strategy (2012).
27. One representation noted a discrepancy between the labelling of the extension as a bedroom with an ensuite on one floor plan and a living room on another floor plan. Given that both functions would constitute habitable rooms and that the applicant could change the function and make the internal changes required to install an ensuite without planning permission, this is not considered to be an issue which materially affects the assessment.
28. Overall, the proposal is considered of consistent design which respects the existing dwellinghouse, in compliance with CS41 of the Core Strategy (2012) and the Residential Extensions Design Guide. The impact on design and character is therefore considered acceptable.

Impact on heritage

29. A Local Planning Authority Heritage Officer has assessed the proposal and has raised no objection to the impact on the conservation area or on the nearby listed buildings. It was noted that the existing garage, which is a modest single timber outbuilding is relatively in keeping with the vernacular character of the Wick Village Conservation Area. However, the proposed single storey side extension is considered a sympathetic replacement and is not considered to be overwhelming to the nearby listed buildings. Whilst it would be set slightly higher than the existing garage, it would be set back further from the listed building, and it is not considered to be dominating within their setting.
30. Concerning the windows, leaded casement windows are in keeping with the character and appearance of the Conservation Area and would be an enhancement over the existing plain casements. Leaded casement windows are considered appropriate for the rural character and appearance of the Conservation Area and are found on the two listed buildings to the north-west of the application site.
31. It is noted that unlike the windows in the two listed buildings, the windows would be UPVC, which would slightly off-set their positive design impact as a non-traditional material. Whilst UPVC is not generally considered acceptable in a conservation area, given that the property is a modern building with existing UPVC windows, this is considered acceptable. Concerning consistency, some concern was raised over two

rear windows appearing to be plain casement and over the size of one of the front elevation windows. Amended plans were received on 22/06/2023 which addressed these issues.

32. Considering the proposed porch, the Local Authority Heritage Officer previously noted that the pitched-roof canopy proposed in the withdrawn application 7-2022-1420-H would be appropriate. The canopy proposed in this application, by virtue of its modest size and given it is considered an improvement over the proposed porch and overhang in the previous application 7-2022-1420-I is considered acceptable.
33. Overall the proposal is considered to introduce some improvements to the existing house, would be in keeping with the character and appearance of the Conservation Area overall and would be in line with Sections 66 and 72 of the 1990 Planning (Listed Buildings and Conservation Areas) Act. This further accords with paragraph 199 of the NPPF which states that great weight should be given the conservation of heritage assets whilst no harm has been identified having regard to paragraph 200 of the NPPF. The proposal is therefore considered to accord with Policy CS39 on heritage assets and policies 4.4 and 4.25 of the District Wide Local Plan (2002) on development in Conservation Areas. The impacts on heritage and the Conservation Area are considered acceptable.

Impact on residential amenity

34. Some objections received took the view that the proposal was overwhelming to neighbouring properties and would result in a loss of light and privacy to neighbouring properties. The impact of the proposal will be discussed below in relation to the Residential Extensions Design Guide (2008) and CS41 on respecting neighbours.
35. Given that the porch canopy cover is modest and involves no increase to the building's footprint, this element is not considered to impact on neighbouring amenity. The replacement windows proposed on the host dwellinghouse also do not result in harm to neighbouring amenity. Whilst there is a net gain of windows on the main section of the front elevation, smaller windows have replaced one larger window on the ground floor. There is a separation distance of over 30m between 103 Wick Lane and properties on the other side of Wick Lane. There is therefore not considered to be any material increase in overlooking resulting from the new front elevation windows, both on the main property and on the proposed extension.
36. The boundary neighbour to the rear, 6 Wick Green is located over 27m away from the proposed side extension therefore is not considered to be materially affected, either in terms of potential overlooking or a potential overbearing feeling from this element. Concerning the rear garden of 6 Wick Green, one ground floor window is proposed on the rear of the extension, however at ground level there is not considered to be any meaningful overlooking towards this neighbouring plot.
37. The closest neighbours to the proposed extension are the adjacent boundary neighbours Nos. 2 and 4 Wick Green. Concerning the bulk of the built form as noted previously, the proposed extension is set further back from the shared boundary than the existing garage. The extension does not protrude past the existing rear building line therefore there would be a small increase in space between these neighbouring properties and the built form on the applicant site. Given this and the single storey nature of the extension, there is not considered to be any overbearing feeling or meaningful loss of light towards these neighbours.

38. Considering the privacy of these neighbours, as noted above regarding 6 Wick Green, the window proposed on the rear elevation would afford views primarily of the applicant garden. There are no windows proposed on the side elevation of the proposed extension facing towards neighbouring properties.
39. Overall, the proposals are considered compliant with CS41 of the Core Strategy (2012) and the Residential Extensions Design Guide (2008) on respecting neighbours and there is consequently considered to be no harm to residential amenity resulting from the proposal.

Impact on trees

40. A Local Planning Authority Tree Officer has assessed the proposal and the arboricultural information supplied in support. The Ash tree located on adjoining land is shown for retention with no pruning required. The extension proposed falls to a very minimal degree into the theoretical root protection area of this tree and this is considered non-harmful. The remainder of this tree's root protection area on the development side of this tree is to be protected. No other trees should be affected. The Local Planning Authority Tree Officer has raised no objections to this proposal subject to a condition requiring compliance with the submitted arboricultural method statement and tree protection plan. This condition has been added and the proposal is overall considered compliant with Policy 4.25 of the District Wide Local Plan (2002) on soft landscaping.

Impact on highways/parking

41. Multiple representations received raised the issue of parking. Whilst the proposal does include the demolition of the existing garage, a significant paved driveway remains. The applicant site falls within Parking Zone D and has a parking requirement for 2 car parking spaces. The existing driveway is considered sufficient to accommodate this. The proposed side extension would not warrant an increase in the number of parking spaces required according to the Bournemouth parking standards. The proposal is therefore considered compliant with the BCP Parking SPD (2021) and the impact on highways/parking is considered acceptable.

Impact on flooding

42. One representation raised the issue of drainage. There does not appear to be any increase in hardstanding associated with the proposal given that the extension would be located on an area of existing hardstanding. In any case, a soakaway is shown over 5m away from the structure therefore the application is compliant with CS4 on Surface Water Flooding.

Planning Balance/Conclusion

43. The proposed single storey extension is considered to be respectful of the host dwellinghouse and suitably subservient. It is not considered dominant in the setting of the listed buildings or be harmful to the Conservation Area and therefore would be compliant with Sections 66 and 72 of the 1990 Planning (Listed Buildings and Conservation Areas) Act. The porch is considered similarly appropriate. The replacement windows are considered to be a small enhancement on the existing arrangement and given that the existing property is modern with UPVC windows, the use of UPVC is considered acceptable in this case. There are no concerns regarding neighbouring amenity, trees, drainage and parking.
44. 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

45. It is recommended to **GRANT permission** with the following conditions:

Conditions

1. **Development in accordance with plans as listed:**

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

Site Location Plans; drg. no. JB Site
Proposed Front Elevation; drg. no. JB1
Proposed Rear Elevation; drg. no. JB2
Proposed Side Elevation; drg. no. JB3
Proposed Ground Floor Plan; drg. no. JB4
Proposed Floor Plans and Elevations; drg. no. JB5

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 submitted as part of this application.

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. **Implementation of the approved arboricultural information**

The tree protection measures only as detailed in the Arboricultural Report and Tree Survey 0822-10099 Rev. 3, dated October 2022 and revised January 2023 and prepared by Peter Wilkins shall be implemented in full and in accordance with the approved timetable and maintained and supervised until completion of the development.

Reason: To ensure that trees and other vegetation to be retained are not damaged during construction works and to accord with Policy 4.25 of the Bournemouth District Wide Local Plan (February 2002).

Informatives

Unforeseen contamination

Informative Note: If during site works unforeseen contamination is found to be present then no further development shall be carried out until the developer has consulted the Local Planning Authority. The contamination will need to be assessed and if necessary an appropriate remediation scheme agreed with the Local Planning Authority.

Statement required by National Planning Policy Framework

In accordance with paragraph 38 of the revised NPPF the Council, as Local Planning Authority, takes a positive and proactive approach to development proposals focused on solutions. The Council works with applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating

applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this instance:

- The applicant was provided with pre-application advice,
- The application was acceptable as submitted and no further assistance was required.

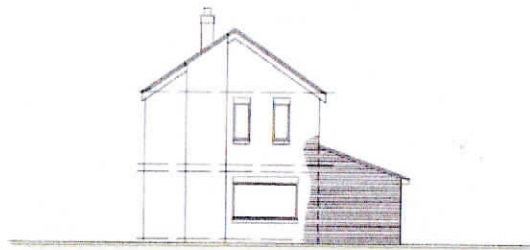
Background Documents

Documents uploaded to that part of the Council's website that is publicly accessible and specifically relates to the application the subject of this report including all related consultation responses, representations and documents submitted by the applicant in respect of the application.

Notes. This excludes all documents which are considered to contain exempt information for the purposes of Schedule 12A Local Government Act 1972. Reference to published works is not included.



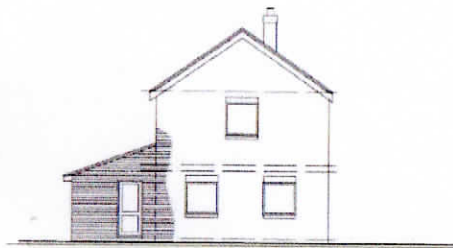
FRONT ELEVATION (to Wick Lane)



SIDE ELEVATION



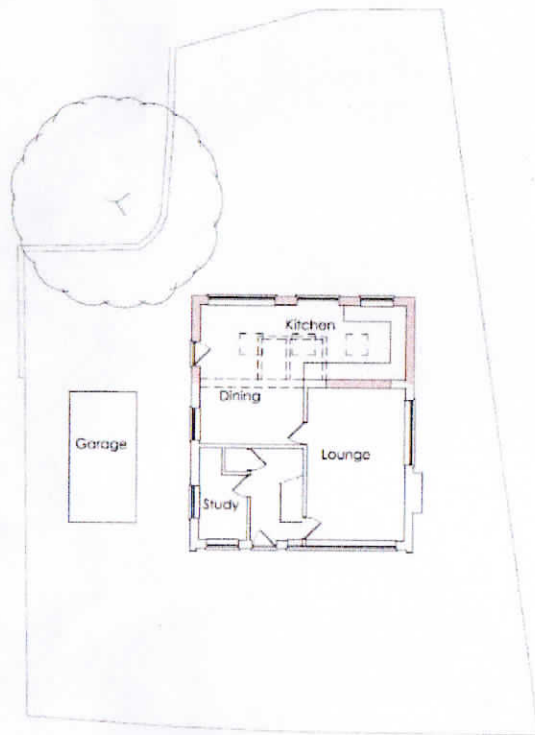
REAR ELEVATION



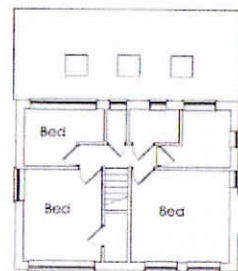
SIDE ELEVATION



SITE PLAN (including roof plan) 1 : 500



GROUND FLOOR PLAN 1 : 100



FIRST FLOOR PLAN



LOCATION PLAN 1 : 1250

EXISTING BUILDING

REF. JB 6
REVISION

a b design Ltd
architectural services

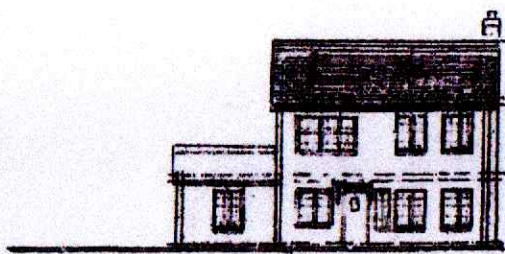
103 Wick Lane Southbourne, Bournemouth BH6 4LB
Phone: 01202 772297 Email: abdesign@btinternet.com

PROJECT
103 Wick Lane Southbourne,
Bournemouth BH6 4LB

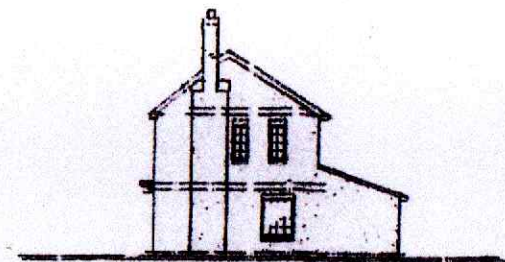
TITLE
Proposed alterations and additions
FLOOR PLANS AND ELEVATIONS
PERMITTED DEVELOPMENT

SCALE	DATE	DRAWN	CHECKED	REV.
1 : 100 (A1)	01/11/2022			022/003/05

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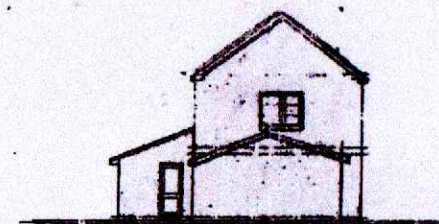
FRONT ELEVATION (to Wick Lane)



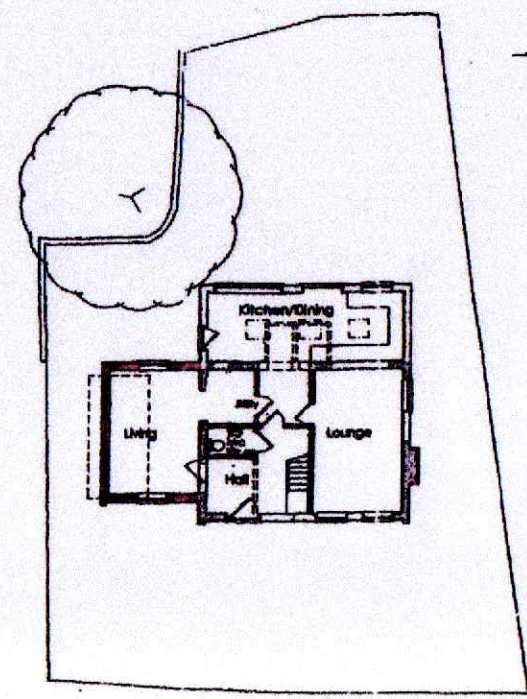
SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION

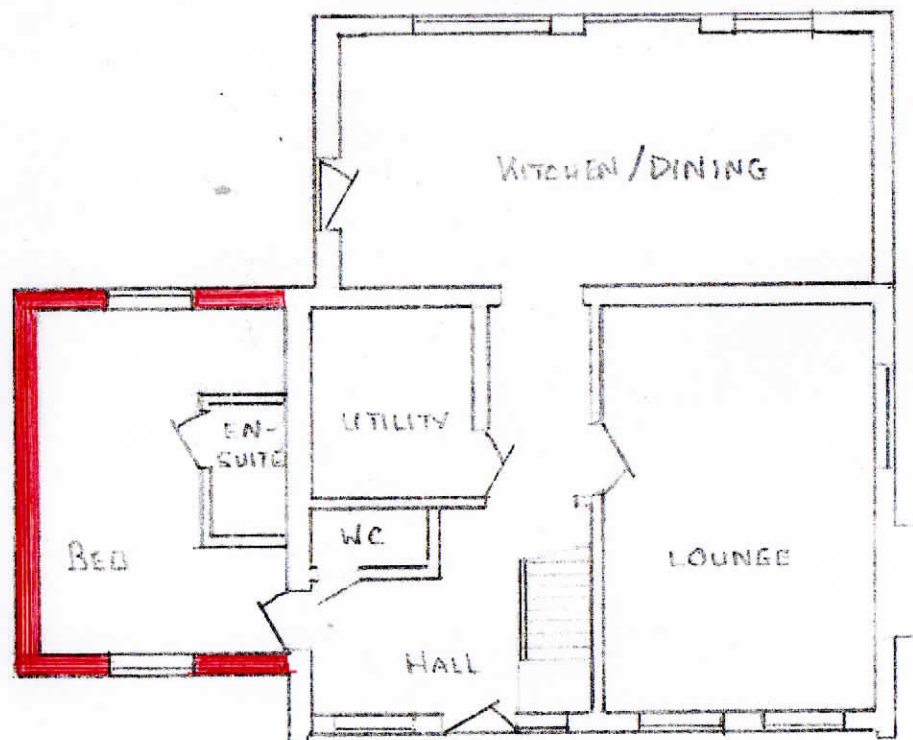


GROUND FLOOR PLAN 1 : 100

103 Wick Lane
BH64LB
Ref. JB5

Proposed alterations and additions.
Floor Plans and elevations.

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GROUND FLOOR PLAN 1:100

103 WICK LANE
B46 4 LB
REF. JB 4

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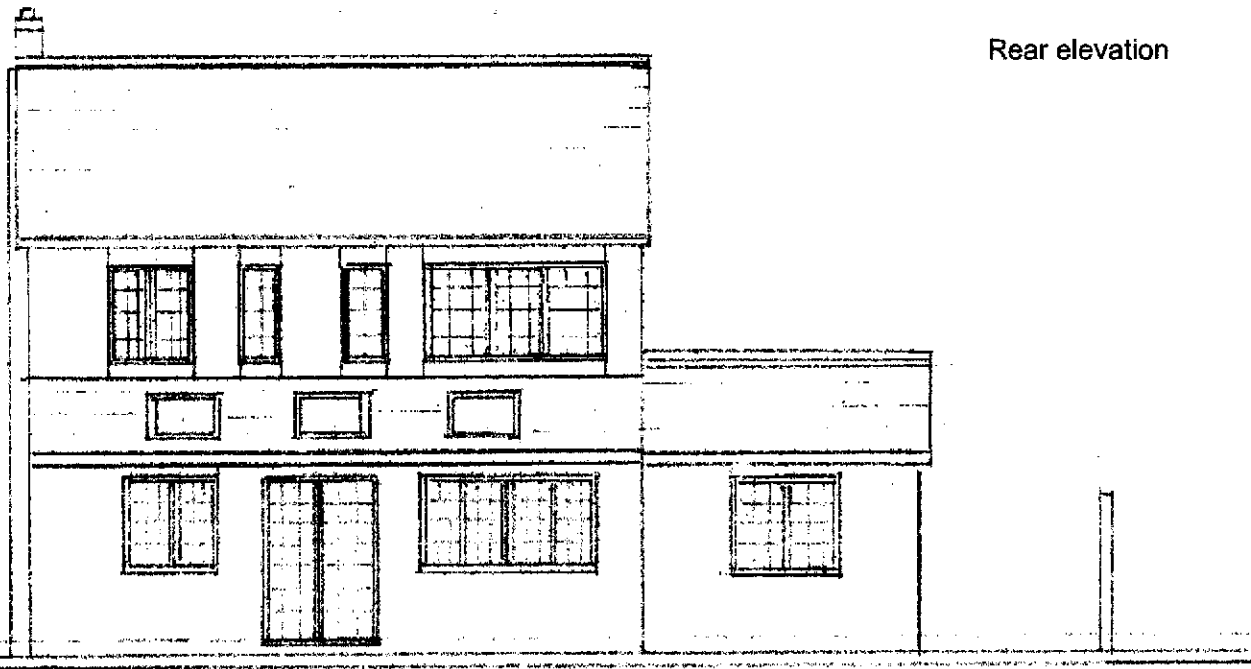
FRONT ELEVATION (to Wick Lane)

Extension to be rendered to match existing rendering to lower front of house .Roof tiles to match existing house roof tiles.

1:100

103 Wick Lane
BH64LB
Ref. JB1

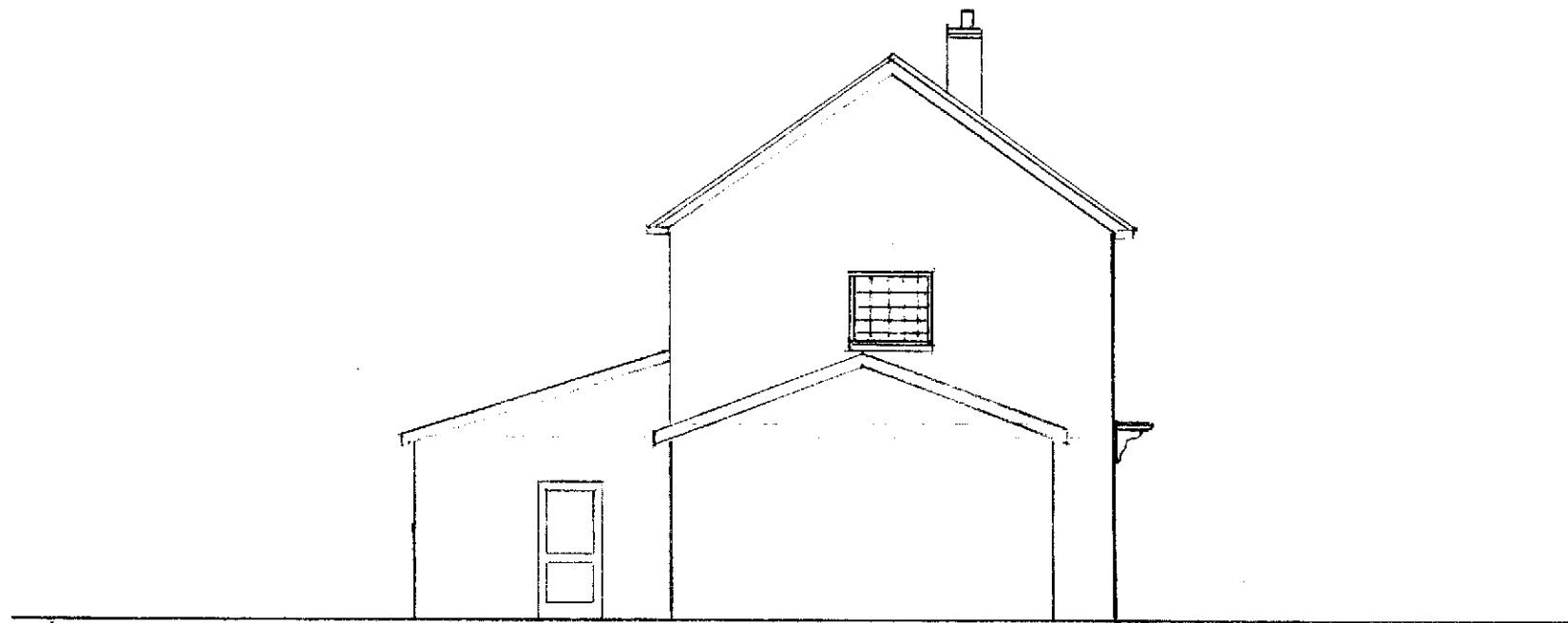
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Rear elevation 1:100

Ref.JB2

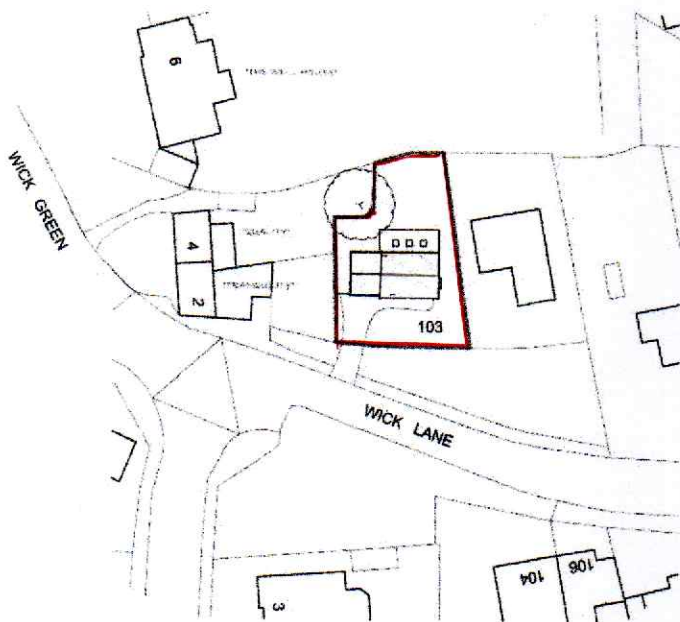
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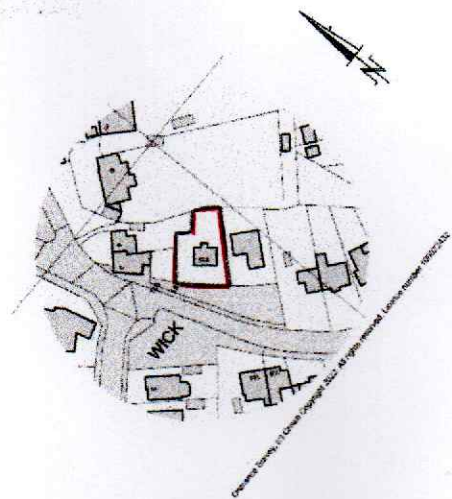
Side Elevation 1:100

103 Wick Lane
BH64LB Ref. JB3

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SITE PLAN (including roof plan) 1 : 500

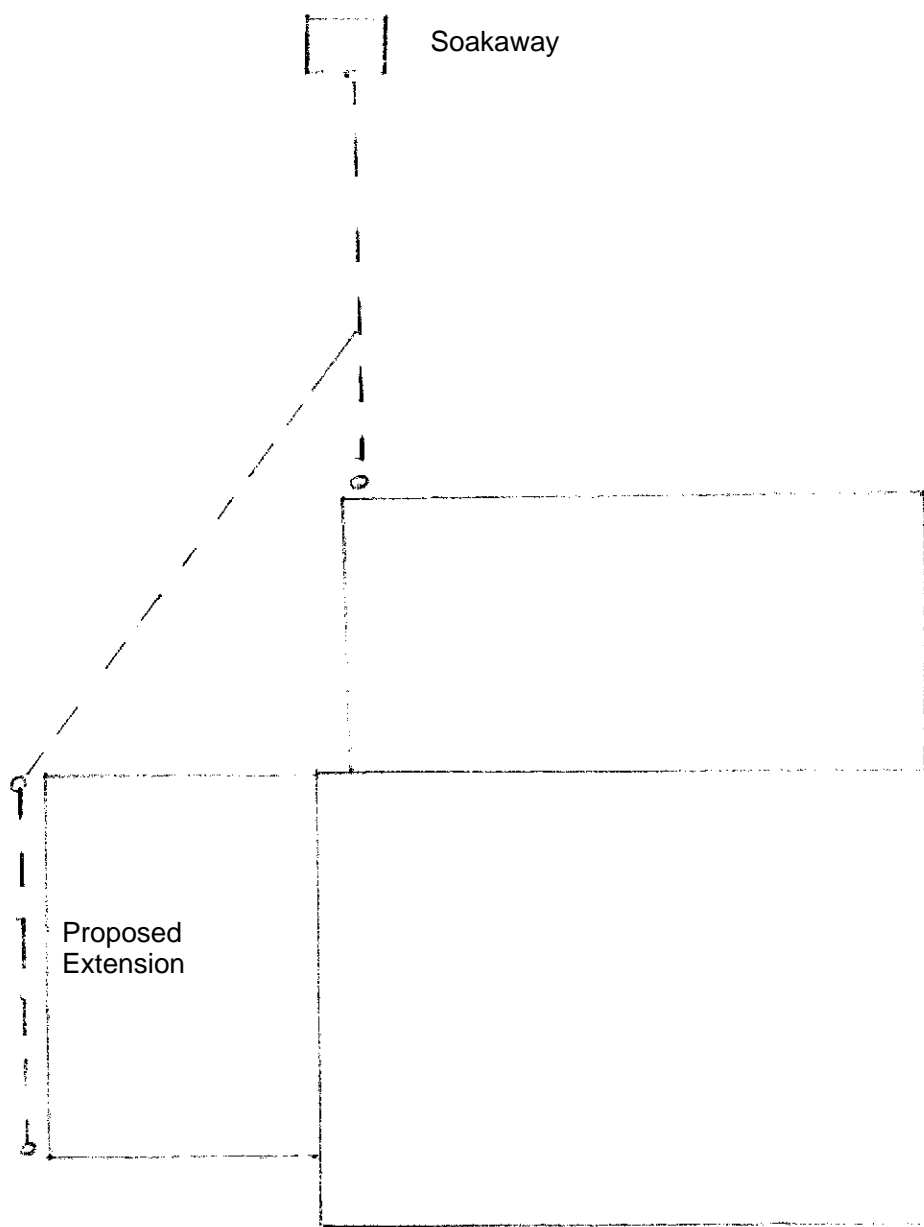


LOCATION PLAN 1 : 1250

PROJECT	103 Wick Lane, Southbourne, Bourne-mouth BH6 4LB	TITLE	Proposed extensions and alterations
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Ref. JB Site

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103 Wick lane
BH64LB
Soakaway crate system

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Planning Committee

Application Address	15 Branksea Close, Poole, BH15 4DR
Proposal	Extend to the front, side and rear. New roof. Paved car standing to the front. Extend dropped kerb to the front. First floor dormer to the side (Part retrospective).
Application Number	APP/23/00517/F
Applicant	Ms Philippa Sherman
Agent	Mr Richard Stummer
Ward and Ward Member(s)	Hamworthy Cllr Bagwell, Cllr Cooper and Cllr Hitchcock
Report status	Public Report
Meeting date	20 July 2023
Summary of Recommendation	Delegate to the Head of Planning to Approve subject to: (i) receipt of an acceptable flood risk assessment; and (ii) the conditions as set out
Reason for Referral to Planning Committee	Call in from Councillor Bagwell on following grounds: <ul style="list-style-type: none"> - Loss of privacy of the neighbours - The proposal is not in keeping with the street scene
Case Officer	Dominika Gec

Description of Proposal

1. This is a householder application for extensions and alterations to this detached property. The application is part retrospective.
2. Planning permission was originally granted in 2018 (APP/18/01207/F) for “*Extend to front, rear and side. New roof and new paved hardstanding to the front including extension of dropped kerb to the front.*” However, the development has not been carried out in accordance with the approved plans. The current application seeks to rectify all the breaches of the previous planning permission and to install a proposed dormer to the south western side of the roof slope. Although, the proposal is partly retrospective, this does not have a bearing on decision making. Each application is assessed on its own merits.

3. Since the approval in 2018, the application dwelling has been extended and altered and there has been a change to the planning policy context with the adoption of the Poole Local Plan in November 2018 and the revised NPPF in July 2021. These have replaced the previous planning documents against which the previous scheme was determined. This current proposal therefore needs to be assessed in relation to this new planning policy context.

Description of Site and Surroundings

4. The application site is located in the residential area on the south eastern side of Branksea Close and consists of a detached bungalow. There is an integral garage and surface parking space for 2 cars to the front of the application dwelling. Branksea Close predominantly consists of single storey properties. The wider surrounding area contains variety of dwelling types and sizes.

Relevant Planning History

5. APP/18/01207/F
Extend to front, rear and side. New roof and new paved hardstanding to the front including extension of dropped kerb to the front
Approved
6. APP/22/00311/F
Raise height of existing boundary wall and raise ground level (part retrospective)(Amended description)
Approved with condition to finish it in white paint. Inspector allowed removal of this condition at appeal stage (APP/V1260/W/22/3306893).
7. APP/22/01714/F
Non-material amendment following approval of APP/18/01207/F to Amended roof line to the front elevation
Refused
Refusal reason: The proposed amendments are considered to be of substance, consequence and significance to the approved scheme (APP/18/01207/F) and therefore they are not considered to be acceptable as a non-material amendment. Furthermore there are other alterations to the approved scheme which have been constructed on site yet are not shown on the submitted plans. The totality of the as-built changes to the approved development will need to be addressed by way of a revised scheme.

Constraints

8. The site lies in an area of future tidal flood risk (2133).

Public Sector Equalities Duty

9. In accordance with section 149 Equality Act 2010, in considering this proposal due regard has been had to the need to:
 - eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Other relevant duties

10. In accordance with section 40 Natural Environment and Rural Communities Act 2006, in considering this application, regard has been had, so far as is consistent with the proper exercise of this function, to the purpose of conserving biodiversity.
11. For the purposes of this application, in accordance with section 17 Crime and Disorder Act 1998, due regard has been had to, including the need to do all that can reasonably be done to prevent, (a) crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment); (b) the misuse of drugs, alcohol and other substances in its area; and (c) re-offending in its area.

Consultations

BCP Highways

12. Supports the proposed scheme.

Representations

13. A site notice was posted outside the site on 23rd May 2023 with an expiry date for consultation of 16th June 2023.
14. 10 representations have been received in objection to the proposed development. The issues raised comprise the following:
 - The building site causes a danger for local children,
 - The extended and altered dwelling due to its close separation distance to the side site's boundaries, exceptionally high walls and overhanging roof would be out of keeping with the appearance of the street scene.
 - Condition no.4 of permission 18/01207/F has been ignored and habitable accommodation within the roof space is proposed.
 - Unsafe amount of external amenity space in the event of escape for a wheelchair user.
 - The approved development has not been commenced within 3 years from the decision date (12/011/2018).
 - No measurements labelled on the drawings and drawings are not accurate.
 - The implemented development has not been approved.
 - The proposed changes would cause further disruptions for the neighbours,

Key Issue(s)

15. The key issue(s) involved with this proposal are:
 - Impact on the character and appearance of the area
 - Impact on amenities and privacy of the neighbours
 - Impact on parking
16. These issues will be considered along with other matters relevant to this proposal below.

Policy Context

17. 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:

Poole Local Plan (Adopted 2018)

PP01 Presumption in favour of sustainable development

PP27 Design

PP35 A safe, connected and accessible transport network

Supplementary Planning Documents

BCP Parking Standards SPD (adopted January 2021)

National Planning Policy Framework (“NPPF”/“Framework”)

The National Planning Policy Framework (NPPF) sets out the Government’s planning policies for England and is a material consideration in planning decisions.

Planning Assessment

Key Issues

18. The proposed extensions to the front, side and rear together with new roof have been implemented and therefore the proposed scheme is partly retrospective. The dormer to the side of the roof slope and roof windows to both sides of the pitched roof rear extensions are not yet installed.
19. The current application is similar to the previously approved one in 2018 (APP/18/01207/F). Some previously approved elements of the scheme have been however amended:
- The pitched roof element of the rear extension has been built approximately 0.9m wider than the one approved in 2018, 0.2m deeper and 0.3m higher.
 - Flat roof element is approximately 0.1m wider than the one approved in 2018 and the roof overhang is longer than that previously approved.
 - Width of the rear doors within the pitched roof element have been reduced and moved to the left hand side, and the width of the doors to the south west within this element have also been reduced and moved to the rear corner.
 - Approved door to the south west has been removed and additional window has been installed,
 - The 4 panel doors to the south west were replaced with 3 panel ones,
 - Canopy above the main entrance has not been implemented, eaves overhang is longer and the window on the front roof slope has been installed larger than the previously approved,
 - The window within the rear gable has also been installed wider,
 - Three roof windows to the north east serving the ground floor kitchen were installed lower than those approved in 2018.

Impact on character and appearance of the area

20. The extended and altered dwelling results in a bungalow with a hipped roof with overhanging eaves to the north west, south west and south east, a gable end to the rear and a partly pitched, partly flat roof single storey extension. It is finished with brick and white render with slate tiles on the roof.
21. The application dwelling is visually apparent in the street scene of Branksea Close and although eaves overhangs to the north west, south west and south east are longer than those approved in 2018 (APP/18/01207/F), they do not have detrimental impact on appearance of the application dwelling. Therefore, given the siting, height, mass, scale and design of the application dwellinghouse, it integrates well with other detached bungalows in close vicinity of the application site and therefore, the character and appearance of the street scene and wider surrounding area is preserved.
22. The dormer proposed on the south western roof slope of the application dwelling, due to its height, mass, scale and design would complement the extended and altered property and therefore preserve the character and appearance of the street scene.
23. The previously existing low boundary wall to the front of the application site has been demolished and hardstanding driveway is now proposed to the front of the application dwelling. It would integrate with other similar examples of the frontages within the street scene. Therefore, the proposed and partly implemented scheme is in accordance with the provisions of Policy PP27 of the Poole Local Plan.

Impact on amenities and privacy of the neighbours

24. Although the extended and altered application dwelling is erected in close proximity to the side boundaries of the application site, it is (together with overhanging eaves to the south west) within ownership of the applicant.
25. The extended and altered application dwelling causes some shading for the property at No.14 however, given the height of its ridge line and roof form sloping away from the boundary with this neighbour, it does not cause any material loss of sunlight/daylight, loss of outlook, nor does it result in an overbearing impact or give rise to any materially harmful levels of shading to the neighbouring properties. The dormer proposed on the south western roof slope of the application dwelling would have no adverse impact of this neighbouring property.
26. Given the orientation of the application dwelling in relation to the property at No.16 (to the north east), and its height, mass and scale, it does not cause a loss of outlook nor appear overbearing for the occupants of this neighbouring dwelling. The dormer proposed on the south western roof slope of the application dwelling would be a mono-pitch style dormer that would be lower than the existing ridge line. Therefore, it is not considered that it would cause material harm for amenity of No.16 in terms of loss of outlook or appear overbearing the occupants of this neighbouring property.
27. Despite the size of the footprint of the extended and altered dwelling, it is considered that there is sufficient external amenity space retained to meet the needs of the occupants of the application dwelling.
28. In terms of neighbouring privacy, views towards the neighbouring properties from the ground floor windows installed to the north east and south west are obstructed by the existing boundary walls erected to both sides of the application dwelling. There is a low boundary wall between the application site and the property at no. 10 Purbeck

Avenue to the east. However, the separation distance between the ground floor windows installed to the south east and the private part of this neighbour's garden would be over 29m and is considered sufficient to cause no harmful views towards this neighbouring property.

29. The ground floor windows installed to the north west and the roof window installed on the slope to this side face towards the road and do not introduce any harmful views towards the neighbouring properties. The window installed within the south eastern gable overlooks the rear garden of the application site and separation distance between it and the properties located to the south east of the application site, especially No. 10 Purbeck Avenue and No.39 Branksea Avenue is sufficient (over 30m) to cause no harmful views towards private parts of these neighbouring properties. This window also has some degree of oblique view over the rear garden of No.16 that is acceptable in an urban location such as this one. Oblique view from this window over the rear garden of No.14 is obstructed by the pitched roof of the rear extension of the application dwelling.
30. The five roof windows installed on the north eastern roof slope of the application dwelling serving the ground floor hallway and 3no of roof windows installed to this side serving the kitchen are installed at the high level and do not introduce any harmful views towards the neighbouring properties.
31. 3no roof windows proposed in the north eastern and south western slopes of the single storey rear extension together with dormer windows proposed to the south west would be high level windows and therefore they would also cause no harmful views towards the neighbours nearby.
32. The flat roof over the implemented rear extension is not proposed to be used as a balcony and to protect privacy of the neighbours a condition could be imposed to restrict it.
33. The proposal therefore complies with Policy PP27 of the Poole Local Plan.

Impact on parking

34. Number of habitable rooms has been increased however, there is one parking space within the integral garage and 2 additional ones on the driveway proposed to the front of the application dwelling which would be sufficient for the need of the extended dwelling. Therefore, the proposal is in accordance with Parking SPD (January 2021).
35. There is also proposed extended dropped kerb that has been supported by the Council Transportation Officer and considered to have no highway safety implications. The proposal therefore complies with Policy PP35 of the Poole Local Plan (November 2018).

Other considerations

36. Third parties have raised that no measurements are labelled on the drawings, however the submitted plans are to scale that is sufficient for measuring purposes. The plans can be measured on the Council's website.
37. The site lies in an area of future flood risk from tidal flooding by 2133 with climate change. The application is not currently accompanied by a flood risk assessment. However, this has been requested. Therefore approval is sought from Members to delegate approval of the scheme to the Head of Planning subject to receipt of a satisfactory FRA to demonstrate the scheme will not cause additional flooding elsewhere and has sought to minimise impacts of flooding on future occupiers.

Planning Balance/Conclusion

38. The proposed and partly implemented scheme preserves the character and appearance of the street scene and wider surrounding area. The neighbouring amenities and privacy are considered be preserved and the proposed scheme would have no adverse impact on parking nor on highway safety.
39. The proposed development complies with adopted policies of the Poole Local Plan and therefore, the proposal is therefore recommended for approval.

Recommendation

40. It is recommended that this application be delegated to the Head of Planning to Grant permission subject to:
 - a) receipt of an acceptable flood risk assessment; and
 - b) the conditions as set out below (and any amendments to those conditions as deemed necessary).

Conditions

1. PL01 (Plans Listing)
The development hereby permitted shall be carried out in accordance with the following approved plans:
SHER04 Site Location Plan, Block Plan, Site Plan and Roof Plan received 26/04/2023
SHER056 Proposed Elevations and Floor Plans received 28/06/2023
Reason: For the avoidance of doubt and in the interests of proper planning.
2. The materials and finishes to be employed on the external faces of the development hereby permitted shall be as specified in the application form and on the approved plan (SHER056 submitted 28/06/2023).

Reason: To ensure that the external appearance of the building is satisfactory and in accordance with Policy PP27 of the Poole Local Plan (November 2018).
3. Notwithstanding any provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any order revoking and re-enacting that order with or without modification at no time shall the flat roof area of the extension hereby permitted 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).

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 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. IN13

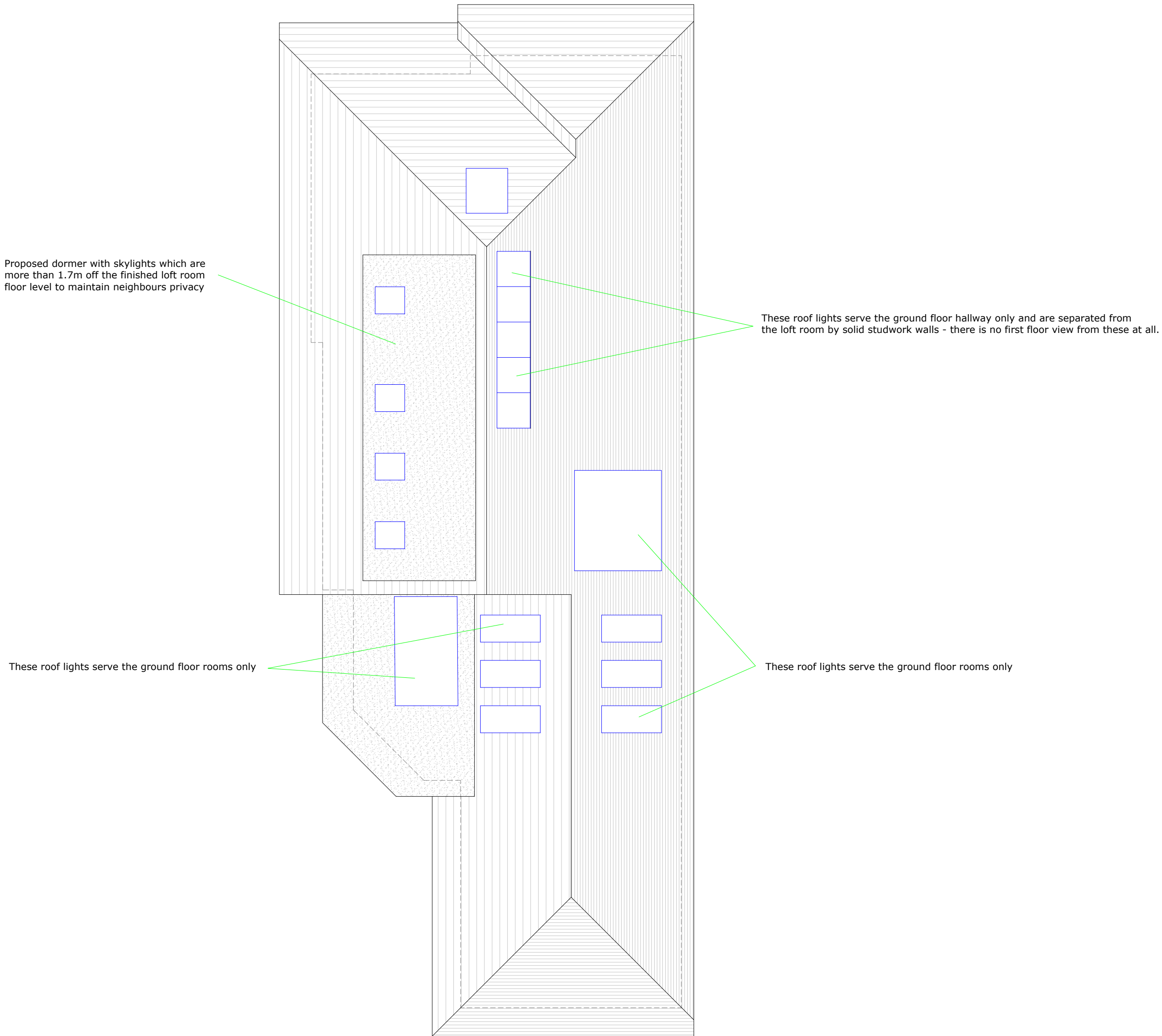
The applicant is informed that the Local Highway Authority will require the footway and kerb to be lowered and reconstructed in the position(s) corresponding to the vehicular means of access to the site. This requirement is imposed in order to service the means of access; in order to prevent danger and 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 and complete an online application form at: <https://www.bcpCouncil.gov.uk/Roads-and-transport/Dropped-kerbs/Apply-for-a-dropped-kerb.aspx>

Background Documents

Documents uploaded to that part of the Council's website that is publicly accessible and specifically relates to the application the subject of this report including all formal consultation response and representations submitted by the applicant in respect of the application. Notes: This excludes all documents which are considered to contain exempt information for the purposes of Schedule 12A Local Government Act 1972.

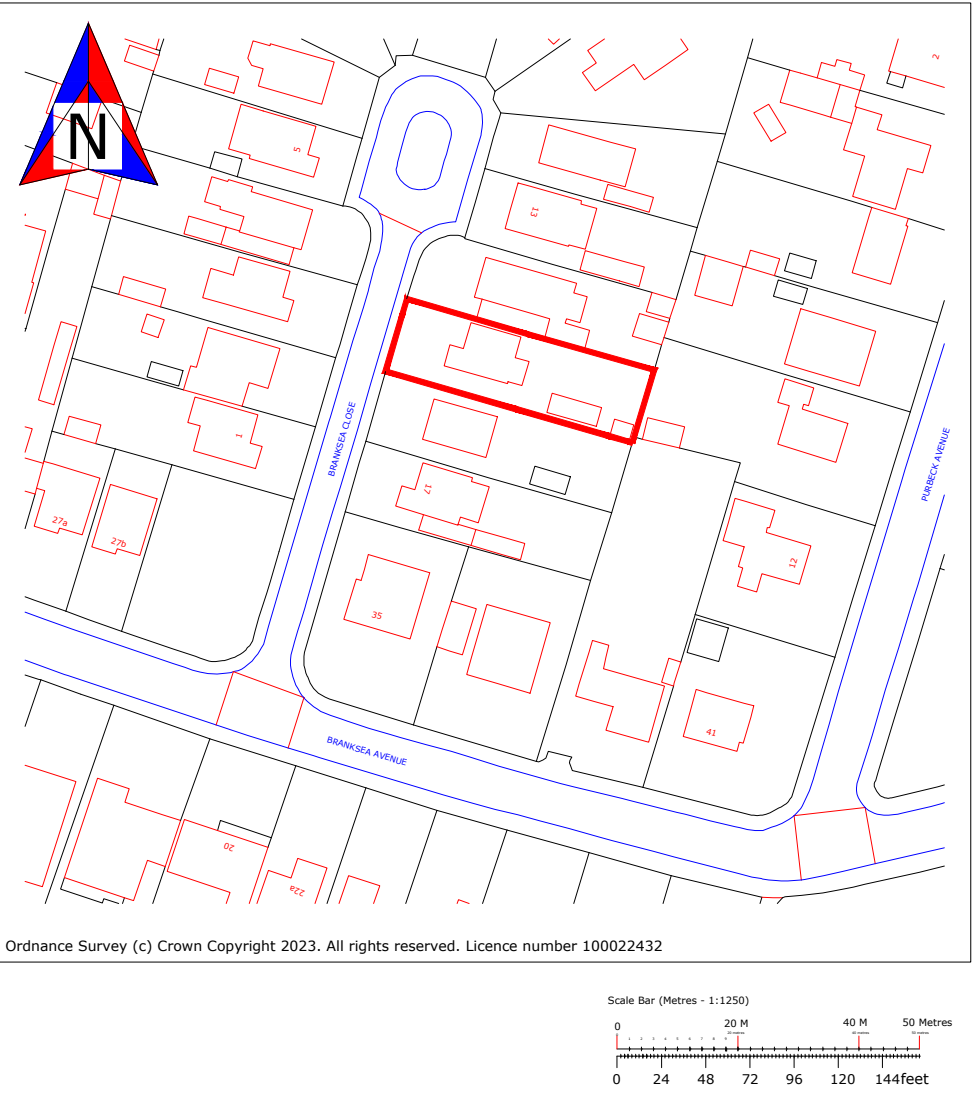


1:100 SITE PLAN

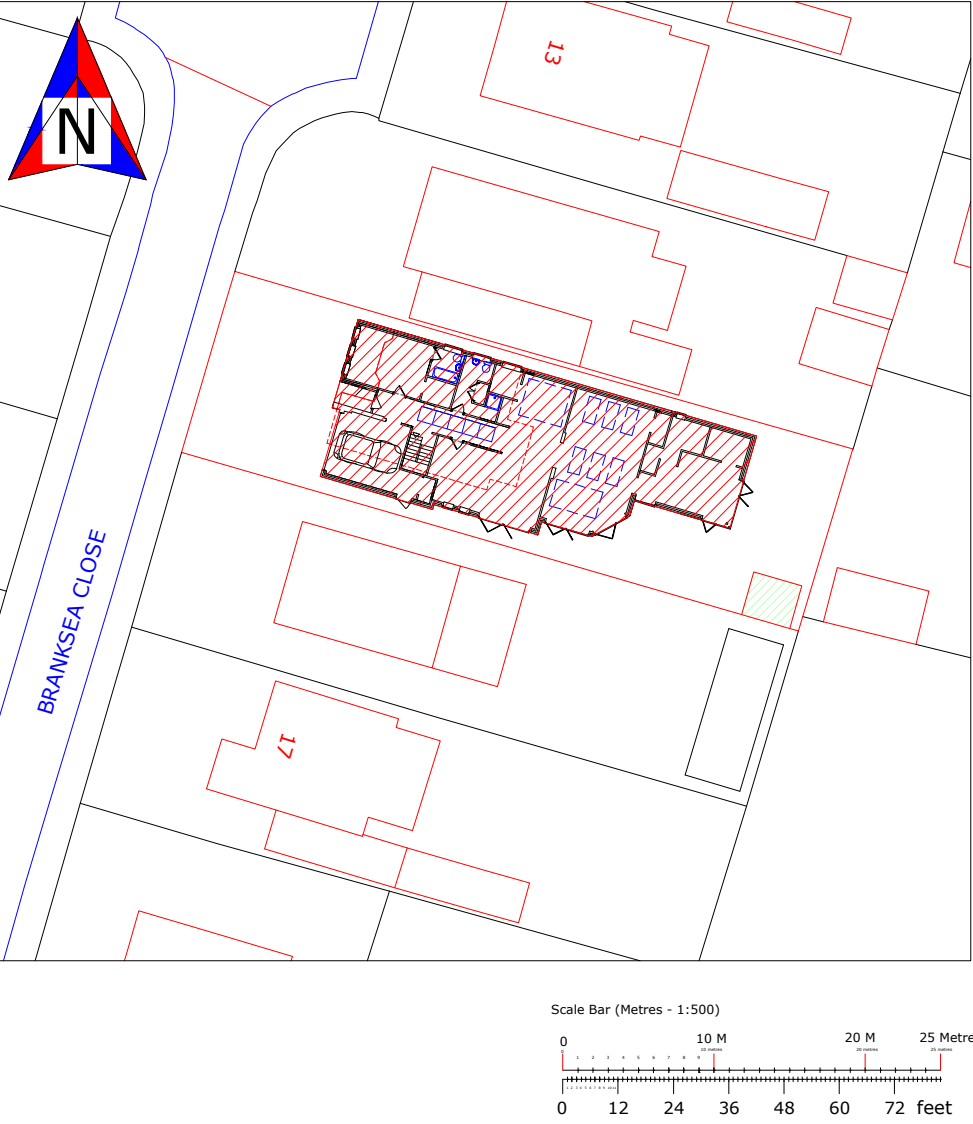


1:100 ROOF PLAN

SITE LOCATION PLAN 1:1250

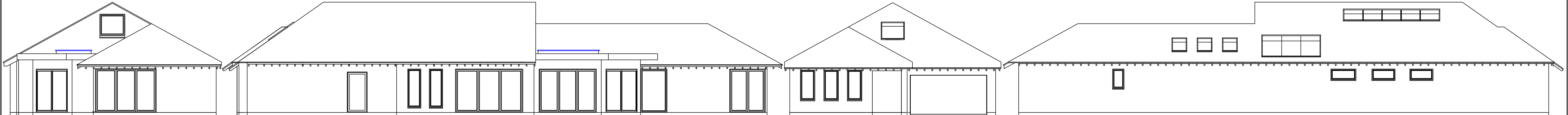


SITE PLAN 1:500



PROPOSALS IN BRIEF	
Extend to front, side and rear with new roof and side dormer over. Paved car standing to the front. Extend dropped kerb to the front.	DRAWING NUMBER SHER054
SITE LOCATION 15, BRANKSEA CLOSE HAMWORTHY DORSET BH15 4DR	
Submitted for comment to the Local Authority Floor plans and elevations 1:100	
Measurements in mm and are approximate.	
Extension Design Rural to: HILLS, HOMES & CO 1511 CONSOLE RD - 020301000000	Richard Stummer 02, Foxtail Drive Clifton, Parkside SOUTHAMPTON SO45 4NZ Telephone: 023 8034 0835 Mobile: 07747 511360 Fax: 023 8034 2774 e: richard.stummer@btinternet.com
PAPER SIZE - A1	
General notes - please read	
Party Wall Act 1996. Where building within 3 metres of a neighbour's existing wall is proposed, the Party Wall Act 1996 could apply and is the responsibility of the site owner to implement the Act prior to commencement of works. Further information on this can either be found through the Internet or Extension Design Ltd.	
Commencement of works. Building work should only be started when all of the following have been fully approved. 1) Planning permission, Lawful Development Certificate or Prior Notification applications. 2) Where planning permission is required, all conditions of approval must be settled prior to the start of work. 3) Where building regulations approval is required, full written approval must be obtained from either the local authority building control or, a private building control company. 4) Where structural steelwork is required, a separate certificate from the local authority checking engineers must also be obtained prior to the start of work. 5) Where a build over agreement from a local water authority is required - the agreement must be given prior to the start of work.	
Work started before these permissions are granted are done so entirely at the site owners own risk.	
All measurements shown on these drawings need to be rechecked on site before start of work by the contractor. If any aspect of these drawings are unclear, please ask. Additional measurements, detail etc can be added if needed. Don't guess - always ask!	
These drawings and the electronic master file remain the property of Extension Design Ltd, no further copies can be made without the written permission of Extension Design Ltd.	

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Existing East Elevation

Existing South Elevation

Existing West Elevation

Existing North Elevation



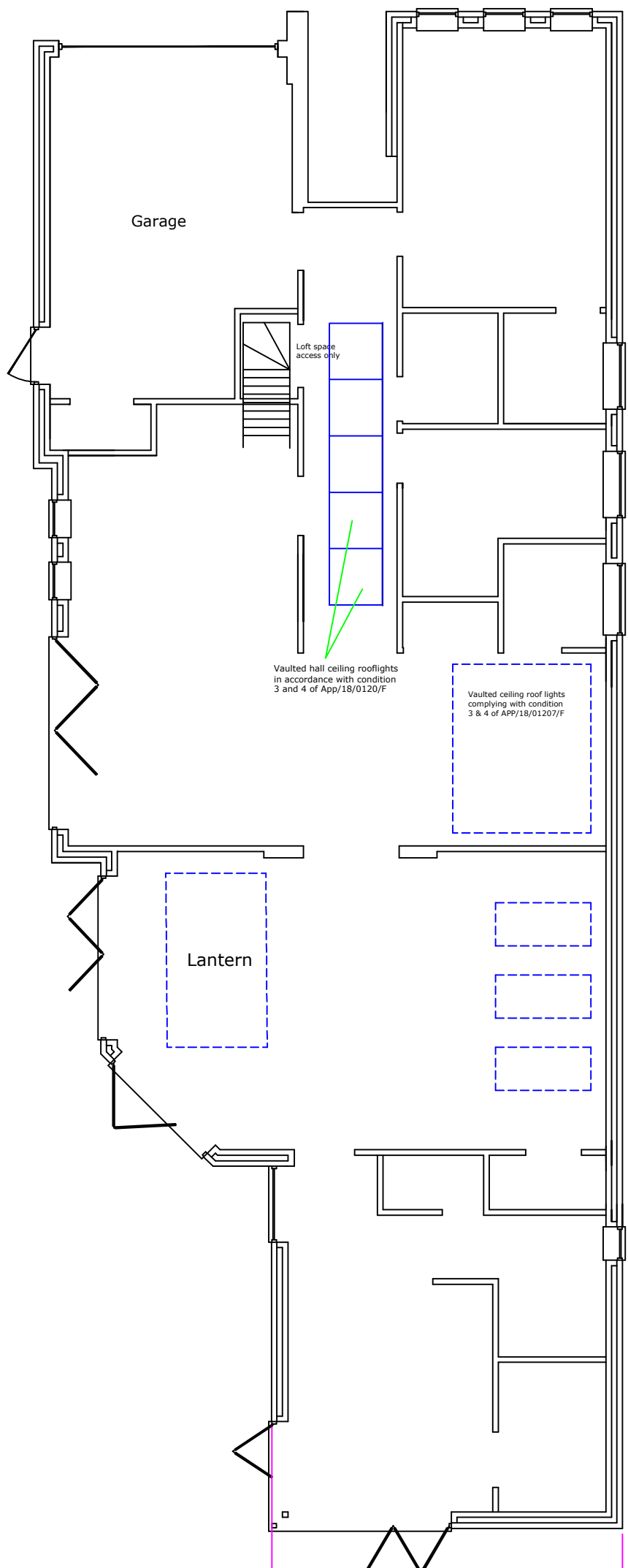
Proposed East Elevation

Proposed South Elevation

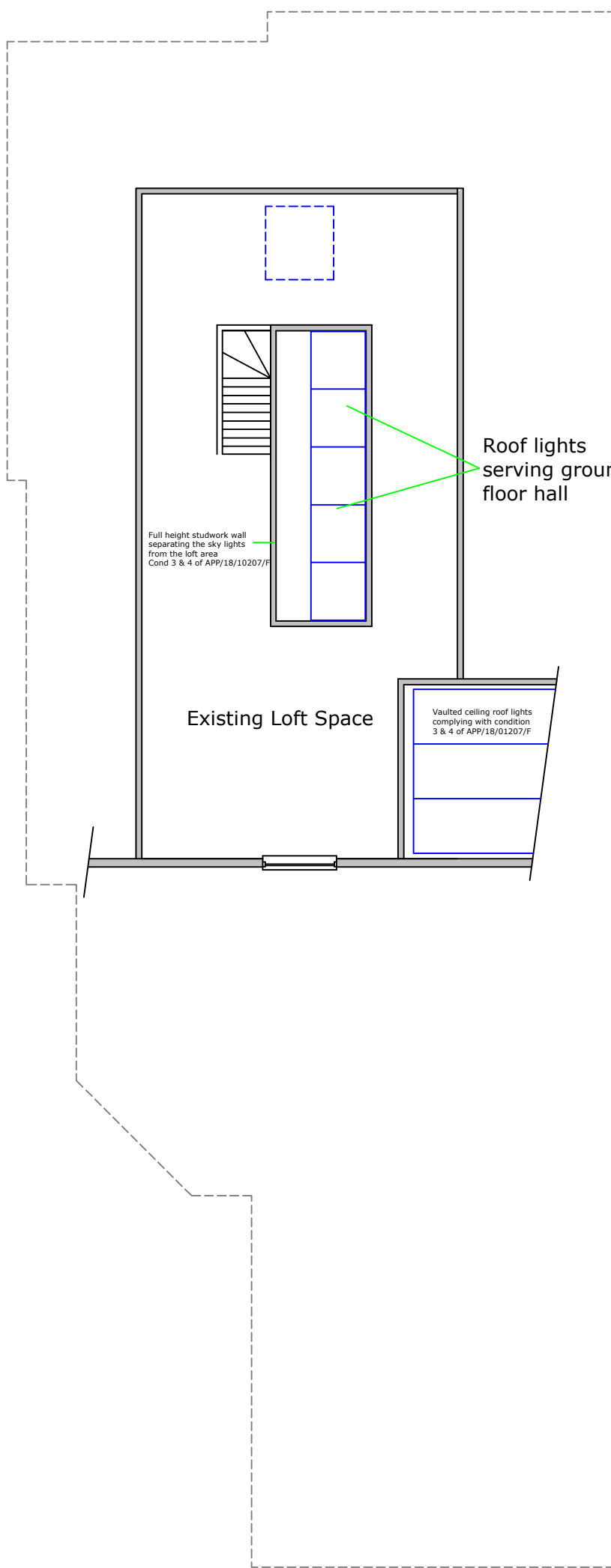
Proposed West Elevation

Proposed North Elevation

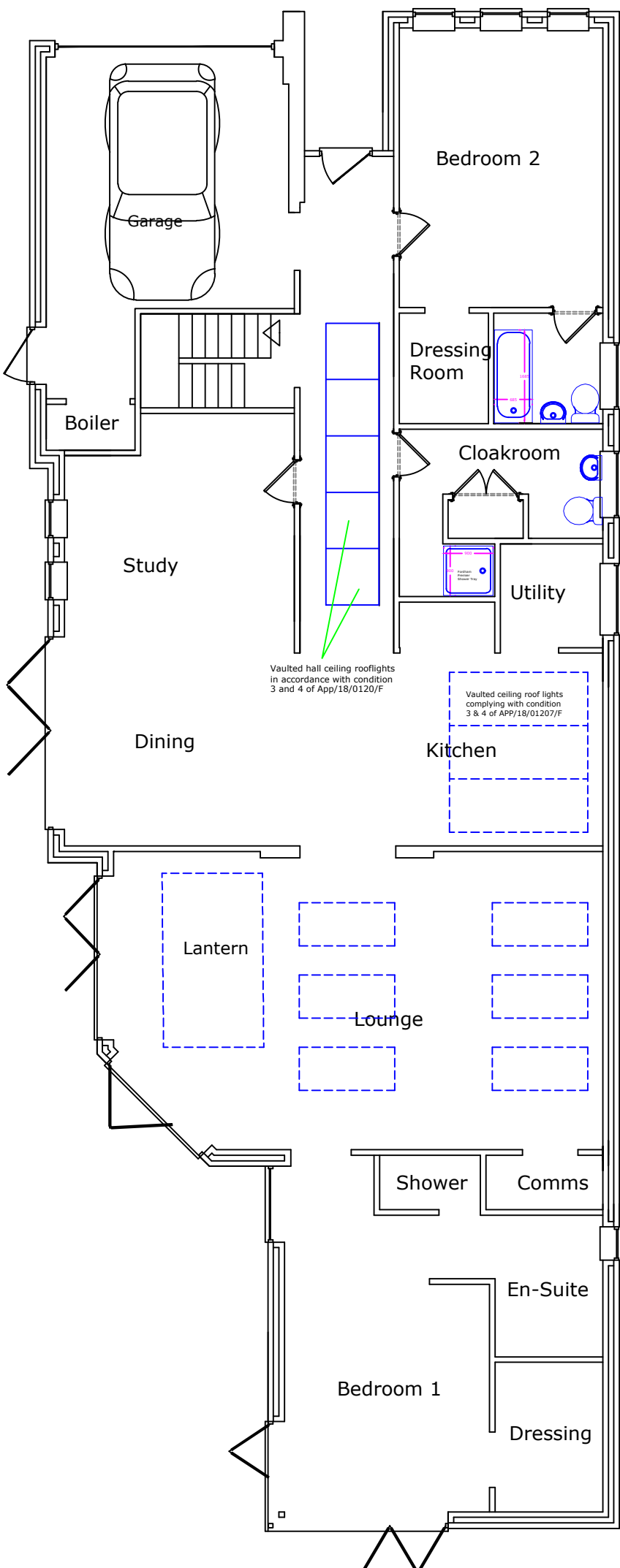
189



Existing Ground Floor Plan

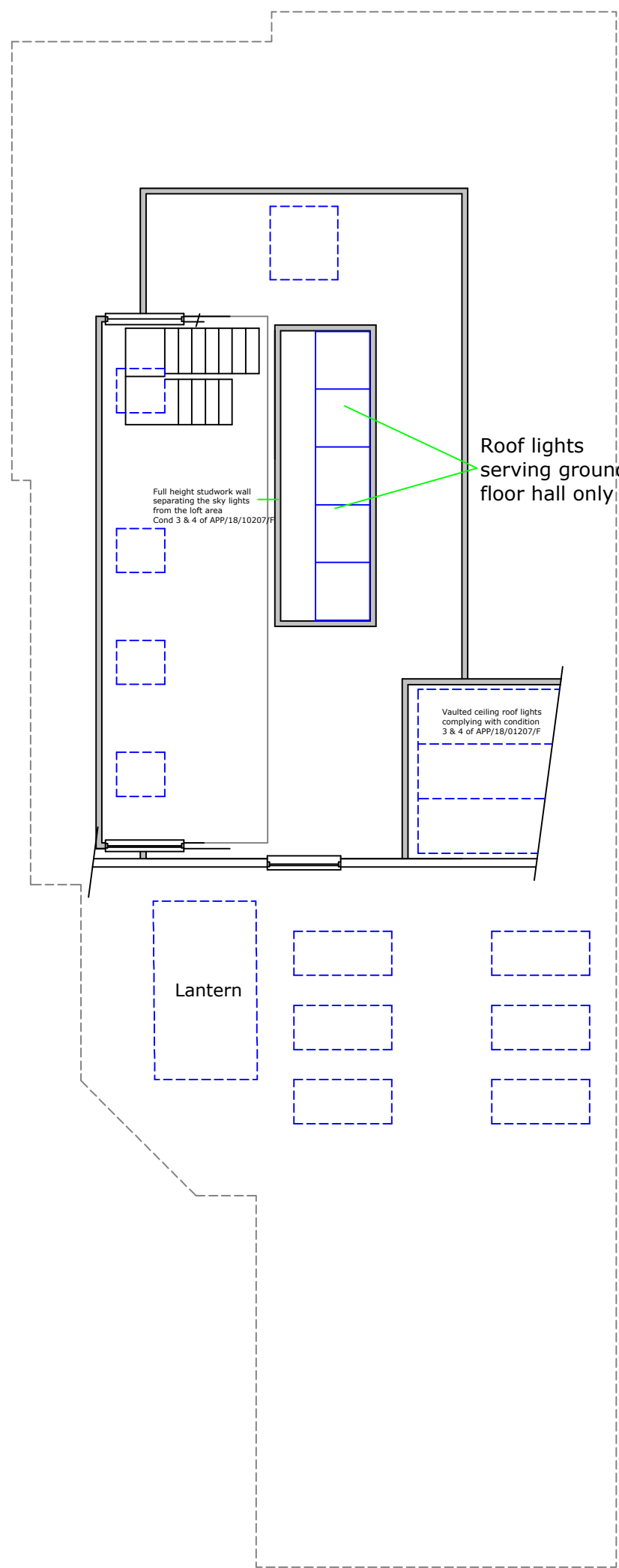


Existing Loft Space



Proposed Ground Floor Plan

En-Suite



Proposed First Floor Plan

Scale Bar (Metres - 1:100)

0 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 metres

0 (Feet - 1:100) 12 24 36 48 60

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60

PROPOSALS IN BRIEF

Extend to front, side and rear with new roof and side dormer over.
Paved car standing to the front.
Extend dropped kerb to the front.

DRAWING NUMBER

SHER056

SITE LOCATION

15, BRANKSEA CLOSE
HAMWORTHY
DORSET
BH15 4DR

Submitted for comment to the Local Authority
Floor plans and elevations 1:100

Measurements in mm and are approximate.

Extension Design

Architects: HILARY, ROBERT & CO
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PAPER SIZE - A1

General notes - please read

Party Wall Act 1996.

Where building within 3 metres of a neighbour's existing wall is proposed, the Party Wall Act 1996 could apply and is the responsibility of the site owner to implement the Act prior to commencement of works. Further information on this can either be found through the Internet or Extension Design Ltd.

Commencement of works.

Building work should only be started when all of the following have been fully approved.

- 1) Planning permission, Lawful Development Certificate or Prior Notification applications.
- 2) Where planning permission is required, all conditions of approval must be settled prior to the start of work.
- 3) Where building regulations approval is required, full written approval must be obtained from either the local authority building control or, a private building control company.
- 4) Where structural steelwork is required, a separate certificate from the local authority checking engineers must also be obtained prior to the start of work.
- 5) Where a build over agreement from a local water authority is required - the agreement must be given prior to the start of work.

Work started before these permissions are granted are done so entirely at the site owners own risk.

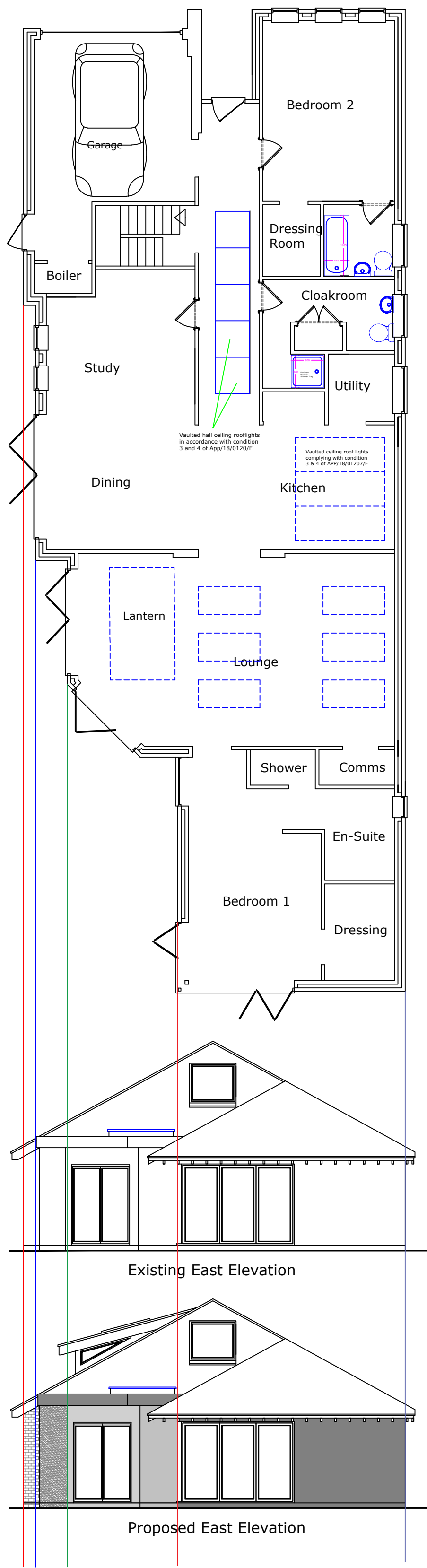
All measurements shown on these drawings need to be checked on site before start of work by the contractor.

If any aspect of these drawings are unclear, please ask. Additional measurements, detail etc can be added if needed. Don't guess - always ask!

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Existing Ground Floor Plan

Existing Loft Space

Proposed Ground Floor Plan

Proposed First Floor Plan



PROPOSALS IN BRIEF	
Extend to front, side and rear with new roof and side dormer over. Paved car standing to the front. Extend dropped kerb to the front.	DRAWING NUMBER DOM
SITE LOCATION 15, BRANKSEA CLOSE HAMWORTHY DORSET BH15 4DR	
Submitted for comment to the Local Authority Floor plans and elevations 1:100 Measurements in mm and are approximate.	
<div><div>Extension Design Extension Design 15, BRANKSEA CLOSE 15, BRANKSEA CLOSE 15, BRANKSEA CLOSE</div><div>Richard Stummer 02, Foxtail Drive Dorchester SOUTHAMPTON SO45 4NZ Telephone 023 8254 0835 Mobile 07747 831362 Fax 023 8254 3274 info@extensiondesign.co.uk</div></div>	
PAPER SIZE - A1	
General notes - please read	
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Planning Committee

Application Address	Hurn Court, Hurn Court Lane, Christchurch BH23 6BH
Proposal	Provide Electric Vehicle Charging Points (EVCP) on posts within allocated parking spaces. Replace/repair 3rd floor casements to dormer windows on north elevation to include double glazing (amended plans).
Application Number	8/22/0734/FUL
Applicant	Hurn Court Management Company Ltd
Agent	Mr Ryan Barnett
Ward and Ward Member(s)	Commons Cllr Phipps and Cllr Rickets
Report status	Public
Meeting date	20 July 2023
Summary of Recommendation	Grant subject to conditions
Reason for Referral to Planning Committee	Councillor Cox is co-owner of flats 1 & 3 Hurn Court
Case Officer	Melanie Smith

Description of Proposal

- Planning permission is requested for the:
 - Provision of 9 x Electric Vehicle Charging Points (EVCP) on posts within allocated parking spaces.
 - Replace/repair (depending on condition of modern units) 4 x 3rd floor dormer windows on north elevation and upgrade from single glazing to Slimlite double glazing.

Description of Site and Surroundings

- The application site relates to Hurn Court, a substantial 3-4 storey building of Grade II* listed status. Previously in use as a school, the main building was converted to 8 flats in the 1990's. The listed building description dates the earliest visible remains to the end of the 16th century. However, it was significantly altered and extended in the 1840's including the addition of the current top storey. The building sits within

substantial landscaped grounds and includes an historic stable block to the north of the main building which is grade II listed and converted to 6 dwellings. There are also two terraced groups of cottages which were built to the west and north-west of the main house in the 1990's around the same time the main house was converted to flats. The main driveway extends around the main house, with the principal parking areas being sited to the north and south elevations.

3. The listed building description states the following;
A large house of irregular plan and varying dates. Occupies the site of a mediaeval grange of Christchurch Priory. Earliest visible work belongs to end of C16 and is an interesting example of early use of brickwork in this area. House altered 1806 by Garbett of Southampton and again circa 1840. Plastered walls and chimney stacks. Parapet and slate roofs. Main block, E shaped, of symmetrical design; coped gables with finials to outer wings. 3 storeys, of which top one added to the 2 storey Elizabethan house in 1840 when an extra west wing also added. Additional attic floor with dormers. String courses. Outer windows have dripstone moulds and mullions (transom also at 1st floor) casement windows. 2 storey centre porch with buttresses and gable. Cartouche in tympanum. Ribbed, Gothic arched, door. Interior: Ribbed plaster ceilings, some with heraldic devices. Doors with Gothic panels. Staircase with twisted balusters and carved handrail.
4. The application site is located within designated Green Belt and is located within current Flood Zone 2 and part of the wider site is within future zone 3a as set out in the Strategic Flood Risk Assessment. Trees within the site are also protected by an Area Tree Preservation Order.

Relevant Planning History

5. There is a significant planning history relating to this site. The applications below are the most recent and relevant to the current applications.
6. 8/20/0477/FUL
 Repair and replacement and three timber structures on Hurn Court (Oriel window, atrium and cupola), externa repairs and replacement of three chimneys due to decay
 Granted 02/11/2020.
7. 8/20/0478/LB
 Repair and replacement and three timber structures on Hurn Court (Oriel window, atrium and cupola), externa repairs and replacement of three chimneys due to decay
 Granted 02/11/2020.
8. 8/21/0131/FUL
 Replacement of decayed coping brickwork with new coping stones above flat 6 and flat 1 (retrospective application)
 Granted 22/07/21.
9. 8/21/0132/LB
 Replacement of decayed coping brickwork with new coping stones above flat 6 and flat 1 (retrospective application)
 Granted 22/07/21.
10. 8/22/0831/FUL
 Alterations and installation of new terrace walk-on roof light and boiler to flat 1
 Granted 23/01/23.

11. 8/22/0832/FUL
Internal alterations including modifying timber studwork to form cupboards and form new internal opening into Flat 3. Replace wooden floor boards with stone tiles and fit new boiler flue within southern elevation wall of Flat 1 and installation of a roof light
Granted 23/01/23.

Constraints

12. In considering whether to grant planning permission or permission in principle for development which affects a listed building special regard shall be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest - section 66 - Planning (Listed Buildings and Conservation Areas) Act 1990.
- Listed Building – grade II*
 - Present day flood Zone 2
 - Green Belt - 0.00m
 - Tree Preservation Order - 0.00m

Public Sector Equalities Duty

13. In accordance with section 149 Equality Act 2010, in considering this proposal due regard has been had to the need to:
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Consultations

- Hurn Parish Council**
14. No objection

- Historic England**
15. Increasing the size of the rainwater goods is a sensible proposition. Depending on age of the gutters, HE advise that any historic leadwork should be retained. The proposals for double glazing should not involve the removal of historic glass to the windows. No objection to the proposed EV charging points – it is useful for a single design charging point to be used in the interests of visual uniformity in cases where a house is in multiple ownership.

- BCP Conservation**
16. No objection - The small dormer windows are not in a prominent position and are exposed to the weather on that side of the building and the slim-lite DG units will obviously stop heat leaks but will also not be a marked change in their appearance provided the existing glazing pattern is retained.

BCP Trees & Landscaping

17. The proposed electric vehicle charging points will be sited in the existing parking spaces which are situated away from TPO trees. Therefore, the Officer has no objection to this or the proposed alternation to the downpipes or dormer windows.

BCP Highways

18. The location of the EV charging posts in context of the parking bays is acceptable.

BCP Lead Flood Authority

19. Would advise as an advisory that the proposed charging points are constructed with resilience to flooding considered as part of the design and installation.

Representations

20. 4 representations of support have been received, making the following comments;
- This application will assist BCP in its climate change policy
 - The downpipes and hoppers are essential as the heavy rains of recent years overwhelm the existing drainage system and the overflow is damaging to the historic building
 - Charging posts within parking spaces are the least obtrusive way to provide this facility whilst remaining sympathetic to the historic environment

Key Issues

21. The key issues involved with this proposal are:
- The impact upon the significance of the listed building
 - The impact upon neighbouring amenities
 - Impact upon the character of the locality
 - Impact on trees
 - Impact on Green Belt
 - Impact on flooding
22. These issues will be considered along with other matters relevant to this proposal below.

Policy Context

23. 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 and saved policies of the Borough of Christchurch Local Plan (2001).
24. The following policies are of particular relevance in this case:

Christchurch and East Dorset Core Strategy (2014)

- KS1 Presumption in favour of sustainable development
- HE1 Valuing and Conserving our Historic Environment
- HE2 Design of new development
- HE3 Landscape Quality
- KS3 Green Belt
- ME6 Flood management, mitigation and defence

Christchurch Borough Council Local Plan (2001) saved policies

- BE14 Alterations to listed buildings
- BE15 Setting of listed buildings
- H12 Residential infill

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

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and is a material consideration in planning decisions.

Planning Assessment

Principle of development

- 25. The application property is a grade II* listed building and is therefore of particular special interest. Nonetheless, there is no in principle reason why a listed building cannot be altered provided the Local Planning Authority considers the impacts on the heritage assets to be acceptable as part of its assessment, in addition to other relevant material planning considerations.

Impact on listed building

- 26. Planning Policy HE1 of the Core Strategy (2014) states 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.*' Saved planning policy BE14 of the Core Strategy (2014) states that '*the Council will not permit development involving alterations or extensions to listed buildings which would adversely affect their architectural character or historic interest.*'
- 27. Planning permission is required as the properties are self-contained flats and do not have the benefit of permitted development rights. This planning application therefore considers alterations to the building itself which includes the replacement of 4 dormer window casements within the 3rd floor, as well as the proposals to install 9 electric vehicle charging (EVC) posts around the building.
- 28. At third floor level, the casement windows within the 4 dormers are in poor condition due to wet rot. The submitted Heritage Statement states that they will need extensive repair although the extent will be determined once repairs are underway. The existing casements are single glazed but 20th century in date and are therefore of limited significance. Due to their condition this application has been assessed based on complete replacement in the event that the casements are beyond repair, although repair is preferable. It is proposed that the repaired or replacement windows will incorporate Slimlite double glazing to improve heat loss. The

repaired/replacement casements are proposed to closely follow the existing casements in section and therefore their appearance will be similar to the existing. As the existing casements are not historic there will be no loss of historic fabric. Subject to a condition requiring detailed sections of any replacement casements to be submitted and agreed in writing with the Local Planning Authority, it is considered that the proposals would preserve the significance of the listed building.

29. At ground floor level, in order to provide charging facilities within the grounds of the building for the residents, it is proposed to install 9 separate electric vehicle charging (EVC) points. One point is proposed to the front (along the side boundary) of the building, 5 points are proposed to the south elevation and a further 3 points are proposed to be sited to the south side of the existing modern garage block.
30. Each EVC point is a timber (Oak) square post designed to house the electrical charger units within it and extending to a height of 900mm (0.9 metres). The wiring from each unit will run from the unit underground to the electric metres within the main house. To minimise the impact upon the fabric of the listed building, cabling for the posts shall run into the building at 4 points. Whilst there will be some loss of fabric where the cabling runs through the walls, the loss of fabric is considered to be minor. It is also considered that providing a consistent EVC scheme for the residents of the building will alleviate pressures for individual ad-hoc points around the building which would be undesirable within the setting of a listed building and could result in a higher loss of historic fabric. It is considered that the proposed material, natural Oak, would weather and have a natural appearance, and therefore the impact on the setting of the listed building would not be significant.
31. Whilst the proposed alterations will result in the loss of a small level of historic fabric, the loss is considered to be modest and the visual impact upon the setting of the listed building would not be significant taking into consideration the size of the posts and the material proposed. The level of harm is considered to be less than substantial.
32. The NPPF states that *'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be'* (para 199). *'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within it's setting) should require clear and convincing justification'* (para 200). *'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use'* (para 202).
33. The installation of the EVC points, due to the small loss of fabric and impact upon the setting of the listed building, is considered to result in less than substantial harm to the listed building, but the level of harm is considered to be minimal and on the lower end of less than substantial. However, this does need to be weighed against the public benefits of the proposals. The provision of EVC points on the site as one scheme is considered to have design and heritage benefits as opposed to ad-hoc installations within the site, which could cause harm to the setting of the heritage asset. The provision of new Slimlite double glazed units, which will preserve the design character of the existing casements, will provide some energy saving opportunities.

34. In accordance with paragraphs 200 and 202 of the NPPF it is considered that the harm to the listed building has been justified and that the public benefits in securing the optimum and ongoing use of the property as self-contained flats outweighs the harm. Whilst a limited level of harm has been identified and this would be contrary to Local Plan policies HE1 and BE14, the material considerations in the NPPF and benefits of the scheme as identified above outweigh this harm.

Impact on residential amenities

35. The proposed changes and additions are considered to be acceptable alterations which preserve the special character of the historic building and by reason of their siting, scale and design, are considered to preserve neighbouring visual amenities and do not result in loss of light or privacy. The proposed development is therefore considered to preserve the residential living conditions of neighbouring occupants in accordance with Policies HE2 and H12 of the Core Strategy (2014).

Impact on character of locality

36. Hurn Court is set within private landscaped grounds and is not visible from public viewpoints. The proposed alterations are therefore not considered to result in any wider impact upon the character of the surrounding area in accordance with Policies HE2 and H12 of the Core Strategy (2014).

Impact on Green Belt

37. The submitted proposals do not conflict with any of the purposes of including land within the Green Belt and as the proposals do not include any extensions to the building, they are not considered to fall within the definition of inappropriate development. The alterations proposed are considered to be appropriate in siting, scale, design and materials and therefore the openness of the Green Belt is considered to be preserved in accordance with Policy KS3 of the Core Strategy (2014).

Impact on trees

38. The proposed EVC points are proposed to be sited within the existing driveway/parking spaces away from TPO trees and therefore will not directly impact on nearby protected trees. It is therefore considered that the proposals will not result in harm to nearby trees in accordance with Policy HE3 of the Core Strategy (2014).

Impact from flooding

39. The grounds of Hurn Court are located within current Flood Zones 2 and future Zone 3a as set out in the Strategic Flood Risk Assessment. Whilst the proposed development does not include extensions to the footprint of the building and therefore it is not considered that the proposals will result in any increased risk of flooding to the premises, the proposed EVC points need to be installed with flood resilience in mind. The submitted details confirm that the EVC points are IP (ingress protection) rated for outdoor installation and other measures are proposed to ensure flood resilience. Based on the information submitted it is considered that the development will comply with Policy ME6 of the Core Strategy (2014).

Planning Balance/Conclusion

40. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority 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' in considering alterations to a listed building. The proposed replacement windows are not considered to result in harm in accordance with Section 66. However, the EVC points and associated wiring are considered to result in low level harm, due to the impact upon the fabric and setting of the listed building. In accordance with paragraph 202 of the NPPF, this less than substantial harm therefore should be weighed against the public benefits of the scheme including where appropriate securing its optimum viable use. The proposed scheme will facilitate the ongoing use of the property as self-contained flats. The scheme is considered to strike an acceptable balance between adapting this listed building to meet modern day living standards and preserving the special architectural and historic interest of the listed building which contributes to its significance as a grade II* listed building.
41. Therefore, it is considered that the public benefits are considered to outweigh the less than substantial harm to the heritage asset and therefore, the proposals are in accordance with paragraph 202 of the NPPF. The works to the dormer windows are considered to comply with Policies KS1, HE1, BE14 and BE15 of the Local Plan (2014) and the EV charging points, whilst causing some adverse impact which results in a limited conflict with Local Plan heritage policies, the benefits are considered to outweigh this conflict.
42. The proposed alterations do not fall within the definition of inappropriate development and will preserve the openness of the Green Belt in accordance with Policy KS3 and will not result in harm to protected trees or result in increase risk from flooding in accordance with Policies HE3 and ME6 of the Local Plan (2014). The proposals will preserve neighbouring amenities and will not result in harm to the character and appearance of the locality in accordance with Policies HE2 and H12 of the Local Plan (2014).
43. It is considered the proposal complies with the Development Plan as a whole and is sustainable development which as per para 11c) of the NPPF 2021 means it should be approved without delay. 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."

Recommendation

44. It is recommended to **Grant Permission**, subject to the following conditions:

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:
Location plan – 01b
EVCP cable routes – 02b
EVCP details – 03c
Downpipe upgrades – 04
Dormer glazing upgrades – 05
Extg and proposed north elevations – 06
Extg and proposed dormer details - 07

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

3. The development hereby permitted shall be constructed entirely of the materials details of which are specified on the submitted plans.

Reason: This is required to ensure the satisfactory visual relationship of the new development to the existing

4. Prior to the installation of any dormer window casement hereby permitted, detailed sections of the replacement casements shall first have been submitted to and approved in writing by the local planning authority. The dormer window casements shall only be installed in accordance with the approved details and thereafter shall at all times be retained as approved.

Reason: To preserve the significance of the listed building.

5. Notwithstanding the submitted plans, prior to the installation of any Electric Vehicle Charging Point hereby permitted, elevation details of the route into the listed building showing height of entry of the wiring into the building and external trunking details, shall first have been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall only be carried out in accordance with these approved details and the route of the wiring and trunking at all times thereafter retained as approved.

Reason: To preserve the significance of the listed building.

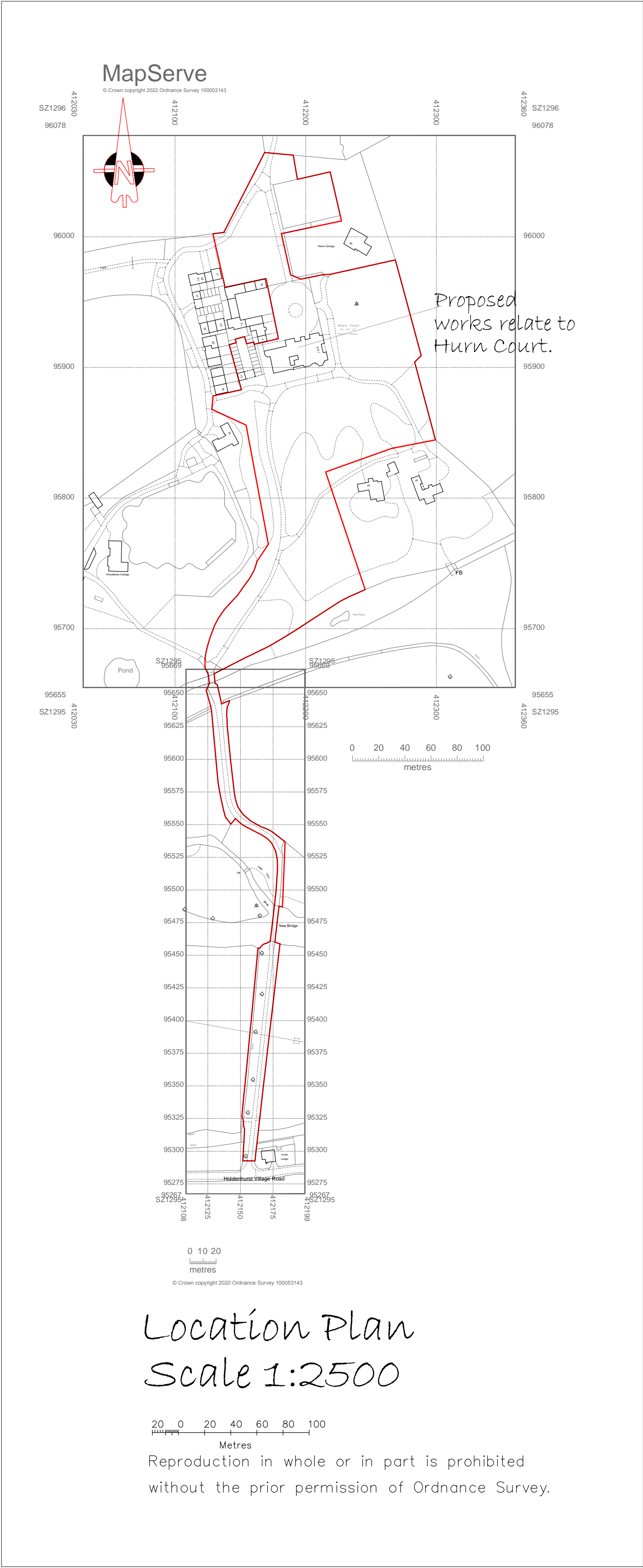
Informatives

1. The proposed charging points are located within current flood zone 2 and should therefore be constructed with resilience to flooding considered as part of the design and installation.

Background Documents

Documents uploaded to that part of the Council's website that is publicly accessible and specifically relates to the application the subject of this report including all formal consultation response and representations submitted by the applicant in respect of the application. Notes: This excludes all documents which are considered to contain exempt information for the purposes of Schedule 12A Local Government Act 1972.

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General Notes

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b	F6 parking space add	Sept 22
a	location map update	Aug 22
No.	Revision/Issue	Date

Firm Name and Address

Ryan J Barnett & Associates Ltd
Nouale Oaks, Nouale Lane, Poulner, Ringwood, Hants
Telephone: mobile 07757 220 390
Email: ryanjarnettandassociates@gmail.com

Project Name and Address

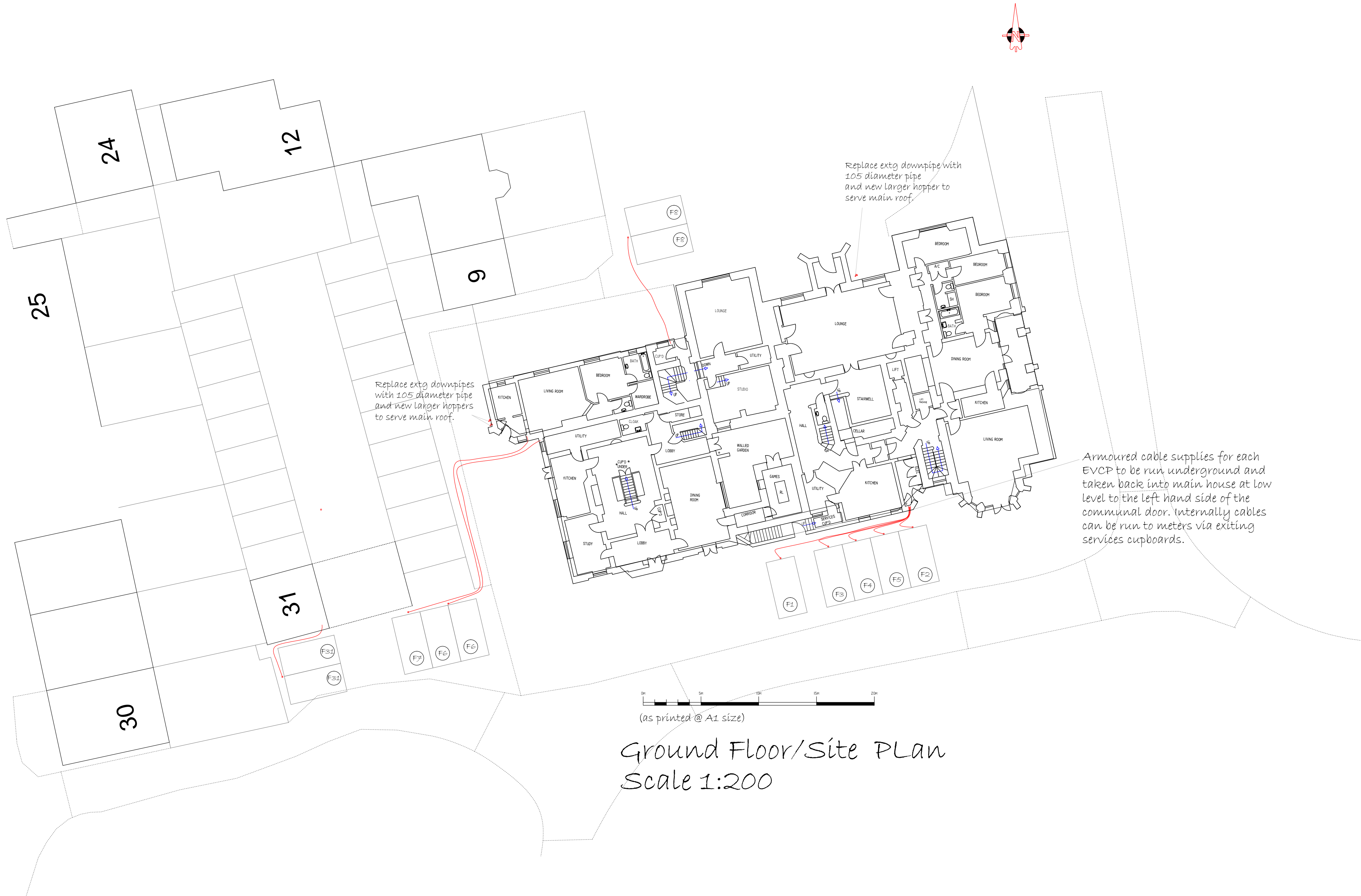
Hurn Court
Hurn Court Lane
Christchurch
Dorset
BH23 6BH

Drawing title:

Location & Site Plan

Drawn by RJB	Date 13/7/22	Sheet 01b
Scale as shown		

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b	add DP rplace roof 50	23 8 22
a	DP highlighted red	18 8 22
No.	Revision/Issue	Date

Firm Name and Address

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Telephone: mobile 07757 220 390
Email: ryanjarnettandassociates@gmail.com

Project Name and Address

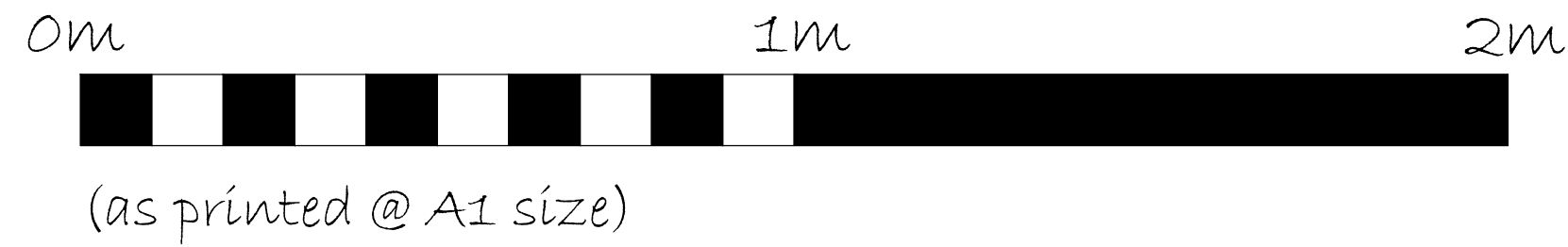
Hurn Court
Hurn Court Lane
Christchurch
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BH23 6BH

Drawing title:

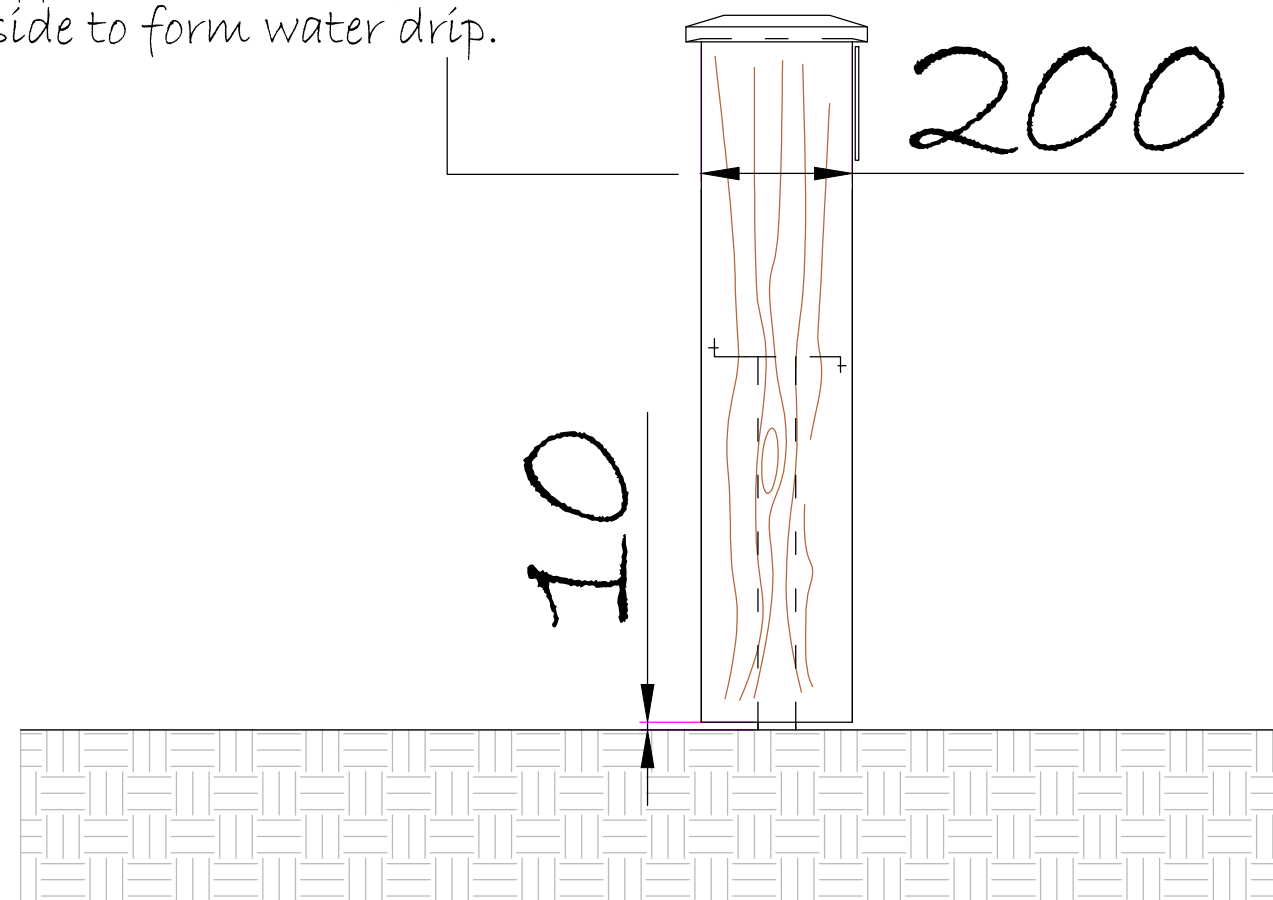
EVCP locations/cable routes
Downpipe upgrades

Drawn by RJB	Date 13/7/22	Sheet 02b
Scale 1:200		

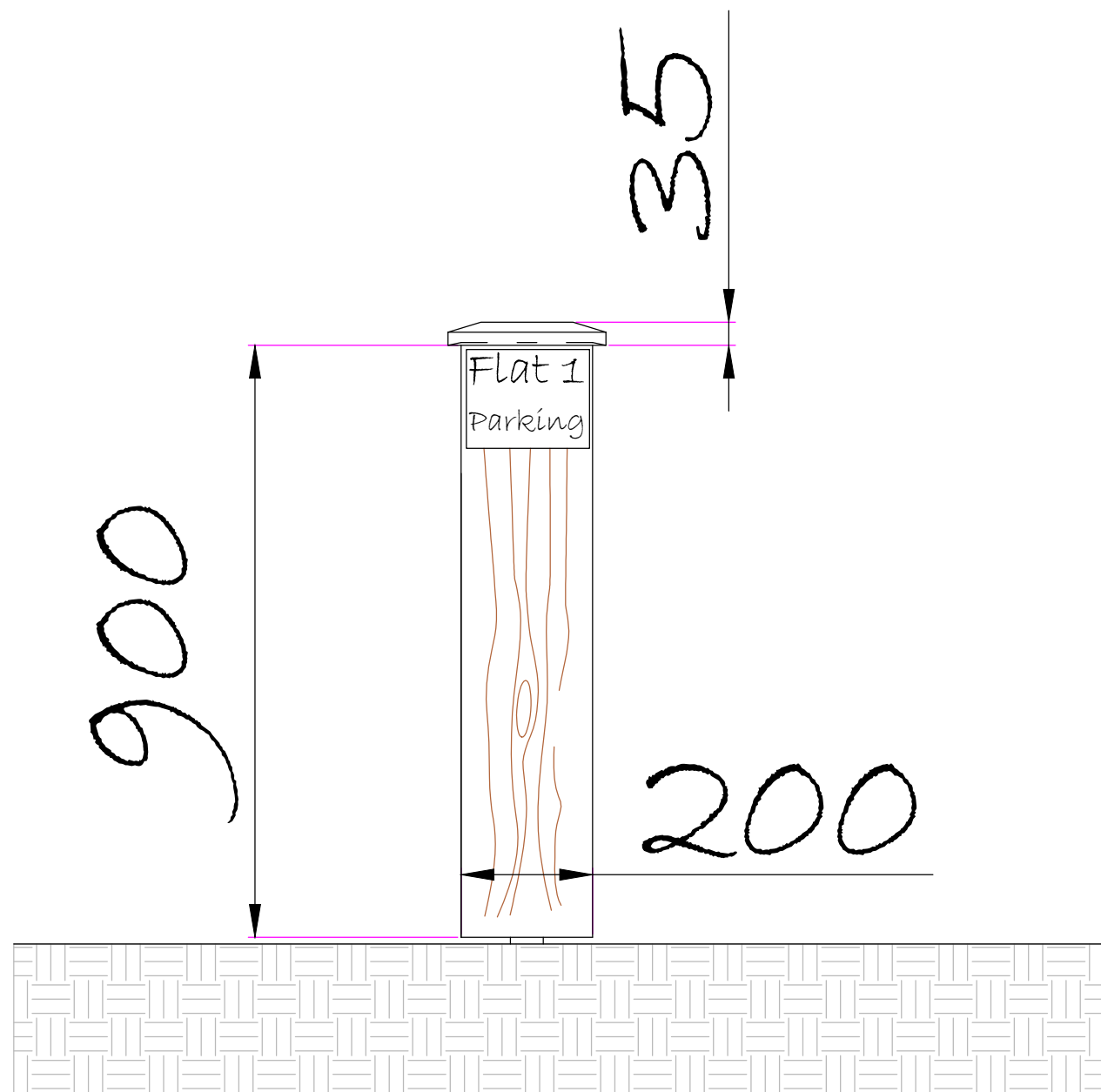
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Oak capping with chamfer to underside to form water drip.

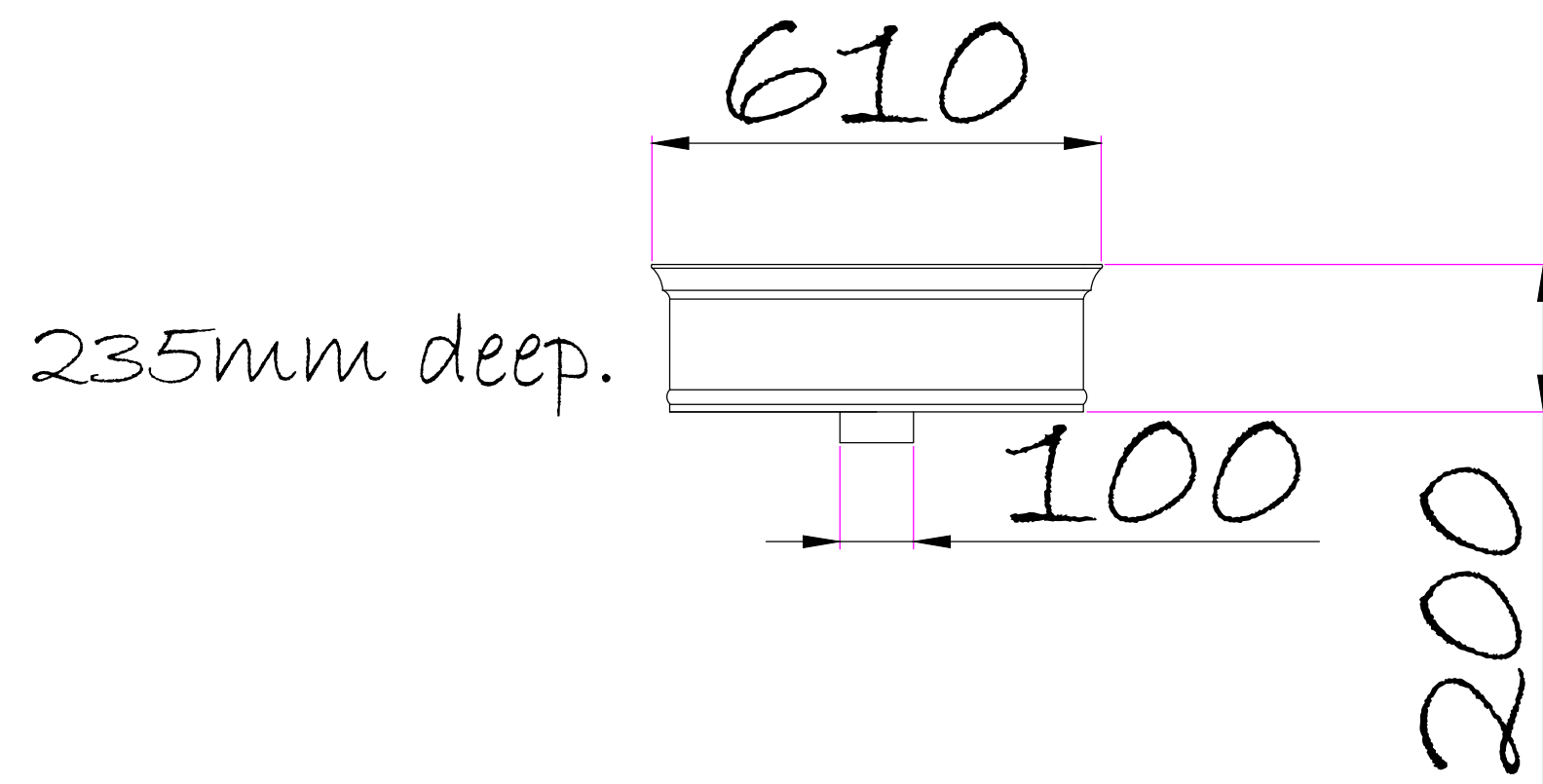


Side View
Scale 1:10

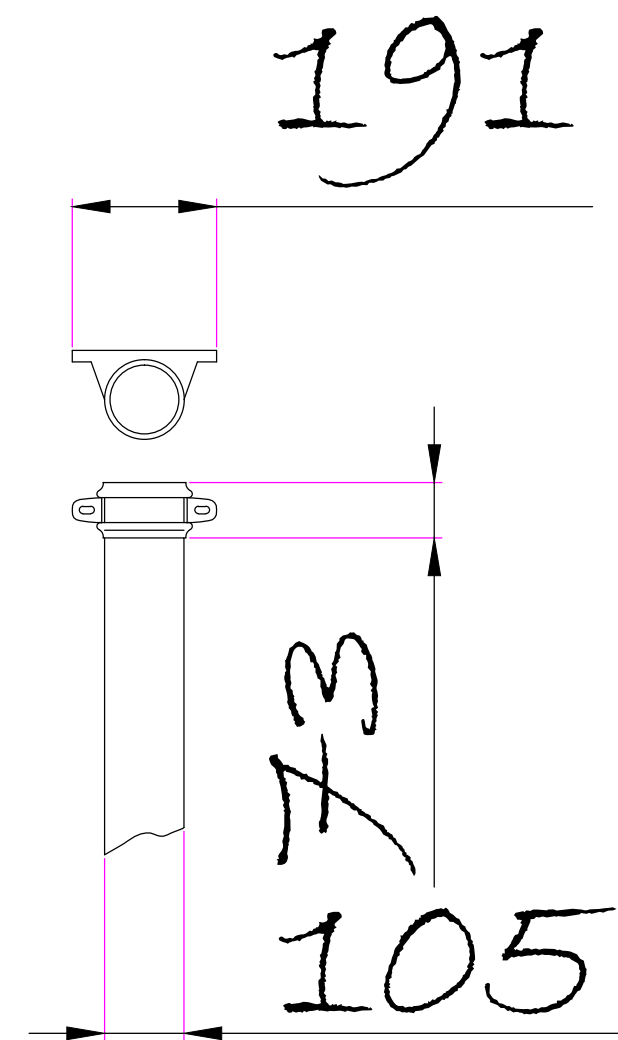


Front View
Scale 1:10

Head of parking bay to have a 48mm diameter galvanized steel post set in ground with internal brackets to allow a 200mm square oak clad box to be fitted over. Oak cladding to be offset 10mm above finished ground levels to avoid wet rot decay. EVCP to be fitted on rear face of post with all cabling run internally and underground back to main house. EV Charger units will be car specific and fitted when needs permit. Front of post to have 195mm x 150mm parking space identification plate, background colour green with white lettering.



Cast Iron Hopper
Front View
Scale 1:10



Cast Iron downpipe
Front View
Scale 1:10

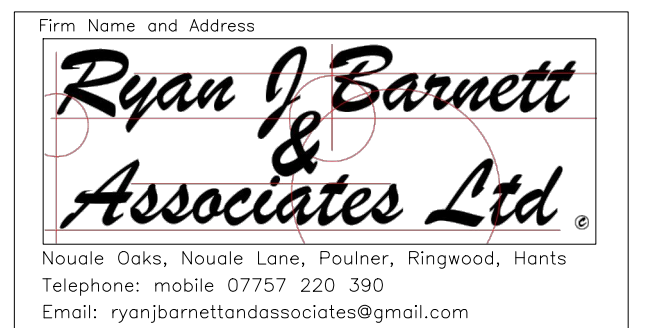
105mm diameter cast iron rainwater goods decorated in Dulux Nursey Yellow colour scheme to match existing rainwater goods. Cast iron hoppers finished as downpipes with 100mm outlet to accept larger downpipes.

General Notes

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C	Final omit from posts	25/4/23
b	EVCP posts revised	22/3/23
a	hopper enlarged	18/8/22
No.	Revision/Issue	Date

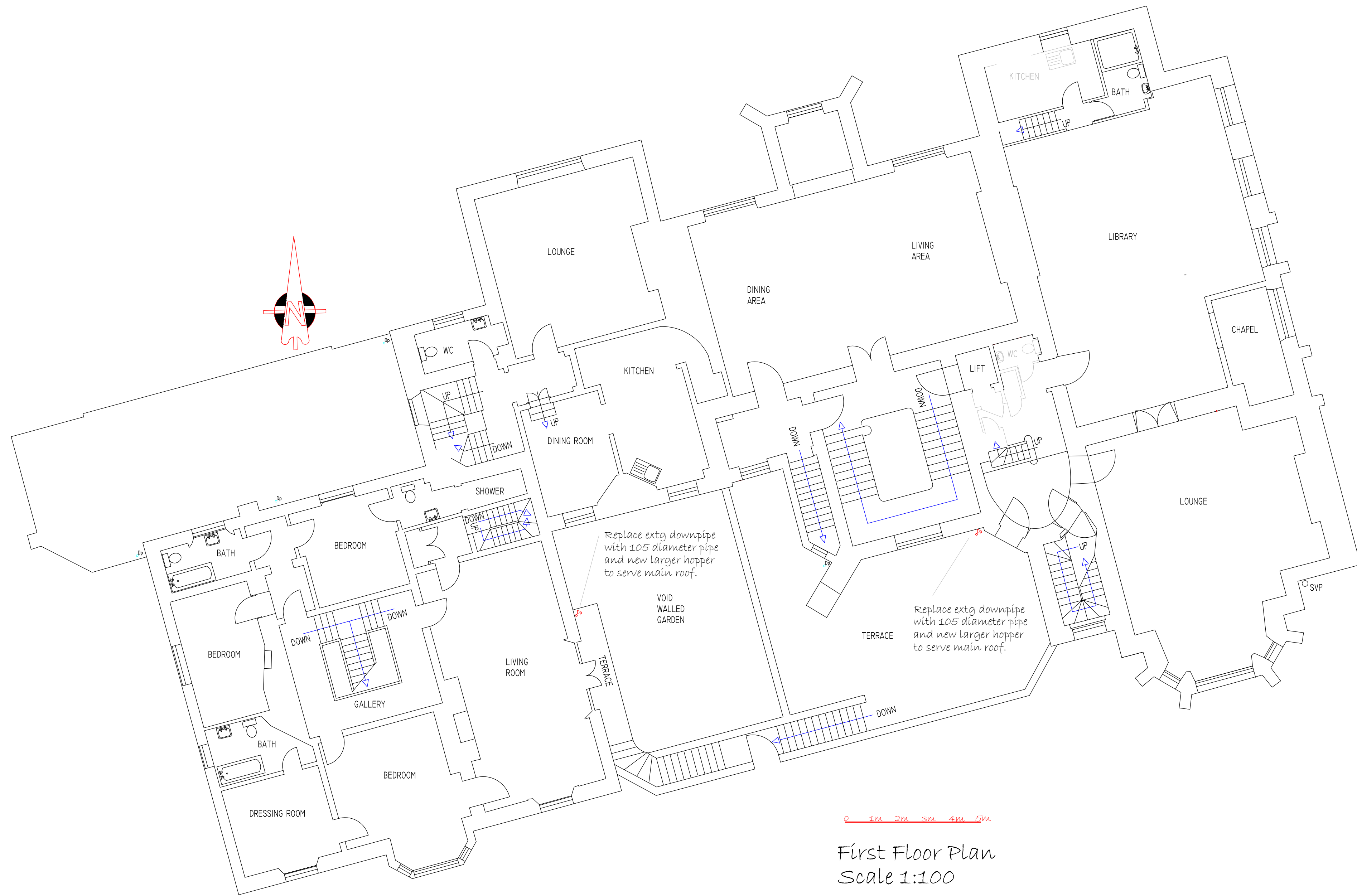


Project Name and Address
Hurn Court
Hurn Court Lane
Christchurch
Dorset
BH23 6BH

Drawing title:
EVCP details
Downpipe details

Drawn by RJB	Date 13/7/22	Sheet 03C
Scale 1:10		

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First Floor Plan
Scale 1:100

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No.	Revision/Issue	Date

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Project Name and Address
Hurn Court
Hurn Court Lane
Christchurch
Dorset
BH23 6BH

Drawing title:
Downpipe upgrades cont'd

Drawn by RJB	Date 13/7/22	Sheet 04
Scale 1:100		

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4 No. third floor dormers marked A,B,C & D to have rotten casements repaired like for like and single glazing replaced with Slimlite double glazed units, fitted with timber beads and decorated in Dulux Nursery yellow to match existing colour scheme.



0 1m 2m 3m 4m 5m

Third Floor Plan
Scale 1:100

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Project Name and Address

Hurn Court
Hurn Court Lane
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Dorset
BH23 6BH

Drawing title:

Dormer glazing upgrade

Drawn by RJB	Date 13/7/22	Sheet 05
Scale 1:100		

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Existing North Elevation
Scale 1:100

Proposed dormers to be re-glazed
and repaired A to D. Please see
detail sheet 07.

0m 5m
(as printed @ A1 size)



Proposed North Elevation
Scale 1:100

Proposed downpipe and hopper
enlargement to north elevation.

Window W 17 is shown with
shaded areas that denote the
internal window blanking.
Hatched lines show proposed
casements to be made operable
again by opening inwards to
match the remaining windows on
the north elevation.

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Drawing State:

Planning issue ☒
Building Regulations issue ☐
Drawings prepared from partial site measurement, previously prepared floor plans
by others and interpolation from site photographs/reviews.



No.	Revision/Issue	Date

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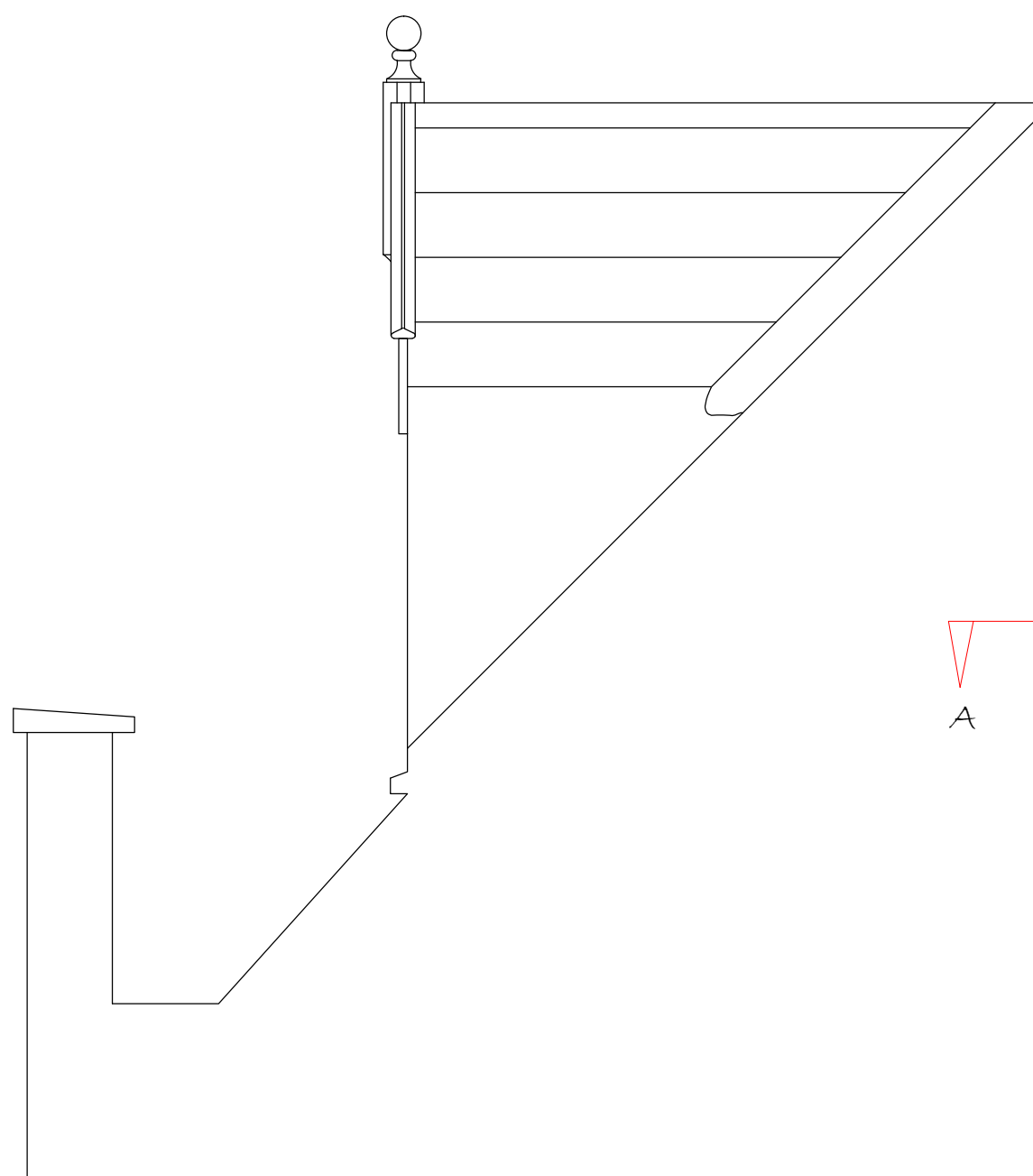
Project Name and Address

Hurn Court
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Dorset
BH23 6BH

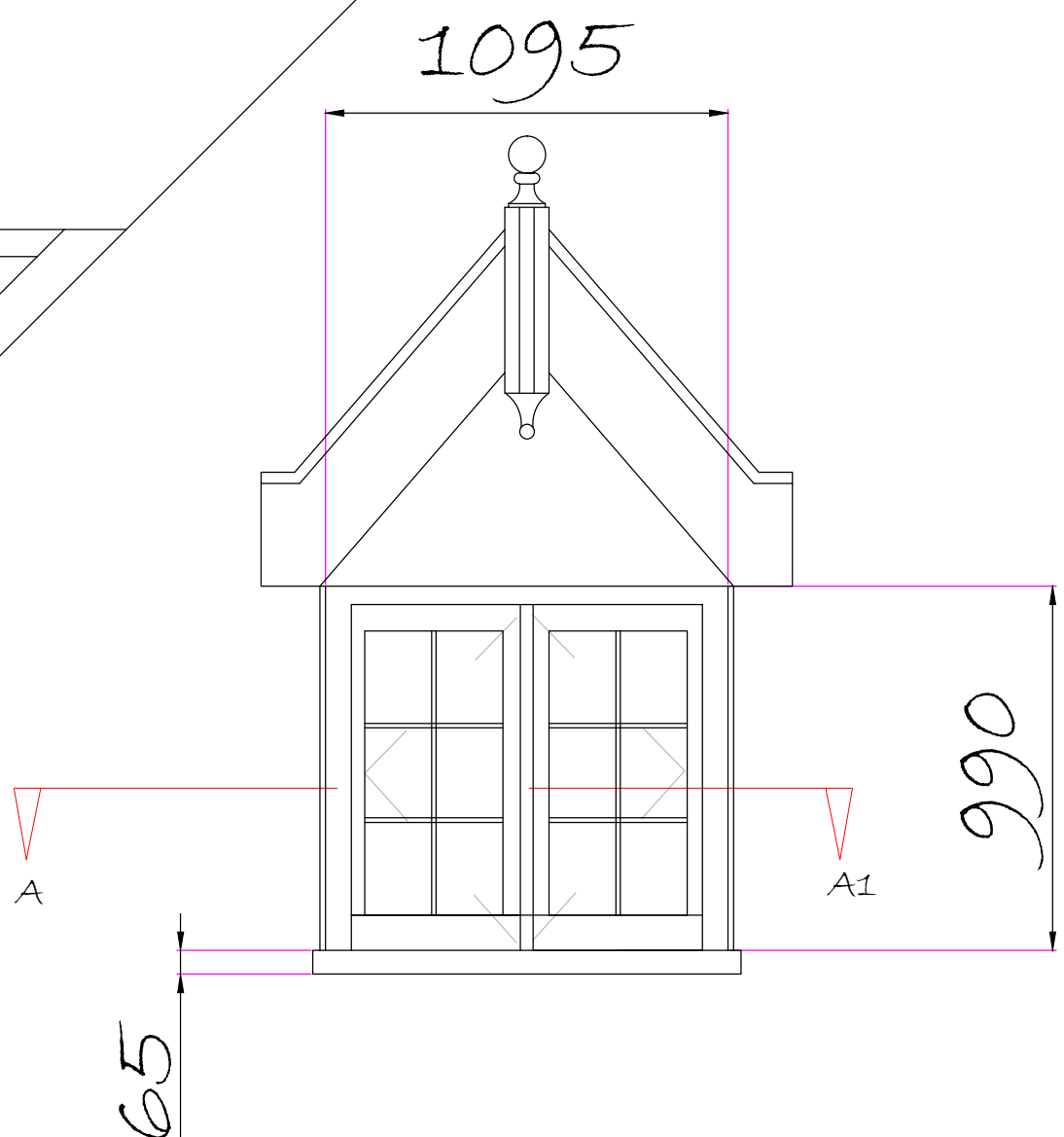
Drawing title:
Existing & proposed
North elevations

Drawn by RJB	Date 21/9/22	Sheet 06
Scale 1:200		

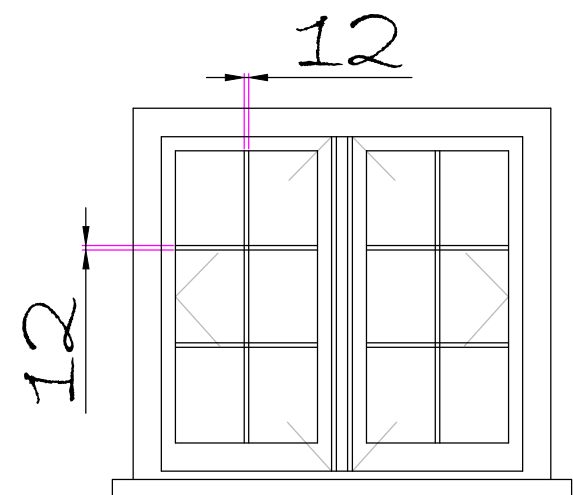
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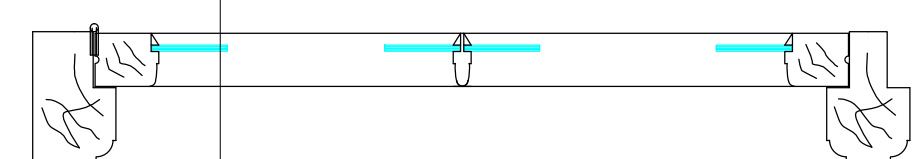
Existing North Elevation dormer
External Side view
Scale 1:20



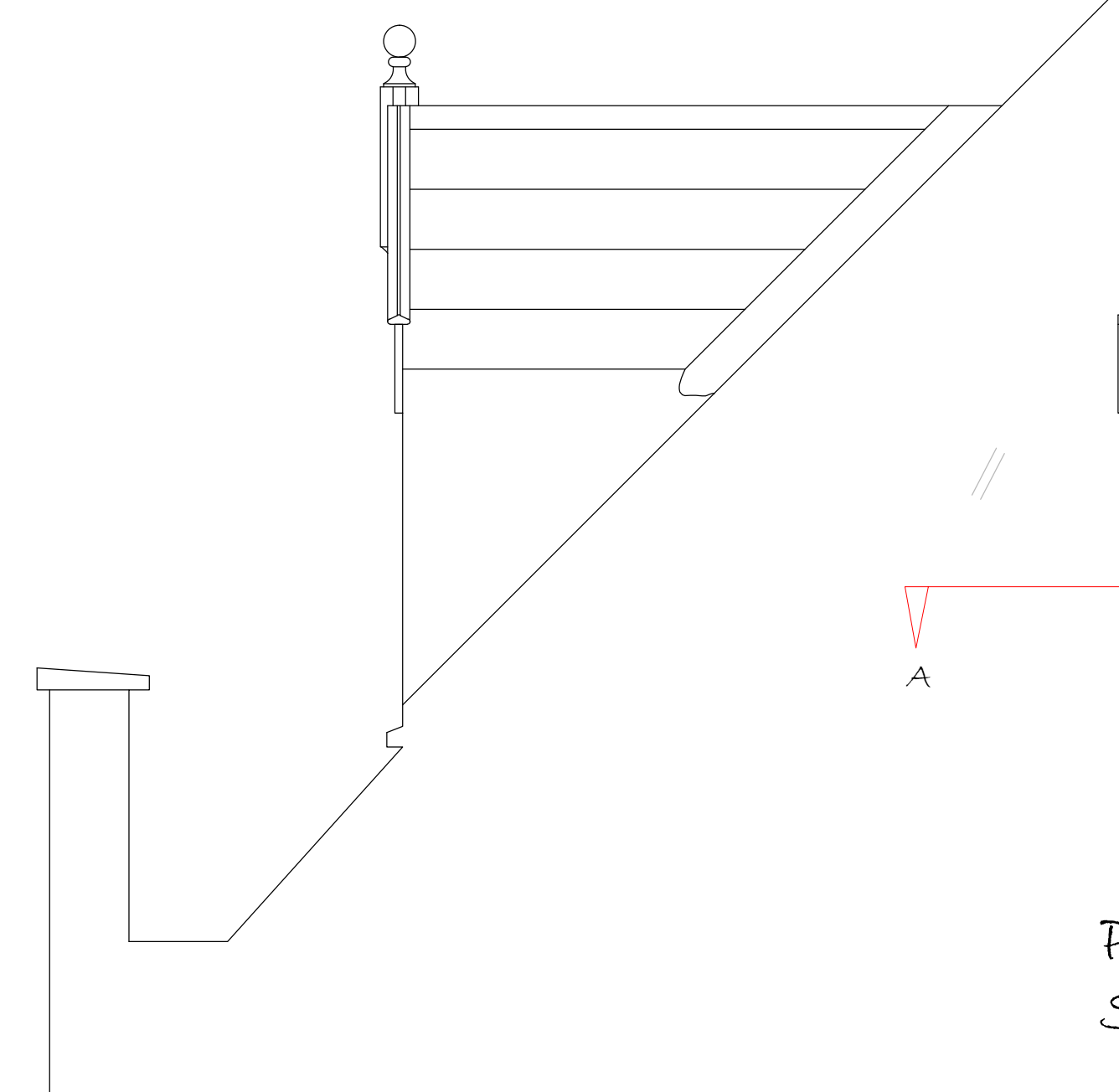
Existing North Elevation dormer
Scale 1:20



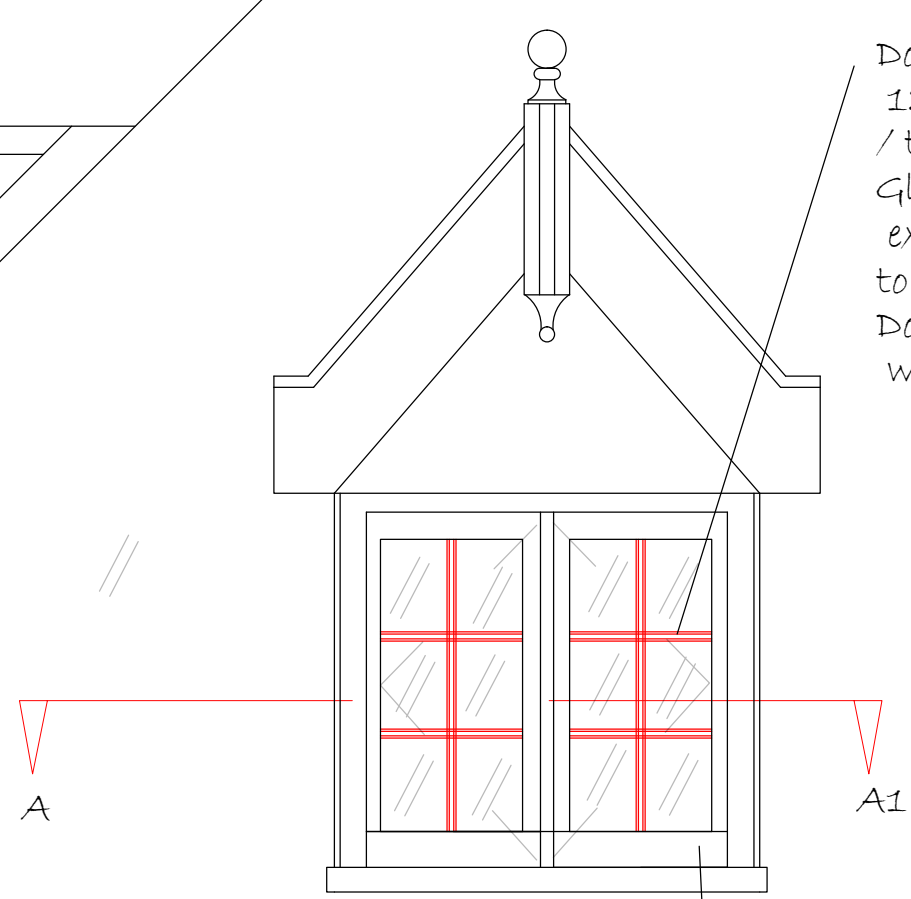
Existing North Elevation dormer
Internal view
Scale 1:20



Existing North Elevation dormer
Section A1 - A1
Scale 1:10



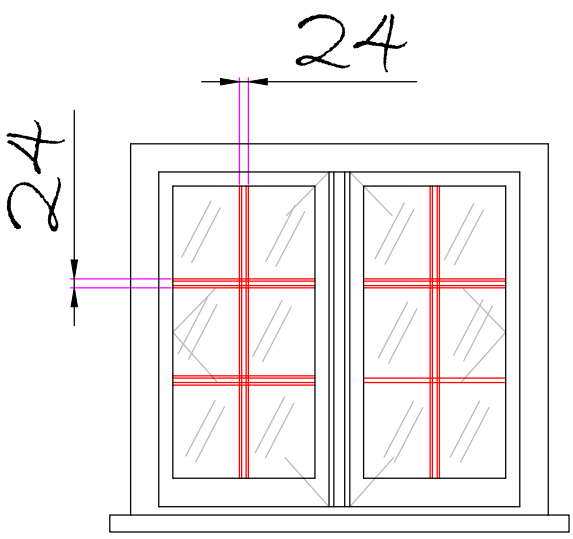
Proposed North Elevation dormer
External Side view
Scale 1:20



Proposed North Elevation dormer
Scale 1:20

Double glaze casements using
12mm wider timber glazing bars
/ timber beads internally.
Glazing bead profile to match
existing design - final proportions
to be determined by specialist joiner.
Double glazing to be 12mm thick
with white spacer bars 7mm wide.

Repaired dormer casements to
match existing profiles.



Existing North Elevation dormer
Internal view
Scale 1:20

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Drawing State:

Planning issue

☐

Building Regulations issue

☒

Drawings prepared from partial site measurement, previously prepared floor plans
by others and interpolation from site photographs/records.

Ryan J Barnett & Associates Ltd

Building Surveys, CAD drawings
and Project Management

Survey & Building Services
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Project Name and Address

Hurn Court

Hurn Court Lane

Christchurch

Dorset

BH23 6BH

Drawing title:

Existing & proposed
Dormer details

Drawn by
RJB

Date
21/9/22

Scale
as shown

Sheet
07

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Planning Committee

Application Address	Hurn Court Hurn Court Lane Christchurch BH23 6BH
Proposal	Listed Building Consent for electrical works in association with providing Electric Vehicle Charging Points (EVCP) within allocated parking spaces. Replacement of existing cast iron downpipes and hoppers. Replacement/repair of 3rd floor dormer window casements including upgrade from single glazing to double glazing (amended plans).
Application Number	8/22/0735/LB
Applicant	Hurn Court Management Company Ltd
Agent	Mr Ryan Barnett
Ward and Ward Member(s)	Commons Cllr Phipps and Cllr Rickets
Report status	Public
Meeting date	20 July 2023
Summary of Recommendation	Grant subject to conditions
Reason for Referral to Planning Committee	Councillor Cox is co-owner of flats 1 & 3 Hurn Court
Case Officer	Melanie Smith

Description of Proposal

- Listed Building Consent is requested for the
 - Provision of 9 x Electric Vehicle Charging Points (EVCP) on posts within allocated parking spaces.
 - Replacement of 5 x cast iron downpipes and hoppers with larger diameter downpipe and hoppers.
 - Replace/repair (depending on condition of modern units) 4 x 3rd floor dormer windows on north elevation and upgrade from single glazing to Slimlite double glazing.

Description of Site and Surroundings

2. The application site relates to Hurn Court, a substantial 3-4 storey building of grade II* listed status. Previously in use as a school, the main building was converted to 8 flats in the 1990's. The listed building description dates the earliest visible remains to the end of the 16th century. However, it was significantly altered and extended in the 1840's including the addition of the current top storey. The building sits within substantial landscaped grounds and includes an historic stable block to the north of the main building which is grade II listed and converted to 6 dwellings. There are also two terraced groups of cottages which were built to the west and north-west of the main house in the 1990's around the same time the main house was converted to flats. The main driveway extends around the main house, with the principal parking areas being sited to the north and south elevations.
3. The listed building description states the following:
A large house of irregular plan and varying dates. Occupies the site of a mediaeval grange of Christchurch Priory. Earliest visible work belongs to end of C16 and is an interesting example of early use of brickwork in this area. House altered 1806 by Garbett of Southampton and again circa 1840. Plastered walls and chimney stacks. Parapet and slate roofs. Main block, E shaped, of symmetrical design; coped gables with finials to outer wings. 3 storeys, of which top one added to the 2 storey Elizabethan house in 1840 when an extra west wing also added. Additional attic floor with dormers. String courses. Outer windows have dripstone moulds and mullions (transom also at 1st floor) casement windows. 2 storey centre porch with buttresses and gable. Cartouche in tympanum. Ribbed, Gothic arched, door. Interior: Ribbed plaster ceilings, some with heraldic devices. Doors with Gothic panels. Staircase with twisted balusters and carved handrail.

Relevant Planning History

4. There is a significant planning history relating to this site. The applications below are the most recent and relevant to the current applications.
5. 8/20/0477/FUL
Repair and replacement and three timber structures on Hurn Court (Oriel window, atrium and cupola), externa repairs and replacement of three chimneys due to decay
Granted 02/11/2020.
6. 8/20/0478/LB
Repair and replacement and three timber structures on Hurn Court (Oriel window, atrium and cupola), externa repairs and replacement of three chimneys due to decay
Granted 02/11/2020.
7. 8/21/0131/FUL
Replacement of decayed coping brickwork with new coping stones above flat 6 and flat 1 (retrospective application)
Granted 22/07/21.
8. 8/21/0132/LB
Replacement of decayed coping brickwork with new coping stones above flat 6 and flat 1 (retrospective application)
Granted 22/07/21.
9. 8/22/0831/FUL
Alterations and installation of new terrace walk-on roof light and boiler to flat 1

Granted 23/01/23.

10. 8/22/0832/FUL
Internal alterations including modifying timber studwork to form cupboards and form new internal opening into Flat 3. Replace wooden floor boards with stone tiles and fit new boiler flue within southern elevation wall of Flat 1 and installation of a roof light
Granted 23/01/23.

Constraints

11. In considering whether to grant planning permission or permission in principle for development which affects a listed building special regard shall be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest - section 66 - Planning (Listed Buildings and Conservation Areas) Act 1990.

Public Sector Equalities Duty

12. In accordance with section 149 Equality Act 2010, in considering this proposal due regard has been had to the need to:
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Consultations

- Hurn Parish Council**
13. No objection
- Historic England**
14. Increasing the size of the rainwater goods is a sensible proposition. Depending on age of the hoppers, HE advise that any historic leadwork should be retained. The proposals for double glazing should not involve the removal of historic glass to the windows. No objection to the proposed EV charging points – it is useful for a single design charging point to be used in the interests of visual uniformity in cases where a house is in multiple ownership.
- BCP Conservation**
15. No objection - The small dormer windows are not in a prominent position and are exposed to the weather on that side of the building and the slim-lite DG units will obviously stop heat leaks but will also not be a marked change in their appearance provided the existing glazing pattern is retained.

Representations

16. 2 representations of support have been received, making the following comments;
- The proposals have been carefully considered to preserve historic character
 - The changes are needed to modernize and move to electric

Key Issues

17. As this is a listed building application, the key issue involved with this proposal is the impact upon the significance of the listed building

Policy Context

Christchurch and East Dorset Core Strategy (2014)

KS1 Presumption in favour of sustainable development

HE1 Valuing and Conserving our Historic Environment

Christchurch Borough Council Local Plan (2001) saved policies

BE14 Alterations to listed buildings

BE15 Setting of listed buildings

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

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and is a material consideration in planning decisions.

Planning Assessment

Principle of development

18. The application property is a grade II* listed building and is therefore of particular special interest. Nonetheless, there is no in principle reason why a listed building cannot be altered provided the Local Planning Authority considers the impacts on the heritage assets to be acceptable as part of its assessment, in addition to other relevant material planning considerations.

Impact on listed building

19. Planning Policy HE1 of the Core Strategy (2014) states 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.*' Saved planning policy BE14 of the Core Strategy (2014) states that '*the Council will not permit development involving alterations or extensions to listed buildings which would adversely affect their architectural character or historic interest.*'
20. This listed building application is being considered concurrent to the associated planning application. Listed building consent is required for all alterations to a listed building which affect its architectural or historic interest. For these proposals, listed building consent is required for the 5 x replacement hoppers and downpipes, the replacement of 4 x window casements and the alterations to the fabric of Hurn Court building where cabling is required to install the electric vehicle charging (EVC) points.
21. With regards to the proposed new hoppers and downpipes, 5 replacements are proposed, one to the front (north), one to the south, one to the east and two to the west elevation. Each is proposed to be replaced with a slightly larger hopper and downpipe, in the same location to enable a more effective passage of rainwater from the roof and into drainage and to prevent further damage to the external façade of the building. Current rainwater goods are considered to be too small and inadequate for the size of roof. The existing cast iron rainwater pipes and hoppers have seen a

number of repairs and replacements over time. Whilst they are of an age, the existing hoppers and downpipes are not considered to contribute to the significance of the listed building. The proposed replacements are proposed to be cast iron and will have a very similar appearance to the existing, although the hoppers will be larger to cope with the large volumes of water from the roof of the building.

22. At third floor level, the casement windows within the 4 dormers are in poor condition due to wet rot. The submitted Heritage Statement states that they will need extensive repair although the extent will be determined once repairs are underway. The existing casements are single glazed but 20th century in date and are therefore of limited significance. Due to their condition this application has been assessed based on complete replacement in the event that the casements are beyond repair, although repair is preferable. It is proposed that the repaired or replacement windows will incorporate Slimlite double glazing to improve heat loss. The repaired/replacement casements are proposed to closely follow the existing casements in section and therefore their appearance will be similar to the existing. As the existing casements are not historic there will be no loss of historic fabric. Subject to a condition requiring detailed sections of any replacement casements to be submitted and agreed in writing with the Local Planning Authority, it is considered that the proposals would preserve the significance of the listed building.
23. At ground floor level, in order to provide charging facilities within the grounds of the building for the residents, it is proposed to install 9 separate electric vehicle charging (EVC) points. One point is proposed to the front (along the side boundary) of the building, 5 points are proposed to the south elevation and a further 3 points are proposed to be sited to the south side of the existing garage block. The principal issue with regards to the installation of the EVC points in relation to this listed building application, is in regard to the impact upon the fabric of the listed building. The wiring from each unit will run from the unit underground to the electric metres within the main house. To minimise the impact upon the fabric of the listed building, cabling for the posts shall run into the building at 4 points. Whilst there will be some loss of fabric where the cabling runs through the walls, the loss of fabric is considered to be minor. It is also considered that providing a consistent EVC scheme for the residents of the building will alleviate pressures for individual ad-hoc points on or around the building which could result in a higher loss of historic fabric and result in various alternative designs which could have a detrimental impact upon the special historic character of the listed building.
24. The proposed replacement of the windows, hoppers and downpipes will not result in a loss of historic fabric and are considered to be of an appropriate material and design which will preserve the special architectural and historic character of the listed building. These proposed alterations are therefore considered to comply with the above policies. Whilst the proposed wiring in association with the EVC points will result in the loss of a small level of historic fabric, the loss is considered to be modest. The level of harm is considered to be less than substantial.
25. The NPPF states that *‘when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be’* (para 199). *‘Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within it’s setting) should require clear and convincing justification’* (para 200). *‘Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use’* (para 202).

26. The installation of the EVC points, due to the small loss of fabric due to the associated wiring, is considered to result in less than harm to the listed building, but the level of harm is considered to be minimal and on the lower end of less than substantial. The provision of EVC points on the site as one scheme is considered to have design benefits to ad-hoc installations which could cause harm to the setting of the heritage asset. The works will provide owners with facilities to charge electric vehicles and therefore help in providing up to date living standards.
27. In accordance with paragraphs 200 and 202 of the NPPF it is considered that the harm to the listed building has been justified and that there are public benefits in securing the optimum and ongoing use of the property as self-contained flats. Whilst a limited level of harm has been identified and this would be contrary to Local Plan policies HE1 and BE14, the material considerations in the NPPF and benefits of the scheme as identified above outweigh this harm.

Planning Balance/Conclusion

28. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority 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'* in considering alterations to a listed building. The proposed replacement rainwater goods and windows are not considered to result in harm in accordance with Section 66. However, the wiring associated with the EVC points are considered to result in low level harm, due to the impact upon the fabric of the listed building. In accordance with paragraph 202 of the NPPF, this harm therefore should be weighed against the public benefits of the scheme including where appropriate securing it's optimum viable use. The proposed scheme will facilitate the ongoing use of the property as self-contained flats. The scheme is considered to strike an acceptable balance between adapting this listed building to meet modern day living standards and preserving the special architectural and historic interest of the listed building which contributes to it's significance as a grade II* listed building.
29. Therefore, it is considered that the public benefits are considered to outweigh the less than substantial harm to the heritage asset and the proposals are considered to comply with paragraph 202 of the NPPF. The works to the dormer windows, downpipes and hoppers are considered to comply with Policies KS1, HE1, BE14 and BE15 of the Local Plan (2014) and the EV installation, whilst causing some adverse impact which results in a limited conflict with Local Plan heritage policies, the benefits are considered to outweigh this conflict.
30. It is considered the proposal complies with the Development Plan as a whole and is in accordance with the relevant up to date Development Plan policies and is sustainable development which as per para 11c) of the NPPF 2021 means it should be approved without delay. In reaching this decision the Council has had due regard to the statutory duty in Section 16(2) – Planning (Listed Buildings and Conservation Areas) Act 1990.

Recommendation

31. It is recommended to **Grant Listed Building Consent**, subject to the following conditions:

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 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

Location plan – 01b

EVCP cable routes – 02b

EVCP details – 03c

Downpipe upgrades – 04

Dormer glazing upgrades – 05

Extg and proposed north elevations – 06

Extg and proposed dormer details - 07

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

3. The development hereby permitted shall be constructed entirely of the materials details of which are specified on the submitted plans.

Reason: This is required to ensure the satisfactory visual relationship of the new development to the existing

4. Prior to the installation of any dormer window casement hereby permitted, detailed sections of the replacement casements shall first have been submitted to and approved in writing by the local planning authority. The dormer window casements shall only be installed in accordance with the approved details and thereafter shall at all times be retained as approved.

Reason: To preserve the significance of the listed building.

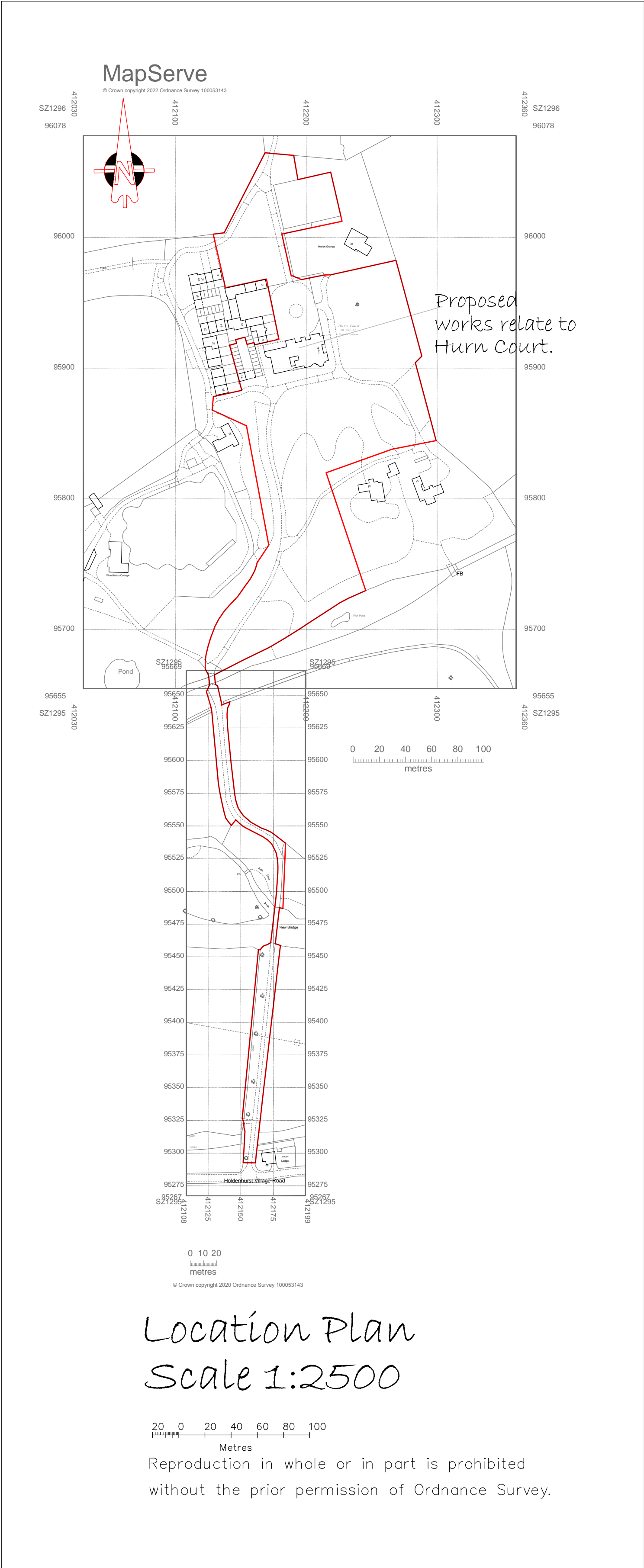
5. Notwithstanding the submitted plans, prior to the installation of any Electric Vehicle Charging Point hereby permitted, elevation details of the route into the listed building showing height of entry of the wiring into the building and external trunking details, shall first have been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall only be carried out in accordance with these approved details and the route of the wiring and trunking at all times thereafter retained as approved.

Reason: To preserve the significance of the listed building.

Background Documents

Documents uploaded to that part of the Council's website that is publicly accessible and specifically relates to the application the subject of this report including all formal consultation response and representations submitted by the applicant in respect of the application. Notes: This excludes all documents which are considered to contain exempt information for the purposes of Schedule 12A Local Government Act 1972.

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b	F6 parking space add	Sept 22
a	location map update	Aug 22
No.	Revision/Issue	Date

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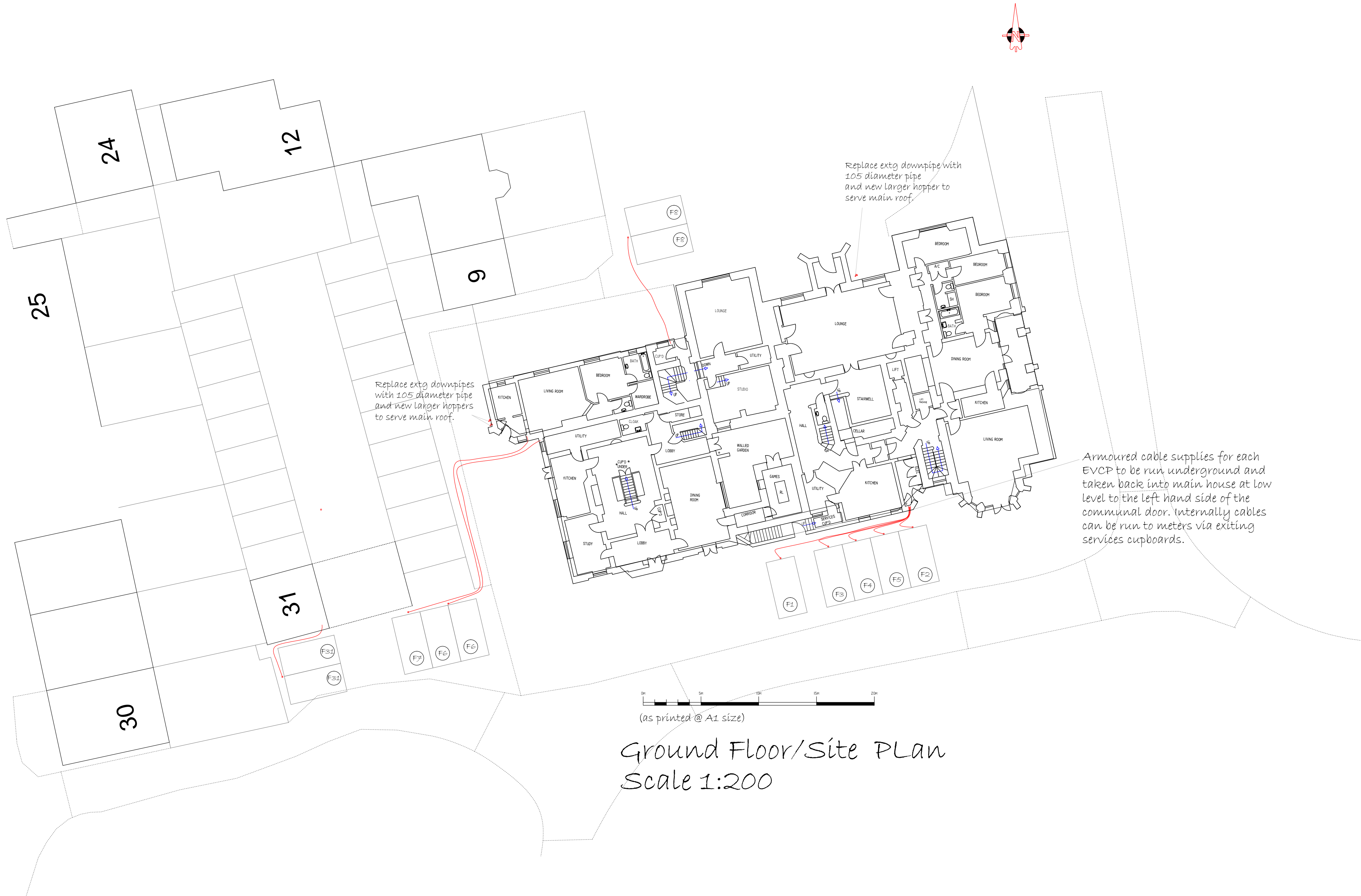
Hurn Court
Hurn Court Lane
Christchurch
Dorset
BH23 6BH

Drawing title:

Location & Site Plan

Drawn by RJB	Date 13/7/22	Sheet 01b
Scale as shown		

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Ground Floor/Site Plan
Scale 1:200

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b	add DP rplace roof 50	23 8 22
a	DP highlighted red	18 8 22
No.	Revision/Issue	Date

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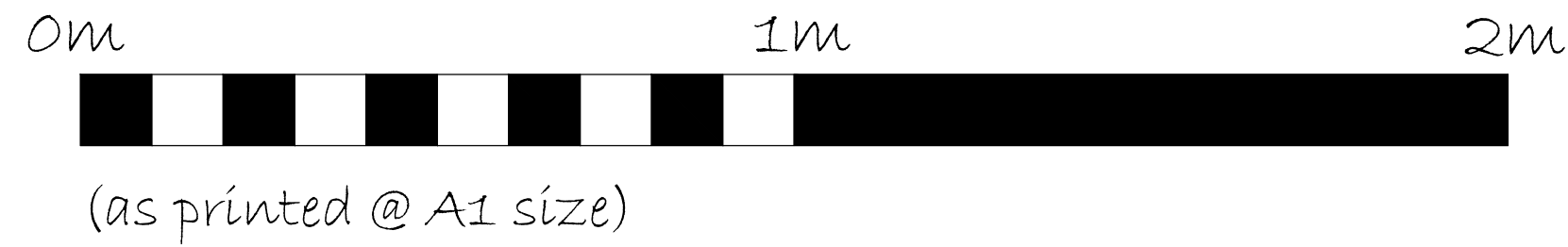
Hurn Court
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Drawing title:

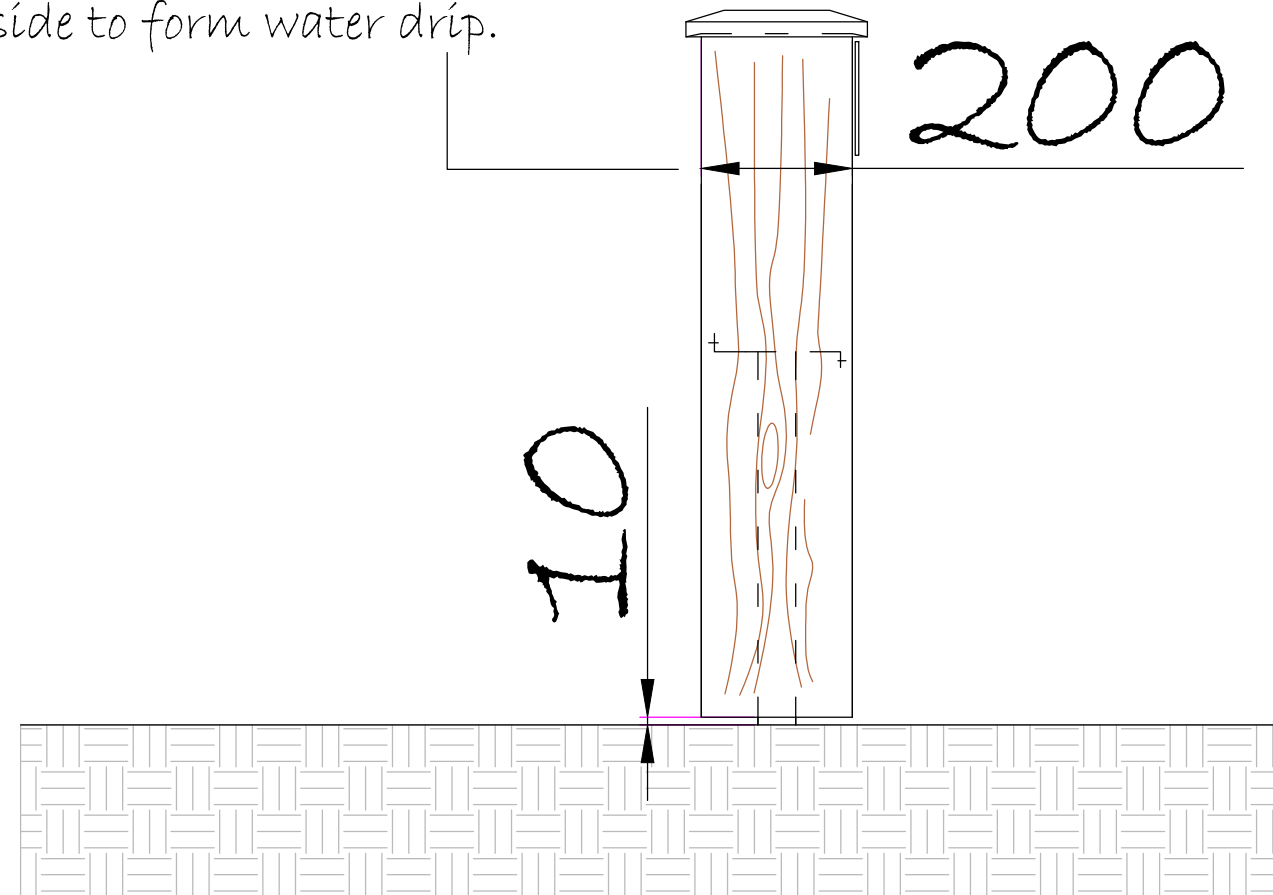
EVCP locations/cable routes
Downpipe upgrades

Drawn by RJB	Date 13/7/22	Sheet 02b
Scale 1:200		

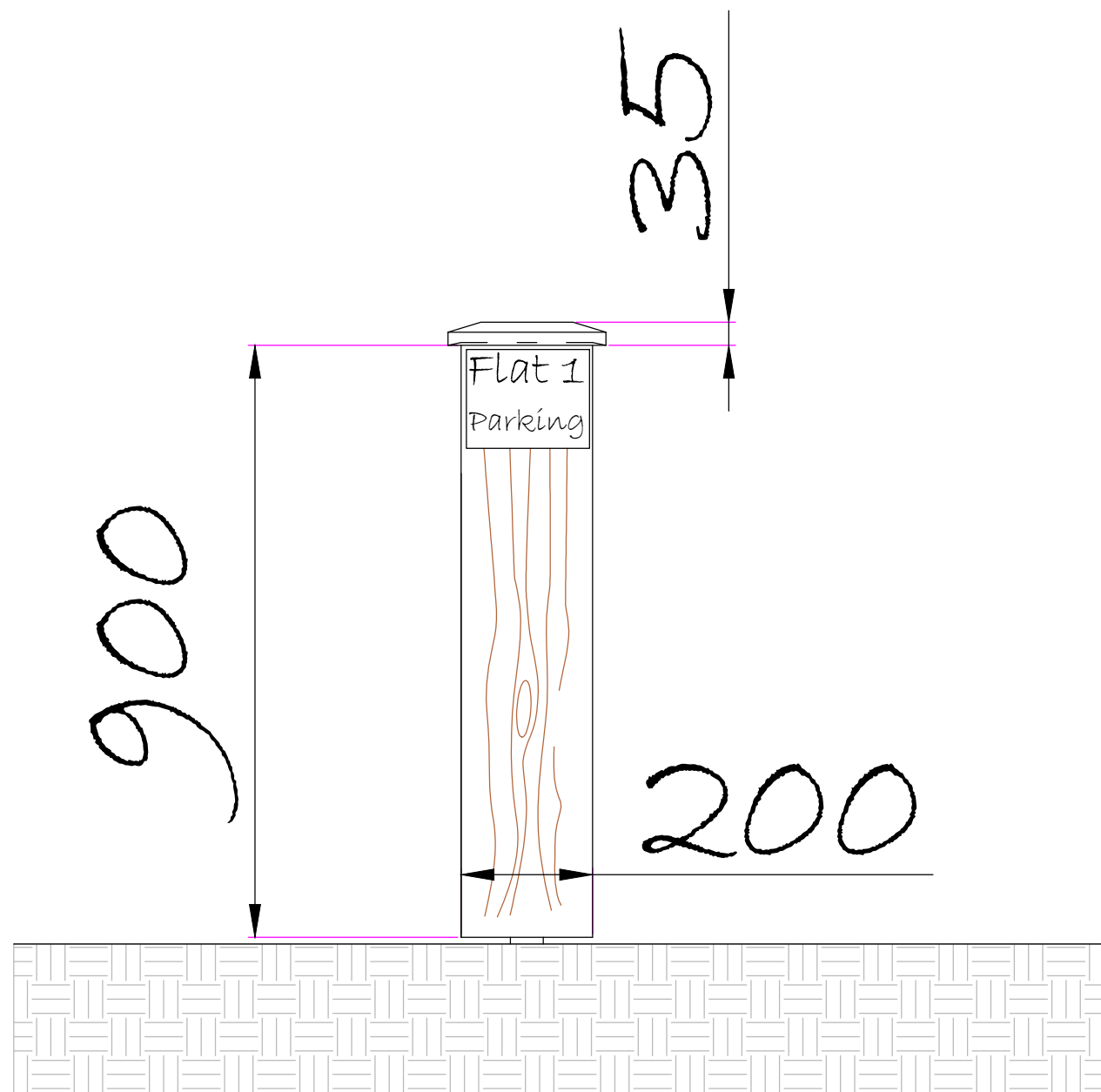
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Oak capping with chamfer to underside to form water drip.

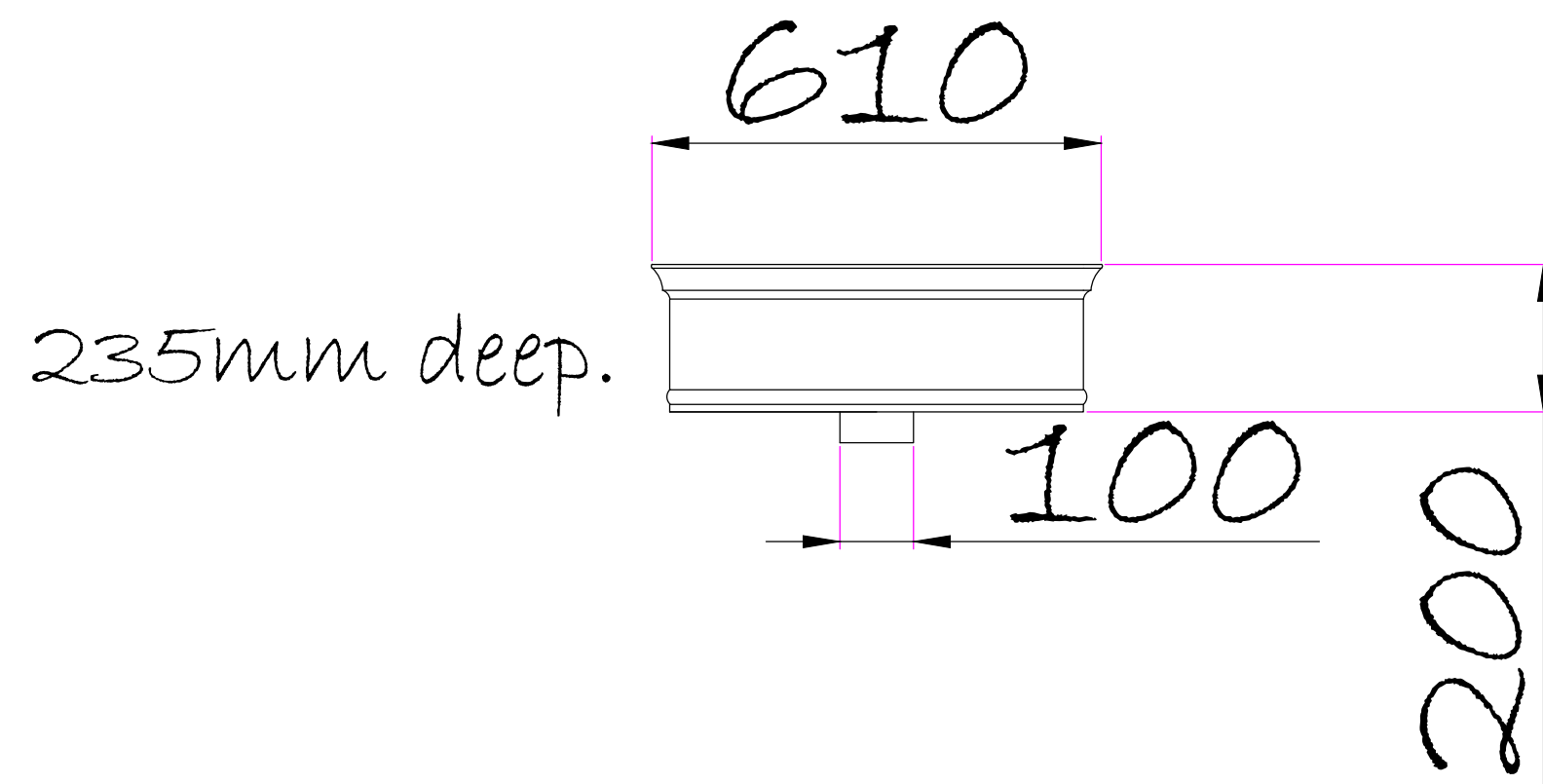


Side View
Scale 1:10

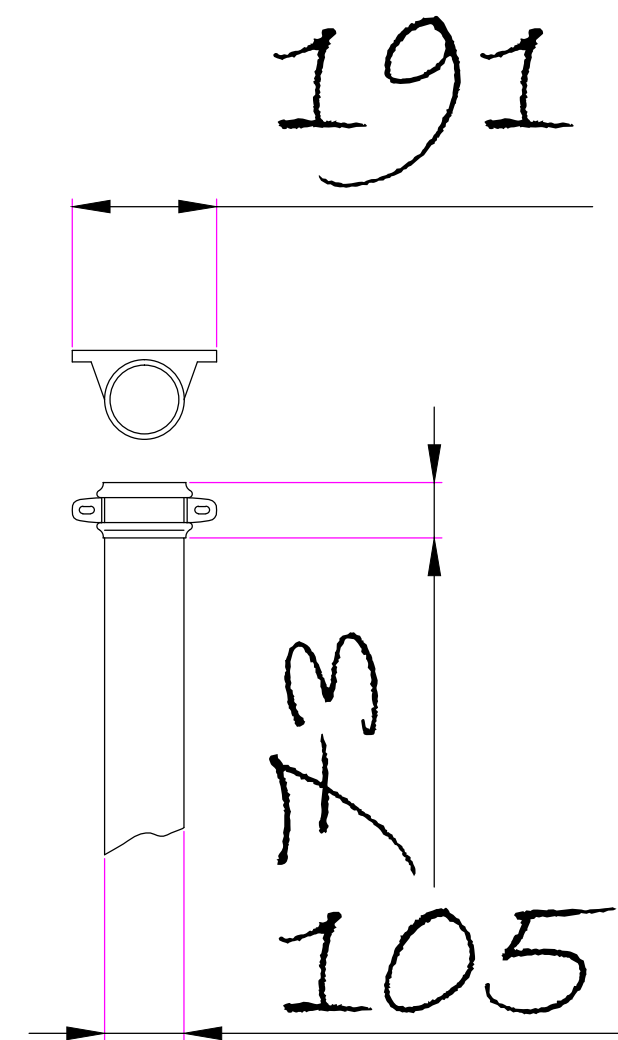


Front View
Scale 1:10

Head of parking bay to have a 48mm diameter galvanized steel post set in ground with internal brackets to allow a 200mm square oak clad box to be fitted over. Oak cladding to be offset 10mm above finished ground levels to avoid wet rot decay. EVCP to be fitted on rear face of post with all cabling run internally and underground back to main house. EV Charger units will be car specific and fitted when needs permit. Front of post to have 195mm x 150mm parking space identification plate, background colour green with white lettering.



Cast Iron Hopper
Front View
Scale 1:10



Cast Iron downpipe
Front View
Scale 1:10

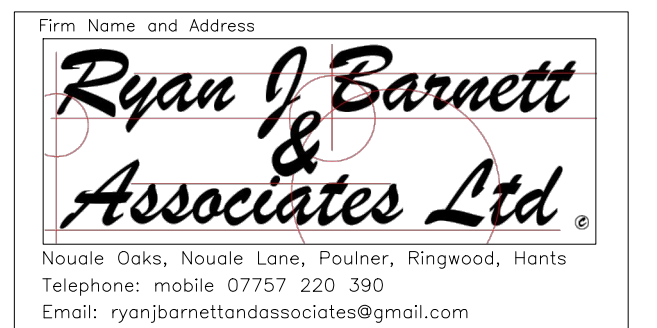
105mm diameter cast iron rainwater goods decorated in Dulux Nursey Yellow colour scheme to match existing rainwater goods. Cast iron hoppers finished as downpipes with 100mm outlet to accept larger downpipes.

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C	Finial omit from posts	25/4/23
b	EVCP posts revised	22/3/23
a	hopper enlarged	18/8/22
No.	Revision/Issue	Date

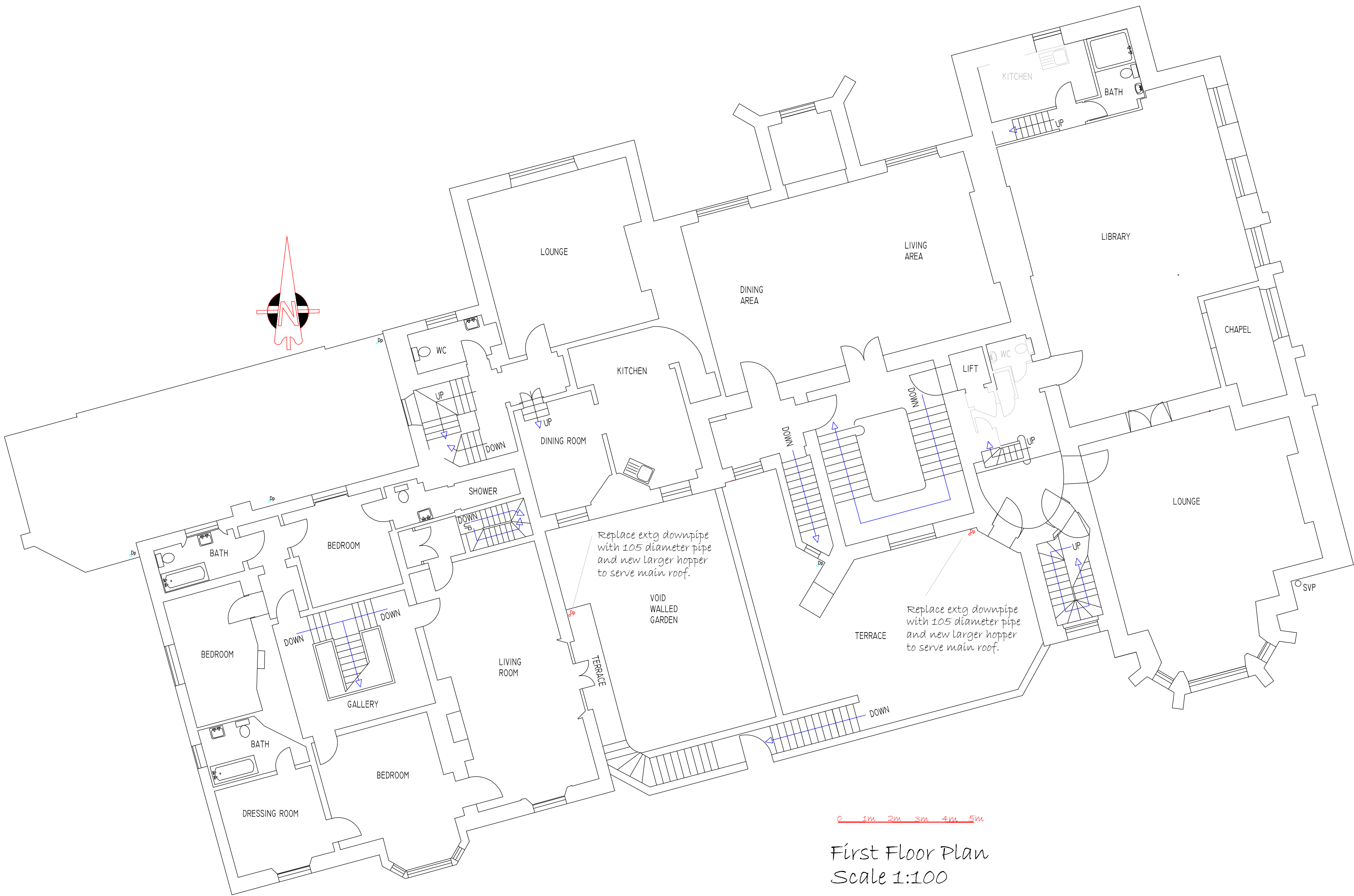


Project Name and Address
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Dorset
BH23 6BH

Drawing title:
EVCP details
Downpipe details

Drawn by RJB	Date 13/7/22	Sheet 03C
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0 1m 2m 3m 4m 5m

First Floor Plan
Scale 1:100

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X	XXXXXXXXXXXXXXXXXX	/13
No.	Revision/Issue	Date

Firm Name and Address

Ryan J Barnett & Associates Ltd

Noale Oaks, Noale Lane, Poulner, Ringwood, Hants
Telephone: mobile 07757 220 390
Email: ryanjarnettandassociates@gmail.com

Project Name and Address

Hurn Court
Hurn Court Lane
Christchurch
Dorset
BH23 6BH

Drawing title:

Downpipe upgrades cont'd

Drawn by RJB	Date 13/7/22	Sheet 04
Scale 1:100		

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4 No. third floor dormers marked A,B,C & D to have rotten casements repaired like for like and single glazing replaced with Slimlite double glazed units, fitted with timber beads and decorated in Dulux Nursery yellow to match existing colour scheme.



0 1m 2m 3m 4m 5m

Third Floor Plan
Scale 1:100

General Notes

All dimensions are in millimetres unless specified otherwise.
No dimensions are to be scaled from this drawing.
Ryan J Barnett & Associates Ltd accept no liability with information contained within these drawings other than to it's employer/client.



X	XXXXXXXXXXXXXXXXXX	/13
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Project Name and Address

Hurn Court
Hurn Court Lane
Christchurch
Dorset
BH23 6BH

Drawing title:

Dormer glazing upgrade

Drawn by RJB	Date 13/7/22	Sheet 05
Scale 1:100		

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Existing North Elevation
Scale 1:100

Proposed dormers to be re-glazed
and repaired A to D. Please see
detail sheet 07.

0m 5m
(as printed @ A1 size)



Proposed North Elevation
Scale 1:100

Proposed downpipe and hopper
enlargement to north elevation.

Window W 17 is shown with
shaded areas that denote the
internal window blanking.
Hatched lines show proposed
casements to be made operable
again by opening inwards to
match the remaining windows on
the north elevation.

General Notes

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Drawing State:

Planning issue ☒
Building Regulations issue ☐
Drawings prepared from partial size measurement, previously proposed floor plans
by others and interpolation from site photographs/reviews.



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Project Name and Address

Hurn Court
Hurn Court Lane
Christchurch
Dorset
BH23 6BH

Drawing title:
Existing & proposed
North elevations

Drawn by RJB	Date 21/9/22	Sheet 06
Scale 1:200		

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