

Notice of Eastern BCP Planning Committee

Date: Thursday, 20 November 2025 at 10.00 am

Venue: HMS Phoebe, BCP Civic Centre, Bournemouth BH2 6DY



Membership:

Chair:

Cllr P Hilliard

Vice Chair:

Cllr M Le Poidevin

Cllr P Canavan
Cllr J Clements
Cllr D A Flagg

Cllr M Gillett
Cllr Dr F Rice
Cllr J Salmon

Cllr T Slade
Cllr M Tarling
Vacancy

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

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

<https://democracy.bcpCouncil.gov.uk/ieListDocuments.aspx?MIId=6130>

If you would like any further information on the items to be considered at the meeting please contact: Jill Holyoake on 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

AIDAN DUNN
CHIEF EXECUTIVE

12 November 2025

**DEBATE
NOT HATE**



Available online and
on the Mod.gov app

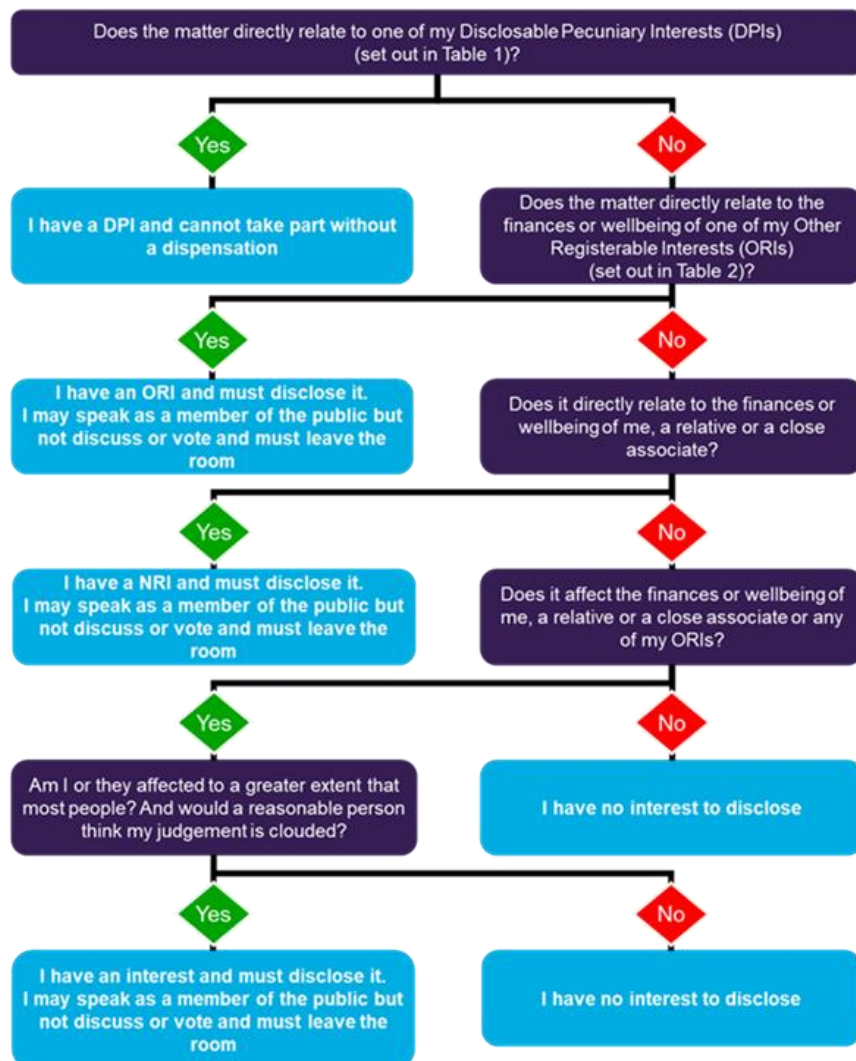


Maintaining and promoting high standards of conduct

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

Selflessness

Councillors should act solely in terms of the public interest

Integrity

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

Objectivity

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

Accountability

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

Openness

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

Honesty & Integrity

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

Leadership

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

AGENDA

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

1. Apologies

To receive any apologies for absence from Members.

2. Substitute Members

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

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

3. Declarations of Interests

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

Declarations received will be reported at the meeting.

4. Confirmation of Minutes

7 - 10

To confirm and sign as a correct record the minutes of the meeting held on 23 October 2025.

5. Public Issues

11 - 18

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 on Wednesday 19 November 2025 [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=613>

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.

Anyone who has registered to speak by the deadline may, as an alternative to speaking/for use in default, submit a written statement to be read out on their behalf. This must be provided to Democratic Services by 10.00am of the working day before the meeting, 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.

ITEMS OF BUSINESS

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, please use the following link:

<https://www.bcpCouncil.gov.uk/planning-and-building-control/search-and-comment-on-planning-applications>

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.bcpccouncil.gov.uk/Planning-and-building-control/Planning-policy/Current-Local-Plans/Current-Local-Plan.aspx>

a)	Purbeck Court 65-67 Boscombe Overcliff Drive Bournemouth BH5 2EN Boscombe East and Pokesdown ward 7-2024-3914-D Outline application with some matters reserved for demolition of the existing building of flats and garages and erection of a 6 storey building consisting of 17 x 2-bed flats and 5 x 3-bed flats with underground parking, swimming pool and gym spa complex, associated bin and cycle storage and the erection of a detached dwelling fronting Rotherfield Road with associated access and parking.	19 - 84
b)	95 Charminster Avenue, Bournemouth BH9 1RU Moordown ward P/25/03627/FUL Alterations, loft conversion to include dormer window and roof light and change of use from single dwellinghouse (Use Class C3) to 8-person House in Multiple Occupation (Sui Generis)	85 - 104
c)	Roysdean Manor, 5 Derby Road, Bournemouth, BH1 3PT East Cliff and Springbourne ward P-7729-310125 Install a fence with a pedestrian gate	105 - 132
d)	Lower Gardens, Bournemouth BH2 5AU Bournemouth Central ward P/25/02126/FUL Temporary installation of winter event (temporary period from 27 October 2025 to 25 January 2026 including the installation and removal of structures)	133 - 152

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
EASTERN BCP PLANNING COMMITTEE

Minutes of the Meeting held on 23 October 2025 at 10.00 am

Present:-

Cllr P Hilliard – Chair

Cllr M Le Poidevin – Vice-Chair

Present: Cllr P Canavan, Cllr M Gillett, Cllr B Nanovo (In place of Cllr J Clements), Cllr Dr F Rice, Cllr J Salmon, Cllr T Slade and Cllr M Tarling

53. Apologies

Apologies were received from Cllr J Clements and Cllr D Flagg.

54. Substitute Members

Notification was received that Cllr B Nanovo was substituting for Cllr J Clements for this meeting.

55. Declarations of Interests

Agenda Item 6a, The Beach House Café, Mudeford Sandbank:

Cllr B Nanovo declared that she would be speaking on this application in her capacity as a ward councillor. She sat in the public gallery for this item and did not speak as a committee member or vote.

Cllr M Tarling reported for transparency that he had in previous roles reviewed and commented on applications for the Beach House site but not on this application and he did not consider himself predetermined. He spoke and voted on the item.

56. Confirmation of Minutes

The minutes of the meeting held on 25 September were confirmed as an accurate record and signed by the Chair, subject to an amendment to the resolution in respect of 98 Gladstone Road East to replace the word GRANT with REFUSE.

57. Public Issues

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

58. Schedule of Planning Applications

The Committee considered two planning application reports, copies of which had been circulated and which appear as Appendix A and B to these minutes in the Minute Book. A Committee Addendum Sheet was published on 22 October 2025 and appears as Appendix C to these minutes.

59. The Beach House Cafe, Mudeford Sandbank, BH6 4EN

East Southbourne and Tuckton Ward

P/25/01461/FUL

Replacement cafe building (permanent)

Public Representations

Objectors

- ❖ Darren Pidwell, Chair of Mudeford Sandbank Beach Hut Association
- ❖ Claire Bath, Deputy Chair of Mudeford Sandbank Beach Hut Association

Applicant/Supporters

- ❖ Clare Spiller, on behalf of the applicant
- ❖ Richard Slater, applicant

Ward Councillors

- ❖ Cllr Bernadette Nanovo
- ❖ Cllr Judy Richardson

RESOLVED to GRANT permission in accordance with the recommendation set out in the officer's report as updated by the Addendum dated 22.10.25 and subject to power being delegated to the Head of Planning Operations to determine the final wording of an amendment to Condition 12, at the Committee's request, to include a waste management plan to control waste generated by patrons

Voting: For – 6, Against – 0, Abstain – 2

60. 32 Southbourne Grove, Bournemouth BH6 3RA

West Southbourne ward

P/25/02475/FUL

Retrospective application for a single storey rear store extension and modification to shop front

Public Representations

Objectors

- ❖ Ben Smith

Applicant/Supporters

- ❖ Neil Bichard, on behalf of the applicant

Ward Councillors

- ❖ Cllr George Farquhar, objecting

RESOLVED to REFUSE permission in accordance with the recommendation set out in the officer's report

Voting: Unanimous

61. Appeals Report

The Chair referred to a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'D' to these Minutes in the Minute Book. The report provided an update to the Eastern Planning Committee on the Local Planning Authority's Appeal performance over the stated period.

The contents of the report were noted.

The meeting ended at 11.51 am

CHAIR

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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 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.

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

speaking 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 and updated on 20.7.23



Planning Committee

Application Address	Purbeck Court 65-67 Boscombe Overcliff Drive Bournemouth BH5 2EN
Proposal	Outline application with some matters reserved for demolition of the existing building of flats and garages and erection of a 6 storey building consisting of 17 x 2-bed flats and 5 x 3-bed flats with underground parking, swimming pool and gym spa complex, associated bin and cycle storage and the erection of a detached dwelling fronting Rotherfield Road with associated access and parking.
Application Number	7-2024-3914-D
Applicant	Clifftop Developments Ltd
Agent	Pure Town Planning
Ward and Ward Member(s)	Boscombe East & Pokesdown Cllr Eleanor Connolly Cllr George Farquhar
Report status	Public Report
Meeting date	20 November 2025
Summary of Recommendation	Approve subject to a S106 and conditions
Reason for Referral to Planning Committee	20+ objections have been received from properties located within a 1-mile radius from the site
Case Officer	Piotr Kulik
Is the proposal EIA Development?	No

Description of Proposal

1. This application seeks outline permission for the proposed demolition of the existing building of flats and garages and erection of a 6 storey building consisting of 17 x 2-bed flats and 5 x 3-bed flats with underground parking, swimming pool and gym spa complex,

associated bin and cycle storage and the erection of a detached dwelling fronting Rotherfield Road with associated access and parking.

2. Aside from the principle of outline consent, the applicant seeks determination of the following matters:
 - **Layout** – the way in which the buildings, routes and open spaces are provided within the development and their relationship to buildings and spaces outside the development.
 - **Scale** – the height, width and length of each building proposed in relation to its surroundings
 - **Access** – this covers accessibility to and within the site for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network.
 - **Appearance** – the aspects of a building or place which determine the visual impression it makes, excluding the built form of the development.
3. The following are not included although illustrative plans have been submitted to give an indication of the planning implications:
 - **Landscaping** – this is the treatment of private and public space to enhance or protect the site's amenity through soft and hard measures, for example, through planting of trees or hedges or screening by fences or walls.

Description of Site and Surroundings

4. The site is located on the north side of Boscombe Overcliff Drive and comprises a 3-storey flatted block known as Purbeck Court which dates to the 1950's. The building is elevated above road level and has a similar depth footprint to the neighbouring 2-storey dwellings albeit with subservient 3-storey rear 'wings' either end. Notwithstanding its larger size, the building features a pitched roof, with seaward balconies on each floor. It sits comfortably between the neighbouring 2-storey dwellings. The building provides 12 units of accommodation. Vehicular access is to the rear between 4 and 6 Rotherfield Road providing entrance to car parking and garaging behind the building. There is no vehicular access to the front of the site.
5. Boscombe Overcliff Drive comprises a mix of original two-storey dwellings to the north side that are gradually making way for flatted developments typically of four storeys with flat roofs and a contemporary appearance. Local Design is mixed but upper floors are generally of set back and with a subservient appearance. Front elevations tend to be flat but characterised by large, wide balconies. Permission was granted in February 2022 for the demolition of Nos. 69 and 71 and replacement with a block of 14 no. flats. The approved block of 14 flats at Nos. 69 and 71 is currently under construction following a prior approval procedure approval for demolition of 2no. dwellinghouses, ref. 7-2023-18630-C. Then, during 2020, no. 63 was demolished and replaced with a block of flats completed in 2021 following grant of the original planning permission in 2019 ref. 7-2019-27186.

Relevant Planning History

6. Application site

7-2022-3914-C: Erection of a 5 storey building consisting of 13 x 2-bed flats and 6 x 3-bed flats with associated access and parking, involving demolition of existing residential and garage buildings – Approved (Planning Committee 19/01/2023)

7-2022-3914-B: Erection of a 5 storey building consisting of 13 x 2-bed flats and 6 x 3-bed flats with associated access and parking, involving demolition of existing residential and garage – Refused (Planning Committee 22/09/2022)

7-2021-3914-A: Prior approval procedure - Erection of 6 additional flats on top of the existing block of flats (two additional floors) – Approved

7. 69-71 Boscombe Overcliff Drive

7-2023-18630-C: Prior Approval Procedure - Demolition of 2 dwellinghouses - Permitted Development – Approved

7-2021-27186-C: Minor material amendment of condition no. 1 of application no. 7-2020-27186-B to vary the plans and variation of condition nos.6 7,10 and 13 to amend the bin store provision with a new access to the front boundary (Original submission: Minor material amendment to vary condition no. 1 of application no. 7-2019-27186 to increase the footprint of flat 7 at third floor level, extending to the north (rear), and amendments to window positions on the north (rear), and east and west side elevations (Original description - Erection of a block of 7 flats with partial under croft car parking, modification of vehicular access and formation of parking spaces)) – Approved

7-2020-12924-A: Demolish existing buildings and erection of a single block of 14no. flats set over 4 storeys, with associated access and new basement level parking, bin and cycle stores – Approved

8. 71 Boscombe Overcliff Drive

7-2018-18630-A: Demolition of existing bungalow, erection of 4 storey block of 6 flats, formation of vehicular access and parking spaces - Refused

7-2018-18630-B: Demolition of existing bungalow, erection of 4 storey block of 4 flats, formation of vehicular access and parking spaces – Withdrawn

9. 63 Boscombe Overcliff Drive

7-2021-27186-C: Minor material amendment of condition no. 1 of application no. 7-2020-27186-B to vary the plans and variation of condition nos. 6 7,10 and 13 to amend the bin store provision with a new access to the front boundary (Original submission: Minor material amendment to vary condition no. 1 of application no. 7-2019-27186 to increase the footprint of flat 7 at third floor level, extending to the north (rear), and amendments to

window positions on the north (rear), and east and west side elevations (Original description - Erection of a block of 7 flats with partial undercroft car parking, modification of vehicular access and formation of parking spaces)) – Approved

7-2019-27186-A: Minor material amendment to vary condition no. 1 of application no. 7-2019-27186 to vary the plans to increase the size of the top floor level and amend windows in North, East and West elevations (Erection of a block of 7 flats with partial undercroft car parking, modification of vehicular access and formation of parking spaces) – Refused

7-2019-27186: Erection of a block of 7 flats with partial undercroft car parking, modification of vehicular access and formation of parking spaces - Approved

10. **Constraints**

- Cliff stability

11. **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.

Other relevant duties

13. 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.
14. 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

15. Fire Safety Advisor – Advice provided, the scheme needs to comply with building control regulations
16. Coastal Stability Engineer – No objection, subject to conditions
17. Dorset Police Planning Advisor – Advice provided
18. Waste Management Officer – No objection

19. Local Highway Authority (LHA) Officer – No objection, subject to conditions
20. Ecologist – No objection, subject to conditions
21. Tree Officer – No objection, subject to conditions
22. Urban Design – Objection (based primarily on the overall scale of the development, but also concerns with some design details)

Representations

23. Site notices were posted in the vicinity of the site on 03/06/2024 with an expiry date for consultation of 24/06/2024. There was also press advertisement on 26/04/2024 with an expiry date for consultation of 17/05/2024. Further re-consultation site notice was displayed on 21/08/2024 with an expiry date for consultation of 01/09/2024.
24. 38No. letters of objection from neighbouring properties were received, plus 10no. extra letters outside a 1 mile radius. The grounds for objection are as following:
 - Unjustified loss of the existing building
 - Design out of keeping with the locality
 - Overpopulation
 - Overdevelopment
 - Overbearing impact
 - Scale and Massing
 - The proposed building is too height
 - 6 storey building is not acceptable
 - Excessive number of units on site
 - Design concerns
 - Loss of affordable housing contribution
 - Loss of light
 - Loss of privacy
 - Inadequate parking provision
 - Traffic concerns
 - Highway safety
 - Cliff stability
 - Not in line with the Boscombe neighbourhood plan

Key Issues

25. The key issues involved with this proposal are:
 - Principal of development
 - Tourism
 - Impact on character and appearance of the area
 - Impact on residential amenity
 - Living conditions for future occupants

- Highway safety
- Sustainable energy
- Ecology
- Trees
- Drainage
- Waste and Recycling
- Heathlands contribution
- Affordable Housing
- Community Infrastructure Levy

26. These issues will be considered along with other matters relevant to this proposal below.

Policy Context

27. Local documents:

Bournemouth Local Plan: Core Strategy (2012)

Policy CS1 – NPPF Presumption in Favour of Sustainable Development

Policy CS2 – Sustainable Homes and Premises

Policy CS3 – Sustainable Energy and Heat

Policy CS4 - Surface Water Flooding

Policy CS6 – Delivering Sustainable Communities

Policy CS14 – Transport Infrastructure

Policy CS15 – Green Travel Plan and Transport Assessments

Policy CS16 – Parking Standards

Policy CS17 - Encouraging Greener Vehicle Technologies

Policy CS18 – Increasing Opportunities for Cycling and Walking

Policy CS21 – Housing Distribution Across Bournemouth

Policy CS33 – Heathlands

Policy CS35 Nature and Geological Conservation Interests

Policy CS38 – Minimising Pollution

Policy CS39 – Designated Heritage Assets

Policy CS40 – Local Heritage Assets

Policy CS41 – Quality Design

Bournemouth District Wide Local Plan (2002)

Policy 3.25 – Cliff Stability

Policy 4.25 – Landscaping

Policy 6.10 - Flat development

Policy 8.2 – District Distributor Roads

Boscombe and Pokesdown Neighbourhood Plan (2019)

BAP1: The scale and density of development

BAP2: Good design for the 21st century

BAP6: The number and type of new homes

BAP7: The quality of new homes

Supplementary Planning Documents:

Affordable Housing – SPD
Dorset Heathlands Planning Framework – SPD
BCP Parking Standards – SPD
LTN1/20 – Cycle Infrastructure Design (2020)
Residential Development: A Design Guide – PGN
Sustainable Urban Drainage Systems (SUDS) - PGN
Footprint Ecology New Forest Strategic Access Management and Monitoring Strategy 2023.

National Planning Policy Framework 2024 (“NPPF”/“Framework”)

Paragraph 11 sets out the presumption in favour of sustainable development. Plans and policies should apply a presumption in favour of sustainable development. For decision taking this means:

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

The following chapters of the NPPF are also relevant to this proposal:

Chapter 2 – Achieving sustainable development
Chapter 5 – Delivering a sufficient supply of homes
Chapter 8 – Promoting healthy and safe communities
Chapter 9 – Promoting sustainable transport
Chapter 12 – Achieving well-designed places
Chapter 15 – Conserving and enhancing the natural environment
Chapter 16 – Conserving and enhancing the historic environment

Planning Assessment

Housing Delivery Test

28. At the heart of the NPPF is the presumption in favour of sustainable development. 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 of 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. 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 (with

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

29. At 1 April 2024 BCP Council had a housing land supply of 2.1 years against a 5-year housing requirement that includes a 20% buffer. The Council currently does not have a five year housing land supply and as such para 11 d) of the NPPF is engaged. As the Plan is technically considered to be out of date, the principle of presumption in favour of sustainable development is applied. For the Authority to refuse the application, any harm must significantly and demonstrably outweigh the benefits of addressing the shortfall in housing delivery.
30. For this planning application the benefits provided from the supply of new homes will have significant weight and a 'tilted balance' in favour of the grant of planning permission. For the Local Planning Authority to refuse this development, the benefits of the provision of new homes must be significantly and demonstrably outweighed by the adverse impacts or where specific policies in the NPPF provide a clear reason for refusal.

Principle of the proposed development

31. Boscombe Overcliff Drive comprises a mix of original two-storey dwellings to the north side that are gradually making way for flatted developments of typically four storeys with flat roofs and a contemporary appearance. There is a mix of design, but upper floors are generally set back and with a subservient appearance. Front elevations tend to be flat but characterised by large, wide balconies. One exception is Purbeck Court to the west of the application site which comprises a 3-storey pitched roof 1950s flatted block which appears to have a double width frontage and large car park accessed from Montague Road.
32. It should be noted that a prior approval permission ref. 7-2021-3914-A for the erection of 6no. additional flats on top of the existing block of flats (two additional floors) already expired on 26 August 2024. The site owner did not start any associated works. Despite no implementation of this prior approval application, policy circumstances have not changed at a time of writing this report, hence very likely, similar works could be authorised by the Local Planning Authority (LPA) should a new application be submitted. However, there is now no likelihood of the most recent prior approval development being carried out. Weight can only be attached to a fallback position if there is a likelihood that the development would be undertaken.
33. The current application follows a recent approval ref. 7-2022-3914-C for 19no. flats and seeks consent for 22no. flats (3 additional flats), as well as a number of modifications compared with the previous approval. The proposal also reduces the number of 3-bed family homes and proposes an additional two storey 5-bedroom single dwellinghouse fronting Rotherfield Road to the rear of the plot. At the time of writing this report, none of the conditions associated with the recent approval ref. 7-2022-3914-C have been discharged. The likelihood of the development being carried out is therefore negligible, with the expiry date of the application being 07/10/2025. Although now expired, the consent still represents a material consideration due to its recent nature and the development plan situation remaining the same.
34. Boscombe and Pokesdown Neighbourhood Plan (NP) Policy BAP 6 [Part B] requires proposals to "*sensitively redevelop the site where the proposal includes (a dwelling mix of)*

50% 3-bed units, 40% 2-bed units and 10% 1-bed units". The recent approval ref. 7-2022-3914-C aimed to deliver 6no. 3-bed units (around 32%) and 13no. 2-bed units (68%). Whereas the current application shows 17no. 2-bedroom (74%), 5no. 3-bedroom (22%), and 1no. 5-bedroom units (4%).

35. As such, the current application also fails to meet the 50% 3 bed policy aim, with an even higher percentage of 2-bedroom units, so Policy BAP6-B is not satisfied. However, it is important to consider the explanatory paragraph 8.32 within the BAP which justifies the 'housing mix aim' as to:
 - 'promote family housing';
 - 'encourage a mix of housing types consistent with the needs of the community' and
 - 'encourage appropriate density within new developments'.
36. The aim of the policy is to limit the over provision of 1-bed units locally and promote family housing, both of which this proposal does. Also, the current application introduces a 5-bedroom family detached dwelling of a decent size hence not solely rely on the provision of residential flats. The existing building on the site contains 12 x 2 bedroom flats.
37. As stated above, BAP6-B is to require 'sensitive redevelopment' of sites through an appropriate density. Boscombe and Pokesdown NP Policy BAP1 states that residential densities in excess of 100 dwellings per hectare (dph) will not be supported unless it can be demonstrated for viability or to meet an identified housing need. The development density equates to 104dph therefore only marginally fails to comply with the policy Nevertheless, the proposed housing density is on balance acceptable given a sustainable location of the application site and additional housing boost to the current housing supply.
38. The final part of BAP6, this states that if a proposal includes a different housing size mix to the one set out in part B, it *"must be supported by up-to-date housing need evidence and/or an assessment which demonstrates that compliance with the requirements of A ii and/or B are not viable."* To comply strictly with the aims of policy BAP6-B, the overall scheme would need to be re-arranged and appropriate parking provision would be likely questioned on site given site constraints and a need for appropriate soft landscaping caused by latest BNG requirements. Also, a significant lack of local housing supply distribution, and a fact that the local planning authority is unable to demonstrate a five-year supply of homes are relevant considerations.
39. The proposal omits the 1-bed unit type, to which there is normally significant local objection when it is proposed on a site. In exchange, 36% of the units would be three-bed or more and 74% two-bed (compared to 100% on site presently). Additionally, all of the units would be generous in their internal space provision. To offer a mix suggested by the policy would very likely require substantial redesign and physical changes to the scale, shape, position, and height of the building, that would result in further local policy conflicts with CS16, CS38 and BAP1. The development proposes a different housing mix to the one set by BAP6 B but does not conflict with the aim of the policy itself, providing a robust number of 2- and 3-bed family units, with generous floorplans in excess of minimum standards.
40. The proposal therefore on balance does satisfy sustainable development principles and housing policy that seeks to target and meet housing need within the urban area and to deliver the type of dwelling at a location where there is long term demand. The Council currently is not meeting its housing supply targets. The proposals would make a significant

and positive contribution to meeting housing need at a sustainable location to which weight should be given.

Impact on character and appearance of the locality

41. 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. Policy CS41 is similar and relates to securing good design. The local area setting can be characterised by a mix of block of flat ranging from traditional to contemporary design, and some remaining residential houses. As such, there is no uniform design along the street scene.
42. The proposed contemporary design of the proposed block of flats is not objected to in principle by the Council's Urban Design Officer, and officers agree that is not out of keeping with the emerging character of the area with numerous contemporary blocks of flats facing Boscombe Overcliff Drive. Also, a traditional design detached dwelling facing Rotherfield Road would be in keeping with the character of this stretch of this road which is of a more domestic scale.
43. The existing building is set upon a raised site, and the proposals include excavation works to the site frontage similar to those, which can be found locally, e.g. as present at the adjacent sites (69-71, 73, 75). The proposed vehicular access would be provided from Boscombe Overcliff Drive, as such arrangements can also be found locally.
44. Nevertheless, the Urban Design officer still considers that the overall scale and mass of the proposed building would over-dominate the street scene. The consultee acknowledges that the more recent developments in the area are larger and higher than the 2 or 2 ½ storey houses that were replaced by these new buildings. However, none of them are taller than 4-storey (or 5-storey but with a lower ground-floor which is not welcome in the UD point of view).
45. The proposed building has a very similar ridge height to the previously approved scheme. However, it should be noted that additional floor over that approved can create an impression of greater height and psychological altitude. A higher floor number can be interpreted as a greater physical height because it suggests more levels have been added to the structure, contributing to the perception of the building being taller. However, the number of floors is not a precise measure of actual height because floor-to-floor heights vary between buildings based on their type and usage, meaning the actual height is a more accurate indicator.
46. For comparison, below tables show approximate elevation height and width (including balconies) of works recently granted and this currently proposed when measuring approved plans.

Proposed width	East Elevation	West Elevation	North Elevation	South Elevation
7-2021-3914-A	16.3m	16.3	27.4m	27.4
7-2022-3914-C	29m	30m	27m	27m
CURRENT	31.5m	31.5m	27.7m	28.5m

Proposed height	East Elevation	West Elevation	North Elevation	South Elevation
7-2021-3914-A	15.7m	15.7m	15.8m	15.5m
7-2022-3914-C	15m	15m	16m	15.4m
CURRENT (+ approx. 1.5m below ground level)	15.7m	15.7m	16m	16m

47. As shown above, the scale and massing of the proposed block of flats is comparable to that already granted on site. Furthermore, final revisions of the current scheme when comparing to a prior approved for two additional storeys granted in August 2021 on site (ref. 7-2021-3914-A), show highest points of the roof (excluding lift shafts) set below this already approved. The plans have been amended during the application process. The agreed revisions show that the depth of the front balcony projections has been reduced. The proposed external facing materials would be also in keeping with the character of the area.
48. Moreover, the proposed block of flats shows a similar footprint when comparing to that recently granted under a planning approval ref. 7-2022-3914-C. The width and set back position between eastern and western southern boundaries are almost identical, depth to the rear would match this already granted, whereas deepest point of a front elevation would be set approximately 1.5 metres forward when comparing to 7-2022-3914-C. Thus, it can be argued that a similar scale, form and layout of the proposed structure is established via recent permission at this site.
49. The 2024 National Planning Policy Framework (NPPF) promotes innovative and well-designed buildings through Paragraphs 134-137. These sections emphasize that development must be of high quality, contribute to making places beautiful, and that planning policies should require good design. When comparing to most recent approvals on site, it is officer's view that the current scheme demonstrates a height quality and sustainable block of flats with interesting articulation of design features. Therefore, complies for instance with paragraph 131 of the NPPS, which states that '*good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities*'.
50. Then, the proposed standalone detached dwelling would be set to the rear of the site facing Rotherfield Road, which lies within an established residential area predominantly characterised by a mixture of bungalows and two-storey detached properties set within proportionately sized plots, set within a verdant setting. The proposed 5-bedroom detached house would be a two and a half storey traditional style dwellinghouse that would fit well into its immediate setting. The proposed dwelling would provide generous living space and acceptable outdoor amenity space set on a plot matching those that can be found within its vicinity. Overall, the proposed development of a large family dwellinghouse to the rear of the site is considered to be acceptable in principle. Material samples can be conditioned to ensure an acceptable appearance of this building is achieved without compromising the street scene.

51. Despite concerns raised by the Urban Design officer, the case officer needs to balance a perception of streetscene harm against other material planning considerations. It is the officer's view that the proposals would comply with the NPPF and the Local Plan, which require that any development preserve the local area setting. The proposal is considered satisfactory, and would meet those requirements. It is similar to the previous applications on the site and is located on a main coast road which is suitable for a degree of intensification in line with other developments in close proximity. A significant public benefit in form of 22no. new and specious residential units is also identified, as well as a generous residential dwellinghouse contributing towards local housing supply. Overall, the development is considered to be acceptable to the street scene.
52. For the reasons outlined above, the proposal would be acceptable and in accordance with planning policies CS21, CS41, 4:25 and 6.10 which, in part, require development to complement and respect the character of neighbouring development, ensure that development is of high quality and to be of good design, as well as neighbourhood plan policies BAP1 in respect of the scale and density of development and BAP2 in respect of the design.

Impact on Trees

53. Although Landscaping remains a reserved matter, consideration of hard and soft landscape potential nevertheless remains a fundamental and integral part of the master planning process, especially given BNG requirements, and must be developed alongside the building and site layout rather than be treated as an element to be retrofitted at a later date. Green infrastructure and landscaping form important and significant elements of the site infrastructure and can greatly enhance streetscapes and sense of place. A hard and soft landscape plan should therefore be submitted at the earliest opportunity. This is particularly important on a site affected by the BNG legislation, as well as where a landscape form not only important and significant elements of the site infrastructure but also greatly enhance the streetscene and overall sense of place. As noted by the Council's Arboricultural Officer, the nature of the site's coastal frontage creates an important area for high quality tree planting and soft landscaping, and the layout of this frontage should allow this to be achieved.
54. There are three important trees to the northern end of the site which are to be retained. The agreed plans show that a large soakaway is no longer located in the retained trees' root protection areas. There will be a cellular confinement system for the driveway to prevent damage to tree roots. Such approach was considered by the Local Lead Flood Authority, which confirmed that the proposals are fully feasible.
55. Retention without harm of T1, T2 and T3 is important for the visual amenity they provide and any harm or loss of them will be harmful to visual amenities and will have implications for the new soft landscaping for this site and the BNG scheme for the site. Overall, the proposed works are not objected by the Council's Arboricultural and Landscape Officer, subject to compliance with the arboricultural method statement and tree protection plan for this site. Such requirement can be conditioned. Also, the officer assessed the revised soft landscaping scheme and soft landscaping maintenance scheme, and recommends their approval. Such details would be further assessed at the reserved matters stage considering landscaping details. On this basis, the proposal would be compliant with Policy 4.25.

Impact on residential amenity

56. Section 3.7.1 of the adopted Residential Development: A Design Guide is relevant in terms of privacy and requires the following minimum distances:

3.7.1 Privacy

People's privacy is normally affected by the degree in which their property is overlooked. In most urban areas a degree of overlooking is inevitable, however new proposals should not cause an increase in harmful overlooking.

Criteria	Standard
Minimum back to back distance between parallel 2 or 3 storey buildings (with rear facing windows but no living room windows on upper floors).	21.0m
Minimum back to back distance for 3 storey buildings with rear facing living room windows on upper floors and for buildings of 4 or more storeys.	25.0m
Minimum back to side distance for 2 or 3 storey buildings with rear facing windows on the back elevation facing the side elevation of another property with no windows or obscure windows.	12.5m
Minimum front to front distances for 2 storey dwellings.	10.0m

57. Similar to the approved 5 storey block of flats granted by committee members, the current proposals show front facing balconies only, with marginal side outlook. There are proposed front balconies with an outlook over the frontage hence with a similar relationship with neighbouring properties as the existing balconies on site. The impact of the proposal on existing neighbouring amenity has been considered in relation to the following properties:

69-71 Boscombe Overcliff Drive

58. Nos. 69 and 71 is a former site of two-storey houses, which is now under construction following an approval for a block of 14 flats granted under a planning approval ref. 7-2020-12924-A.
59. With regards to the approved development, 4no floors have been approved on this neighbouring site, with the uppermost floor set in further away from the flank of Purbeck Court than its three lower levels. The windows in the flank elevations of the approved block of flats on 69-71 were so designed to avoid interface conflict, as Purbeck Court currently retains bedroom and kitchen windows along its eastern elevation. It is possible to condition the lower portions of the bedroom and kitchen windows within the proposed side elevation to prevent any overlooking of no 69. Although the proposals would result in a taller building near the boundary with no 69, the existing Purbeck Court building already blocks sunlight and outlook to/from the rear of no 69. The proposed building will make little difference given the steep angles upwards involved. The committed/approved planning application for 14 flats does have bearing over the status quo and once built both buildings will, like the house

at present, continue to receive sunlight from the south. The proposal would also move the built form on the application site 0.8 metres further away from no 69 as same as the approved scheme for a 5 storeys block of flats on site (ref. 7-2022-3914-C).

60. Whilst the proposal would be taller and have a shadowing impact on the rear of no 69 to an extent, the properties face south and flats in the approved 69-71 scheme all face due south. Subject to the above conditions, the proposed relationships to 69-71 are considered acceptable in the contexts of neighbouring amenity, privacy and daylight impacts, satisfying policies CS21 and 6.10.

63 Boscombe Overcliff Drive

61. This building comprises a flatted development approved in 2019. As approved, no.63 only incorporated high level and obscure windows facing this boundary. The eastern ends of the balconies to no.63 are also already angled and obscured to prevent overlooking from Purbeck Court flats. Subject to conditions to apply similar obscuration to balcony ends on the western end of the proposed balconies, and the lower portions of the proposed flank windows, the proposals would have a negligible impact on the privacy or amenities enjoyed by occupants of no 63. The relationships and offsets of the proposal with on 63 are considered acceptable.
62. In considering the design mitigation and possible harm to outlook is important to bear in mind that there is no right to a view across another owners' land (i.e. the site) and outlook from the balconies at 63 is primarily intended to be of the seaward view, not over this neighbouring site. The balconies within no.63, as a whole would still receive significant light due to their open south facing position post completion of the proposal. The proposal would respect the amenities of neighbouring residents within No.63 as required by policies CS21 and 6.10.

8 Rotherfield Road

63. The rear windows of 8 Rotherfield Road to the north are between 35 metres and 41 metres from the closest parts of the existing building. The proposal would place windows within 34 metres, 29.6 metres and 27 metres of those to the rear of the nearest Rotherfield Road houses. The distances are shorter than those currently experienced but with reference to s.3.7.1 (Privacy) of the LPA's 2008 Residential Design Guide, these distances exceed the minimum 25 metres guidance set out therein in respect of buildings having more than 4 floors and facing buildings having up to 3 floors. When comparing to the approved 5 storey scheme under 7-2022-3914-C, the current scheme is seen as an improvement as parking spaces to the rear would be fully replaced by soft landscaping. This would remove potential impact upon immediate neighbours caused by on site car users. Subject to conditions to secure landscaping and fencing details along the boundary with no 8, the proposal would respect the amenities of neighbouring residents within no.8 as required by policies CS21 and 6.10.

4 Rotherfield Road

64. The rear windows of 4 Rotherfield Road to the northwest are over 28 metres from the rear elevation of the existing flats. The four storey no 63 was approved with a 24.2 metres offset distance between its rear windowed elevation and the bungalow's rear wall. The proposal would bring windows within 25 metres of the bungalow's rear elevation, and although a closer series of windows exist within approximate 24 metres, the angle of viewing would not permit direct overlooking. There exists a technical conflict with the Residential Design Guide but it is not considered material in view of the angle of viewing. Any interface distance between facing windows would again be 1-3m longer than these distances on account of

the hypotenuse length of the angle upwards from ground level to vantage point. The distances exceed the distances approved in respect of no. 63 and staggers in the rear elevations would be such that no harmful overlooking of or impacts on privacy to occupants within no. 4 would ensue. The proposal would respect the amenities of neighbouring residents as required by policies CS21 and 6.10.

65. The proposed dwellinghouse would be separated from the nearest residential houses by 5.3 metres (west) and 6 metres (east), Nos. 4 and 8 Rotherfield Road respectively. There is no adopted minimum separation distance in terms of side to side elevations. The proposed separation distances are set at acceptable level and in keeping with the local area setting. There would be no side facing habitable windows above ground floor level proposed. However, 2no. west facing first floor windows serving en-suite bathrooms are proposed but those would be obscure glazed. In overall, given the proposed design and siting of the proposed detached dwelling, the proposed works would not result in overbearing impact or loss of privacy at immediate neighbouring properties.

Other neighbouring dwellings

66. All other neighbouring properties 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.

Shadowing

67. Any lengthened shadows are likely to be limited to a few minutes at sunrise and sunset, in winter. When the sun is higher overhead in spring, summertime, and autumn the additional storeys will have no discernible impact on shadows falling across nearby plots. The morning and afternoon shadow in winter will be slightly longer in its timing, but will fall over areas already shadowed by the 3 storey building. With regard for the preceding assessments the increased height would not result in any significantly detrimental impact in terms of loss of sun or daylighting. Again the earlier approved five storey building was a very similar height and mass.

Noise

68. To offset noise from the demolition and construction works a construction management plan would be conditioned. The construction management plan should outline the start and finish times; provide an indication of noisy 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 to inform the CEMP and may necessitate the need for soundproof glazing to the frontage windows of the proposal.
69. Overall, it is considered that the combination of the building height, interface distances, window positions, set-ins and balcony screening in relation to adjacent plots would not oppress or be overbearing to those neighbouring properties, having an acceptable level of impact on outlook, daylight, sunlight and satisfying the aims of policies CS21 and 6.10.

Crime prevention

70. The consulted Crime Prevention Design Officer raised few concerns regarding the proposed design. The consultee suggested adding a security standard door, permanent location of wheelie bins on site, a security shutter/ gates to be installed at the underground garage, or introduction of CCTV cameras on site. Subject to conditions to secure a Crime Prevention Design mitigation plan, the proposed works are considered to be on balance acceptable.

Future living conditions

71. Aim 2 of the Neighbourhood Plan require to provide better homes and affordable homes for existing residents by rebalancing the housing stock with a presumption in favour of family dwellings with at least 2 bedrooms throughout the area, subject to site opportunities and constraints. The Government's Technical Standards provide guidance on the size of accommodation that is proposed, and this is supported in policy by BAP7.
72. The Governments' Technical Standards provide guidance on the size of accommodation that is proposed. Each of the proposed flats will have rooms that would benefit from a window and natural light The proposals would also need to provide acceptable living accommodation for future residents meeting the Governments Technical Housing Standards (THS) as specified by the technical guidance. The Council uses the DCLG Technical Housing standards to inform the quality of internal living environment for new dwellings.
73. National space standards require the following gross internal floor area for a 2-bedroom and 3-bedroom units:
- 2 bedroom, 3 person dwelling set over 1 storey – 61 square metres
 - 2 bedroom, 4 person dwelling set over 1 storey – 70 square metres
 - 2 bedroom, 3 person dwelling set over 2 storey – 70 square metres
 - 2 bedroom, 4 person dwelling set over 2 storey – 79 square metres
 - 3 bedroom, 4 person dwelling set over 1 storey – 74 square metres
 - 3 bedroom, 5 person dwelling set over 1 storey – 86 square metres
 - 3 bedroom, 6 person dwelling set over 1 storey – 95 square metres
 - 3 bedroom, 4 person dwelling set over 2 storey – 84 square metres
 - 3 bedroom, 5 person dwelling set over 2 storey – 93 square metres
 - 3 bedroom, 6 person dwelling set over 2 storey – 102 square metres
 - 3 bedroom, 4 person dwelling set over 3 storey – 90 square metres
 - 3 bedroom, 5 person dwelling set over 3 storey – 99 square metres
 - 3 bedroom, 6 person dwelling set over 3 storey – 108 square metres
 - 5 bedroom, 6 person dwelling set over 1 storey – 103 square metres
 - 5 bedroom, 7 person dwelling set over 1 storey – 112 square metres
 - 5 bedroom, 8 person dwelling set over 1 storey – 121 square metres
 - 5 bedroom, 6 person dwelling set over 2 storey – 110 square metres
 - 5 bedroom, 7 person dwelling set over 2 storey – 119 square metres
 - 5 bedroom, 8 person dwelling set over 2 storey – 128 square metres
 - 5 bedroom, 6 person dwelling set over 3 storey – 116 square metres
 - 5 bedroom, 7 person dwelling set over 3 storey – 125 square metres
 - 5 bedroom, 8 person dwelling set over 3 storey – 134 square metres

74. The proposed accommodation schedule for flats is as following:

- Unit 1: 2-bedroom 115sq. metres
- Unit 2: 2-bedroom 139sq. metres
- Unit 3: 2-bedroom 143sq. metres
- Unit 4: 2-bedroom 88sq. metres
- Unit 5: 3-bedroom 132sq. metres
- Unit 6: 2-bedroom 142sq. metres
- Unit 7: 2-bedroom 140sq. metres
- Unit 8: 2-bedroom 126sq. metres
- Unit 9: 3-bedroom 132sq. metres
- Unit 10: 2-bedroom 142sq. metres
- Unit 11: 2-bedroom 140sq. metres
- Unit 12: 2-bedroom 126sq. metres
- Unit 13: 3-bedroom 132sq. metres
- Unit 14: 2-bedroom 142sq. metres
- Unit 15: 2-bedroom 140sq. metres
- Unit 16: 2-bedroom 126sq. metres
- Unit 17: 2-bedroom 120sq. metres
- Unit 18: 2-bedroom 142sq. metres
- Unit 19: 2-bedroom 140sq. metres
- Unit 20: 2-bedroom 126sq. metres
- Unit 21: 3-bedroom 173sq. metres
- Unit 22: 3-bedroom 169sq. metres

The proposed two and a half storey 5-bedroom house would cover 304sq. metres of floorspace.

75. Therefore, floorspace of the proposed detached house and residential flats would be well in excess of the minimum space standards set out by the Government's Technical Housing Standards 2015 and Neighbourhood Plan Policy BAP7. The proposals would also occupy a sustainable location within proximity to local services and amenities, as well as a local seafront public open space area. All flats would benefit from private amenity spaces in form of either ground floor patio areas of upper floor balconies, as well as will have dual-aspect windows. Also, most flats proposed would benefit from extensive open views across the clifftop to the south.
76. The proposed detached dwelling is of a generous space with dual aspect windows. There is proposed large garden amenity space to the front of the dwelling, as well as further garden amenity space to the rear. It is considered that the level of internal and external amenity spaces would be satisfactory for a modern 5-bedroom family house in this location.
77. Given the above, it is considered that the proposed works would comply with provisions of Policy 6.8 of the Bournemouth District Wide Local Plan 2002 (the Local Plan), Policies CS21 and CS41 of the Bournemouth Local Plan Core Strategy 2012 (the Core Strategy), BAP7 of the Boscombe and Pokesdown Neighbourhood Plan and Part 3 of the Residential Development – A Design Guide SPG 2008 (the Design SPG).

Highway Safety

78. The proposal includes underground parking for the flats, associated bin and cycle storage and the erection of a detached dwelling fronting Rotherfield Road with associated access and parking.

Proposed dwellinghouse

79. The layout serving the proposed dwellinghouse is considered to be acceptable by the Local Highway Authority (LHA) regarding the provision of car and cycle parking. Where redundant, the dropped kerb will be reinstated with full height kerb to the Council's specification and satisfaction and at the applicant's expense. The provision of pedestrian inter-visibility splays at both sides of the widened access represents a betterment of the existing access arrangement.
80. The principle of reversing movements to/from Rotherfield Road is acceptable given it is a minor residential road and this arrangement mirrors those of many neighbouring properties. Consequently, the traffic generated by a single dwelling is not considered to prejudice the safe operation of the highway network in this location.
81. The agreed site plan shows amendments to the initially submitted width of the pedestrian access paths to/from the cycle stores. These have been widened to 2 metres at the rear of the flatted building and measure between 1.8 to 2 metres to the side of said building, before narrowing slightly upon the site frontage. On balance, the access arrangement is considered acceptable.
82. Submitted plans suggest that the proposed access arrangement will require the relocation of an existing highway asset (lamp post). This matter is covered by Highways Act legislation, a separate process to planning permission. It is important for the applicant to note that if the current planning permission were granted it does not automatically mean permission to remove the highway asset would be granted under the Highways Act. If permission to remove the asset is not secured/approved despite being required, the applicant would not be able to implement the current proposal.
83. Whilst the integral garage for the house is of substandard size to be considered a formal parking space (section 3.2 of the BCP Parking Standards SPD (2021) refers), there is ample 'external' space to provide parking for multiple cars which therefore meets the SPD requirement of 2 spaces. The size of the parking spaces (2.6 metres x 4.8 metres) can be secured by condition. The provision of 3 cycle stands within the garage offers secure, covered, purpose-built parking for 6 cycles, sufficient for the proposed dwellinghouse.

Proposed flats

84. Vehicular access to the site is proposed from Boscombe Overcliff Drive, a 30mph single carriageway road running parallel to the coast. This section of the highway network experiences an uplift in vehicular movements across the summer months however, it is a non-classified road with no recorded strategic status and good forward visibility thus the formation of a new access is acceptable in principle.
85. The revised site plan also shows 54 cycle parking spaces across 3 cycle stores. The majority of spaces are now provided as 'Sheffield' type stands whilst 2 spaces are specified

for non-standard cycles. The design of all stores is considered to enable the parking and manoeuvring of cycles.

86. The revised site plan shows amendments to the width of the pedestrian access paths to/from the cycle stores. Following a request from the LHA Officer, these have been widened to 2 metres at the rear of the flatted building and measure between 1.8 to 2 metres to the side of said building, before narrowing slightly upon the site frontage. On balance, the revised access arrangement is considered acceptable.
87. Final revisions are not objected by the LHA subject to conditioning details of footway crossing; vehicle access, parking and turning; cycle parking; and a construction management plan. Consequently, the proposals would comply with the aims of Policies CS16, CS17, CS18 and CS41 of the Bournemouth Local Plan: Core Strategy (2012), as well as aims of paragraphs 116 and 117 of the National Planning Policy Framework (2024) which seek new development to provide safe and suitable access for all, and to give priority first to pedestrian movements.

Sustainable energy

88. Policies CS2 and CS3 of the Core Strategy require developments to be sustainable and to embrace the use of renewable/low carbon energy generations. The Applicant has failed to provide information which outlines how the building will be energy efficient. However, a condition could be introduced to outline the final design in this respect and meet the requirements of the relevant policies, including the guidance set out in Policy CS2, the Town Centre Development Design Guide 4.2 and the Residential Design Guide 3.10 in terms of the careful use of natural resources.

Cliff Stability

89. Policy 3.25 requires from developments *'within 200 metres of cliffs and chines, or in proximity to steep embankments, to incorporate measures necessary to demonstrate such development will have no adverse effect upon existing cliffs, chines or steep embankments'*. As stated within paragraph 3.58 of the saved local plan *'the stability of the ground is so far as it affects land use, is a material consideration which should be taken into account in determining a planning application'*. Paragraph 3.60 goes further that *'the stability of the land can have significant implications as to what form of development is appropriate or could be considered'*.
90. Given that the development is in the order 100 metres from the adjacent cliff frontage, a cliff stability appraisal was submitted with the application. The slope stability assessment highlighted the recommendations for appropriate site drainage. The Cliff Stability Engineer commented that this approach appears sufficient hence in line with Policy 3.25, subject to appropriate conditions to resolve drainage. Those would be in respect to the demolition of the existing structures; the drainage design; the ground investigation, as well as the basement structure and sea cliff stability.

Land Contamination

91. As this site has a domestic history away from commercial uses, potential contamination issues are likely to be confined to the fabric of the existing buildings rather than ground below.

Ecology

92. An Ecology Report has been submitted. No evidence of nesting birds, bats or any other protected species has been recorded on the site. To enhance the site for ecology, eight bird nesting boxes, four bat boxes and six bee bricks will be installed within the new block of flats and the new dwelling. The Council's Ecology Officer raised no objections to the proposed works subject to conditioning full compliance with the biodiversity recommendations as given in section 5 and appendix H of the submitted 'Ecology & Biodiversity Net Gain Assessment (BNGA) Report'. Furthermore, the consultee suggested that vegetation clearance on this site should be carried outside the bird breeding season of 1st March to 31st August inclusive. Also, an informative note should be supplied that if bats are found during demolition that all work to cease.
93. Overall, it is considered that the proposals comply with relevant provisions of the NPPF, which further seeks net gains for biodiversity, Policy CS30 which seeks to promote green infrastructure and Policy CS35 which seeks to promote the Borough's biodiversity and geodiversity interests.

Biodiversity Net Gain (BNG)

94. The Biodiversity Net Gain (BNG) requirement in England became effective on 12 February 2024, compelling all planning permissions to positively impact biodiversity. The BNG requirement means that, for all planning applications made after 12 February 2024, every planning permission will have a BNG Condition attached. This condition requires a Biodiversity Gain Plan to be submitted and approved by the Planning Authority prior to commencement of the development (Paragraph 13 Schedule 7A TCPA 1990). The biodiversity gain objective/condition is met if the development increases the biodiversity value of the site by at least 10%, relative to the pre-development value of the onsite habitat, this percentage subject to change by the Secretary of State.
95. However, exemptions apply to certain development. Those could be developments below a de minimis threshold and applies to development that does not impact a [priority habitat](#) and impacts less than 25 square metres (e.g. 5 metres by 5m metres) of non-priority onsite habitat (such as modified grassland) or 5 metres for non-priority onsite linear habitats (such as native hedgerows). This exemption is designed to ensure that BNG does not apply to either very small-scale development or development which does not impact habitat, through loss or degradation within the red line boundary.
96. Initially, a BNG consultee raised concerns due to a lack of a draft Habitat Management and Monitoring Plan. Such details were requested in order to determine whether or not the biodiversity gain condition can be discharged in accordance with the biodiversity gain hierarchy, and whether the proportion of onsite habitat proposed would be satisfactory.

97. As noted above, a 10% biodiversity net gain (BNG) is required as per the Environment Act 2021. An ecological impact assessment and Biodiversity Metric has been submitted with the application. The metric demonstrates that -16.86% BNG will be achieved (a net loss on site). However, the applicant intends to make up through the purchase of offsite biodiversity units and such approach is not objected by the BNG consultee as it is considered to be in line with the BNG hierarchy because they have demonstrated that they are retaining as much on site habitat as possible, including the existing trees and providing replacement habitat where possible.
98. The consulted BNG Officer also confirmed that the baseline habitats recorded in the revised metric received are considered to be acceptable. The proposed habitats and trees shown on the revised Landscape Plan (2381/1I) are acceptable and achievable for this site. The Council's Tree Officer has considered tree protection details and confirmed that he is satisfied that the trees indicated for retention would not be harmed by the development. The area of verge to the front of the site which is outside the application site red line must be protected. The BNG Officer noted if the habitat were to be impacted by the development, it would need to be included within the red line boundary.
99. A number of the proposed habitat parcels represent 'significant' biodiversity gain habitats, and therefore a detailed Habitat Management and Monitoring Plan (HMMP) is required when discharging the statutory condition. A HMMP condition has also therefore been added. The applicant also agreed on the offsite units requirement prior to purchase to reduce delays post decision. The correct number of units will need to be purchased prior to submitting the Biodiversity Gain Plan in order to discharge the statutory condition. BNG monitoring fees of £3,748.00 are suggested to cover the costs of the council checking the monitoring reports which the applicant is required to submit over the statutory 30 year period, and this will be secured by Section 106 Agreement. Additionally, the management and maintenance of communal areas is proposed to be secured by Section 106 Agreement.
100. Finally, suitable conditions to secure protection of retained trees within the site and protection of habitat and trees outside the site, as well as the informative advising the applicant about the statutory condition are required. Subject to an appropriately worded conditions, the submitted metric has been completed correctly and that the development would be capable of achieving the mandatory 10% net gain onsite.

Drainage

101. The application site qualifies as major development and therefore requires the involvement of the Lead Local Flood Authority (LLFA) as a technical consultee. All (major) development proposals have to be supported by a (conceptual) strategy of surface water management in accordance with the National Planning Policy Framework (NPPF), which demonstrates both that the proposed development and any adjoining property or infrastructure are not to be placed at risk, or to suffer from any worsening. The site sits at the top of the cliff within Flood Risk Zone 1, where low risk of flood exists. The land is previously developed with a drainage system connected to the sewer network. The clifftop location prohibits the use of a simple into-the-ground drainage-system on stability grounds.
102. The consulted LLFA raised no objection to agreed drainage details subject to conditioning full compliance with details and recommendations set with the agreed Surface Water Drainage Strategy and Flood Risk Assessment Report.

Waste and Recycling

103. A waste management officer reviewed the proposed works and raised no objections. For a development of 22 x flats provision should be made for 5 x 1100L recycling bins and 3 x 1100L refuse bins. The proposed dwelling would utilise a 240 litre capacity bin for recycling, 180 litre capacity bin for refuse and a 23 litre capacity bin for food waste. Residents may also subscribe for the garden waste collection service, via a 240 litre wheeled bin. The bin stores for flats were a suitable size to accommodate the number of containers required. Also, the bin store for flats is within 10 metres of the public highway to facilitate collections. The collection vehicle would not enter the development in order to service the bins of the dwellings. Residents should present their bins at Rotherfield Road and return them to their property boundaries once they have been emptied. The plans are suitable from a Waste Collection Authority perspective.

Heathland Mitigation

104. 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 dwelling(s) resulting in increased population and domestic animals should be undertaken with regard to the requirements of the Habitat Regulations 1994. It is considered that an appropriate assessment could not clearly demonstrate that there would not be an adverse effect on the integrity of the sites, particularly its effect upon bird and reptile habitats within the SSSI.
105. Therefore, as of 17th January 2007 all applications received for additional residential accommodation within the borough is subject to a financial contribution towards mitigation measures towards the designated sites. A capital contribution is therefore required and in this instance is ££3,990, plus a £199.50 administration fee as per April 2024 rates. A legal agreement has been processed by the Council at the time of writing this report although needs to be finalised prior issuing a final decision.

New Forest SAMM

106. The site lies within the 13.8km zone of influence of the New Forest National Park. Natural England have formally advised BCP that in the light of the significant evidence relating to recreational pressure on the New Forest designated sites, all new residential development within the zone of influence of the New Forest SAC, New Forest SPA and New Forest Ramsar will be required to secure appropriate mitigation. Such appropriate mitigation must enable the conclusion that development coming forwards will not lead to an adverse impact on the Integrity of the New Forest Designated sites.
107. The zone of influence defines where additional housing growth would trigger likely significant effects on the New Forest SAC/SPA/Ramsar from recreation and as such where mitigation would be required. In this instance, the application site is located within the zone of influence. As such, mitigation is required.
108. The contribution required for this site in this instance is £3300, plus a £165 administration fee (£300 per dwelling unit, including flats plus 5% admin fee). The required mitigation will be secured through a legal agreement to overcome that issue and make it acceptable.

Affordable Housing

109. All applications proposing residential development in excess of 10 units net will be subject to the Council's adopted affordable housing policy. The affordable housing DPD sets out an approach to achieving contributions towards the delivery of affordable housing in Bournemouth. Policy AH1 contained within DPD requires all residential development to contribute towards meeting the target of 40% affordable housing. When considering residential development, the Council will seek a 40% contribution except where it is proven to not be financially viable. The DPD was revised in November 2011 and sets out in greater detail how the DPD will be implemented as well as including an indicative contribution table which applicants can agree to rather than submit viability information.
110. In this case the applicant has agreed to pay the 40% policy compliant affordable housing contribution. The contribution consists of the following:
- 40% Policy compliant contribution for those 22 units (£13,867 per unit) would be **£305,074**, plus **£53,250** for the detached house.
111. The applicant has agreed to pay such amount to cover affordable housing associated with this site. The affordable housing contribution figures will be included into a final S106 agreement. This is a significant benefit of the proposed development.

Community Infrastructure Levy

112. The development proposal is liable to a community infrastructure levy charge.

Planning Balance / Conclusion

113. As outlined above, the public benefit of extra 11 residential units into the area (23 in total) where a sufficient housing supply provision cannot be demonstrated, is considered to outweigh the visual perception of the 6 storey development against buildings with fewer storeys within vicinity. Given the shortfall of the number of homes delivered in the Local Plan area, 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 approach forms a material consideration in this case.
114. The proposal would make efficient use of a brownfield site and provide 11 additional dwellings in a highly sustainable location in terms of public transport, local amenities including shops and a short distance to seafront. This has significant weight in terms of the substantial social and economic benefits of 11 additional dwellings, during both construction and in the future.
115. A positive aspect of the proposal is that all flats would benefit from balconies and outdoor patio/garden areas. They are also of good size and exceed the Nationally Described Space Standards. Also, a proposed dwellinghouse is of a generous size and blend in well within its

immediate setting. A contribution is proposed towards affordable housing, which represents a further benefit.

116. The proposal therefore delivers a form of sustainable development in accordance with the development plan, when a balanced judgement is made. The proposed scheme is considered to represent on balance a good quality design that would enhance the character of the locality. 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

Conditional Permission

RECOMMENDATION I - That delegated authority be granted to the Head of Planning Operations to Grant Conditional Permission subject to:

- a) satisfactory completion of a Legal Agreement necessary to secure the mitigation of the impact of the proposed residential development on Dorset Heathlands and New Forest SAMMS by securing the payment of financial contributions and conditions (below)

RECOMMENDATION II - That delegated authority be granted to the Head of Planning Operations to add/amend conditions where necessary.

RECOMMENDATION III - That delegated authority be granted to the Head of Planning Operations to refuse planning permission if a Legal Agreement has not been satisfactorily completed within three months of the date of this resolution.

Section 106 terms

- Financial contribution of £3,990 plus a £199.50 administration fee towards Heathlands Mitigation; as well as a viability review.
- Financial contribution of £3300, plus a £165 administration fee towards the mitigation of the adverse effects arising from the development on the New Forest SAC, New Forest SPA and New Forest Ramsar site.
- As the development would include habitats that are considered 'significant' biodiversity gains, an HMMP will be required when discharging the statutory condition and therefore the HMMP condition should be added.
- BNG monitoring fees of £3,748.00 to cover the costs of the council checking the monitoring reports which the applicant is required to submit over the statutory 30 year period must be secured by Section 106 Agreement.

- The management and maintenance of communal areas must be secured by Section 106 Agreement.
- Affordable Housing contribution of **£358,324** plus £200 administration fee.

Conditions

1. Standard conditions

a) Before any development is commenced details of “reserved matters” (that is any matters in respect of which details have not been given in the application and which concern the landscaping of the site shall be submitted to the Local Planning Authority for their subsequent approval.

Reason: This condition is required to be imposed by the provisions of Article 3 (1) of the Town and Country Planning (General Development Procedure) Order 1995.

b) Application for approval of landscaping must be made 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 92 of the Town and Country Planning Act 1990.

c) The development to which this permission relates must be begun not later than whichever is the later of the following dates:-

- i) the expiration of three years from the date of grant of outline planning permission, or
- ii) ii) 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.

; and to the following condition(s):

2. Approved Plans

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

- Proposed House Floor Plans And Elevations, drawing number 9753/208 rev. B;
- Existing Floor Plans drawing number 9753/210 rev. A
- Existing Elevations drawing number 9753/211;
- Proposed Bin and Cycle Stores and Stairwell drawing number 9753/207 rev. D;
- Site Block And Location Plans drawing number 9753/200 rev. I;
- Basement and Ground Floor Plans drawing number 9753/201 rev. F;
- Proposed First and Second Floor Plans drawing number 9753/202 rev. F;
- Proposed Third and Fourth Floor Plans drawing number 9753/203 rev. E;

- Proposed Fifth Floor and Roof Plans drawing number 9753/204 rev. D;
- Proposed Front (South) and Side (East) Elevations drawing number 9753/205 rev. F;
- Proposed Rear (North) and Side (West) Elevations drawing number 9753/206 rev. G;
- Proposed Street Scene drawing number 9753/209 rev. G;
- Indicative Drainage Plan 9753/212 rev. C;
- Drainage Strategy Overall Layout 24058-GAP-XX-XX-DR-C-9000 rev. P07;
- Drainage Strategy Ground Floor Layout 24058-GAP-XX-XX-DR-C-9001 rev. P07;
- Drainage Strategy Basement Layout 24058-GAP-XX-XX-DR-C-9002 rev. P07;
- Drainage Areas Pre-Development 24058-GAP-XX-XX-DR-C-9010 rev. P01;
- Drainage Areas Post-Development 24058-GAP-XX-XX-DR-C-9011 rev. 01;
- Drained Areas Post Development 24058-GAP-XX-XX-DR-C-9011 rev. P02;
- DS/9272424/AC Tree Survey and Arboricultural Method Statement;
- Tree Protection Plan & Arboricultural Method Statement DS/92724/AC;
- Landscape Comparison Study drawing number 9753/213;
- Landscape Proposals 2381/11.

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

3. The demolition of the existing structure(s)

Before the demolition of existing structures on the site is undertaken, a 'demolition statement' and related temporary works design detailing the proposed demolition method, shall be submitted to the planning authority and approved in writing prior to commencement.

Reason: To ensure compliance with the requirements of Construction (Design and Management) Regulations 2015 (CDM 2015) and to allow consideration of the suitability of the demolition method being proposed for the structure, to review potential risks due to the sites location within an urban area and being close to a main road i.e. Boscombe Overcliff Drive.

4. Construction Management Plan – Major Developments

No development shall take place, including any demolition works, until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:

- A construction programme including phasing of works;
- 24-hour emergency contact number;
- Hours of operation;
- Expected number and type of vehicles accessing the site;
- Deliveries, waste, cranes, equipment, plant, works, visitors;
- Size of construction vehicles;
- The use of a consolidation operation or scheme for the delivery of materials and goods;
- Phasing of works;
- Means by which a reduction in the number of movements and parking on nearby streets can be achieved (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Programming;
- Waste management;
- Construction methodology;

- Shared deliveries;
- Car sharing;
- Travel planning;
- Local workforce;
- Parking facilities for staff and visitors;
- On-site facilities;
- A scheme to encourage the use of public transport and cycling;
- Routes for construction traffic, avoiding weight and size restrictions to reduce unsuitable traffic on residential roads;
- Locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within or near the site;
- Locations for storage of plant/waste/construction materials;
- Arrangements for the turning of vehicles, to be within the site unless completely unavoidable;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Swept paths showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available
- Any necessary temporary traffic management measures;
- Measures to protect vulnerable road users (cyclists and pedestrians);
- Arrangements for temporary facilities for any bus stops or routes;
- Method of preventing mud being carried onto the highway;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development

5. Ground Levels

Prior to the commencement of any below ground development, a plan indicating the finished site levels above Ordnance Datum of the building, 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).

6. Significant LEMP condition

No part of the development hereby permitted shall be commenced unless a Landscape and Ecology Management Plan ("LEMP") has first been submitted to and approved in writing by the local planning authority. The LEMP shall accord with the Biodiversity Gain Plan approved for the purposes of the development and the approved HMMP required in accordance with the conditions forming part of this permission ("the agreed HMMP"). The LEMP shall in particular include:

- (a) details of all ecological matters (including species enhancements) and landscaping associated with the development not otherwise identified in the agreed HMMP including identification of what is to be retained as well as all proposed creation and enhancement;

- (b) details of all proposed works relating to such ecological matters and landscaping together with any relating to on-site habitat not otherwise identified in the agreed HMMP including any proposed hard landscaping and all boundary treatments;
- (c) a timetable for the provision of all such ecological matters, landscaping and works; and
- (d) details and arrangements as to future on-going retention, management and maintenance of all such ecological matters, landscaping and works including provision for the replacement of any plant or tree found damaged, removed, dead or dying.

The approved LEMP shall at all times be accorded with and the identified ecological matters, landscaping and works at all times retained, managed and maintained in accordance with the approved LEMP.

Reason: to ensure there is adequate protection for the existing habitats and provide suitable external amenity space for future occupiers and to ensure 10% Biodiversity Net Gain can be provided in accordance with the Biodiversity Gain Hierarchy as per paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 and the Environment Act 2021.

7. Habitat Management and Monitoring Plan condition

- (a) No part of the development hereby permitted shall be commenced unless a Habitat Management and Monitoring Plan ("HMMP") has first been submitted to and approved in writing by the local planning authority.
- (b) The HMMP shall accord with the Biodiversity Gain Plan approved for the purposes of the development hereby permitted.
- (c) The HMMP shall in particular include:
 - (A) a background section; including:
 - (i) a high level summary of all relevant matters identified in the HMMP;
 - (ii) details of the person(s) who have written the HMMP and who will be responsible for delivery and maintenance of all Habitat Provision; and
 - (iii) the metric used for the purposes of the HMMP; and
 - (B) a section setting out all planned habitat activities, including:
 - (i) overarching aims and objectives;
 - (ii) design principles informed by all relevant baseline information;
 - (iii) full details of the Habitat Provision;
 - (iv) a Condition Target for each habitat forming part of the Habitat Provision together with targets required to meet every Condition Target including timelines against which progress against those targets can be assessed;
 - (v) details of all protective, management and maintenance measures in relation to the Habitat Provision to cover a period of at least thirty years from the Completion of Development; and
 - (vi) details of any identifiable risk relating to the Habitat Provision and also the meeting of any Condition Target together with initial identified remedial measures relating to any such risk; and
 - (C) a monitoring schedule section including:
 - (i) a monitoring strategy;
 - (ii) details of monitoring methods to be used for a Monitoring Report together with intervals for the provision of every Monitoring Report to the local planning authority; and

- (iii) details of how Adaptive Management will be incorporated into meeting every Condition Target; and
- (D) plans and details reasonably necessary for each section.
- (d) No part of the development shall be occupied unless the local planning authority has approved in writing the Completion of Development Report.
- (e) The approved HMMP shall at all times be accorded with. If at any time it is identified that any Condition Target specified in the approved HMMP may not be, or is no longer being, met then Adaptive Management shall be implemented without unreasonable delay sufficient to ensure that the Condition Target will be met or continues to be met (as the case may be) in accordance with the approved HMMP.
- (f) Whenever a Monitoring Report is submitted to the local planning authority in accordance with the approved HMMP, in addition to any other information, it shall in particular include:
 - (i) a progress summary;
 - (ii) details of the person(s) responsible for compiling the information in the monitoring report;
 - (iii) details identifying the success or failure of the Habitat Provision both generally and in particular as against every relevant Condition Target;
 - (iv) progress toward every Condition Target including any identified barrier(s) to such progress;
 - (v) any Adaptive Management required to ensure that the Habitat Provision is on track to meet each Condition Target and continues to meet every Condition Target once achieved;
 - (vi) a register of activity; and
 - (vii) any identified need to vary the approved HMMP together with relevant explanation.

For the purposes of this condition:

“Adaptive Management” means procedure(s) whether originally identified in the approved HMMP, a Monitoring Report or otherwise including a timetable for delivery to ensure that the Condition Target(s) are achieved and thereafter maintained.

“Condition Target” mean the minimum acceptable targeted level of habitat condition in relation to each habitat type situated on the application site including a time by when that habitat condition will be reached where it is not already being met;

“Completion of Development” means the date on which the local planning authority issue an approval of the Completion of Development Report;

“Completion of Development Report” means a written report submitted to the local planning authority for the purposes of this condition identifying the date on which the development hereby permitted has been completed together with evidence of such completion and also of compliance with all targets applicable on or before that date identified in the approved HMMP;

“Habitat Provision” means all habitat situated on the application site to which this permission relates to be retained, created and enhanced

“Monitoring Report” means a report containing monitoring and survey information to be submitted to the local planning authority in relation to the Habitat Provision including person(s) responsible for undertaking all such monitoring and surveys and submission of the report to the local planning authority.

Reason: to ensure there is adequate protection for the existing habitats and to ensure 10% Biodiversity Net Gain can be provided in accordance with the Biodiversity Gain Hierarchy as per paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 and the Environment Act 2021.

8. Management of surface water

No development (including demolition) shall take place until detailed proposals for the management of surface water (including the provision of final and substantiated drainage designs), which strictly accord with the approved flood risk assessment and drainage strategy ("Surface Water Drainage Strategy and Flood Risk Assessment Report," Godsell Arnold Partnership Ltd, Revision F, 17/06/25 ref 24058-GAP-ZZ-ZZ-RP-C 9000_F, including Drainage Overall Layout Drawing 24058-GAP-XXX-XX-DR-C 9000 P07 17/06/25), have been submitted to and approved in writing by the local planning authority. The surface water scheme must be completed in accordance with the approved details and fully functional, prior to occupation of the development.

Reason: To prevent the increased risk of flooding and to protect available receiving systems.

9. Surface Water Management scheme

Prior to the first occupation of the development, a scheme for the maintenance and management of the Surface Water Management scheme required via condition 8 shall be submitted to and approved in writing by the local planning authority. The scheme shall thereafter be managed and maintained in accordance with the approved details. These should include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

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

10. The ground investigation

Prior to the commencement of development, a site-specific ground investigation following the recommendations of BS EN 1997- 2: 2004 Eurocode 7 shall be undertaken, which is to include appropriate testing, factual and interpretative reporting. A Ground Investigation Interpretative Report (GIR) is required to provide an appropriate ground model and information on material parameters for detailed design of the structure(s). The report shall be submitted to the Local Planning Authority for approval in writing prior to commencement of development and development carried out in accordance with the approved details.

Reason: To safeguard the health, well-being and amenities of users of the site and the locality and avoid the migration of contaminants in general.

11. The basement structure and sea cliff stability

The Ground Investigation Interpretative Report (GIR) shall inform the production of a Geotechnical Design Report (GDR) which shall be prepared in accordance with BS EN 1997-1: 2004 Eurocode 7 and the UK national annex, relevant standards and codes of practice, shall consider all the geotechnical issues of the site, and shall be submitted for the

written approval of the Local Planning Authority prior to the commencement of development on site.

The GDR shall include (but not necessarily be limited to) consideration of both the temporary and permanent works, global stability; the potential for induced ground movement during construction (due to excavation/ lateral displacement/ wall relaxation) the potential impacts of dewatering if undertaken, and how ground movements shall be maintained within tolerable limits.

The GDR shall provide a 'basement impact assessment' to demonstrate that the temporary and permanent works will not adversely impact on adjacent services and structures. Furthermore the report shall demonstrate that the global stability of the Sea Cliff is not adversely impacted by the proposed development.

The GDR shall provide a supervision and monitoring plan, the assumed construction methodology; the sequence of development/ construction; details of backfilling and reprofiling where required, as well as the provision of a geotechnical risk register and supporting calculations. Once agreed, the recommendations of the report shall be implemented in full.

Reason: To ensure that the structural stability of the site is maintained, to minimise the risk of instability to the adjacent structures, services, and Sea Cliff.

12. Contaminated Land Remediation (Watching Brief)

If the presence of any previously unencountered below ground contamination that becomes evident during the development of the Site shall be reported to BCP in writing within one (1) week, and work on the affected area shall cease with immediate effect. At this stage, if requested by the Local Planning Authority, an investigation and risk assessment shall be undertaken, and an amended remediation scheme shall be submitted to and approved by the LPA prior to re-commencement works in the affected area. The approved details shall be implemented as approved. Following completion of the above remediation works a Verification Report must be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved.

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

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).

13. Samples of materials

Notwithstanding the annotations on the approved plans, no development above damp roof course level shall take place until details/samples of the materials to be used on the external surfaces of the proposed development including the bricks, glazing, walls, balconies, roof areas, balcony railings including any colour finish and texture have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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. Compliance with the submitted arboricultural method statement and tree protection plan

The Arboricultural Impact Assessment & Method Statement ref. DS/92724/AC prepared by Treecall Consulting Ltd and dated 17 June 2025, as well as the submitted Tree Protection Plan & Arboricultural Method Statement drawing number DS/92724/AC dated 17 June 2025, shall be implemented in full, including the tree protection measures and compliance with the required arboricultural supervision, and shall be undertaken 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).

15. Noise

No development shall take place until a detailed acoustic report on the existing noise climate at the development site 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. 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 on Boscombe Overcliff Drive.

The report shall have been undertaken by suitably qualified acoustic consultant/engineer, 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
- Outdoor living area in day time: 55 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 LAm_{ax})

The noise assessment 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 retained thereafter.

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

16. Crime prevention scheme

The details of a Crime Prevention Scheme to be implemented within the development shall be submitted to and approved in writing by the Local Planning Authority in conjunction with Dorset Police. The approved scheme shall be implemented prior to the occupation of the development hereby approved and permanently retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of Crime Prevention.

17. Climate Change Mitigation

Prior to the first occupation of the development, full details of any sustainability mitigations for the site, including rooftop areas shall be submitted to the Local Planning Authority in writing for approval. Details shall set out how the development will achieve the Core Strategy Policy CS2 requirement that at least 10% of the energy to be used in development will 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 and/or planting shall then be installed in accordance with the approved details before the first occupation of any of the dwellings hereby approved.

See informative note on climate change mitigation

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).

18. Off-Site Works a Pre-Requisite of Development – Footway Crossing

Before the development is occupied or utilised, a scheme for the provision of pedestrian visibility splays across the highway verge and the exact position for the relocation of the bench currently fronting the site, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the construction specification and surface treatment of the splay areas and shall comply with the standards adopted by the Local Highway Authority. The agreed scheme shall then be implemented prior to first residential occupation of any of the residential units hereby approved and no obstruction to visibility over 0.6m in height above ground level shall be erected within the area of the splays at any time.

Reason: To ensure the proper and appropriate development of the site and to ensure that highway safety is not adversely impacted upon.

19. Vehicular Access, Parking & Turning

Before the development is occupied or utilised, the proposed access, including the provision of a gradient no steeper than 1 in 12 for the first 5m, and the parking and turning areas, shall be constructed and arranged in accordance with approved plans and permanently retained and kept available for their intended purpose, at all times.

Reason: To ensure the proper and appropriate development of the site and to ensure that highway safety is not adversely impacted upon.

20. Cycle Parking

Before the development is occupied or utilised the cycle parking facilities and associated access arrangements shown on the hereby approved plans must have been constructed. Thereafter, these facilities must be maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper construction of the parking facilities and to encourage the use of sustainable transport modes.

21. Servicing and Waste Management Plan

Prior to the first occupation of the development a Servicing Management Plan, incorporating a Waste Management Plan (CWMP) shall be submitted to the Local Planning Authority for approval in writing. The plan shall include

- 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, including a weekly timetable with hours;
- details of procedures waste collection operatives will adhere to when faced with cyclists seeking to use the basement cycle store via the lift; and
- drawings showing the provision of 2m wide clearance across proposed footways immediately adjacent to the approved lift door opening serving the basement bin stores; and
- No bins or waste shall be 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.

No installation or 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 any approved dropped kerbing, path widening and demarcation has also been fully implemented on site in accordance with the approved details. The approved details within sections (a), (b), (c) and (d) shall remain in situ and complied with at all times while the building is occupied by any residents.

Reason: To ensure that the business meets its duty under Environmental Protection Act 1990 (section34) 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

22. Biodiversity Enhancement Mitigation

Prior to the first occupation of any part of the development hereby permitted all biodiversity enhancement recommendations as given in section 5 and appendix H of 'Ecology & Biodiversity Net Gain Assessment (BNGA) Report' by ABR Ecology Ltd shall be implemented in full.

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 (2024)

23. Bird nesting months

All work to trees and/or hedgerows on the site shall be carried out outside of the bird nesting season which runs from 1st March to 31st August inclusive, unless it can be sufficiently checked by an ecologist to show that nesting birds are not present.

Reason: To safeguard the active nests of all wild birds which in England are protected under the Wildlife & Countryside Act 1981

24. Obscure Glazing (windows)

Prior to the first occupation of any of the dwellings hereby approved:

a) The lower portions of all habitable windows in the eastern elevation facing the flank of no.69 Boscombe Overcliff Drive, serving flats nos. 4, 8, 16 and 20, as well as the en-suite within no.22; and shown on approved floor plans (9753/201 rev. F, 9753/202 rev. F, 9753/203 rev. E, 9753/204 rev. D) and elevation drawing (9753/205 rev. F) shall be fitted with obscure glazing to a point at least 1.6m above finished floor level within each unit; to Pilkington Level 3 obscuration or above (or the nearest equivalent standard) and shall be permanently retained as such.

b) The lower portions of the bedroom windows in the northern elevation facing rear, and lighting flat nos. 1, 2, 3 and 4; and shown on approved floor plan (9753/201 rev. F) and elevation plan (9753/206 rev. F) shall be fitted with obscure glazing to a point at least 1.3m above finished floor level within each unit; to Pilkington Level 3 obscuration or above (or the nearest equivalent standard) and shall be permanently retained as such.

Reason: To protect the amenity and privacy of adjoining properties and in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

25. Obscure Glazing (balconies)

Prior commencement of the proposed works, full details of 1.8 metre high balcony privacy screens fitted to the eastern and western sides up to the curved end edges of the building frontage to flat nos. 5, 8 9, 12, 13, 16. 17, 20, 21 and 22, facing nos.63 and 69-71 Boscombe Overcliff Drive as shown on the approved floor plans (9753/202 rev. F, 9753/203 rev. E, 9753/204 rev. D) and elevations plans (9753/205 rev. F and 9753/206 rev. F) proving at least Pilkington Level 3 obscuration (or the nearest equivalent standard) shall be provided to and agreed in writing with the Local Planning Authority. The agreed details shall be permanently retained as such.

Reason: To protect the amenity and privacy of adjoining properties and in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

26. Lighting (Light Spill)

Before the development hereby approved is first occupied, the external lighting across the site must be installed and maintained with connections to a timer so that it is extinguished overnight between 23.00h and 06:00h daily. Any additional overnight security lighting provided to building entrances and pathways shall operate by PIR sensor and extinguish by timer after 5 minutes of no activity. 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, not be mounted above the internal ceiling height of first floor level and not face any neighbouring residential windows within or outside the site.

The approved lighting scheme shall installed and thereafter at all times retained and maintained in full working order.

Reason: In the interest of highway safety and neighbouring amenity and in accordance with Policies CS14 and CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

27. No permitted development rights for enlargements

Notwithstanding the provisions 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 enlargements of the dwelling(s) including alterations shall be constructed without the grant of further specific planning permission from the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain control over the development of the site in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

28. No permitted development rights for outbuildings

Notwithstanding the provisions of Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no outbuildings including garages shall be constructed within the curtilage of the dwelling hereby approved without the grant of further specific planning permission from the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain control over the development of the site in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

Informative Notes:

1. Informative note: Bats

If bats are found during demolition that all work to cease and if possible, part of structure that was removed and exposed bats put back into place. A bat ecologist employed to address situation and Natural England contacted.

2. Informative note: No Storage of Materials on Footway/Highway

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.

3. Informative note: Highway and Surface Water/Loose Material

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.

4. Informative note: Dropped kerb

The applicant is advised that notwithstanding this consent, Section 184 of the Highways Act 1980 requires the proper construction of vehicle crossings over kerbed footways, verges or other highway land. Normally this work will be undertaken at the expense of the applicant by the Highway Authority although on occasions there might be instances where the applicant under supervision can undertake this work. A Section 171 (Highways Act 1980) licence application form is available within the Roads and Transport section of the council's website (www.bcpccouncil.gov.uk).

5. Informative note: Car Parking Permit Schemes

The applicant should note and inform future residents that residents may be excluded from being able to purchase permits associated with existing or future parking permit schemes controlled by the Council in the area. This is to encourage the use of sustainable modes of travel amongst future residents in line with Council aims to promote sustainable travel.

6. Informative note: Streetworks

Prior to construction commencing on site, the applicant/site developer is strongly advised to contact the Streetworks Team on 01202 128369 or streetworks@bcpccouncil.gov.uk to discuss how the highway network in the vicinity of the site is to be safely and lawfully managed during construction. This team is responsible for managing the highway network and must be consulted prior to you commencing any work that you are undertaking that may impact on the operation of the public highway. They will also be able to advise on any Permits, Licences, Temporary Traffic Regulation Orders (TTROs), traffic signal or ITS changes and signing requirements, together with co-ordination of your work in relation to the planned work of other parties on the public highway. Some procedures, require significant lead in times and therefore early engagement is essential. Therefore, to avoid any delay in starting work it is strongly recommended that you make contact at least 3 months before you plan to commence work. Failure to do so may result in delay in starting work. If any permanent changes are required to Traffic Regulation Orders (TROs), please note that these can take a minimum of 9 months to process and this period should be considered when planning your project.

7. Informative note: Building Control

The assessment of this development proposal in respect of Building Control matters will be made during formal consultation, however early recommendations are identified on the attached schedules and relate to the following areas:

- Recommendations identified under B5 of Approved Document B relating to The Building Regulations 2010
- Recommendations to improve safety and reduce property loss in the event of fire.

8. Informative note: No burning

No burning of demolition/construction waste materials shall take place on site at any time.

9. Informative Note: BNG Approval Required

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition (“the biodiversity gain condition”) that development may not begin unless: (a) a Biodiversity Gain Plan has been submitted to the planning authority, and (b) the planning authority has approved the plan. The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Bournemouth, Christchurch and Poole Council. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed in paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed are considered to apply.

10. Informative note: Drainage proposals

Detailed drainage proposals may typically include:

1. Detailed drainage network layout
2. Manhole schedule
3. Construction details for drainage elements
4. Construction details for SUDS elements
5. Hydraulic modelling calculations
6. Exceedance flow routes (including proposed ground levels)

11. Informative note: Drainage maintenance and management

Drainage maintenance and management information may typically include:

1. Drainage ownership/responsibility layout
2. Maintenance schedules
3. Maintenance agreements
4. Adoption agreements
5. Schedules for replacement of drainage components (where design life is less than the lifetime of the proposed development)
6. Operation and maintenance manuals

12. Informative Note: Good acoustic design

A good acoustic design process should be followed in accordance with the ‘Professional Practice Guidance on Planning and Noise: New Residential Development’ (May 2017 or later versions) to ensure that the noise criteria are achieved with windows open. Any design

measures that are used to control the ingress of noise must be consistent and compatible with the requirements of Approved Documents O and F.

13. Informative Note: Waste Collection

The Council, under section 46 of the Environmental Protection Act 1990, can specify the type of bin provided for waste collections, where bins are to be placed for emptying, the emptying frequency, the items that may or may not be put into bins and the steps to be taken by occupiers to assist the collection of waste.

The EPA s46 (4e-g) state that collection arrangements (including the time when receptacles must be placed for collection and subsequently removed) can be set by the Council. With regard to these collection arrangements, the Council's website provides clear instructions of when and where bins need to be put out for collection and returned to your property

<https://www.bcpccouncil.gov.uk/Bins-waste-and-recycling/Bins/Household-rubbish-bin-collections.aspx>

Regarding bin placement on the highway, the Highways Act 1980 section 130 imposes a duty on the Highway's Authority to assert and protect the rights of the public to use and enjoy the highway. This general duty is reinforced by s.130 (3) which states that the Highway Authority have a duty to prevent, as far as possible, the obstruction of the highway.

The comments in this response relating to capacity, collections and site compliance apply to this application exclusively. Should any alterations be made to the final build that differ from the plans available at the date of this consultation, a further consultation will be necessary.

The WCA's views and refer them to the planning guidance document available here

<https://www.bcpccouncil.gov.uk/Planning-and-building-control/Planning-policy/Current-Local-Plans/Bournemouth/Docs/waste-and-recycling-services-planning-guidance.pdf>

Statement required by National Planning Policy Framework

In accordance with paragraph 39 of the 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,
- 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/agent was updated of any issues after the initial site visit, the applicant/ agent responded by submitting amended plans, which were found to be acceptable, and permission was granted.

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

Appropriate Assessment

Applicable to development in Bournemouth Local Plan area

Application Ref: 7-2024-3914-D

Address: Purbeck Court 65-67 Boscombe Overcliff Drive Bournemouth BH5 2EN

Site Proposal: Outline application with some matters reserved for demolition of the existing building of flats and garages and erection of a 6 storey building consisting of 17 x 2-bed flats and 5 x 3-bed flats with underground parking, swimming pool and gym spa complex, associated bin and cycle storage and the erection of a detached dwelling fronting Rotherfield Road with associated access and parking.



In accordance with the Conservation of Habitats and Species Regulations 2017 (“The Habitats Regulations”) and findings of *People Over Wind & Sweetman v Coillte Teoranta* (Case C-323/17), Bournemouth, Christchurch and Poole Council (BCP Council) as the competent authority has concluded that, in the absence of mitigation the above application will have a likely significant effect on the European wildlife sites identified below (including Ramsar sites where relevant), arising from identified impact pathways.

In accordance with the Habitats Regulations, this document provides an appropriate assessment, which includes checking and confirming that avoidance and mitigation measures can be secured to prevent adverse effects on the integrity of the European sites identified below. This project level appropriate assessment has been undertaken to check that the proposal provides the necessary measures to prevent adverse effects on site integrity in accordance with the following strategic mitigation schemes:

- Dorset Heathlands Planning Framework Supplementary Planning Document (SPD);
- Dorset Heathlands Interim Air Quality Strategy;
- New Forest National Park Revised Habitat Mitigation Scheme SPD (July 2020)
- Footprint Ecology - New Forest Strategic Access Management and Monitoring Strategy (2023)
- Footprint Ecology – Discussion and analysis relating to the New Forest SAC/SPA/Ramsar and a zone of influence for recreation. (2021)
- Footprint Ecology – Recreational use of the New Forest SAC/SPA/Ramsar: Impact of recreation and potential mitigation approaches. (2020).
- New Forest Planning Position Statement (2025)

These strategic mitigation schemes set out avoidance/mitigation measures that are supported by an extensive and tested evidence base which has been scrutinised at various levels from planning appeals, public consultation processes and Habitats Regulations Assessments prepared for local plans or projects.

The proposal is assessed against the likely significant effects as follows:

Designated site	Applicable plan area	Likely Significant Effect?	Adverse effects caused by:
• Dorset Heathlands SPA • Dorset Heathlands Ramsar • Dorset Heaths SAC • Dorset Heaths (Purbeck & Wareham) & Studland Dunes SAC	BCP (Bournemouth, Christchurch & Poole)¹	Yes	The proximity of urban development and its related effects including recreational pressures, arson, enrichment, etc. which arise from this development, requires measures to avoid and mitigate the effects. The impact of residential development on these sites and the suitability and robustness of avoidance and mitigation measures have already been considered as set out in the Dorset Heathlands Planning Framework 2020 - 2025 SPD, and the Dorset Heathlands Interim Air Quality Strategy - Phase 2 Interim Measures for 2020-2025, along with the underpinning evidence base and plan level HRA work.

¹ Area covered by latest local plan – B: Bournemouth Core Strategy (2012), C: Christchurch and East Dorset Local Plan (2014), P: Poole Local Plan (2018)

• New Forest SAC • New Forest SPA and Ramsar	BPC	Yes	The proximity of urban development and its related effects including recreational pressures, which arise from this development, requires measures to avoid and mitigate the effects. The impact of residential development on these sites and the suitability and robustness of avoidance and mitigation measures has already been considered as set out in the New Forest National Park Revised Habitat Mitigation Scheme SPD (July 2020). Footprint Ecology - New Forest Strategic Access Management and Monitoring Strategy (2023), New Forest Strategic Access Management and Monitoring Strategy (2023); and the draft New Forest Access Management & Monitoring (SAMM) Strategy and the underpinning evidence base and plan level HRA work.
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Having concluded that the application will have a likely significant effect in the absence of avoidance and mitigation measures on the above European wildlife sites, this document represents the Appropriate Assessment undertaken by BCP Council as Competent Authority in accordance with requirements under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Article 6 (3) of the Habitats Directive and having due regard to its duties under Section 40(1) of the NERC Act 2006 to the purpose of conserving biodiversity. Consideration of European wildlife sites is a matter of government policy set out in the National Planning Policy Framework.

Part 1: Compliance with strategic approaches

The starting point for this appropriate assessment is to check that the proposed development can be mitigated by compliance with the three strategic mitigation schemes set out above.

TABLE 1: Can the following strategic schemes mitigate the adverse effects of this planning application?

The proposed development provides the following contributions towards the strategic mitigation schemes listed above:

Impact: Addition 10 flats/ 1 house

Mitigation Strategy	Applicable plan area	Scheme	Specific Project	Cost per home	This application is mitigated by	
Dorset Heathlands Planning Framework	BCP	SAMM	SAMMs measures undertaken by the Council and the Urban Heaths Partnership	£527 per house/ £360 per flat	✓	A payment of £3,990 plus a £199.50 administration fee towards strategic access management, education and monitoring
		SANG/HIP	Two Riversmeet SANG and other HIPs projects	Based on specific mitigation project	✓	Mitigation projects paid for from the wider CIL pot.
Dorset Heathland Air Quality Strategy	BCP	Direct/ Indirect measures	Management of heathland, changing use of land, encouragement of modal shift / zero emission vehicles	Based on specific mitigation project	✓	Mitigation projects paid for from the wider CIL pot.
The New Forest Strategic Access and Management Plan (October 2023); the	BCP	SAMM	Access management within the designated sites; Alternative recreational greenspace sites and routes outside the designated sites; Education, awareness and promotion; Monitoring and research;	£300 per dwelling	✓	A payment of £3300, plus a £165 administration fee towards strategic access management, education and monitoring.

Mitigation Strategy	Applicable plan area	Scheme	Specific Project	Cost per home	This application is mitigated by	
draft New Forest Access Management & Monitoring (SMM) Strategy (October 2024)			In perpetuity mitigation and funding			

Does the development plan, applicant's evidence or the Council's advisors indicate that additional bespoke mitigation measures are necessary? **Yes**

If yes, complete Part 2. If no, go to Part 3.

Part 2: Bespoke Mitigation Requirements

Table 2 sets out particular issues and mitigation measures that are additional to those covered in Table 1 and are not therefore covered by strategic mitigation schemes. These issues were highlighted by the development plan, applicant's evidence or the Council's advisors.

TABLE 2: What bespoke measures mitigate the adverse effects of this planning application?

Issue	Proposed Mitigation measures

Have the proposed mitigation measures in Table 2 above been agreed with Natural England as providing effective mitigation and will be secured by legal agreement to enable a conclusion of no effect? **N/A**

Part 3: Conclusion

Based on the assessment undertaken in Table 1 and if relevant Table 2, the Council is able to assess the application against the designated sites as follows:

Designated site affected	Document setting out adverse effect and mitigation strategy	Compliance with mitigation requirements		Confirmation that applicant has avoided / mitigated adverse effects on integrity for all features secured through the payment of CIL/S111/S106 or by any other suitable means and where necessary legal measures, enabling adherence to the relevant mitigation strategy
		Table 1	Table 2	
Dorset Heathlands SPA, Dorset Heathlands Ramsar, Dorset Heaths SAC, Dorset Heaths (Purbeck & Wareham) & Studland Dunes SAC	Dorset Heathlands Planning Framework	✓	n/a	Yes Mitigation secured via S106 Agreement
New Forest SAC, New Forest SPA and New Forest Ramsar site	The draft New Forest Access Management & Monitoring (SAMM) Strategy	✓	n/a	Yes Mitigation secured via S106 Agreement

Conclusion

The Council as Competent Authority can therefore conclude that following appropriate assessment and with the necessary mitigation measures secured, there will be no adverse effect on the integrity of the designated sites identified above.

Signatures

Case officer signature *Piotr Kulik*

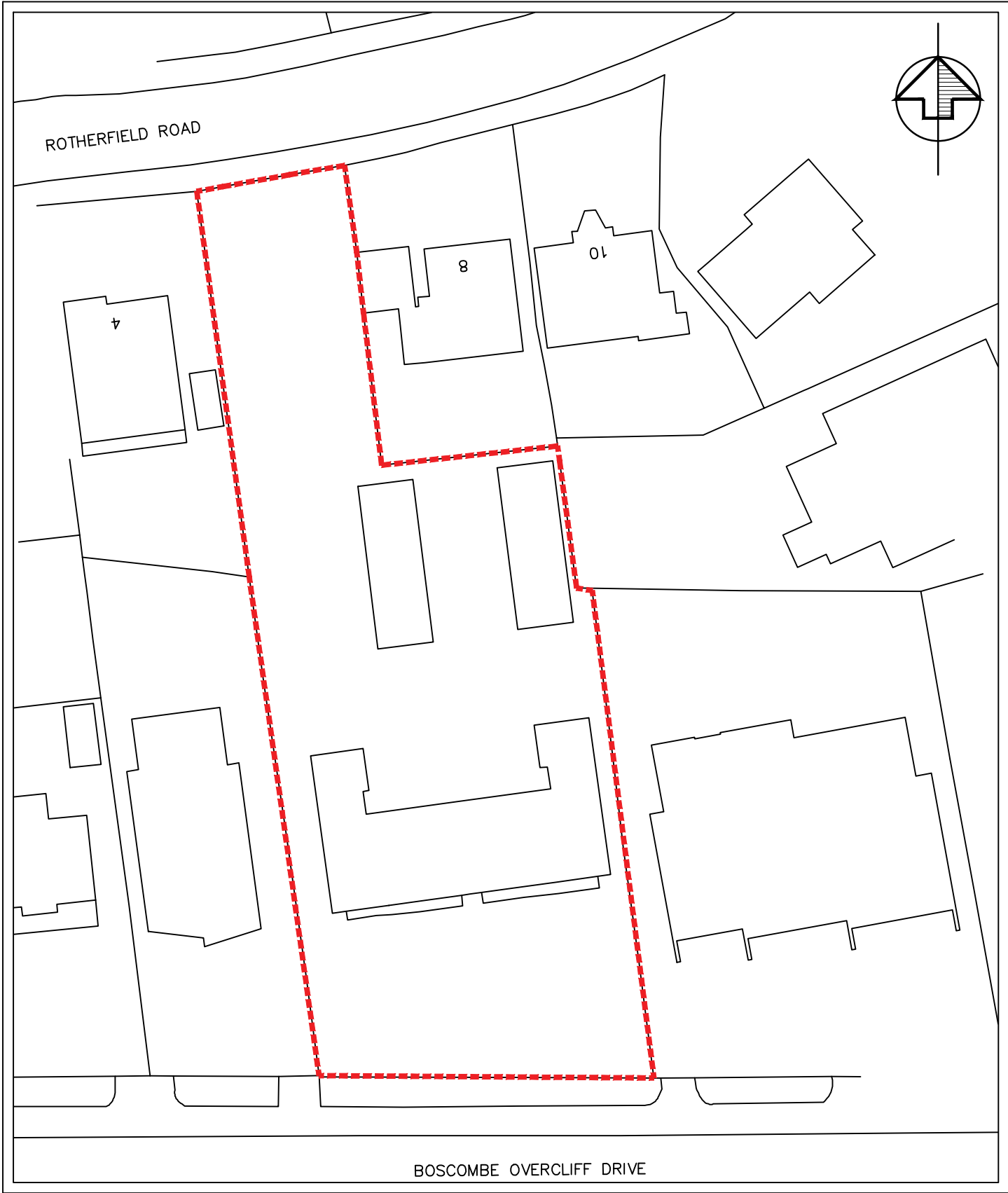
Date 05/11/2025

Sign off signature

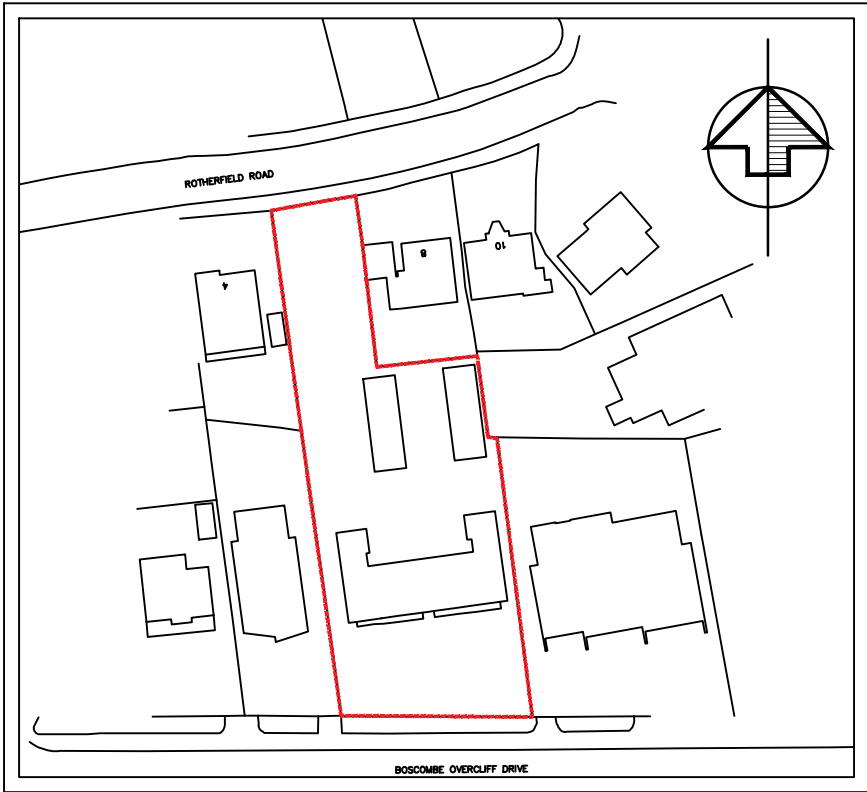
Date



SITE PLAN: BASED ON TOPOGRAPHICAL SURVEY INFORMATION
SCALE: 1:200



BLOCK PLAN: BASED ON ORDNANCE SURVEY EXTRACT
O.S LICENSE NO. - 100007080
SCALE 1:500



LOCATION PLAN: BASED ON ORDNANCE SURVEY EXTRACT
O.S LICENSE NO. - 100007080
SCALE 1:1250

SITE AREA: 0.219 HECTARES / 0.543 ACRES
46 X PARKING SPACES
54 X CYCLE SPACES
PROPOSED GIA - 5199 SQ.M / 55961 SQ.FT
EXISTING GIA - 937 SQ.M / 10085 SQ.FT

NOTES-PLANNING

rev-30-07-24

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FIRE: 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 9991 for fire & 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 do not have a copy of the latest version of the report please contact arc in writing immediately.
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Windows forming the overheating strategy with a change in floor level exceeding 600mm between inside and outside require 1.1m guarding (APD O diagram 3.1).

COMMERCIAL SPRINKLERS

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BASEMENT CAR PARKS OR STORAGE

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MATERIALS IN CLOSE PROXIMITY TO BOUNDARY

- SUITABLE MITIGATION MUST BE PROVIDED (E.G FIRE PROOF GLAZING etc.) FOLLOWING EXTENSIVE BOUNDARY AND NOTIONAL BOUNDARY PROXIMITY CALCULATIONS BEING UNDERTAKEN BY SPECIALIST

LEGEND

10m @ 1:100

	SITE BOUNDARY		OUTLINE OF APPROVED NEIGHBOURING SCHEME
	EXISTING BUILDING TO BE DEMOLISHED		OUTLINE OF BASEMENT
	EXISTING TREES TO BE REMOVED		EXISTING TREES TO BE RETAINED
	EXISTING GROUND LEVEL		INDICATIVE PLANTING
	PROPOSED GROUND LEVEL		2M X 2M VISIBILITY SPLAY
	PART 'R' CONNECTIVITY POINT		

I	Balconies reduced	17.12.24	AE
H	COMMENT REVISIONS	25.10.24	MC
G	Cycle store changes	12.09.24	TC
F	Planning consultant changes	15.07.24	TC
E	Planning consultant changes	27.06.24	TC
D	Bike store removed	15.03.24	TC
C	ARC checklist	06.03.24	TC
B	ARC checklist	16.02.24	TC
A	REVISED REAR UNIT SHOWN	30.01.24	JA

No.	Revision.	date	by
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PROPOSED DEVELOPMENT,
PURBECK COURT,
BOSCOMBE OVERCLIFF DRIVE,
BOURNEMOUTH,
DORSET,
BH5 2EN

SITE, BLOCK & LOCATION PLANS

scale	AS SHOWN @ A1	checked	CS / JTR
date	SEPTEMBER 2024	drawn	AE / TC
		A	B
		C	D
		E	F
		G	H
		I	

9753/200

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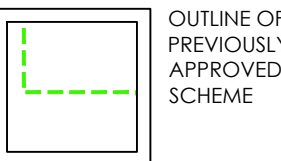
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LEGEND

10m @ 1:100



GROSS INTERNAL AREA			
FLOOR	SQM	SQFT	
BASEMENT FLOOR PLAN	1309	14094	
GROUND FLOOR PLAN	617	6644	

SCHEDULE OF ACCOMMODATION			
UNIT NO.	BEDS	SQM	SQFT
1	2	115	1238
2	2	139	1496
3	2	143	1539
4	2	88	955

F	Balconies reduced	17.12.24	AE
E	COMMENT REVISIONS	25.10.24	MC
D	Outlines of approved added	15.07.24	TC
C	Planning consultant changes	27.06.24	TC
B	ARC checklist	06.03.24	TC
A	ARC checklist	16.02.24	TC

No.	Revision.	date	by
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PROPOSED DEVELOPMENT,
PURBECK COURT,
BOSCOMBE OVERCLIFF DRIVE,
BOURNEMOUTH,
DORSET,
BH5 2EN

APARTMENT BLOCK -
FLOOR PLANS 1 OF 4

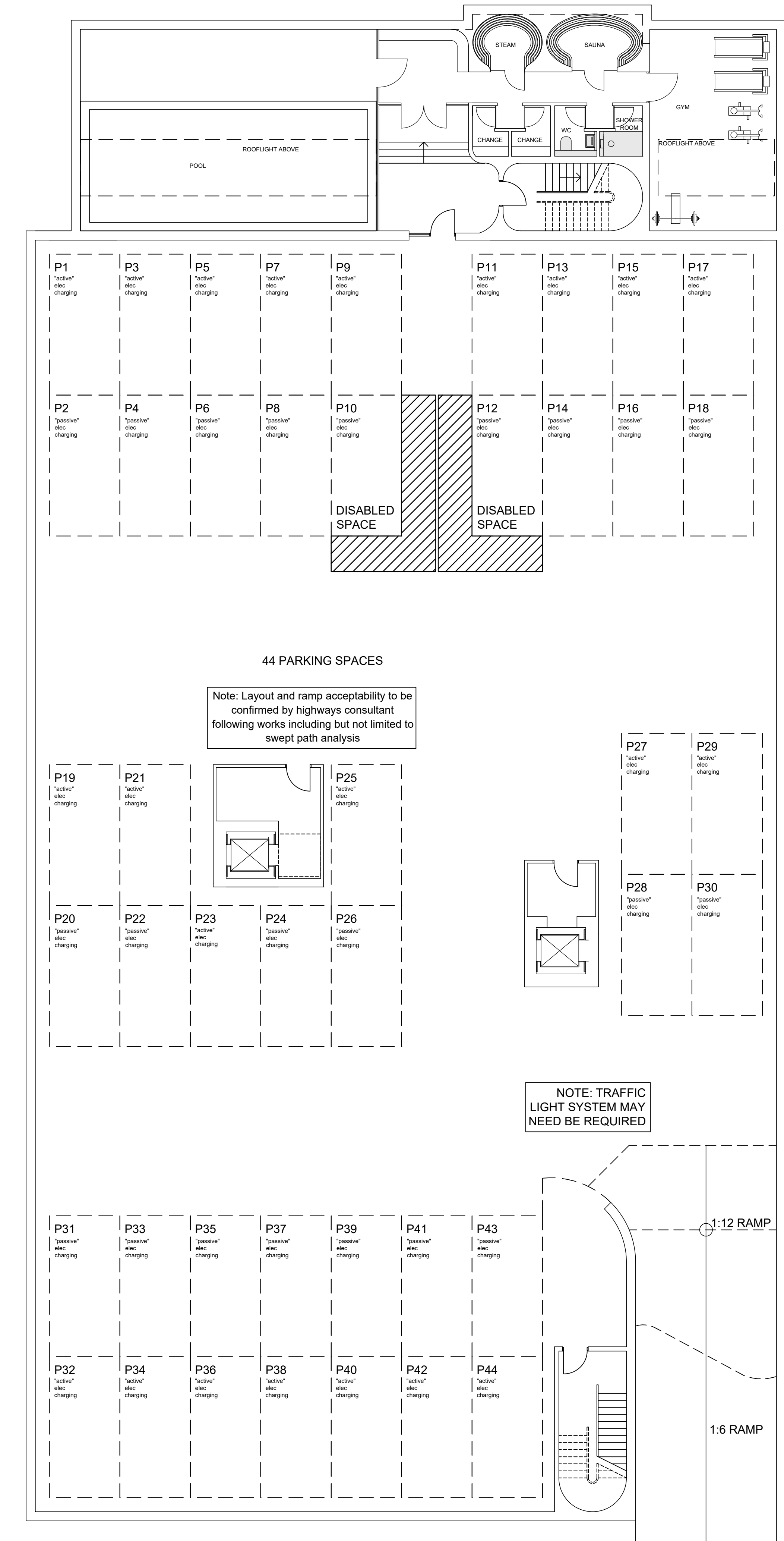
scale	AS SHOWN @ A1	checked	CS / JTR
date	JULY 2024	drawn	AE / TC

9753/201

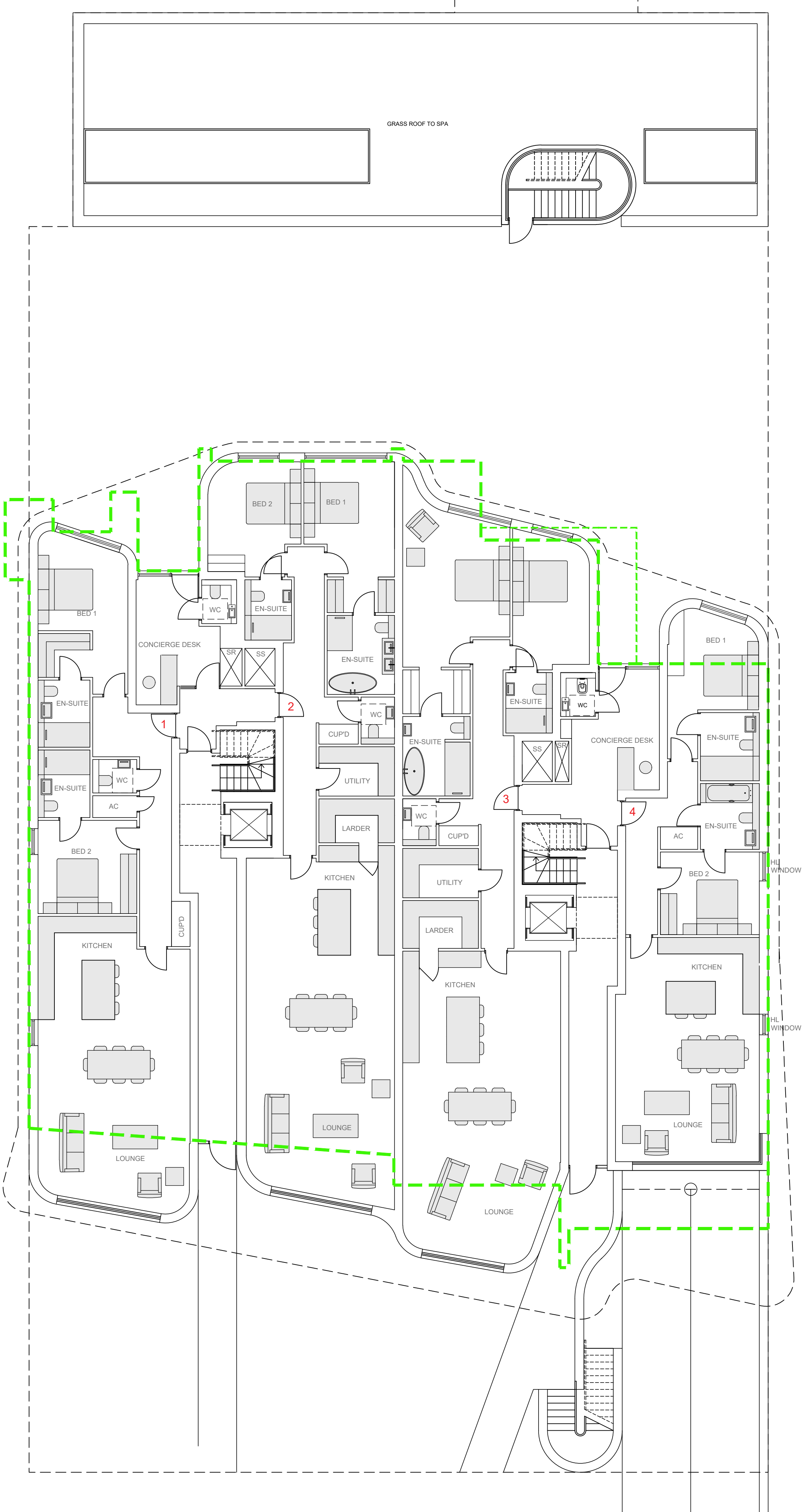
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Christchurch, Dorset, BH23 1EP

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E-mail: enquiries@andersrobertscheer.co.uk
Web: www.andersrobertscheer.co.uk



PROPOSED BASEMENT FLOOR PLAN:
SCALE: 1:100

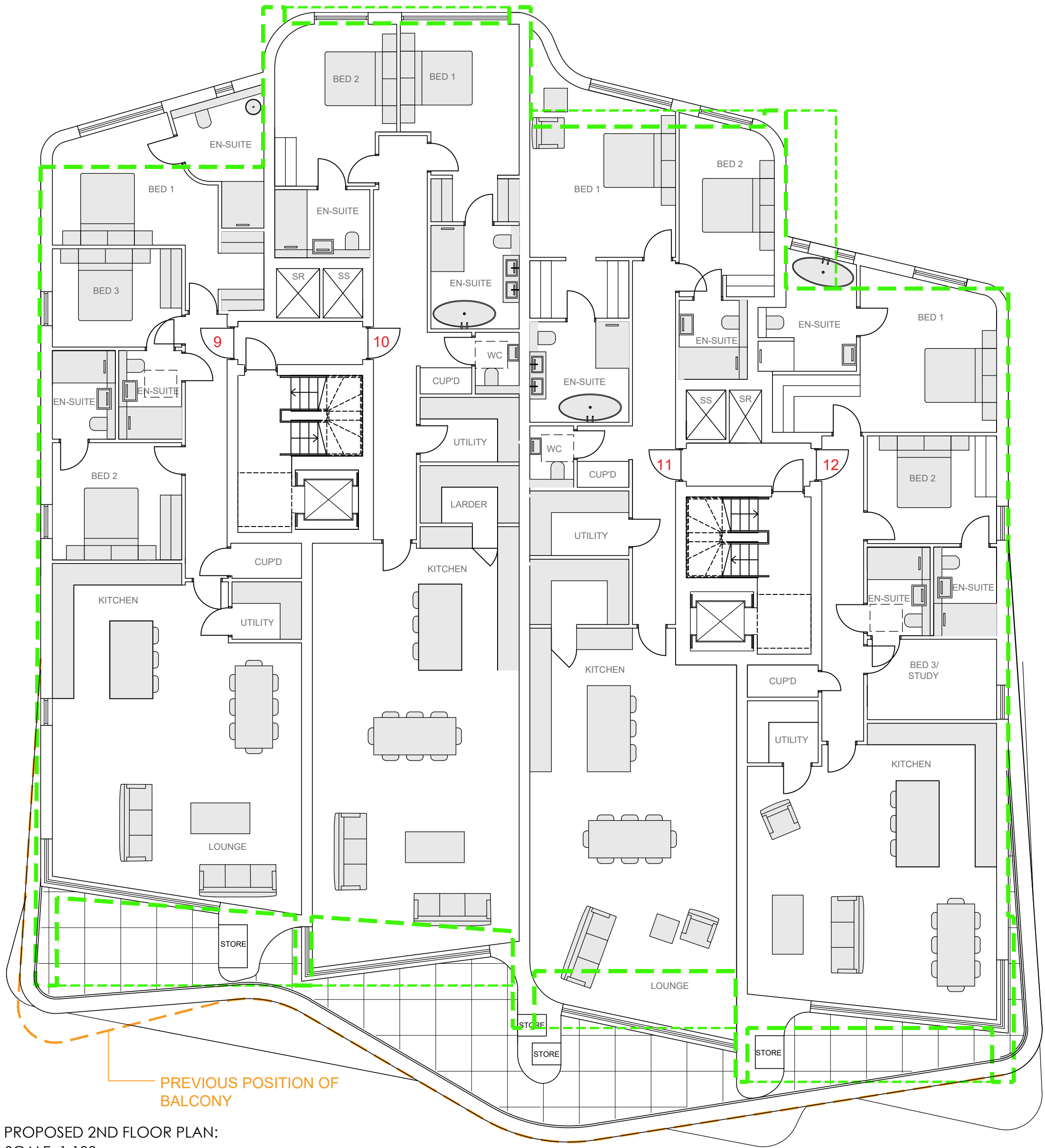


PROPOSED GROUND FLOOR PLAN:
SCALE: 1:100



PROPOSED 1ST FLOOR PLAN:
SCALE: 1:100

PREVIOUS POSITION OF
BALCONY



PROPOSED 2ND FLOOR PLAN:
SCALE: 1:100

PREVIOUS POSITION OF
BALCONY

NOTES-PLANNING

rev-23-05-24

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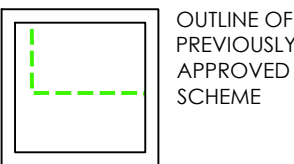
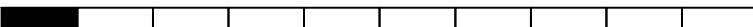
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LEGEND

10m @ 1:100



GROSS INTERNAL AREA

FLOOR	SQM	SQFT
FIRST FLOOR PLAN	617	6641
SECOND FLOOR PLAN	617	6641

SCHEDULE OF ACCOMMODATION

UNIT NO.	BEDS	SQM	SQFT
5	3	132	1420
6	2	142	1528
7	2	140	1506
8	2	126	1356
9	3	132	1420
10	2	142	1528
11	2	140	1506
12	2	126	1356

F	Balconies reduced	17.12.24	AE
E	COMMENT REVISIONS	25.10.24	MC
D	Outlines of approved added	15.07.24	TC
C	Planning consultant changes	27.06.24	TC
B	ARC checklist	06.03.24	TC
A	ARC checklist	16.02.24	TC

No.	Revision.	date	by
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PROPOSED DEVELOPMENT,
PURBECK COURT,
BOSCOMBE OVERCLIFF DRIVE,
BOURNEMOUTH,
DORSET,
BH5 2EN

APARTMENT BLOCK -
FLOOR PLANS 2 OF 4

scale	AS SHOWN @ A1	checked	CS / JTR
date	JULY 2024	drawn	AE / TC

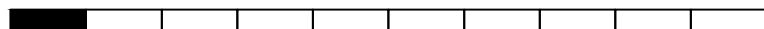
A	B	C	D	E	F

9753/202

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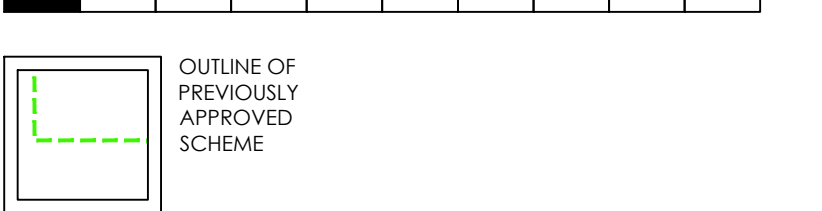
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LEGEND

10m @ 1:100



GROSS INTERNAL AREA

FLOOR	SQM	SQFT
THIRD FLOOR PLAN	617	6641
FOURTH FLOOR PLAN	605	6512

SCHEDULE OF ACCOMMODATION

UNIT NO.	BEDS	SQM	SQFT
13	3	132	1420
14	2	142	1528
15	2	140	1506
16	2	126	1356
17	2	120	1291
18	2	142	1528
19	2	140	1506
20	2	126	1356

E	Balconies reduced	17.12.24	AE
D	Outlines of approved added	15.07.24	TC
C	Planning consultant changes	27.06.24	TC
B	ARC checklist	06.03.24	TC
A	ARC checklist	16.02.24	TC

No.	Revision.	date	by
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PROPOSED DEVELOPMENT,
PURBECK COURT,
BOSCOMBE OVERCLIFF DRIVE,
BOURNEMOUTH,
DORSET,
BH5 2EN

APARTMENT BLOCK -
FLOOR PLANS 3 OF 4

scale	AS SHOWN @ A1	checked	CS / JTR
date	JULY 2024	drawn	AE / TC
9753/203		A B C D E	
ARC Architecture Ltd.			

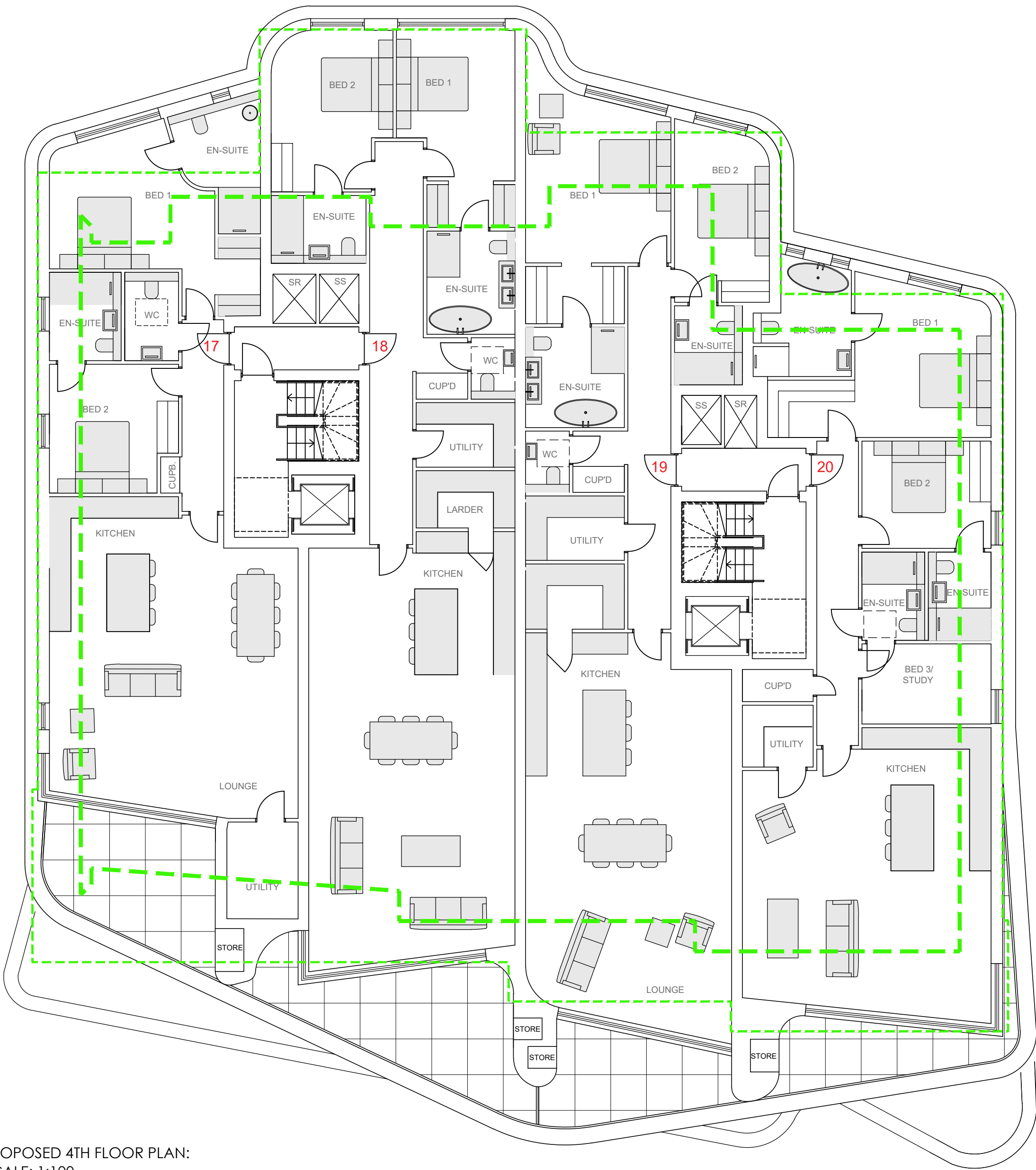
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PROPOSED 3RD FLOOR PLAN:
SCALE: 1:100

PREVIOUS POSITION OF
BALCONY



PROPOSED 4TH FLOOR PLAN:
SCALE: 1:100



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12. All Cladding & building attachments externally to be all A1 fire rated.

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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.

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MATERIALS IN CLOSE PROXIMITY TO BOUNDARY

- SUITABLE MITIGATION MUST BE PROVIDED (E.G FIRE PROOF GLAZING etc.) FOLLOWING EXTENSIVE BOUNDARY AND NOTIONAL BOUNDARY PROXIMITY CALCULATIONS BEING UNDERTAKEN BY SPECIALIST

LEGEND

10m @ 1:100

GROSS INTERNAL AREA			
FLOOR	SQM	SGFT	
FIFTH FLOOR PLAN	388	4176	

SCHEDULE OF ACCOMMODATION			
UNIT NO.	BEDS	SQM	SGFT
21	3	173	1862
22	3	169	1819

D	Balconies reduced	17.12.24	AE
C	Planning consultant changes	27.06.24	TC
B	ARC checklist	06.03.24	TC
A	ARC checklist	16.02.24	TC

No.	Revision.	date	by
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PROPOSED DEVELOPMENT,
PURBECK COURT,
BOSCOMBE OVERCLIFF DRIVE,
BOURNEMOUTH,
DORSET,
BH5 2EN

APARTMENT BLOCK -
FLOOR PLANS 4 OF 4

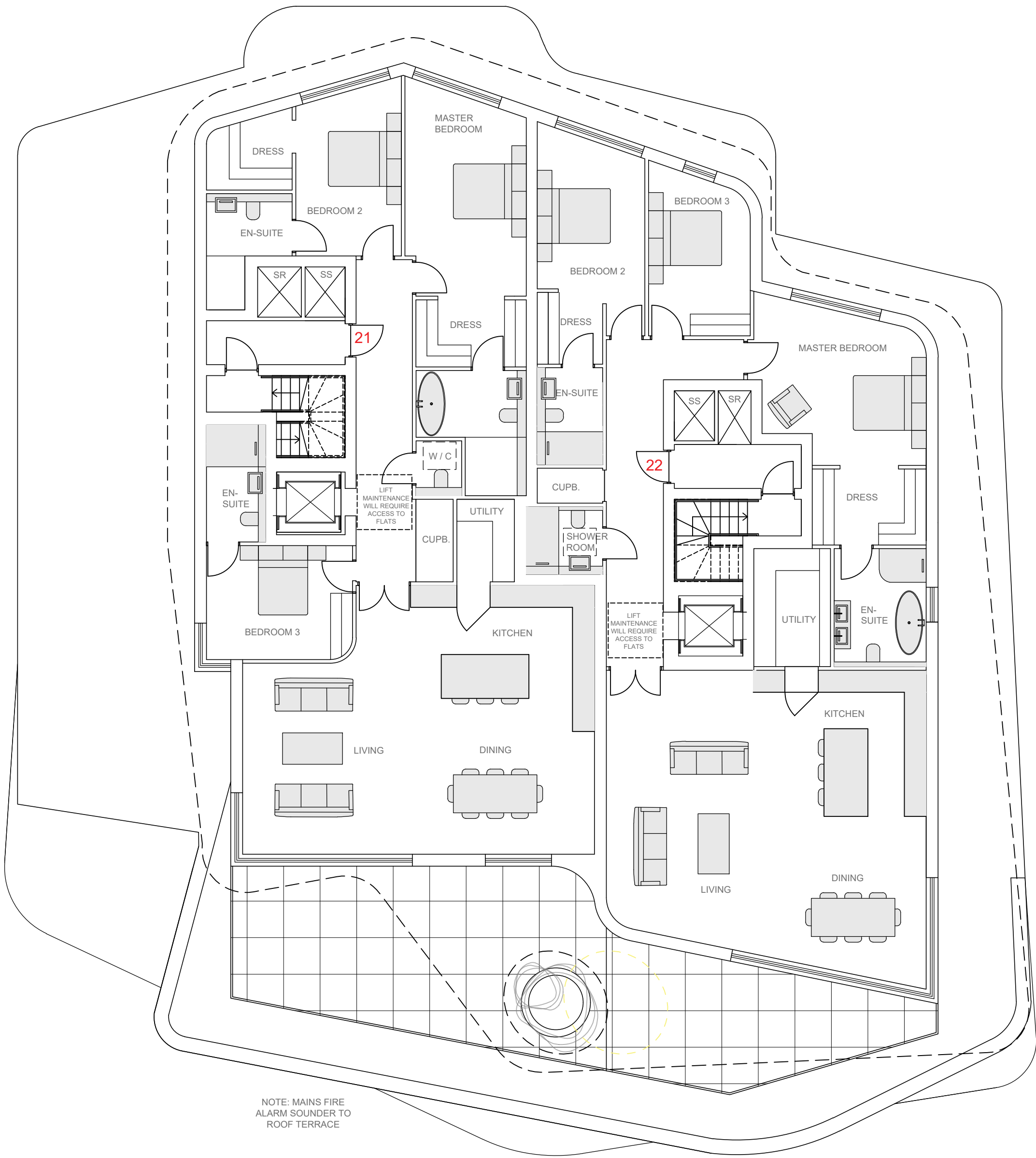
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date	JULY 2024	drawn	AE / TC

9753/204	A	B	C	D				

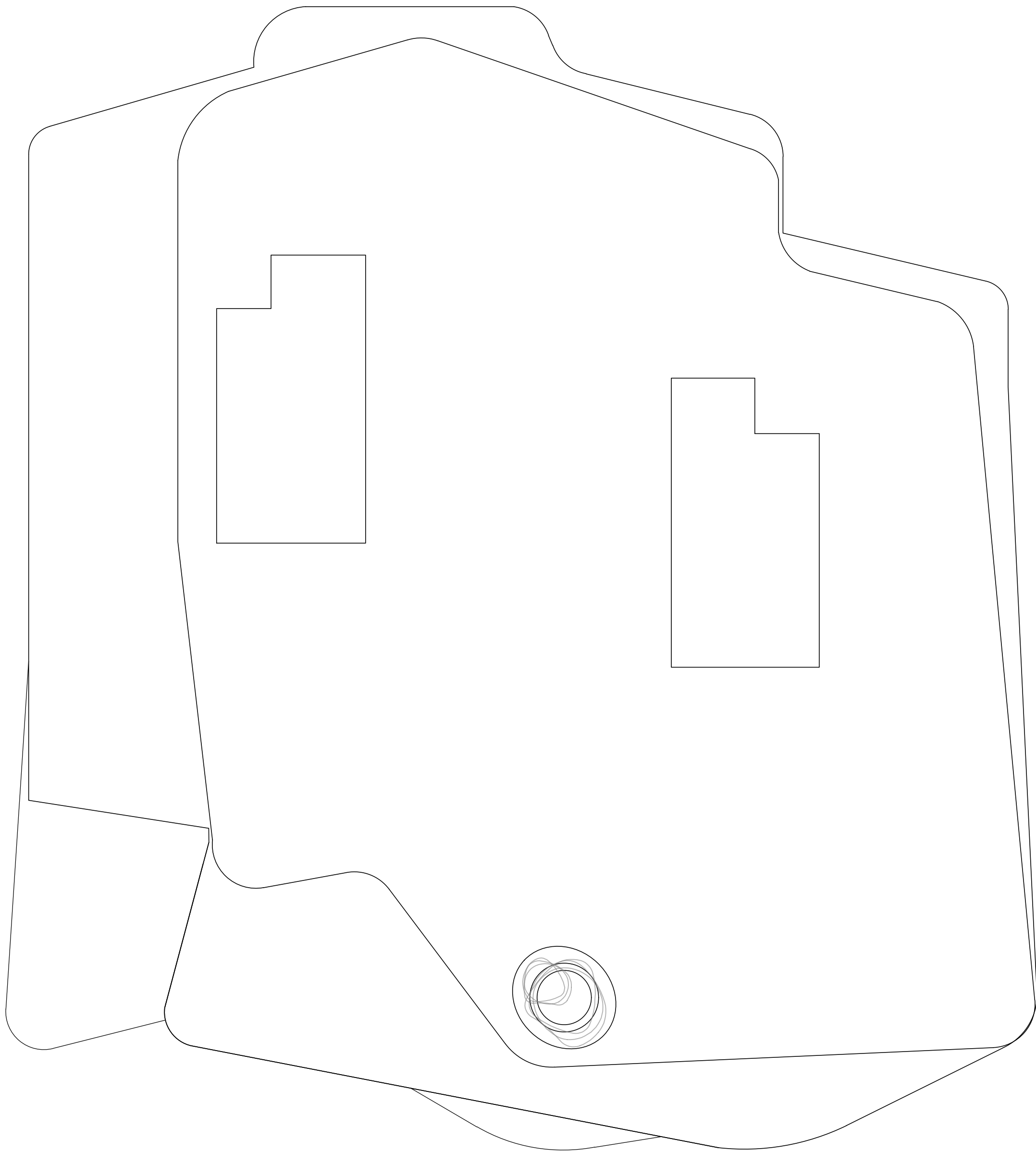
ARC Architecture Ltd.

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Christchurch, Dorset, BH23 1EP

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



PROPOSED 5TH FLOOR PLAN:
SCALE: 1:100



PROPOSED ROOF PLAN:
SCALE: 1:100

10m @ 1:100



PROPOSED FRONT ELEVATION (SOUTH)
SCALE: 1:100



PROPOSED SIDE ELEVATION 1 (EAST)
SCALE: 1:100

NOTES-PLANNING

rev-30-07-24

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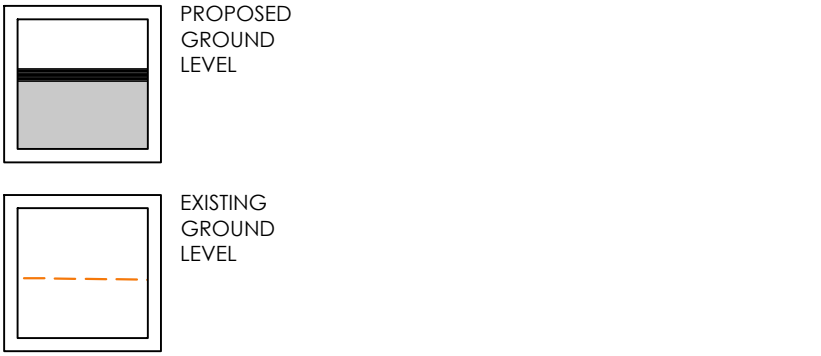
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• SUITABLE MITIGATION MUST BE PROVIDED (E.G FIRE PROOF GLAZING etc) FOLLOWING EXTENSIVE BOUNDARY AND NOTIONAL BOUNDARY PROXIMITY CALCULATIONS BEING UNDERTAKEN BY SPECIALIST

LEGEND



10m @ 1:100

EXTERNAL WALLS:-

MATERIALS SCHEDULE:			
EXTERNAL WALLS:-			
	• STONE		
	• RENDER PAINTED WHITE		
	• TIMBER EFFECT CLADDING		
	• METAL CLADDING		
BALCONIES:-			
	• GLASS		
	• RAILINGS		
WINDOWS & DOORS:-			
	• GREY		
ROOF:-			
	• ZINC FASCIA		
	• SEDUM ROOFS		
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. (fixing system behind cladding should also be non combustible A1 or A2 rated and agreed with fire consultant)			

F	Balconies reduced	17.12.24	AE
E	COMMENT REVISIONS	25.10.24	MC
D	Cycle store changes	12.09.24	TC
C	Planning consultant changes	27.06.24	TC
B	ARC checklist	06.03.24	TC
A	ARC checklist	16.02.24	TC

No.	Revision.	date	by
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PROPOSED DEVELOPMENT,
PURBECK COURT,
BOSCOMBE OVERCLIFF DRIVE,
BOURNEMOUTH,
DORSET,
BH5 2EN

APARTMENT BLOCK -
ELEVATIONS 1 OF 2

scale	AS SHOWN @ A1	checked	CS / JTR
date	SEPTEMBER 2024	drawn	AE / TC

9753/205	A	B	C	D	E	F

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Web: www.andersrobertscheer.co.uk





PROPOSED REAR ELEVATION (NORTH)
SCALE: 1:100



PROPOSED SIDE 2 ELEVATION (WEST)
SCALE: 1:100

NOTES-PLANNING

rev-30-07-24

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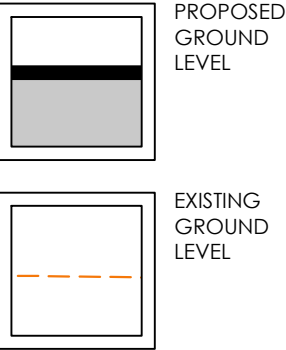
Windows forming the overheating strategy with a change in floor level exceeding 600mm between inside and outside require 1m guarding (APD O diagram 3.1).

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LEGEND



10m @ 1:100

MATERIALS SCHEDULE:

EXTERNAL WALLS:-
• STONE
• RENDER PAINTED WHITE
• TIMBER EFFECT CLADDING
• METAL CLADDING

BALCONIES:-
• GLASS
• RAILINGS

WINDOWS & DOORS:-
• GREY

ROOF:-
• ZINC FASCIA
• SEDUM ROOFS

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G	Corrected elevation	10.11.25	TC
F	Balconies reduced	17.12.24	AE
E	COMMENT REVISIONS	25.10.24	MC
D	Cyclce store changes	12.09.24	TC
C	Planning consultant changes	27.06.24	TC
B	ARC checklist	06.03.24	TC
A	ARC checklist	16.02.24	TC

No.	Revision.	date	by
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PROPOSED DEVELOPMENT,
PURBECK COURT,
BOSCOMBE OVERCLIFF DRIVE,
BOURNEMOUTH,
DORSET,
BH5 2EN

APARTMENT BLOCK -
ELEVATIONS 2 OF 2

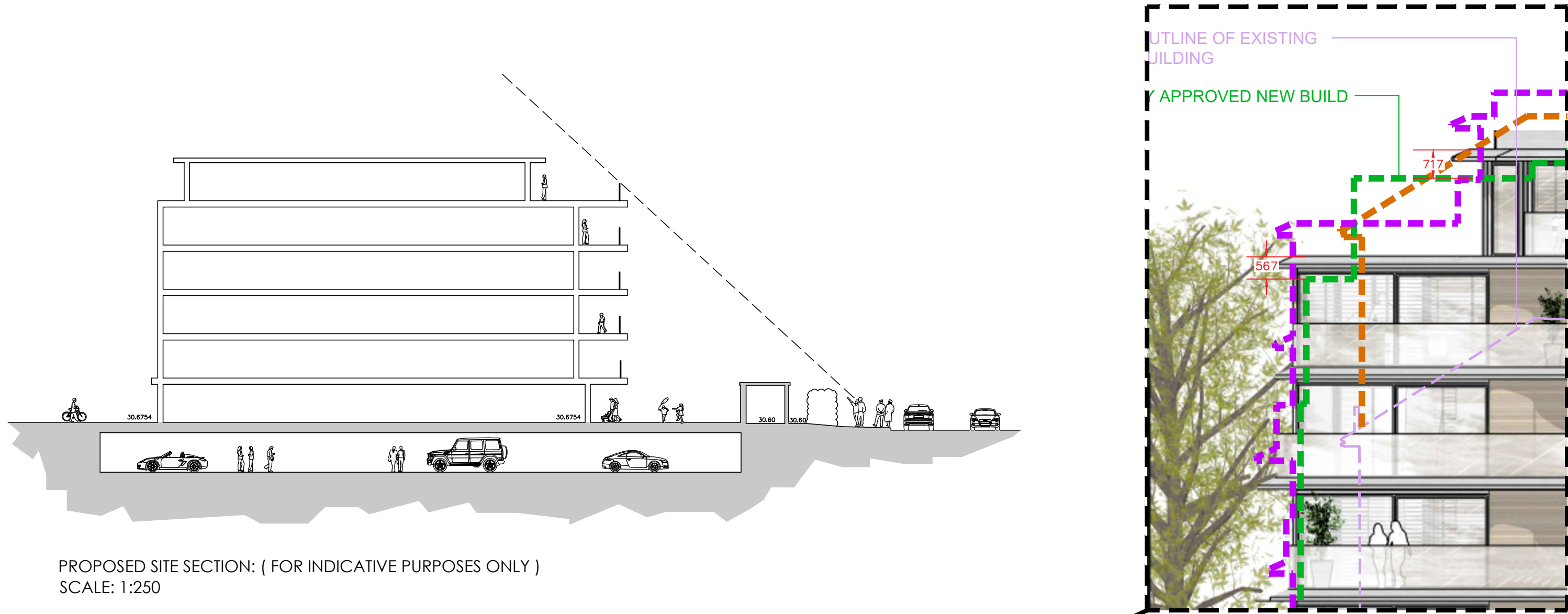
scale	AS SHOWN @ A1	checked	CS / JTR
date	NOVEMBER 2025	drawn	AE / TC
9753/206		A B C D E F G	

ARC Architecture Ltd.

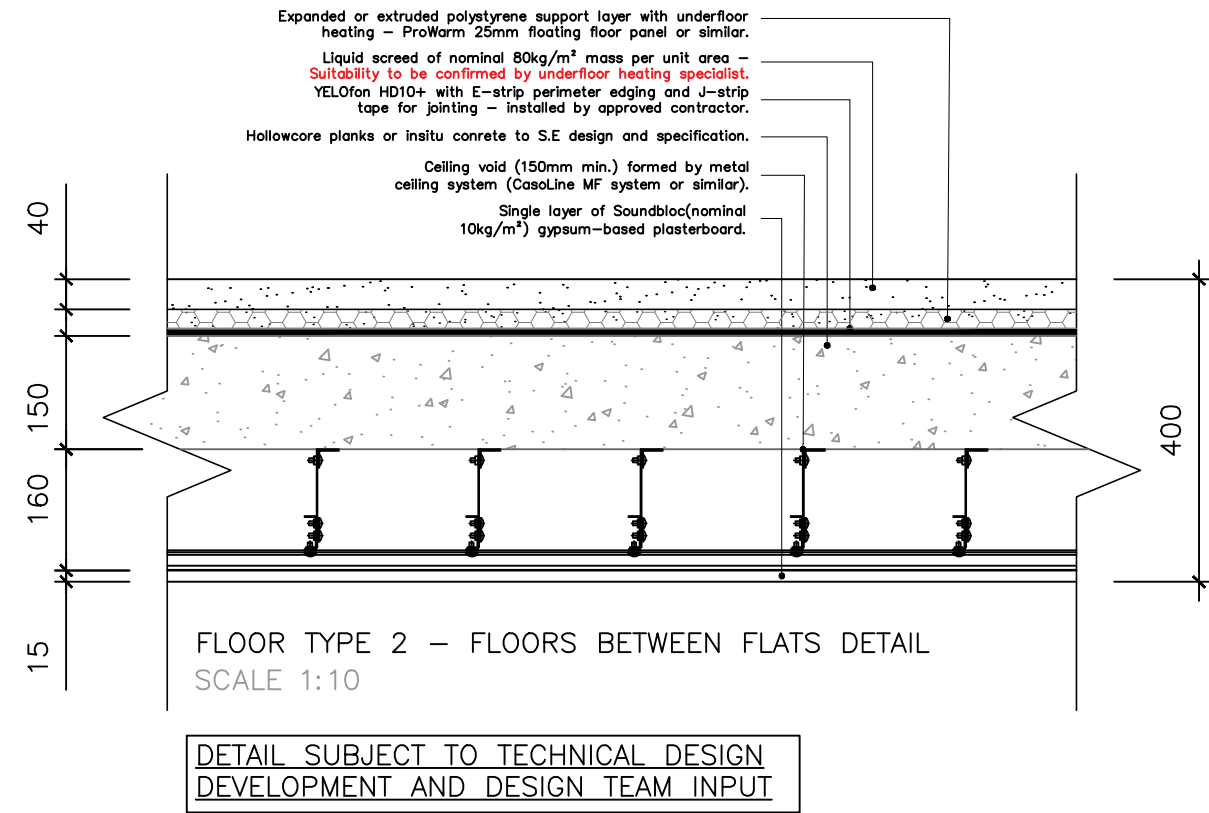
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PROPOSED SITE SECTION: (FOR INDICATIVE PURPOSES ONLY)
SCALE: 1:250



DETAIL SUBJECT TO TECHNICAL DESIGN
DEVELOPMENT AND DESIGN TEAM INPUT

COMMERCIAL SPRINKLERS A commercial sprinkler system may be required to the entire building subject to fire consultants confirmation. Commercial sprinklers require substantial holding tanks that need to be designed into the scheme (in some situations these can be subterranean tanks). - client should appoint a qualified Fire Consultant as soon as possible to confirm requirements, spec and constraints.
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LEGEND

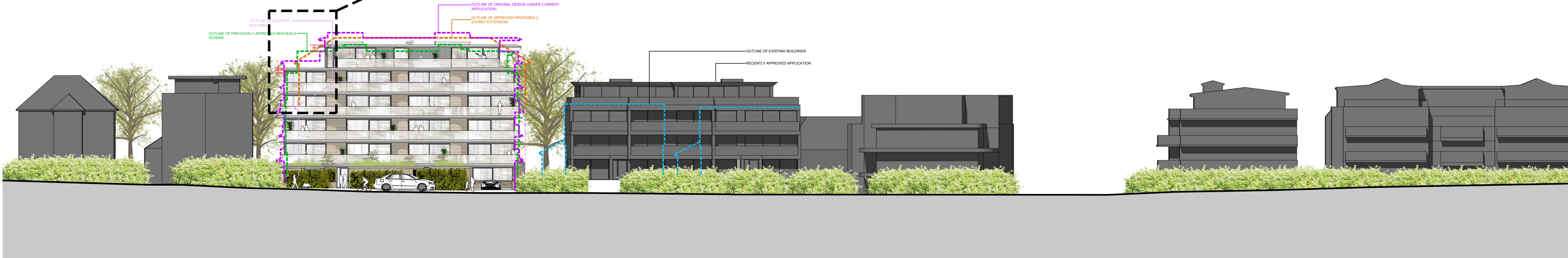
10m @ 1:100

NOTES-PLANNING

rev-30-07-24

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Windows forming the overheating strategy with a change in floor level exceeding 600mm between inside and outside require 1.1m guarding (APD O diagram 3.1)



PROPOSED STREET SCENE: BOSCOMBE OVERCLIFF DRIVE (FOR INDICATIVE PURPOSES ONLY)
SCALE: 1:250

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	CONSTRUCTION RISKS	MAINTENANCE RISKS	IN - USE RISKS
PRE-CONSTRUCTION INFO FROM CLIENT Information received from client: 1) Topographical Survey Outstanding information remains as residual risk, please request ARC appendix C for full list requested... DESIGN INFO Further design info to be provided at subsequent stages of design / building regulations process	PROPOSED BUILDING IN CLOSE PROXIMITY TO BOUNDARY - WORKING AT HEIGHT - CONSTRUCTION ACCESS - LARGE / HEAVY GLAZING UNITS * Safe construction method to be considered by Principal Contractor within Construction Phase Plan, pre-construction works starting on site. MAINTAINING STRUCTURAL SUPPORT TO BOUNDARIES WHERE LEVELS DIFFER WITHIN ADJACENT OWNERSHIP / PUBLIC LAND / HIGHWAYS Safe construction method to be considered by Principal Contractor within Construction Phase Plan, pre-construction works starting on site, in conjunction with structural engineer DEMOLITION RISKS REFURBISHMENT AND DEMOLITION SURVEY Hazardous material survey to undertaken prior to any on site works commencing - including stripping out. EXISTING WALLS OR PARTS OF BUILDINGS TO BE DEMOLISHED OR CONVERTED Structural engineer to produce calculations and final design solution and consider with Principal Contractor methods of temporary support / shoring up during construction- prior to any on site works commencing - including stripping out.	PLACEMENT OF ROOF FEATURES (SOLAR PANELS / AOV'S / PLANT ETC) Positioning of roof features to be as remote from edge of building as possible GLAZING IN CLOSE PROXIMITY TO BOUNDARY Self cleaning glass to be specified where possible COMBUSTIBLE MATERIALS - FIRE RISK Any combustible materials exposed in close proximity to a boundary are to be suitably protected to fire consultant requirement during construction and in use as per the "Pre Construction External Fire Spread Assessment". Works to be identified in the construction phase plan (Where EWS1 is required an appropriately qualified and insured consultant should be appointed to advise on external facade materials). ARBORICULTURAL METHOD STATEMENT There is an approved arboricultural method statement for this project that must be followed SOLAR PANELS Solar panels to be positioned as far from edges of flat roof as feasibly possible. MINIMUM FIRE & EMERGENCY EXPECTATIONS - FIRE RISK Principal contractor to comply with HSG158 Fire Safety in construction and undertake a fire risk assessment for the duration of the works including (but not limited to): - Lighting - Escape - Alarm - Temporary protection - Remote area access TEMPORARY GUARDING To be installed during construction to prevent falling on existing uneven and stepped terrain 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. MAINTENANCE RISKS SOLAR PANELS PLANT / SERVICE AREAS ACCESS TO AOV'S *** 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. CLEANING GUTTERS Gutters to be cleaned from ground level by specialist using specialist equipment, e.g. long reach and clean systems where possible. Parapets and valleys to be accessed when required via scaffolding - to be assembled by a specialist. STAINING TIMBERS Low maintenance imitation cladding to be specified to avoid high level maintenance. FLAT ROOF ACCESS Roof access for 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. CLEANING WINDOWS Windows and balcony glass above ground floor level to be cleaned from ground level by specialist using specialist equipment, e.g. long reach and clean systems. Sliding glazing to balcony's can be cleaned from balcony	SLIPPERY FLOORS (swimming pools / roof terraces) Non slip floors to be specified PEDESTRIAN MOVEMENT Bollards / Vehicular barriers to be installed at defined locations - TBC by specialist design and manufacturer ACCESS INTO CAR PARK Fireproof Vision panels to be installed, allowing user to view car park before walking out into vehicular traffic movement DELIVERIES Safe delivery plan and schedule to be designed by inhabiting organisation ROOF TERRACE Mains Fire alarm system to have siren at roof terrace level to alert persons of potential fire in the building below. GAS PRESENCE Potential for presence of Gas (various types) to be investigated. If present, specialist to provide design to negate. CAR PARKING Highlight columns in the carpark with reflective paint to prevent accidents during reverse maneuvers. BASEMENTS Basement design fire engineering strategy to be provided by qualified fire engineer with a view to compliance with part B. e.g. - Mains Fire alarm system to have siren within basement to alert persons of potential fire in the house above. Sprinkler system may be required. etc. EXTERNAL GUARDING To be designed at regs stage across site at different garden / external staircase levels to prevent falling 1100mm guarding to be provided for any level difference greater than 600mm to prevent falling. SMOKE SHAFT MAINTENANCE Safety grills to be provided within smoke shaft at each vent for internal maintenance. Ensure free venting area is still maintained. END USER GUIDANCE FOR FUTURE WORKS End user manual to ensure an awareness of any construction that must not be breached i.e. fire line to metal or timber frame buildings, in the event of future building works.

This DRA is not exhaustive. Further items to be added subject to detail design.

G	Balconies reduced	17.12.24	AE
F	ADDITIONAL INFORMATION ADDED	20.11.24	AE
E	COMMENT REVISIONS	25.10.24	MC
D	Street scene changes and section added	11.10.24	TC
C	Cycle store changes	12.09.24	TC
B	Planning consultant changes	27.06.24	TC
A	ARC checklist	16.02.24	TC

No.	Revision.	date	by
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PROPOSED DEVELOPMENT,
PURBECK COURT,
BOSCOMBE OVERCLIFF DRIVE,
BOURNEMOUTH,
DORSET,
BH5 2EN

PROPOSED INDICATIVE STREET SCENE AND DESIGNERS RISK ASSESSMENT

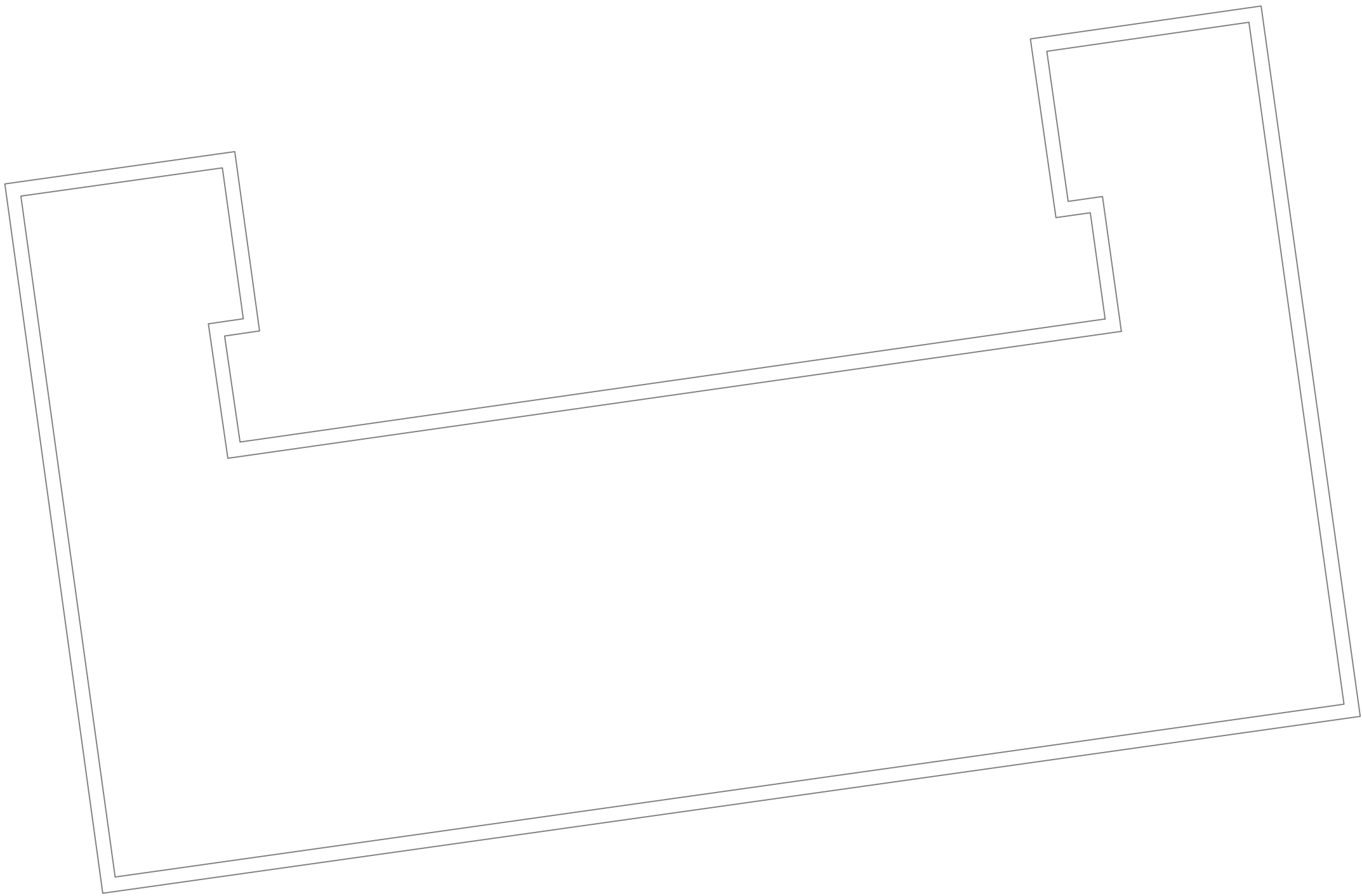
scale	AS SHOWN @ A1	checked	CS / JTR
date	OCTOBER 2024	drawn	AE / TC
9753/209		A	B
		C	D
		E	F
		G	H

ARC Architecture Ltd.

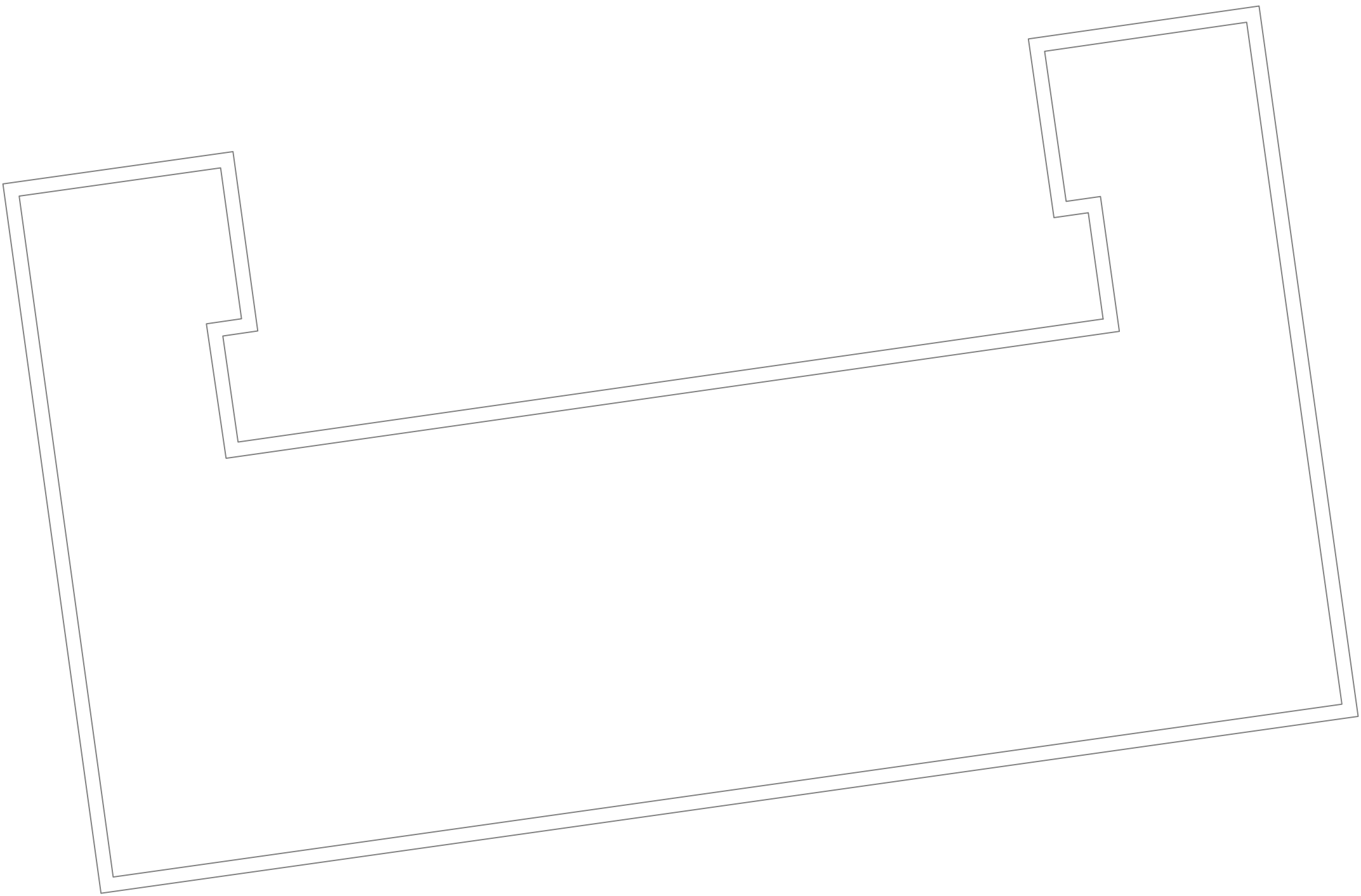
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Christchurch, Dorset, BH23 1EP

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E-mail: enquiries@andersrobertscheer.co.uk
Web: www.andersrobertscheer.co.uk

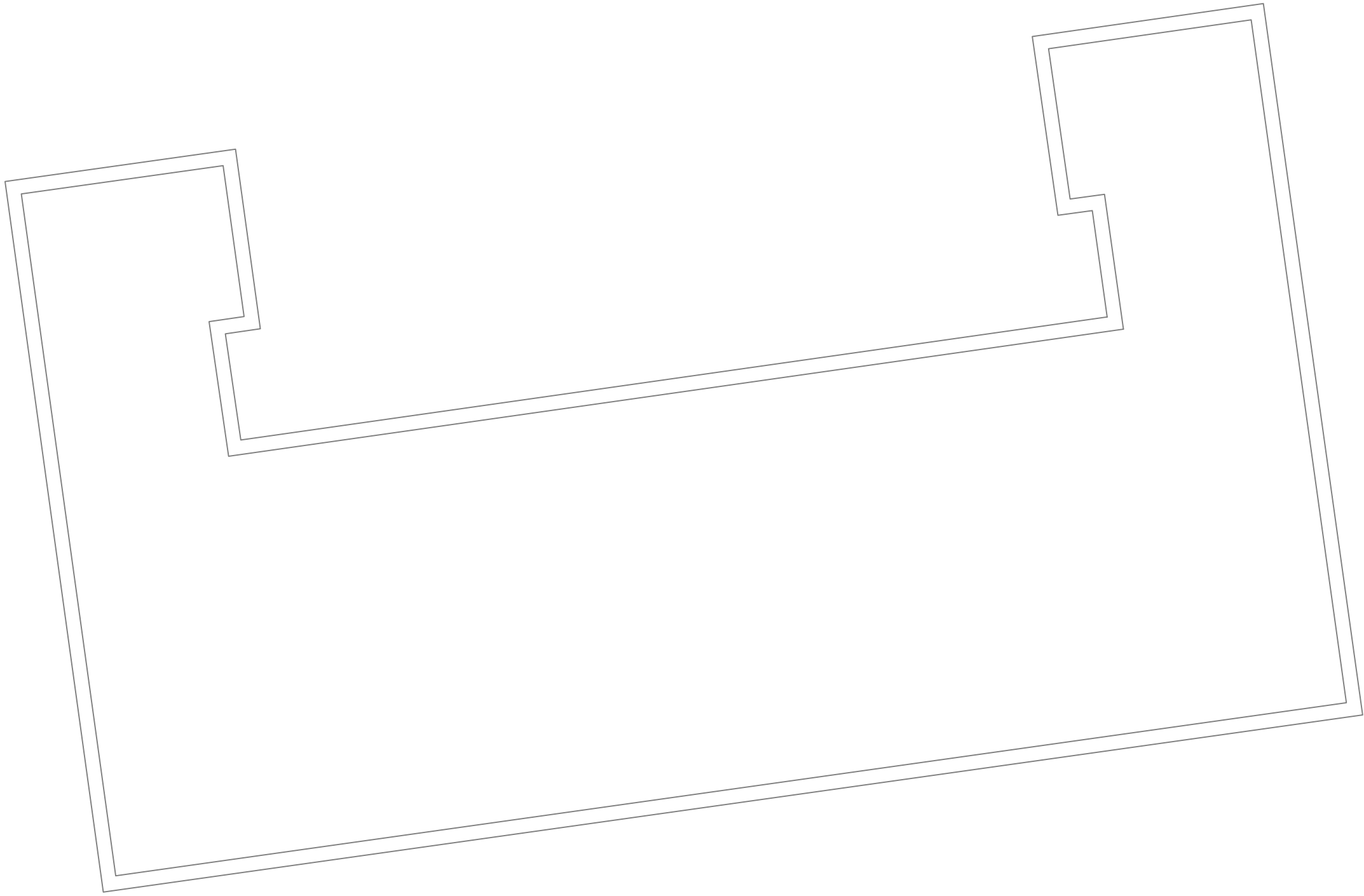




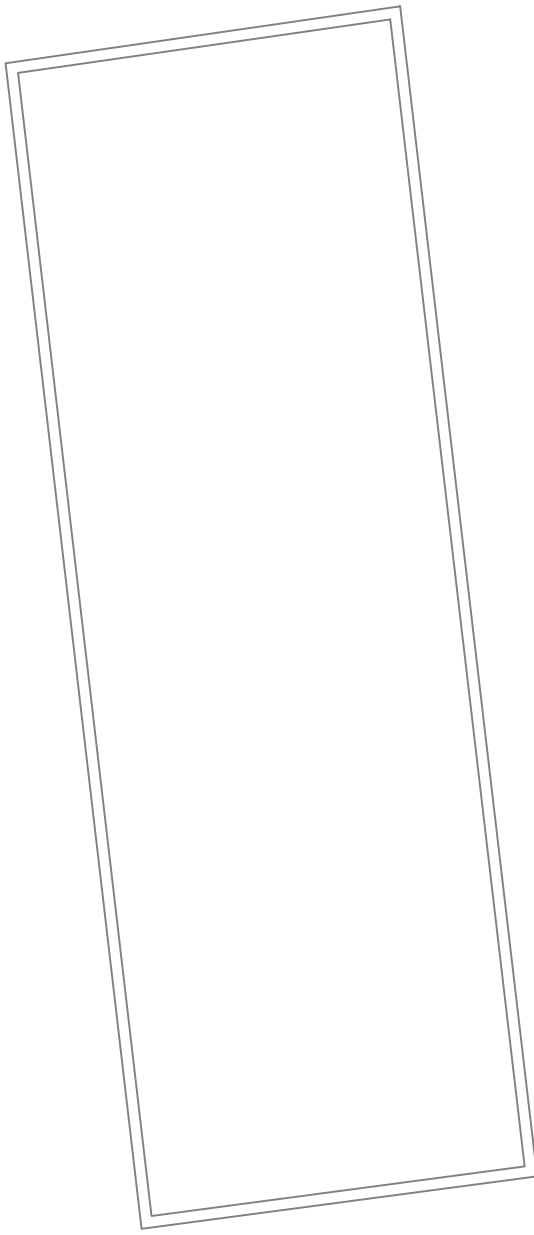
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SCALE: 1:100



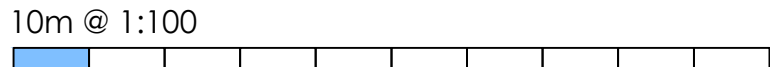
1ST FLOOR PLAN:
SCALE: 1:100



UPPER FLOOR PLAN:
SCALE: 1:100



GARAGE FLOOR PLAN:
SCALE: 1:100

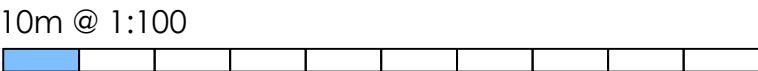


NOTES-PLANNING

rev-27-03-23

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LEGEND



EXISTING GIA - 937 SQ.M / 10085 SQ.FT			
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A	ARC checklist	16.02.24	TC
No.	Revision.	date	by

PROPOSED DEVELOPMENT,
PURBECK COURT,
BOSCOMBE OVERCLIFF DRIVE,
BOURNEMOUTH,
DORSET,
BH5 2EN

EXISTING FLOOR PLANS

scale	AS SHOWN @ A1	checked	CS / JTR
date	FEBRUARY 2024	drawn	AE / TC
		A	

ARC Architecture Ltd.

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

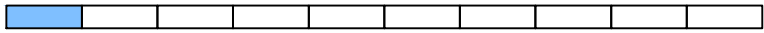
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E-mail: enquiries@andersrobertscheer.co.uk
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LEGEND

10m @ 1:100



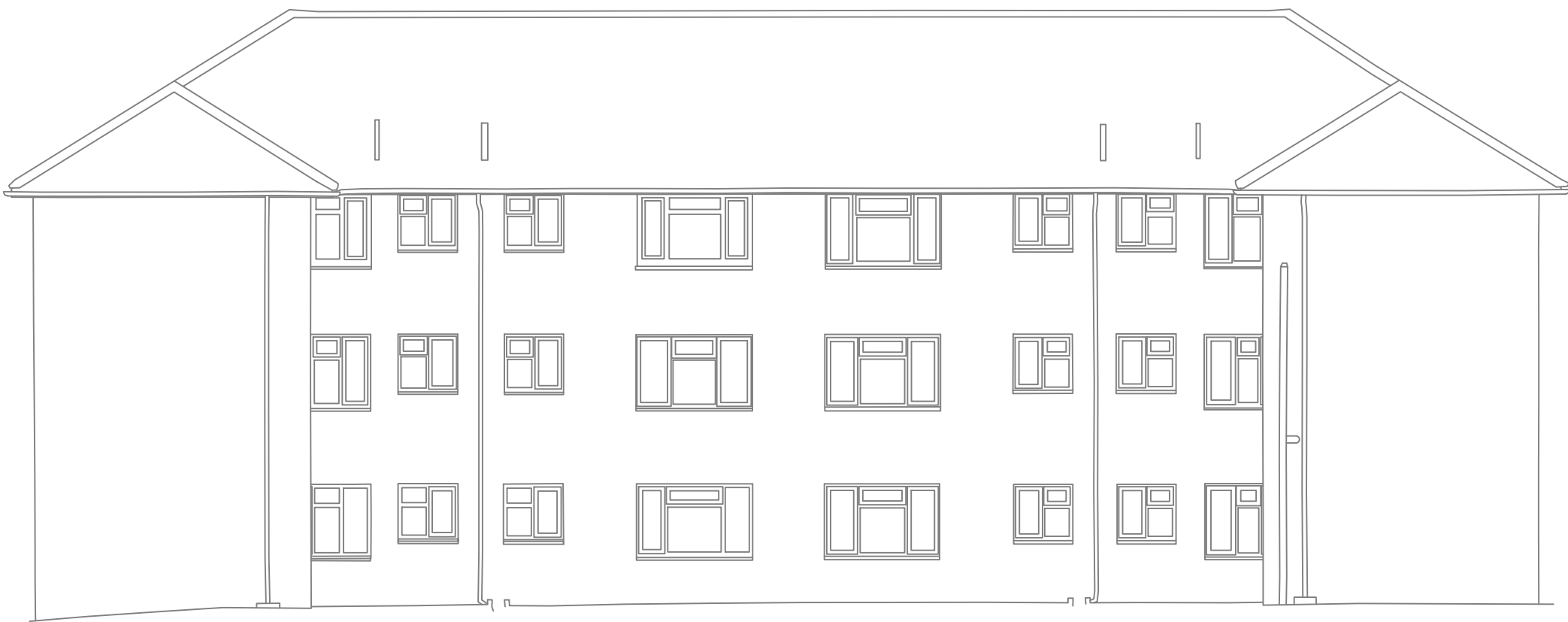
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EAST ELEVATION:
SCALE: 1:100



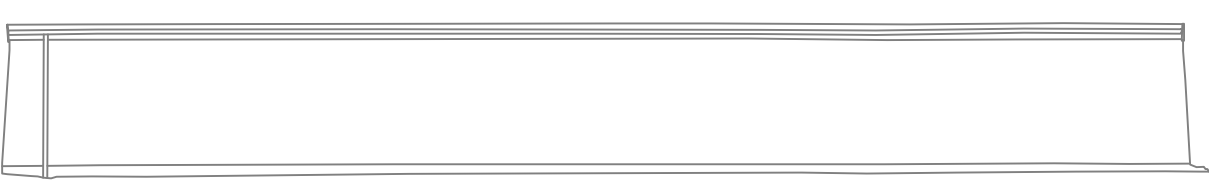
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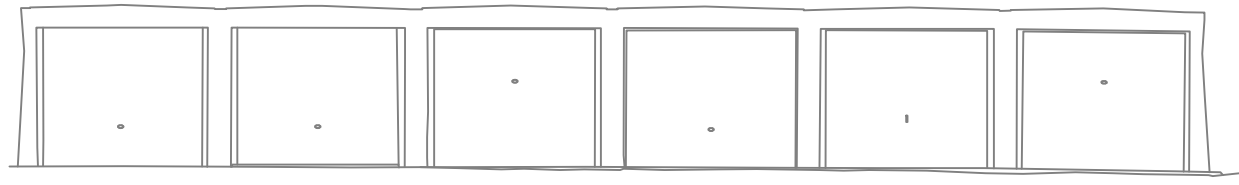
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GARAGES SOUTH ELEVATION:
SCALE: 1:100



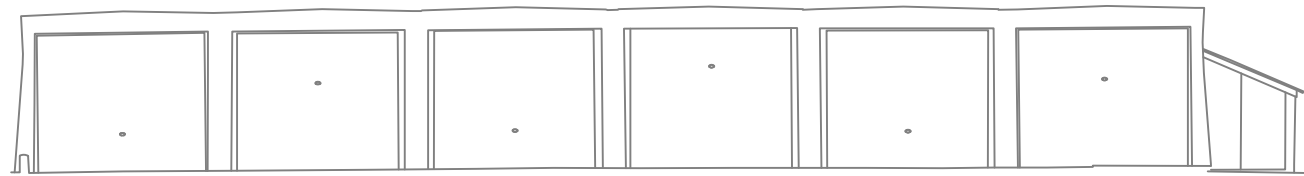
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SCALE: 1:100



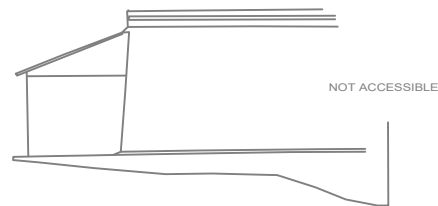
WEST GARAGE BLOCK EAST ELEVATION:
SCALE: 1:100



GARAGES NORTH ELEVATION:
SCALE: 1:100



EAST GARAGE BLOCK WEST ELEVATION:
SCALE: 1:100



EAST GARAGE BLOCK EAST ELEVATION:
SCALE: 1:100

No.	Revision.	date	by
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PROPOSED DEVELOPMENT,
PURBECK COURT,
BOSCOMBE OVERCLIFF DRIVE,
BOURNEMOUTH,
DORSET,
BH5 2EN

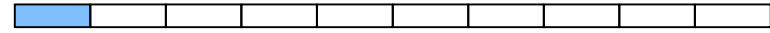
EXISTING ELEVATIONS

scale	AS SHOWN @ A1	checked
date	JANUARY 2024	drawn AE / TC
9753/211		

ARC Architecture Ltd.

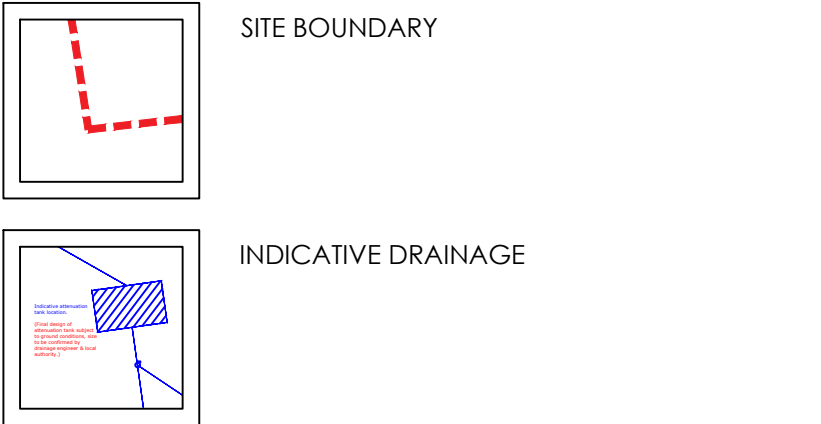
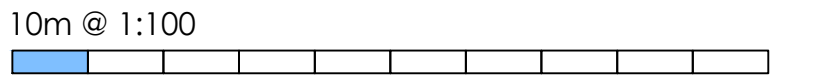
Chapel Studios, 14 Purewell,
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Web: www.andersrobertscheer.co.uk



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- Fire: 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 9991 for fire or EVSI 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.
- EVSI: 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 EVSI's on buildings outside of the EVSI's standard criteria.
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LEGEND



SITE AREA: 0.219 HECTARES / 0.543 ACRES

C	Bike store removed	15.03.24	TC
B	ARC checklist	06.03.24	TC
A	ARC checklist	16.02.24	TC

No.	Revision.	date	by
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PROPOSED DEVELOPMENT,
PURBECK COURT,
BOSCOMBE OVERCLIFF DRIVE,
BOURNEMOUTH,
DORSET,
BH5 2EN

INDICATIVE DRAINAGE PLAN

scale	AS SHOWN @ A1	checked	CS / JTR
date	MARCH 2024	drawn	AE / TC
9753/212		A B C	

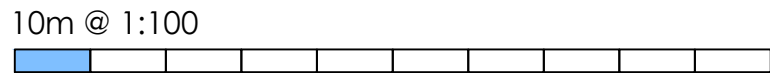
ARC Architecture Ltd.

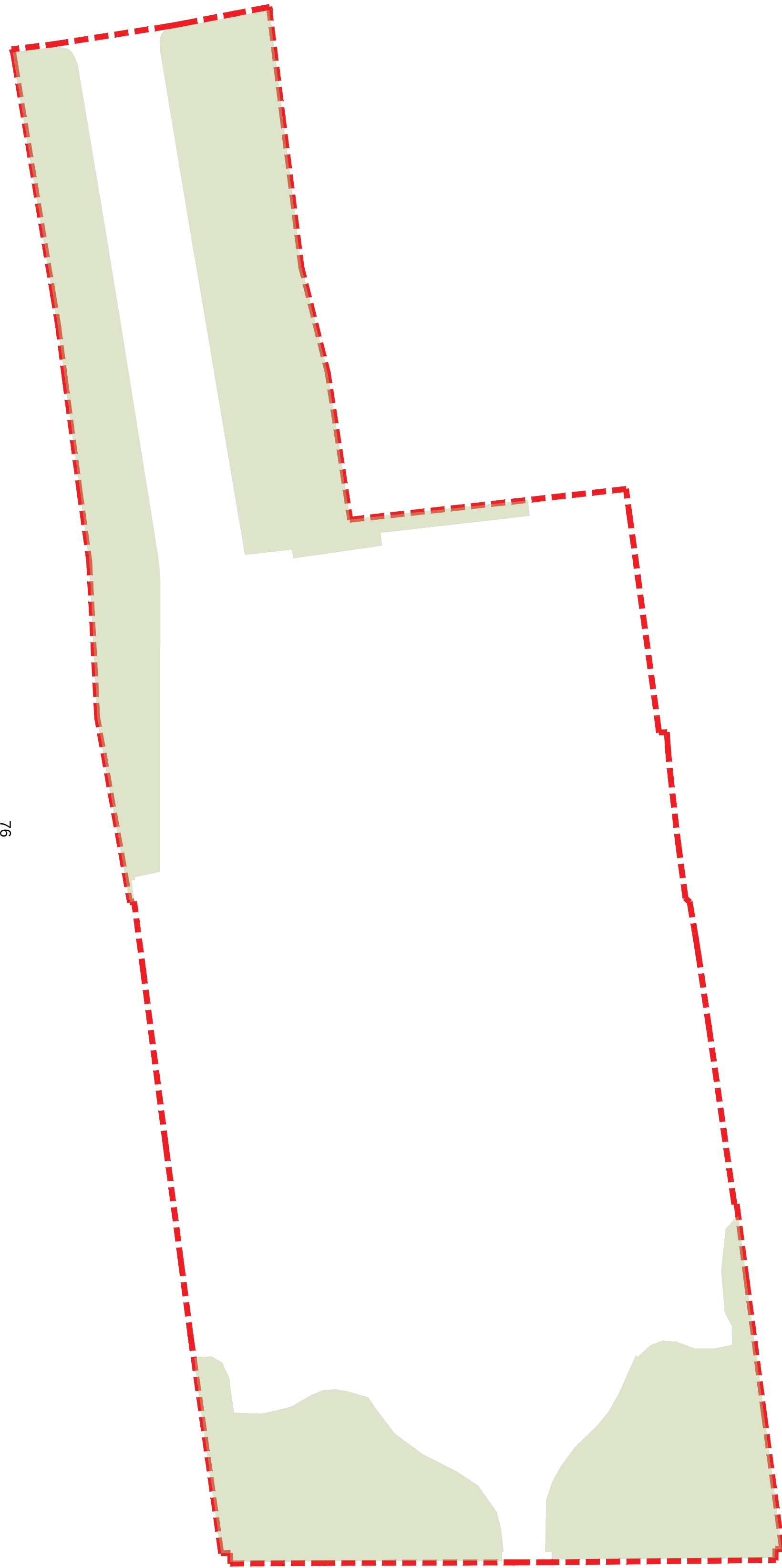
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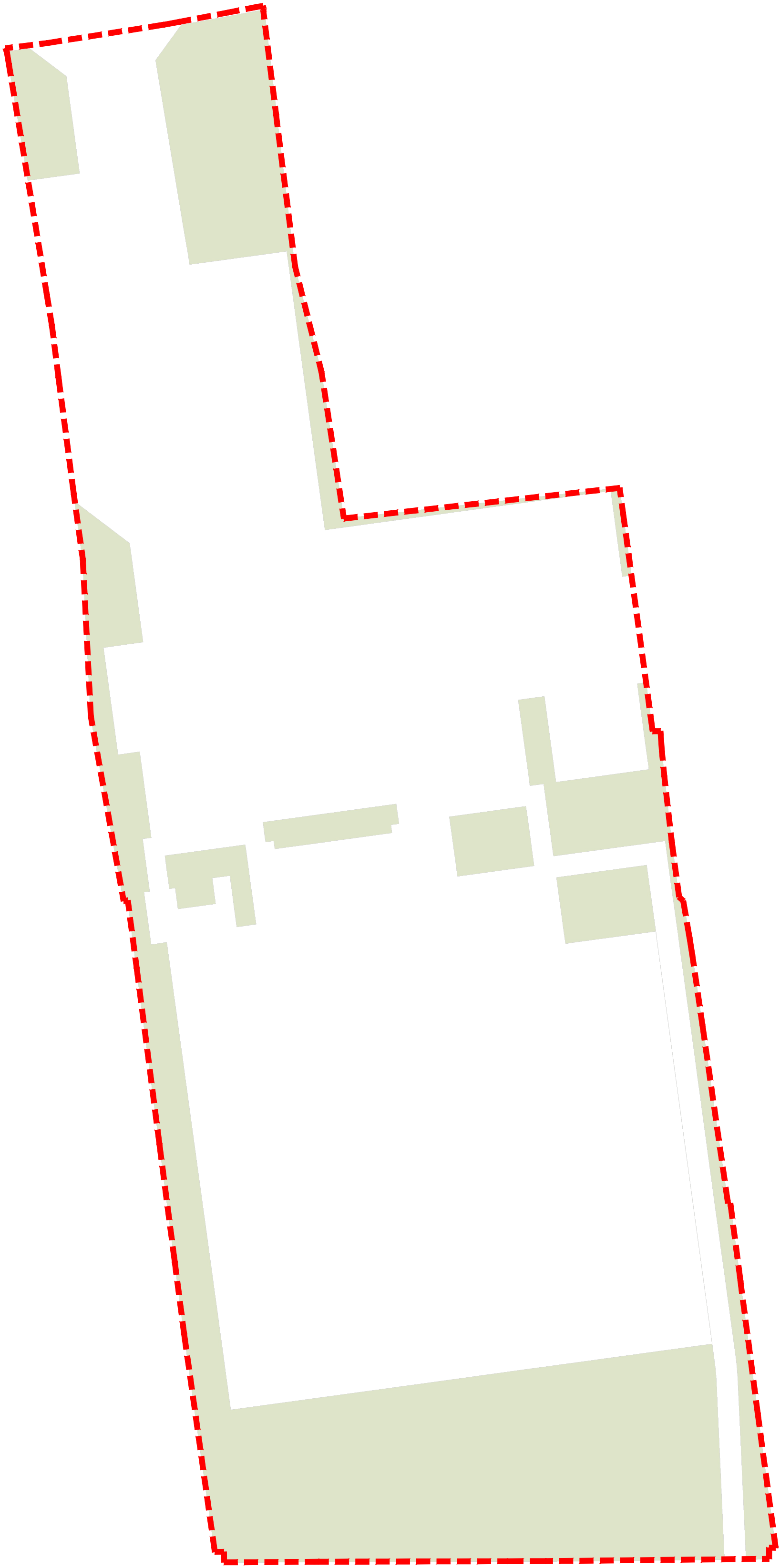
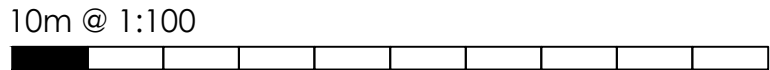


INDICATIVE DRAINAGE PLAN: BASED ON TOPOGRAPHICAL SURVEY INFORMATION
SCALE: 1:200

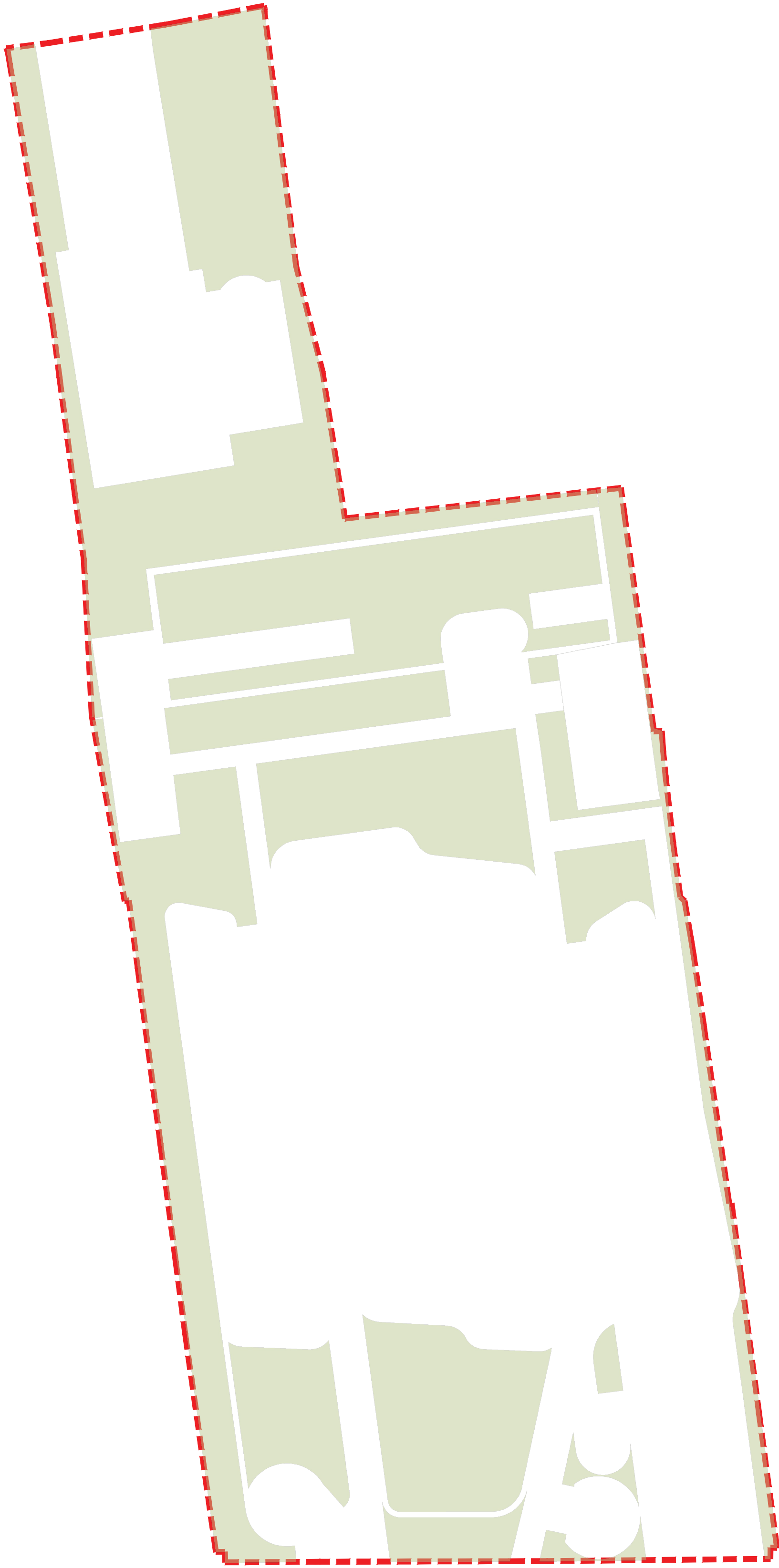




EXISTING SOFT LANDSCAPE - 27.3%
SCALE: 1:200



PREVIOUS APPROVAL SOFT LANDSCAPE - 28.75%
SCALE: 1:200



CURRENT PROPOSAL SOFT LANDSCAPE - 38.31%
SCALE: 1:200

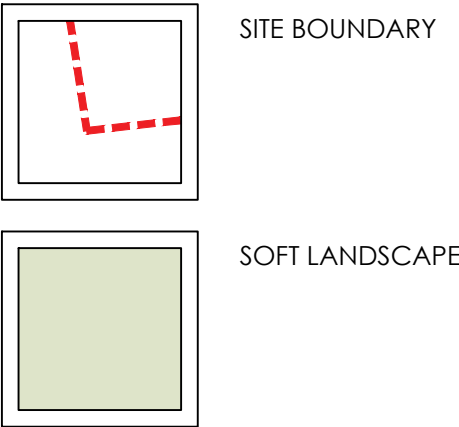
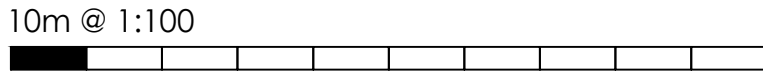


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LEGEND



SITE AREA: 0.219 HECTARES / 0.543 ACRES

No.	Revision.	date	by
-----	-----------	------	----

PROPOSED DEVELOPMENT,
PURBECK COURT,
BOSCOMBE OVERCLIFF DRIVE,
BOURNEMOUTH,
DORSET,
BH5 2EN

LANDSCAPE COMPARISON STUDY

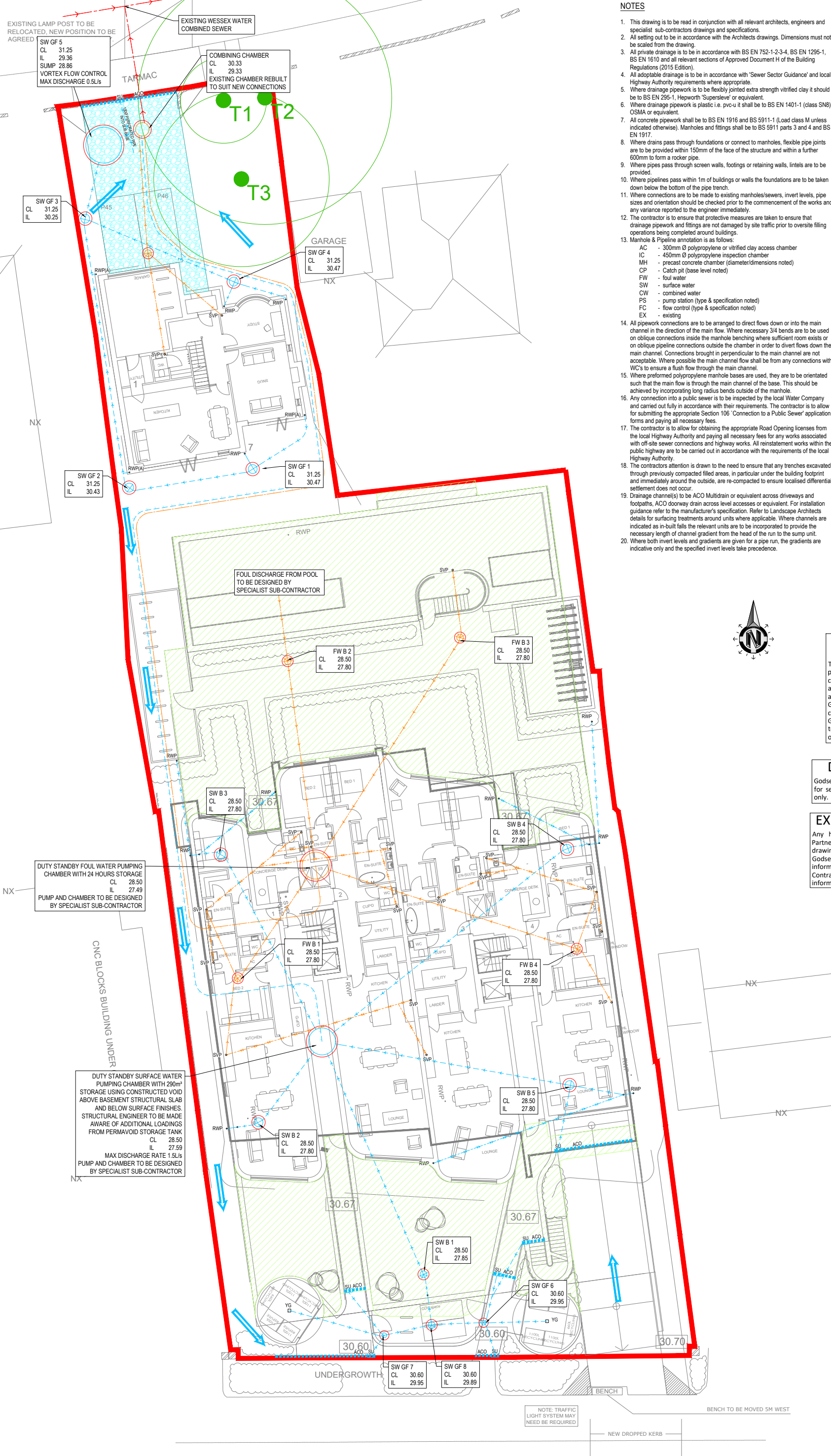
scale	AS SHOWN @ A1	checked	
date	JULY 2024	drawn	AE
9753/213			

ARC Architecture Ltd.

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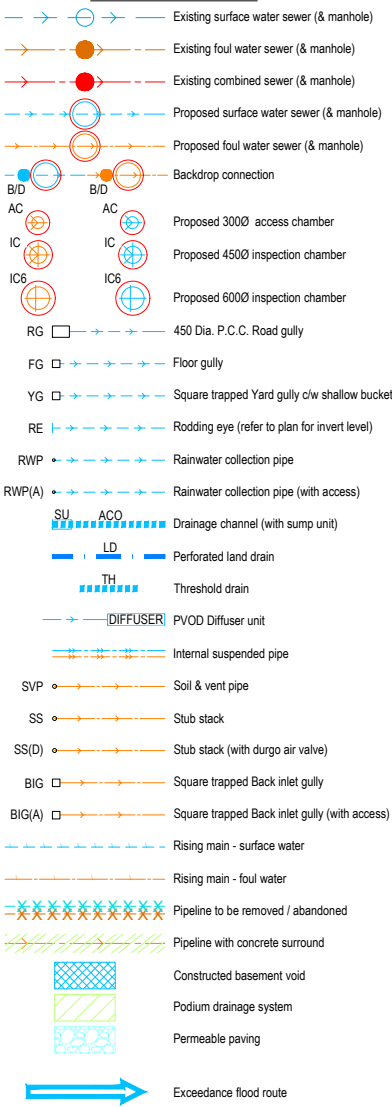




NOTES

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- All adoptable drainage is to be in accordance with 'Sewer Sector Guidance' and local Highway Authority requirements where appropriate.
- Where drainage pipework is to be flexibly jointed extra strength vitrified clay it should be to BS EN 295-1, Hepworth 'Supersieve' or equivalent.
- Where drainage pipework is plastic i.e. pvc-u it shall be to BS EN 1401-1 (class SN8) OSMA or equivalent.
- All concrete pipework shall be to BS EN 1916 and BS 5911-1 (Load class M unless indicated otherwise). Manholes and fittings shall be to BS 5911 parts 3 and 4 and BS EN 1917.
- Where drains pass through foundations or connect to manholes, flexible pipe joints are to be provided within 150mm of the face of the structure and within a further 600mm to form a rocker pipe.
- Where pipes pass through screen walls, footings or retaining walls, lintels are to be provided.
- Where pipelines pass within 1m of buildings or walls the foundations are to be taken down below the bottom of the pipe trench.
- Where connections are to be made to existing manholes/sewers, invert levels, pipe sizes and orientation should be checked prior to the commencement of the works and any variance reported to the engineer immediately.
- The contractor is to ensure that protective measures are taken to ensure that drainage pipework and fittings are not damaged by site traffic prior to oversite filling operations being completed around buildings.
- Manhole & Pipeline annotation is as follows:
 - AC - 300mm Ø polypropylene or vitrified clay access chamber
 - IC - 450mm Ø polypropylene inspection chamber
 - MH - precast concrete chamber (diameter/dimensions noted)
 - CP - Catch pit (base level noted)
 - FW - foul water
 - SW - surface water
 - CW - combined water
 - PS - pump station (type & specification noted)
 - FC - flow control (type & specification noted)
 - EX - existing
- All pipework connections are to be arranged to direct flows down or into the main channel in the direction of the main flow. Where necessary 3/4 bends are to be used on oblique connections inside the manhole/benching where sufficient room exists or on oblique pipeline connections outside the chamber in order to divert flows down the main channel. Connections brought in perpendicular to the main channel are not acceptable. Where possible the main channel flow shall be from any connections with WCs to ensure a flush flow through the main channel.
- Where preformed polypropylene manhole bases are used, they are to be orientated such that the main flow is through the main channel of the base. This should be achieved by incorporating long radius bends outside of the manhole.
- Any connection into a public sewer is to be inspected by the local Water Company and carried out fully in accordance with their requirements. The contractor is to allow for submitting the appropriate Section 106 'Connection to a Public Sewer' application forms and paying all necessary fees.
- The contractor is to allow for obtaining the appropriate Road Opening licenses from the local Highway Authority and paying all necessary fees for any works associated with off-site sewer connections and highway works. All reinstatement works within the public highway are to be carried out in accordance with the requirements of the local Highway Authority.
- The contractors attention is drawn to the need to ensure that any trenches excavated through previously compacted filled areas, in particular under the building footprint and immediately around the outside, are re-compacted to ensure localised differential settlement does not occur.
- Drainage channel(s) to be ACO Multidrain or equivalent across driveways and footpaths, ACO doorway drain across level accesses or equivalent. For installation guidance refer to the manufacturer's specification. Refer to Landscape Architects details for surfacing treatments around units where applicable. Where channels are indicated as in-built falls the relevant units are to be incorporated to provide the necessary length of channel gradient from the head of the run to the sump unit.
- Where both invert levels and gradients are given for a pipe run, the gradients are indicative only and the specified invert levels take precedence.

DRAINAGE LEGEND



Refer to Architects / M/E Drawings for exact positions of internal connections & RWP's



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Godsell Arnold Partnership Ltd. accept no liabilities if works are constructed based on this drawing.
Godsell Arnold Partnership Ltd. will not be able to assist in any technical questions arising if any construction proceeds based on this planning drawing.

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EXISTING DRAINAGE INFORMATION

Any historical drainage information reproduced on Godsell Arnold Partnership Ltd drawings, including any drainage information from record drawings or supplied by a Third Party, are in approximate locations. Godsell Arnold Partnership Ltd cannot be held liable for the accuracy of information obtained from record drawings or supplied by Third Parties. Contractors must undertake their own due diligence with respect to this information.

NOT FOR CONSTRUCTION

P07	17.06.25	Site plan updated	JHW
P06	09.06.25	Strategy revised	JLB
P05	26.03.25	Strategy revised	JLB
P04	13.01.25	Exceedance flood route added	JLB
P03	05.11.24	Strategy revised	JLB
P02	12.09.24	Foul drainage added to strategy	JLB
P01	28.03.24	Preliminary issue	JLB
Rev	Date	Revision Description	Issued by

50 - Work in Progress

GODSELL • ARNOLD
PARTNERSHIP LTD

Consulting Civil and Structural Engineers

7 Arrowsmith Court, Station Approach
Broadstone, Dorset. BH18 8AX
Telephone: 01202 600 900 Website: www.gapld.net

Client: ARC Architecture

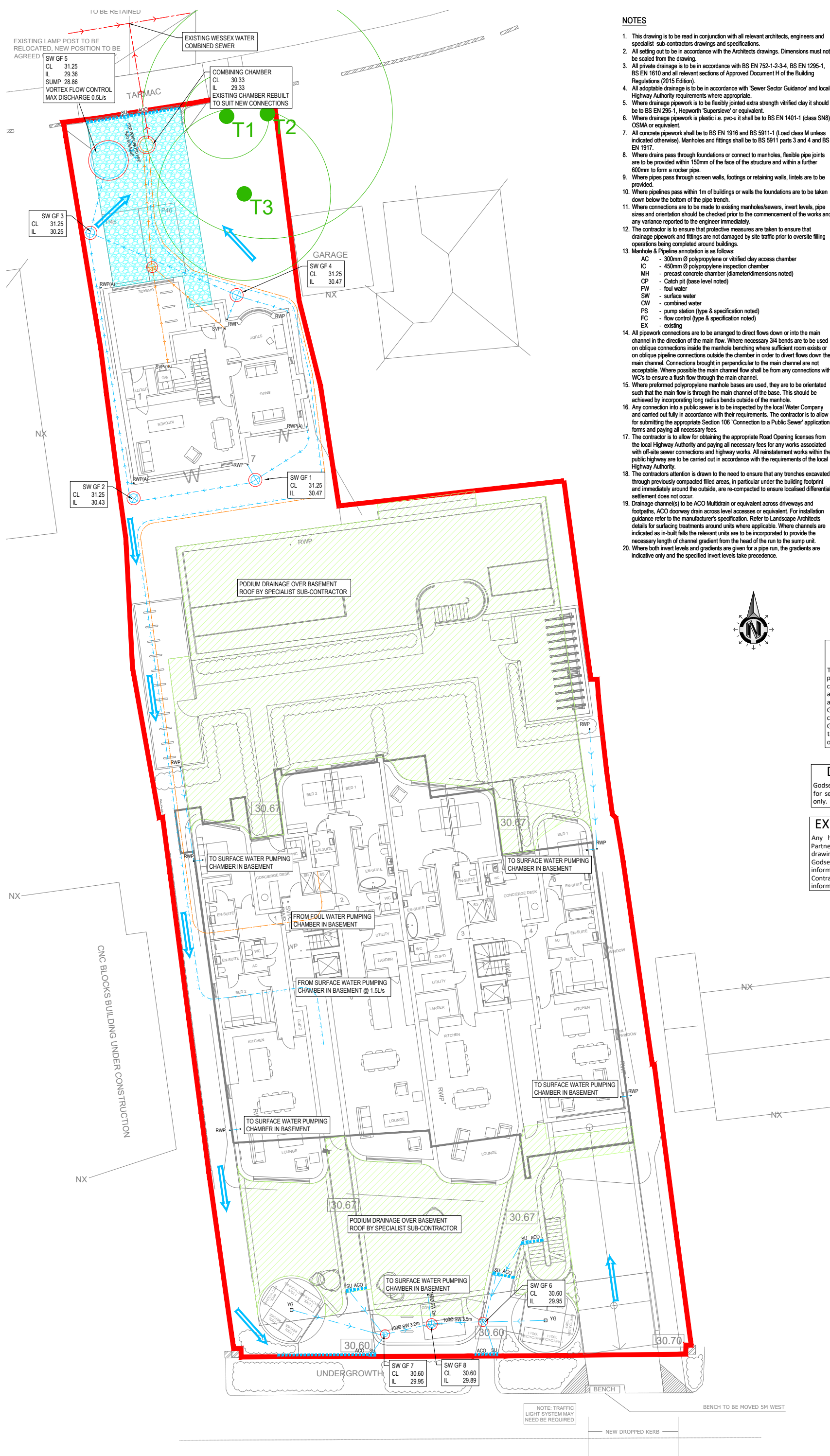
Project: 65-67 Boscombe Overcliff Drive

Drawing Title: Drainage Strategy
Overall Layout

Scale: 1:125 Drawn: JLB Checked: JHW

Project-Originator-Zone-Level-Type-Role Drawing No.: Revision:

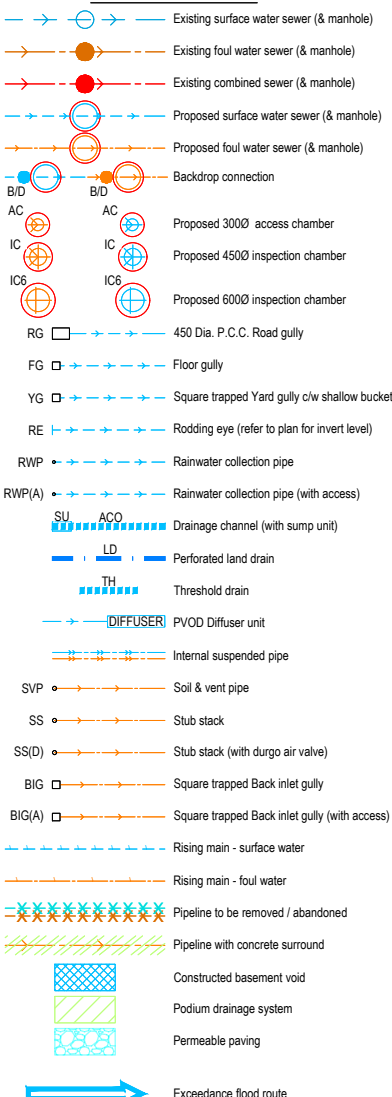
24058-GAP-XX-XX-DR-C 9000 P07



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 - MH - precast concrete chamber (diameter/dimensions noted)
 - CP - Catch pit (base level noted)
 - FW - foul water
 - SW - surface water
 - CW - combined water
 - PS - pump station (type & specification noted)
 - FC - flow control (type & specification noted)
 - EX - existing
- All pipework connections are to be arranged to direct flows down or into the main channel in the direction of the main flow. Where necessary 3/4 bends are to be used on oblique connections inside the manhole benching where sufficient room exists or on oblique pipeline connections outside the chamber in order to divert flows down the main channel. Connections brought in perpendicular to the main channel are not acceptable. Where possible the main channel flow shall be from any connections with WCs to ensure a flush flow through the main channel.
- Where preformed polypropylene manhole bases are used, they are to be orientated such that the main flow is through the main channel of the base. This should be achieved by incorporating long radius bends outside of the manhole.
- Any connection into a public sewer is to be inspected by the local Water Company and carried out fully in accordance with their requirements. The contractor is to allow for submitting the appropriate Section 106 'Connection to a Public Sewer' application forms and paying all necessary fees.
- The contractor is to allow for obtaining the appropriate Road Opening licenses from the local Highway Authority and paying all necessary fees for any works associated with off-site sewer connections and highway works. All reinstatement works within the public highway are to be carried out in accordance with the requirements of the local Highway Authority.
- The contractors attention is drawn to the need to ensure that any trenches excavated through previously compacted filled areas, in particular under the building footprint and immediately around the outside, are re-compacted to ensure localised differential settlement does not occur.
- Drainage channel(s) to be ACO Multidrain or equivalent across driveways and footpaths, ACO doorway drain across level accesses or equivalent. For installation guidance refer to the manufacturer's specification. Refer to Landscape Architects details for surfacing treatments around units where applicable. Where channels are indicated as in-built falls the relevant units are to be incorporated to provide the necessary length of channel gradient from the head of the run to the sump unit.
- Where both invert levels and gradients are given for a pipe run, the gradients are indicative only and the specified invert levels take precedence.

DRAINAGE LEGEND



Refer to Architects / M/E Drawings for exact positions of internal connections & RWP's

THIS DRAWING IS FOR PLANNING PURPOSES ONLY

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EXISTING DRAINAGE INFORMATION

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NOT FOR CONSTRUCTION

P07	17.06.25	Site plan updated	JHW
P06	09.06.25	Strategy revised	JLB
P05	26.03.25	Strategy revised	JLB
P04	13.01.25	Exceedance flood route added	JLB
P03	05.11.24	Strategy revised	JLB
P02	12.09.24	Foul drainage added to strategy	JLB
P01	28.03.24	Preliminary issue	JLB
Rev	Date	Revision Description	Issued by

50 - Work in Progress

GODSELL • ARNOLD
PARTNERSHIP LTD

Consulting Civil and Structural Engineers

7 Arrowsmith Court, Station Approach
Broadstone, Dorset. BH18 8AX
Telephone: 01202 600 900 Website: www.gapltd.net

Client: ARC Architecture

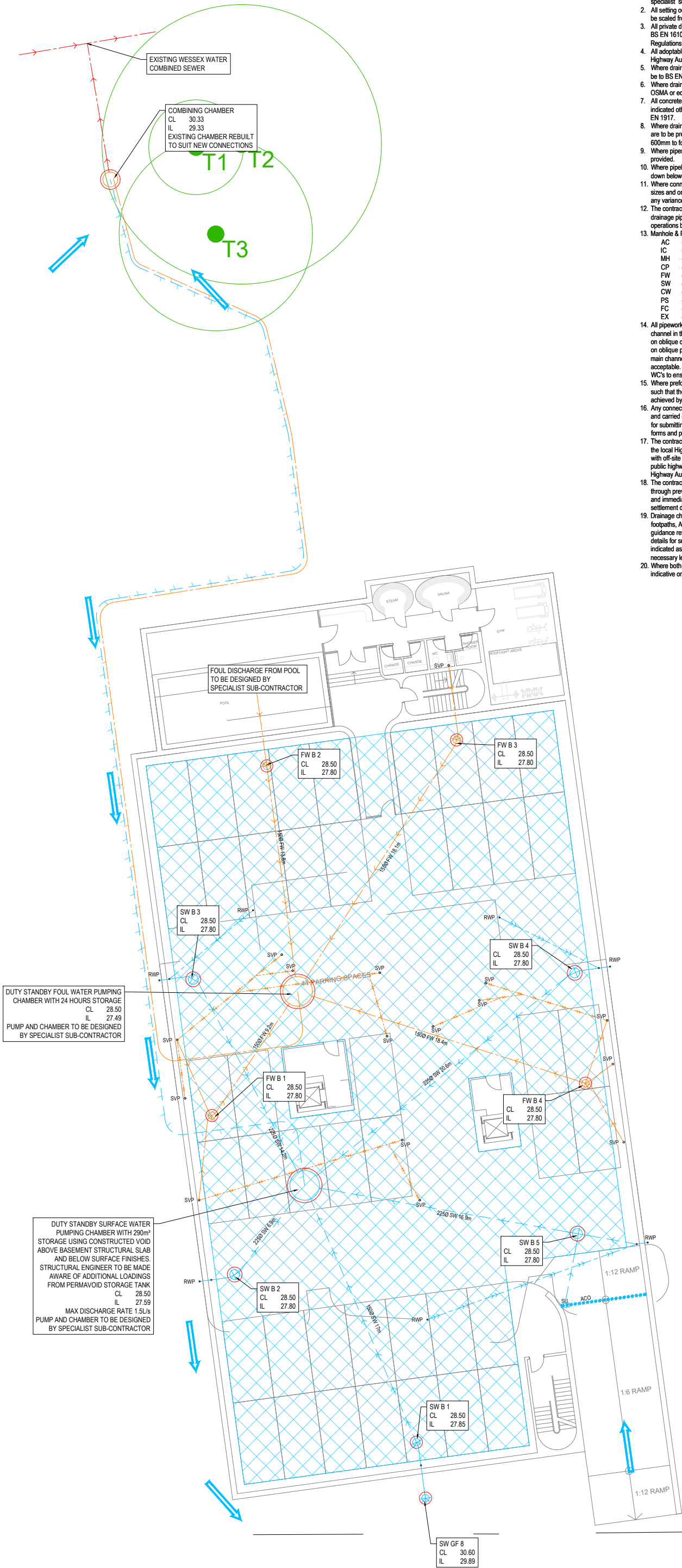
Project: 65-67 Boscombe Overcliff Drive

Drawing Title: Drainage Strategy
Ground Floor Layout

Scale: 1:125 Drawn: JLB Checked: JHW

Project-Originator-Zone-Level-Type-Role Drawing No.: Revision:

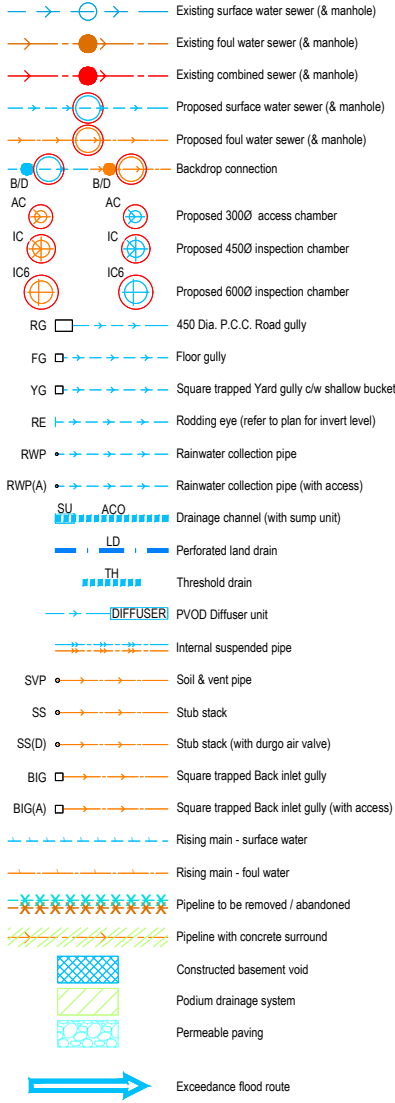
24058-GAP-XX-XX-DR-C 9001 P07



NOTES

1. This drawing is to be read in conjunction with all relevant architects, engineers and specialist sub-contractors drawings and specifications.
2. All setting out to be in accordance with the Architects drawings. Dimensions must not be scaled from the drawing.
3. All private drainage is to be in accordance with BS EN 752-1-2-3-4, BS EN 1295-1, BS EN 1610 and all relevant sections of Approved Document H of the Building Regulations (2015 Edition).
4. All adoptable drainage is to be in accordance with 'Sewer Sector Guidance' and local Highway Authority requirements where appropriate.
5. Where drainage pipework is to be flexibly jointed extra strength vitrified clay it should be to BS EN 295-1, Hepworth 'Superslave' or equivalent.
6. Where drainage pipework is plastic i.e. pvc-u it shall be to BS EN 1401-1 (class SN8) OSMA or equivalent.
7. All concrete pipework shall be to BS EN 1916 and BS 5911-1 (Load class M unless indicated otherwise). Manholes and fittings shall be to BS 5911 parts 3 and 4 and BS EN 1917.
8. Where drains pass through foundations or connect to manholes, flexible pipe joints are to be provided within 150mm of the face of the structure and within a further 600mm to form a rocker pipe.
9. Where pipes pass through screen walls, footings or retaining walls, lintels are to be provided.
10. Where pipelines pass within 1m of buildings or walls the foundations are to be taken down below the bottom of the pipe trench.
11. Where connections are to be made to existing manholes/sewers, invert levels, pipe sizes and orientation should be checked prior to the commencement of the works and any variance reported to the engineer immediately.
12. The contractor is to ensure that protective measures are taken to ensure that drainage pipework and fittings are not damaged by site traffic prior to oversite filling operations being completed around buildings.
13. Manhole & Pipeline annotation is as follows:
 - AC - 300mm Ø polypropylene or vitrified clay access chamber
 - IC - 450mm Ø polypropylene inspection chamber
 - MH - precast concrete chamber (diameter/dimensions noted)
 - CP - Catch pit (base level noted)
 - FW - foul water
 - SW - surface water
 - CW - combined water
 - PS - pump station (type & specification noted)
 - FC - flow control (type & specification noted)
 - EX - existing
14. All pipework connections are to be arranged to direct flows down or into the main channel in the direction of the main flow. Where necessary 3/4 bends are to be used on oblique connections inside the chamber in order to divert flows down the main channel. Connections brought in perpendicular to the main channel are not acceptable. Where possible the main channel flow shall be from any connections with WC's to ensure a flush flow through the main channel.
15. Where preformed polypropylene manhole bases are used, they are to be orientated such that the main flow is through the main channel of the base. This should be achieved by incorporating long radius bends outside of the manhole.
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17. The contractor is to allow for obtaining the appropriate Road Opening licenses from the local Highway Authority and paying all necessary fees for any works associated with off-site sewer connections and highway works. All reinstatement works within the public highway are to be carried out in accordance with the requirements of the local Highway Authority.
18. The contractors attention is drawn to the need to ensure that any trenches excavated through previously compacted filled areas, in particular under the building footprint and immediately around the outside, are re-compacted to ensure localised differential settlement does not occur.
19. Drainage channel(s) to be ACO Multidrain or equivalent across driveways and footpaths, ACO doorway drain across level accesses or equivalent. For installation guidance refer to the manufacturer's specification. Refer to Landscape Architects details for surfacing treatments around units where applicable. Where channels are indicated as in-built falls the relevant units are to be incorporated to provide the necessary length of channel gradient from the head of the run to the sump unit.
20. Where both invert levels and gradients are given for a pipe run, the gradients are indicative only and the specified invert levels take precedence.

DRAINAGE LEGEND



Refer to Architects / M/E Drawings for exact positions of internal connections & RWP's

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NOT FOR CONSTRUCTION

P07	17.06.25	Site plan updated	JHW
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P02	12.09.24	Foul drainage added to strategy	JLB
P01	28.03.24	Preliminary issue	JLB
Rev	Date	Revision Description	Issued by

Drawing Status: 50 - Work in Progress

GODSELL • ARNOLD
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Client: ARC Architecture

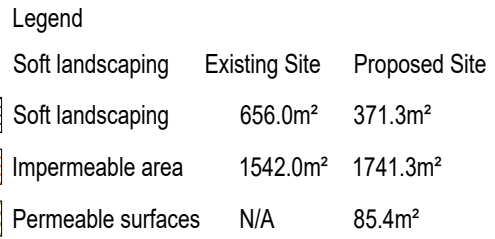
Project: 65-67 Boscombe Overcliff Drive

Drawing Title: Drainage Strategy
Basement Layout

Scale: 1:125 Drawn: JLB Checked: JHW

Project-Originator-Zone-Level-Type-Role Drawing No.: Revision:

24058-GAP-XX-XX-DR-C 9002 P07



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NOT FOR CONSTRUCTION

P01	28.03.24	Preliminary Issue	JLB
Rev	Date	Revision Description	Issued by

Drawing Status: 50 - Under Review in Progress

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 7 Arrowsmith Court, Station Approach
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Client: ARC Architecture

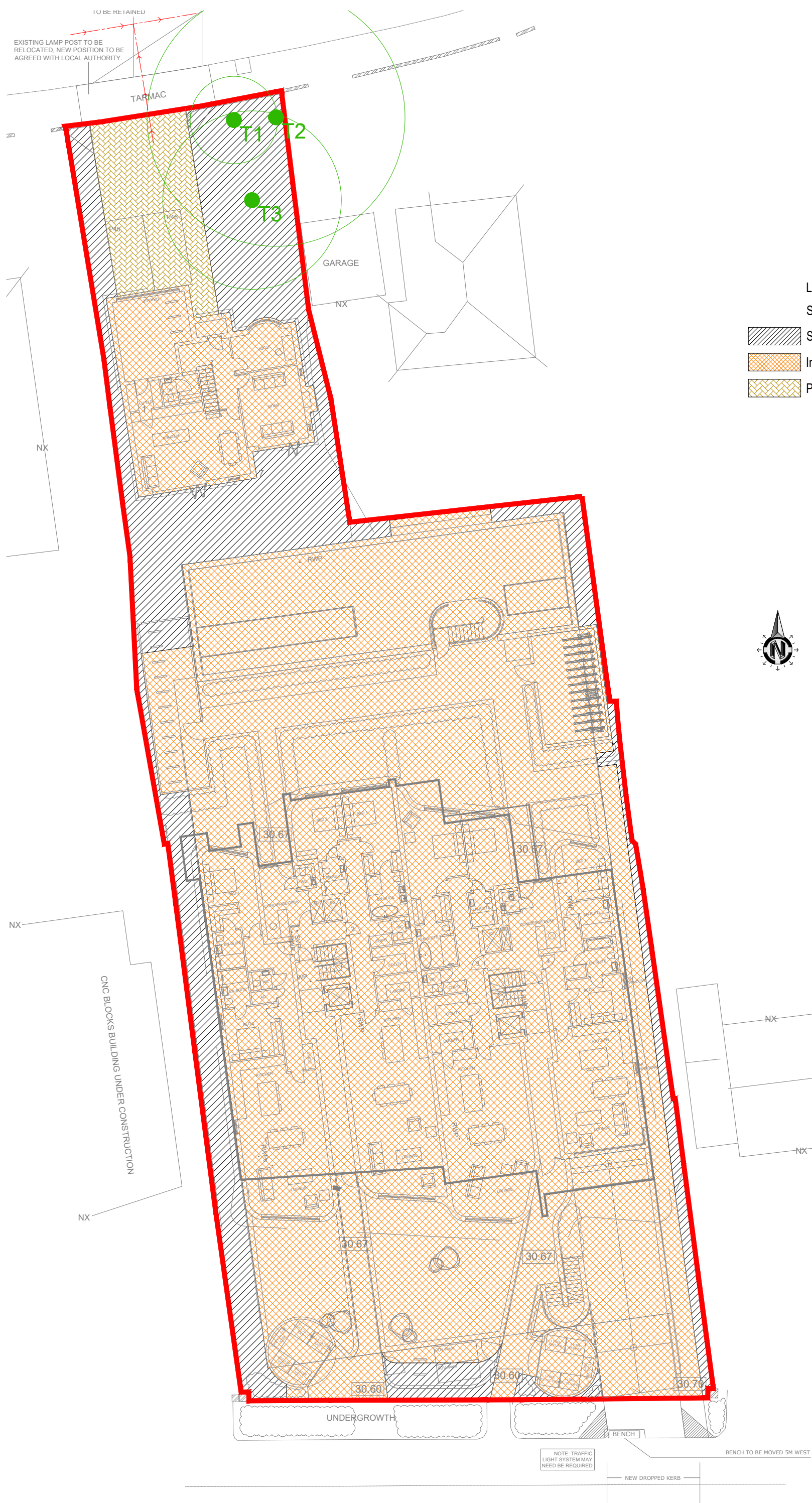
Project: 65-62 Boscombe Overcliff Drive

Drawing Title: Drained Areas
 Pre-Development

Scale: 1:125	Drawn: JLB	Checked: JHW
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Project-Origination-Zone-Level-Type-Role Drawing No.: Revision:

240058-GAP-XX-XX-DR-C 9010 P01



General Notes

1. These drawings are to be read in conjunction with all relevant Architect's and Engineer's drawings and specifications, refer to Drg. No.00 for Structural Specification
2. Except where specific dimensions are shown on these drawings, all setting out shall be in accordance with the architects drawings and specifications. Any discrepancy between these drawings and the architects drawings or the actual site dimensions should be referred to the engineer immediately and confirmed in writing. The contractor is responsible for the accuracy of all dimensions and the setting out.
3. Do not scale from these drawings. If in doubt, ask.
4. All dimensions are in millimetres unless noted otherwise.
5. All proprietary materials to be in accordance with manufacturers specifications and to Engineer's approval.
6. All proprietary CDP elements shown on the drawings should be treated as indicative and are subject to detailed design by specialist manufacturer/supplier. The contractor should make suitable allowance for third party design/detailing and potential impact on the permanent work design.

Legend

	Soft landscaping	Existing Site	Proposed Site
	Soft landscaping	656 m ²	393 m ²
	Impermeable area	1542 m ²	1728 m ²
	Permeable surfaces	N/A	78 m ²



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NOT FOR CONSTRUCTION

P02	17.06.25	Site plan updated	JHW
P01	28.03.24	Preliminary issue	JLB
Rev	Date	Revision Description	Issued by

Drawing Status:

S0 - Work in Progress

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Consulting Civil and Structural Engineers

7 Arrowsmith Court, Station Approach
Broadstone, Dorset. BH18 8AX
Telephone: 01202 600 900 Website: www.gapltd.net

Client: ARC Architecture

Project: 65-67 Boscombe Overcliff Drive

Drawing Title: Drained Areas
Post-Development

Scale: 1:125	Drawn: JLB	Checked: JHW
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Project-Originator-Zone-Level-Type-Role	Drawing No.:	Revision:
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24058-GAP-XX-XX-DR-C 9011 P02

Arboricultural Method Statement

This method statement is a working document which aims to provide effective specifications for tree-sensitive operations and thus to minimise impacts on retained trees. It must be retained on site and be available to the site manager/foreman as a reference during construction.

If any changes are made to the proposed development or any of the working methods are found to be impracticable, then the method statement must be reviewed in consultation with the project arboriculturist.

This method statement may include work to protected trees, consent for which is not required so far as such work is necessary to implement a planning permission.

Failure to comply with this arboricultural method statement could result in enforcement action being taken by the local planning authority.

Tree Surgery

The following work to trees is necessary:

- T3 - Prune lower branches to give 4m clearance above access drive
- T4-T8 - Fell to ground level

The legal Duty of Care requires that all work specified in this report should be carried out by qualified, arboricultural contractors working according to Health & Safety Executive guidelines. All work must be carried out to arboricultural industry best practice and in accordance with BS 3998:2010 'Tree work - Recommendations'. All tree management work must take account of the Wildlife and Countryside Act, 1981, as amended by the Countryside and Rights of Way Act 2000, and the Conservation of Habitats and Species Regulations 2017. This legislation makes it a criminal offence to disturb the nests and to injure or kill nesting birds or bats.

Tree Protection Fencing

Tree protection fencing, complying with British Standard 5837:2012 'Trees in relation to design, demolition and construction - Recommendations', must be erected in the position shown on the plan prior to commencement of work on site and remain as an effective barrier and in position until the end of the construction phase or until the project arboriculturist, or local planning authority provides written authority for its removal.

See illustration below for specification of the tree protection fencing to be erected on the site.

Temporary Ground Protection

Prior to the commencement of any work on the site temporary ground protection must be laid in the area shown on the plan. Here, ground protection must consist of inter-linked ground protection boards placed on top of a compression-resistant layer (e.g. 150 mm depth of woodchip), laid onto a geotextile membrane. This protection must remain in position until the end of the construction phase or until the project arboriculturist, or local planning authority provides written authority for its removal.

See illustration below for specification of the temporary ground protection to be laid on the site.

Boundary Wall Adjustment for Visibility Splay

All re-grading work within the area shaded magenta on the plan must be carried out carefully by hand.

At this time, if any roots are encountered they must be cut back to 50mm beyond the area of disturbance in accordance with BS 3998:2010 'Tree work - Recommendations'. Roots must be cut cleanly using a suitable sharp hand tool (e.g. bypass secateurs or handsaw). Where roots of diameter greater than 25mm are encountered the project arboriculturist must be consulted before any pruning takes place.

Installation of Cellular Confinement System

The proposed driveway and car parking area must be installed using a cellular confinement system. The minimum area subject to this treatment is shown hatched in grey on the plan opposite. The existing driveway surface must be retained to protect underlying roots until the new surface can be installed.

There is a variety of cellular confinement products available; the chosen product must conform to ISO 13428-1:2003 'Geotextiles and geotextile-related products - strength of internal structural junctions - Part 1: Geocells'.

The existing driveway surface must be broken up using a pneumatic drill or hand tools and removed from the site carefully. No vehicles are permitted onto any exposed ground. Debris from this operation must not be placed within any exposed tree root protection area. This operation must be supervised by the project arboriculturist.

Hollows must be filled using sharp sand to provide a level surface onto which the geotextile can be laid. The prepared ground must be covered using a non-woven geotextile fabric (min. 300g/m²) with a CBR puncture resistance of 4kN. Joins must be overlapped by 300mm.

The cellular confinement panels must be expanded to their full length / width and pinned with staking pins to keep the cells open. Adjacent panels must be stapled together to create a continuous mattress. Excess cells can be removed by cutting panels with a sharp knife. Each open cell must be filled to full capacity with a no fines fill of 20-40mm crushed stone; granite and basalt are ideal. Cells must be overcharged by approximately 50mm to protect the top edges of the panel from wear and the infill material consolidated by several passes of a tracked excavator or smooth roller. A whacker plate must not be used to compact the stone as this would also compact the soil beneath.

Kerb edges can be concreted in place on top of the cellular panels to avoid disturbance of the adjacent ground. Timber edging, where appropriate, can be installed using treated timber boards held in place by wooden pegs. Soil should be placed against the timber edge and battered to provide a slope between the final surface and the existing soil level. Where there is an existing edge that can be used this will avoid or minimise excavations and tree root damage.

If installed prior to the completion of the new dwelling, the cellular confinement system must be finished with ground mats to protect the panels from wear. At the end of construction, the ground mats can be removed to lay the final permeable wearing surface.

Surfacing Options:

Block Paving

Lay a second layer of geotextile fabric over the infilled cellular confinement panels. Lay a sharp sand bedding layer compacted with a vibro compaction plate to the depth recommended by the paving product supplier. Place block paviors as per manufacturer's instructions.

Loose Gravel

Place a second layer of geotextile fabric over the infilled cellular confinement panels. Place decorative aggregate to the required depth. NOTE: A treated timber edge must be provided to restrict gravel movement.

Porous Asphalt and Resin Bound Gravel

Place a 50mm surcharge of the granular material above the cellular confinement system and lay a binder course of porous asphalt onto this rough surface before adding the final wearing course.

Pre-Commencement Site Meeting

A pre-commencement site meeting must be held at which the site manager, the project arboriculturist and, if required by condition, a representative from the local planning authority are present to discuss the tree protection measures.

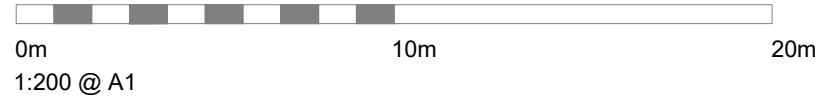
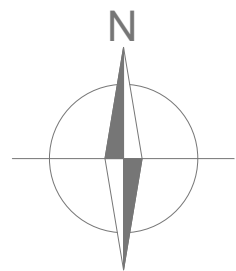
General Construction Management

There must be no changes to soil levels within tree root protection areas.

Fires must not be set within the site.

Cement and concrete mixing must be carried out only where there is no significant risk of contamination of tree root systems. If mixing is unavoidable within 10m of any retained tree it must be contained in a bunded area, as illustrated below.

Cranes must only be used where there is no possibility of them damaging overhanging branches.



Surface water flow control unit

Existing manhole upgraded to combining chamber

Foul and surface water drainage pumped up from apartments

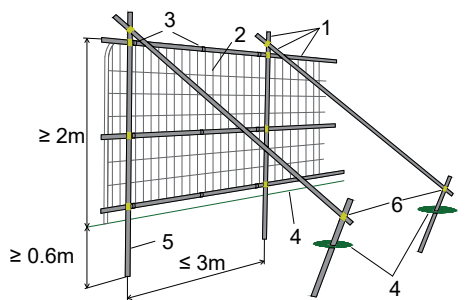
Outline of basement shown dashed

Existing sewer

Existing buildings to be demolished

Indicative drainage layout

Tree Protection Fencing Specification



- Key:
- Standard scaffold poles.
 - Heavy gauge 2m tall galvanized tube and welded mesh infill panels.
 - Panels secured to uprights and cross-members with wire ties.
 - Ground level.
 - Uprights driven into the ground until secure (minimum depth 0.6m).
 - Standard scaffold clamps.

Temporary Ground Protection Specification

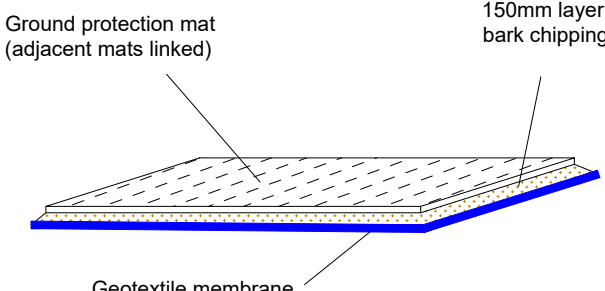
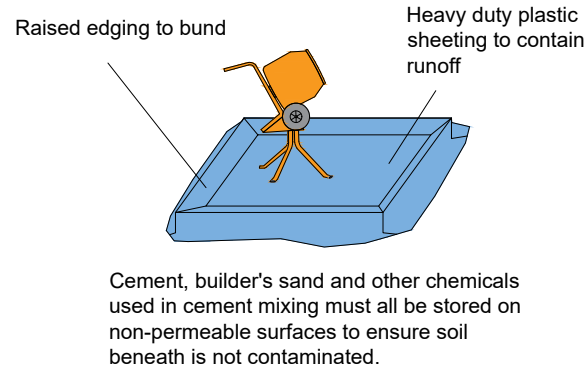
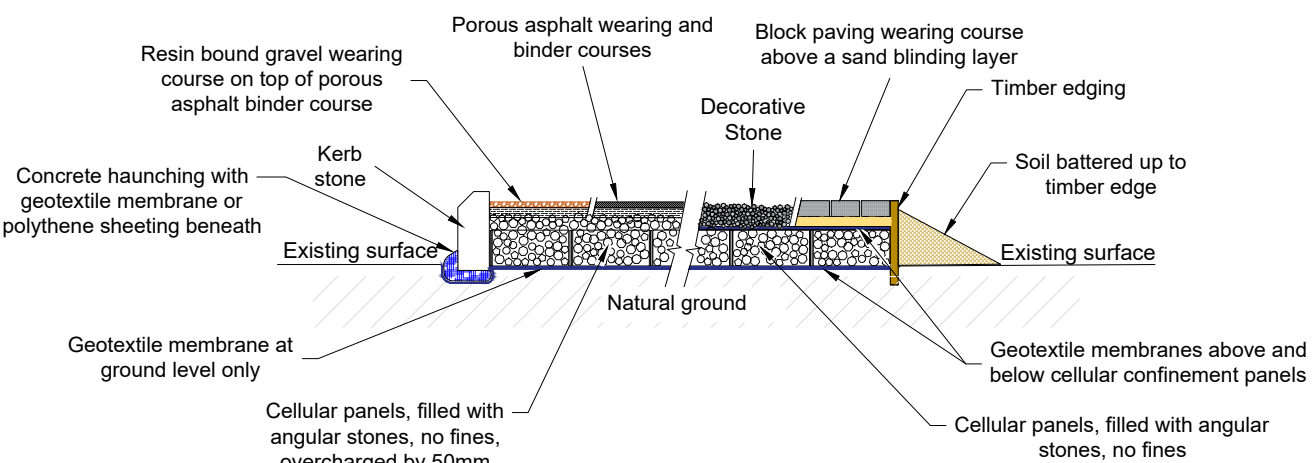


Illustration of bunded cement mixing area



Indicative sections of cellular confinement system with a range of surface finishes



Arboricultural Method Statement

This method statement is a working document which aims to provide effective specifications for tree-sensitive operations and thus to minimise impacts on retained trees. It must be retained on site and be available to the site manager/foreman as a reference during construction.

If any changes are made to the proposed development or any of the working methods are found to be impracticable, then the method statement must be reviewed in consultation with the project arboriculturist.

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Failure to comply with this arboricultural method statement could result in enforcement action being taken by the local planning authority.

Tree Surgery

The following work to trees is necessary:

- T3 - Prune lower branches to give 4m clearance above access drive
- T4-T8 - Fell to ground level

The legal Duty of Care requires that all work specified in this report should be carried out by qualified, arboricultural contractors working according to Health & Safety Executive guidelines. All work must be carried out to arboricultural industry best practice and in accordance with BS 3998:2010 'Tree work - Recommendations'. All tree management work must take account of the Wildlife and Countryside Act, 1981, as amended by the Countryside and Rights of Way Act 2000, and the Conservation of Habitats and Species Regulations 2017. This legislation makes it a criminal offence to disturb the nests and to injure or kill nesting birds or bats.

Tree Protection Fencing

Tree protection fencing, complying with British Standard 5837:2012 'Trees in relation to design, demolition and construction - Recommendations', must be erected in the position shown on the plan prior to commencement of work on site and remain as an effective barrier and in position until the end of the construction phase or until the project arboriculturist, or local planning authority provides written authority for its removal.

See illustration below for specification of the tree protection fencing to be erected on the site.

Pre-Commencement Site Meeting

A pre-commencement site meeting must be held at which the site manager, the project arboriculturist and, if required by condition, a representative from the local planning authority are present to discuss the tree protection measures.

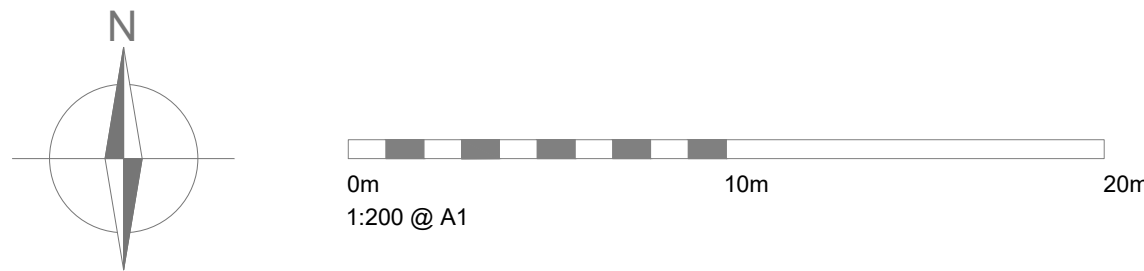
General Construction Management

There must be no changes to soil levels within tree root protection areas.

Fires must not be set within the site.

Cement and concrete mixing must be carried out only where there is no significant risk of contamination of tree root systems. If mixing is unavoidable within 10m of any retained tree it must be contained in a bunded area, as illustrated below.

Cranes must only be used where there is no possibility of them damaging overhanging branches.



Indicative drainage layout

Outline of basement shown dashed

Existing buildings to be demolished

Indicative drainage layout

83

Title:	Tree Protection Plan & Arboricultural Method Statement		Plan TC1
Site:	Purbeck Court, 65-67 Boscombe Overcliff Drive		
TC Ref:	DS/92724/AC		
Date:	26 February 2024		
Scale:	1:200 @ A1		
Key:	Category Trunk diameter (black ring) Theoretical Root Protection Area T1 Crown Spread Tree Number Trees to be removed are shown with dashed crown spreads and root protection areas		
British Standard 5837:2012 Categories			
	'A' category trees are those of high quality.		
	'B' category trees are those of moderate quality.		
	'C' category trees are those of low quality or young trees with a stem diameter below 150mm.		
	'U' category trees are those that are unsuitable for retention.		
Tree protection fencing to be erected prior to the commencement of any works on the site.			

Supervision of Arboriculturally Sensitive Operations			
The project arboriculturist must supervise or be involved at the following points in the construction process:			
Pre-commencement site meeting.			
Planning of underground services.			
As any other arboricultural issues arise.			
Contact Details for Relevant Parties			
Role	Company / Organisation	Name	Phone Number
Contractor			
Architect	ARC Architecture	Arron Emmanuel	01202 479919
Arboricultural Consultant	Treecall Consulting	Andrew Cleaves	01202 462602
Arboricultural Officer	BCP Council		01202 123321

Limitations of Use
This plan is based on the topographical and site layout plans provided. All measurements must be checked with these plans and appropriate documents.
This plan has been prepared in colour. If printed in black and white some details may be obscured.
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22 Lacey Crescent Poole BH15 3NZ T: 01202 462602 E: info@treecall.co.uk W: www.treecall.co.uk



Planning Committee

Application Address	95 Charminster Avenue Bournemouth BH9 1RU
Proposal	Alterations, loft conversion to include dormer window and roof light and change of use from single dwellinghouse (Use Class C3) to 8-person House in Multiple Occupation (Sui Generis)
Application Number	P/25/03627/FUL
Applicant	Mr Kyle Lloyd
Agent	Mr Daniel Wilden Pure Town Planning Studi 2 The Focus Building 1 Crimea Road Bournemouth BH9 1AP
Ward and Ward Member(s)	Moordown Cllr Joe Salmon Cllr Kate Salmon
Report Status	Public
Meeting Date	20 November 2025
Summary of Recommendation	Grant in accordance with the details set out below for the reasons as set out in the report
Reason for Referral to Planning Committee	Over 20 comments received contrary to decision
Case Officer	Laura Sims
Is the proposal EIA Development?	No

Description of Proposal

1. Permission is sought for alterations, loft conversion to include dormer window and roof light and change of use from single dwellinghouse (Use Class C3) to 8-person House in Multiple Occupation (Sui Generis).

Description of Site and Surroundings

2. The proposed site is a detached two storey dwelling set on the corner of Charminster Avenue and Malvern Road. The site benefits from a single storey rear extension which was granted permission under 7-2024-29293-(TPD), the site is very open with no boundary treatment to the front, side or rear.
3. The setting of the site is varied, opposite the dwelling to the west is a small parade of shops with residential units at first floor level, to the North is the St Walburga's Catholic Primary School. Dwellings to Malvern Road are primarily detached two storey with some variety in design, whilst Charminster Avenue is characterised by detached two storey dwellings of similar design to Number 95.
4. The area is characterised by a mixture of detached two storey dwellinghouses and bungalows.

Relevant Planning History:

5. 7-2024-29293-(TPD) - 95 Charminster Avenue, Bournemouth, BH9 1RU - Prior notification procedure – The erection of a single storey rear extension which would extend beyond the rear wall of the original house by 8m, for which the maximum height would be 3.5m, and for which the height of the eaves would be 2.5m. – Granted - 07/10/24
6. P/25/03627/FUL – 95 Charminster Avenue, Bournemouth, BH9 1RU - Conversion of existing property to 4 Flats including roof extension to provide 2nd Floor Flat. – Refused as the alterations created an out of character and over dominant dwelling, insufficient parking and BNG information – 11/07/2025

Constraints

7. None.

Public Sector Equalities Duty

8. 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

9. 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.
10. With regard to sections 28G and 28I (where relevant) of the Wildlife and Countryside Act 1981, to the extent consistent with the proper exercise of the function of determining this application and that this application is likely to affect the flora, fauna or geological or physiographical features by reason of which a site is of special scientific interest, the duty to take reasonable steps to further the conservation and enhancement of the flora, fauna or geological or physiographical features by reason of which the site is of special scientific interest.
11. For the purposes of section 40 Natural Environment and Rural Communities Act 2006, in assessing this application, consideration has been given as to any appropriate action to further the "general biodiversity objective".
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. For the purposes of this report regard has been had to the Human Rights Act 1998, the Human Rights Convention and relevant related issues of proportionality.

Consultations

14. Highways – no objection subject to condition
15. Waste and Recycling – No objection
16. Natural England – No response

Representations

17. Site notices were posted within the vicinity of the site on 24/09/2025 with an expiry date of 15/10/2025.
18. 91 comments were received. 90 raising objections, 1 supporting the application. The objections raised were as follows:
 - Increase in parking (61 comments)
 - Safeguarding concerns for vulnerable neighbours and school children (57 comments)
 - Increase in traffic and congestion (49 comments)
 - Out of character change of use to the area (40 comments)
 - Disturbance, noise and anti-social behaviour (19 comments)
 - Overdevelopment and intensification to site (16 comments)
 - Overall amenity concerns (12 comments)
 - Overlooking (6 comments)
 - Poor design (5 comments)
 - Harm to biodiversity (1 comment)
19. One comment in support of the scheme was received stating the following:
 - High quality conversion

- Meets HMO standards and National Space Standards
- Positive contribution to neighbourhood

Key Issue(s)

20. The key issues involved with this proposal are:

- Principle of the HMO use
- Impact on character and appearance of the area
- Impact on residential amenity
- Impact on future living conditions
- Impact on highways
- Biodiversity
- Heathlands
- New Forest SAMMs

21. These issues will be considered along with other matters relevant to this proposal below.

Policy context

22. 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 Bournemouth Core Strategy and District Wide Local Plan.

Core Strategy (2012)

CS1 - Presumption in favour of sustainable development
 CS16 - Parking Standards
 CS18 - Increasing Opportunities for Cycling and Walking
 CS19 - Protecting Small Family Dwellinghouses
 CS21 - Housing Distribution Across Bournemouth
 CS24 - Houses of Multiple Occupation
 CS41 - Quality Design

District Wide Local Plan (2002)

6.13 Flat Conversions - Location of Property
 6.16 Flat Conversions - Car Parking

Supplementary Planning Documents:

Affordable Housing - SPD
 Dorset Heathlands Planning Framework SPD 2015
 Residential Extensions: A Design Guide 2008 (Advice note)
 Parking Standards SPD (adopted January 2021) (Supplementary planning document)

23. National Planning Policy Framework

Section 2 – Achieving Sustainable Development
 Section 12 – Achieving well-designed and beautiful places

Paragraph 11 –
 “Plans and decisions should apply a presumption in favour of sustainable development.

.....

For decision-taking this means:

- (c) approving development proposals that accord with an up-to-date development plan without delay; or
- (d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.”

Planning Assessment

Presumption in favour of sustainable development

- 24. At the heart of the NPPF is the presumption in favour of sustainable development. 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 of 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 NPPF (2024) paragraph 78 requires local planning authorities to identify and update a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing. Paragraph 78 goes on to state that the supply should be demonstrated against either the housing requirement set out in adopted strategic policies, or against the local housing need where the strategic policies are more than five years old. Where the Housing Delivery Test indicates delivery has fallen below the local planning authority's housing requirement over the previous three years, a buffer should be included as set out in paragraph 79 of the NPPF.
- 27. As of 1 April 2024 BCP Council had a housing land supply of **2.1** years against a 5-year housing requirement that includes a 20% buffer. For the purposes of paragraph 11 of the NPPF, it is therefore appropriate to regard relevant housing policies as out of date as the local planning authority is unable to demonstrate a five-year supply of homes.
- 28. In this instance, the scheme would not be considered to provide additional dwellings that would contribute towards the Council's housing delivery target. However the change of use to a HMO would contribute towards the range of housing need and type within the area.

Principle of the HMO use

- 29. A change of use is sought from a residential dwellinghouse to a Sui Generis HMO. Concern has been raised regarding the loss of a small family dwelling, Policy CS19 states that a house or bungalow with an original gross external floorspace of less than 140m² should be retained to ensure there is a balanced stock of housing across the Borough. Number 95 Charminster Avenue has an external area of 146m², excluding the extension, and therefore would not be considered a small family dwelling.

30. Policy CS24 of the Bournemouth Core Strategy Plan refers to Houses in Multiple Occupation. Saved Policy 6.17 of the District Wide local Plan 2002 (DWLP) has been engaged with this proposal as this is aimed at larger (Sui Generis) HMO uses.
31. Policy 6.17 states that for the conversion of existing properties, dwellings should be a “*substantial detached building which at present provides a minimum of seven habitable rooms, a kitchen and adequate bathroom and toilet facilities*”, the existing property meets this requirement. Additionally, the proposal would provide garden space to the front and rear of the site for residential use. As such the principle of the change in use would be considered as in line with Policy 6.17.
32. Policy CS24 states that the change in use of Class C3 to an HMO will only be permitted where no more than 10% of dwellings in the area adjacent to the application property are within Use Class C4 or larger ‘Sui Generis’ HMO use. This seeks to ensure the HMO’s do not impact negatively on the character and appearance of an area and the residential amenity of existing local residents through the creation of high concentrations levels of this type of development.
33. In light of these policies an assessment of the existing numbers of HMO uses has taken place, which involves using a data base of registered HMO uses, examining Council Tax exemptions for student housing, and other data, as well as a site visit to the area. This assessment determines if there are a high number of HMO uses in the locality. Assessing the proposal in line with the policy identifies one property within 100m of the application site on the streets that form part of the policy requirement. The adjacent roads include:-
 - Charminster Avenue
 - Ripon Road
 - Malvern Road
 - Beatty Road
 - Camden Close
34. In this particular case the area generally contains traditional family sized houses and is not within the catchment area typically associated with university students and HMO properties. Reference to available records and the HMO catchment map identifies that the number of known HMOs dwellings in the catchment area is 1 out of 61 properties in the 100m search area. This equates to 1.6% of the properties in the search policy being in use as an HMO. When this proposal is added to the equation it results in only 3.2% of the properties being in use as a HMO, which is well below the 10% threshold requirement set out in policy CS24 of the Core Strategy. In this regard compliance with CS24 is achieved.

Impact on character and appearance of the area

35. The proposal would include a small, pitched roof dormer to the front elevation as well as the erection of a bin store along the southern elevation and cycle store to the rear boundary. Additionally, a high-level window will be introduced to the single storey extension, side access to the dwelling and patio doors to the front elevation. As previously aforementioned the approved rear single storey extension has been fully erected, all landscaping has also been removed to the site. All alterations are modest in size and are considered in keeping with the surrounding area.
36. It is recognised that the change of use as a larger 8-bedroom HMO could result in an intensification of use to the property. However, the function of the site would remain as residential and is not considered demonstrably different to that of a C3 dwellinghouses. Given it has been demonstrated there would not be an overconcentration of HMO uses in this area and the similarity in terms of use between a C3 dwellinghouse and an HMO the application is considered to safeguard the character and appearance of the area in accordance with the aims CS24 and CS41 of the Core Strategy and 6.17 of the District Wide Local Plan.

Impact on neighbouring properties

37. One ground floor high window and door would be introduced to the side elevation facing Number 93 Charminster Avenue. This would not afford any harmful views into the amenity space of this neighbour. The front elevation dormer and rear skylight would look towards the front garden of Number 157 Malvern Road and parade of shops. Neither would significantly increase the level of overlooking and would not harm residential amenities. Concern was raised by objectors due to

overlooking towards the school and the safety of the children. The site is an existing dwelling with 6 windows facing on to the school, this would increase to 7 with one additional window to the approved extension. To the closest side elevation of the school there is a separation distance of 20 metres which would be retained therefore overlooking would not be considered as adversely harmful.

38. An overconcentration of HMO uses within a locality can result in a cumulative and materially harmful impact on nearby residential amenity, hence the 10% threshold set out in policy CS24 of the Core Strategy. Taking into account the proposed HMO results in a concentration level of only 3.2% of properties being in HMO use which is well below the 10% threshold set out in policy CS 24 of the Core Strategy. Given the small concentration levels in the search area and the modest intensification of use of the property from a C3 dwellinghouse to a modest sui generis HMO it is considered that the proposals will safeguard existing nearby residential amenity in accordance with the aims of policies CS24 and 41 of the Core Strategy and policy 6.17 of the District Wide Local Plan.

Impact on future living conditions

39. This scheme proposes 8 bedrooms with one person per room occupancy levels that has been specified. All rooms are above the national minimum standard size for HMO use. The following make up of rooms would be offered: -
- Ground Floor: Three bedrooms with ensembles (16.9m², 14m² and 10.2m²), one living room/kitchen space and one utility
 - First Floor: Four bedrooms (10.8m², 7m², 8.4m² and 13.7m²) all with ensembles.
 - Second Floor: One bedroom (11.9m² with headroom 1.5m or higher) both with an ensuite.
40. All habitable rooms would have clear outlooks and daylight.

Impact on highways

41. The proposal has provided one off road parking space and a cycle store to the rear of the site. In accordance with the BCP Parking Standards SPD (2021), the proposed development site is located within parking zone D. As per Table 30 of the SPD, a large HMO (Sui Generis) requires one car parking space to be provided. Consequently, the provision of one car parking space at the rear of the site satisfies the required standard.
42. The parking area is of adequate size to accommodate an SPD compliant space including an adequate buffer to the either side, and to the rear. The pedestrian inter-visibility splays are an important feature in this location owing to significant pedestrian use of the footway fronting the site, mostly generated by the adjacent school. To ensure the required level of inter-visibility is preserved, a build-out or similar is needed to prevent cars from being driven within the splay area as this would result in reduced visibility when exiting the site although any design will need to account for access with a cycle also.
43. The existing vehicular crossover (dropped kerb) will need to be extended to align with parking space to ensure no diagonal vehicle movements across the footway and to preserve visibility. New residential development generates a cycle parking requirement of one space/bed which equates to 8 spaces for the proposed HMO. The required level of cycle parking can be provided in an SPD compliant 'stand' arrangement within the cycle store, proposed to the rear of the car parking space. The position of the parking space coupled with some type of physical segregation to the splay area will ensure unfettered access to and from the public highway with a cycle.
44. Overall the proposal would comply with Policy CS16 and Parking Standards SPD subject to the implemented conditions.

Waste and Recycling

45. A House of Multiple Occupancy would be issued with a standard household allocation of 1 x 180 litre refuse bin, 1 x 240 litre recycling bin, and 1 x 23 litre capacity bin for food waste. Larger HMOs with 5 or more people living in them may also apply and pay for additional bins (1 x 180 litre refuse bin and 1 x 240 litre recycling bin and 1 x 23 litre food waste bin).
46. If the HMO generates more waste than the standard and the additional allowance, the landlord/managing agent must either arrange for the removal of the waste themselves, or pay a registered waste carrier to do so. The landlord would need a waste carrier's licence to remove the waste themselves and pay for waste disposal at a licenced facility such as our household recycling centres.
47. An occupant of the dwelling will need to ensure the bins are presented for collection at the kerbside and returned to the property boundary following emptying

Biodiversity

48. The NPPF at chapter 15 'conserving and enhancing the natural environment' sets out government views on minimising the impacts on biodiversity, providing net gains where possible and contributing to halt the overall decline in biodiversity. The Local Plan Policy CS30 biodiversity and geodiversity, sets out policy requirements for the protection and where possible, a net gain in biodiversity.
49. In addition, a 10% biodiversity net gain (BNG) is required as per the Environment Act 2021 though exemptions apply. This proposal is exempt as it is de minimis.

Heathland Mitigation

50. 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 dwelling(s) resulting in increased population and domestic animals should be undertaken with regard to the requirements of the Habitat Regulations 1994. It is considered that an appropriate assessment could not clearly demonstrate that there would not be an adverse effect on the integrity of the sites, particularly its effect upon bird and reptile habitats within the SSSI.
51. Therefore, as of 17th January 2007 all applications received for additional residential accommodation within the borough is subject to a financial contribution towards mitigation measures towards the designated sites. In this case, contribution is required for the two additional rooms over a C4 HMO. A contribution of £720 along with £75 admin fee would need to be secured.

New Forest SAMMS

52. The site lies within 13.8km of New Forest SAC, New Forest SPA and New Forest Ramsar, which are protected under European legislation for their wildlife importance.
53. It has been demonstrated in the recent report by Footprint Ecology to the New Forest Steering Group (New Forest Strategic Access Management & Monitoring (SAMM) Strategy October 2024) and in agreement with Natural England that additional recreational pressure from additional dwelling(s) have the potential to harm the integrity of these designated sites.
54. The proposed development must secure the appropriate level of mitigation to safeguard the New Forest designated sites from recreational related impacts. This will be secured through a Section 106 Agreement. A contribution of £600 along with £60 admin fee would need to be secured, HMOs exceeding six bedrooms must pay a fee of £300 per additional bedroom. As the proposal is for eight

bedrooms the site has been charged fees for two additional dwellings to mitigate harm as a result of the larger dwelling.

55. Once paid, the appropriate assessment can conclude that the plan or project will not adversely affect the integrity of the habitats site and would accord with the requirements set out in Section 63 of the Conservation of Habitats and Species Regulations 2017.

Planning Balance / Conclusion

56. Overall, it is considered that the proposal is not adjacent or located within 100m “of more than 10% of dwellings” that “are within a Use Class C4 or Sui Generis HMO use” as set out within Policy CS24 of the Core Strategy. Furthermore, the development would not result in an overconcentration of HMO use that would cause harm to the character and appearance of the area or to nearby residential amenity and in this regard accordance with policy 6.17 of the District Wide Local Plan is achieved. The development would result in the retention of the existing building and a scale and density of development in keeping with the character and appearance of the area.
57. Therefore, having considered the appropriate development plan policy, including the NPPF, it is considered that subject to compliance with the conditions attached to this permission and upon receipt of mitigation fees, 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

58. Conditional GRANT

RECOMMENDATION I - That delegated authority be granted to the Head of Planning Operations to Grant Conditional Permission subject to:

- (a) satisfactory completion of a Legal Agreement necessary to secure the mitigation of the impact of the proposed residential development on Dorset Heathlands and the New Forest SAMMS by securing the payment of a financial contribution and conditions (below)

RECOMMENDATION II - That delegated authority be granted to the Head of Planning Operations to add/amend conditions where necessary.

RECOMMENDATION III - That delegated authority be granted to the Head of Planning Operations to refuse planning permission if a Legal Agreement has not been satisfactorily completed within three months of the date of this resolution.

Conditions

1. The development hereby permitted shall begin not later than the expiration of three years beginning with the date this permission is granted.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 (as amended).

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

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

3. The development hereby permitted shall only be constructed of materials the details of which are set out on the application form.

Reason: To safeguard the visual amenities of the locality.

4. Notwithstanding details shown on the submitted plans, within 3 months of the commencement of the development, details of the internal cycle stand arrangement within the shown cycle store shall be submitted to and approved in writing by the Local Planning Authority. The construction/provision of the cycle parking shall be carried out in accordance with the agreed details and completed prior to occupation of the new development hereby approved. The cycle parking shall thereafter be retained, maintained and kept available for the occupants of the development at all times.

Reason: To promote the cycling mode of transport and in accordance with Policy CS18 of the Bournemouth Local Plan Core Strategy (October 2012).

5. Before the development is occupied or utilised, the proposed car parking space shall be constructed of a bound material and arranged in accordance with approved plans and permanently retained and kept available for its intended purpose, at all times.

Reason: To ensure the proper and appropriate development of the site and to ensure that highway safety is not adversely impacted upon in accordance with Policies CS16 and CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

6. Before the development is occupied or utilised, the existing vehicular crossover (dropped kerb) at Malvern Road shall be widened to align with the proposed car parking space and shall be constructed to the specification and satisfaction of the Local Planning Authority.

Reason: To ensure the proper and appropriate development of the site and to ensure that highway safety is not adversely impacted upon in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

7. Notwithstanding details shown on the submitted plans, within 3 months of the commencement of the development, details of the physical segregation/build-out of the pedestrian inter-visibility splays shall be submitted to and approved in writing by the Local Planning Authority. The pedestrian inter-visibility splay areas shall be cleared of all obstructions over 0.6m in height above ground level and constructed in accordance with approved details. 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.

Reason: To ensure the proper and appropriate development of the site and to ensure that the safe use of the existing walking network is not compromised in accordance with Policies CS18 and CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

8. No part of the development hereby permitted shall be occupied unless the bin store shown on approved plans 1203-PL 01 Rev C and 1203-PL 02 have been fully constructed in accordance with those approved details and thereafter at all times the approved bin stores shall be retained and kept available for use by all the residents of the development. No bin shall be stored in the open except on the day of collection other than within the approved bin store.

Reason: To preserve the visual amenities of the locality.

1. BNG:

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition (“the biodiversity gain condition”) that development may not begin unless: (a) a Biodiversity Gain Plan has been submitted to the planning authority, and (b) the planning authority has approved the plan. The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Bournemouth, Christchurch and Poole Council. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed in paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024.

Based on the information provided, (were this application to be recommended for approval) it is considered that the approval of a biodiversity gain plan would not be required before development can be begun and the statutory biodiversity gain planning condition would not apply. This is because the development is considered to meet the conditions of the ‘de minimis’ exemption, as set out in the Biodiversity Gain Requirements (Exemptions) Regulations 2024. The conditions are that the development does not impact on a priority habitat as specified under Section 41 of the Natural Environment and Rural Communities Act 2006; that the development impacts on less than 25sqm of onsite habitat that has a biodiversity value greater than zero; and that the development impacts on less than 5m of onsite linear habitat.

2. NPPF:

In accordance with paragraph 39 of the revised NPPF the Council, as Local Planning Authority, takes a positive, creative 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 agent was updated of any issues after the initial site visit, and was provided with the opportunity to address issues identified by the case officer and permission was granted.

Background Documents:

P/25/03627/FUL

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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Appropriate Assessment

Applicable to development in Bournemouth Local Plan area

Application Ref: P/25/03627/FUL

Address: 95 Charminster Avenue BH9 1RU

Site Proposal: Alterations, loft conversion to include dormer window and roof light and change of use from single dwellinghouse (Use Class C3) to 8-person House in Multiple Occupation (Sui Generis)



In accordance with the Conservation of Habitats and Species Regulations 2017 ("The Habitats Regulations") and findings of *People Over Wind & Sweetman v Coillte Teoranta* (Case C-323/17), Bournemouth, Christchurch and Poole Council (BCP Council) as the competent authority has concluded that, in the absence of mitigation the above application will have a likely significant effect on the European wildlife sites identified below (including Ramsar sites where relevant), arising from identified impact pathways.

In accordance with the Habitats Regulations, this document provides an appropriate assessment, which includes checking and confirming that avoidance and mitigation measures can be secured to prevent adverse effects on the integrity of the European sites identified below. This project level appropriate assessment has been undertaken to check that the proposal provides the necessary measures to prevent adverse effects on site integrity in accordance with the following strategic mitigation schemes:

- Dorset Heathlands Planning Framework Supplementary Planning Document (SPD);
- Dorset Heathlands Interim Air Quality Strategy;
- New Forest National Park Revised Habitat Mitigation Scheme SPD (July 2020)
- Footprint Ecology - New Forest Strategic Access Management and Monitoring Strategy (2023)
- Footprint Ecology – Discussion and analysis relating to the New Forest SAC/SPA/Ramsar and a zone of influence for recreation. (2021)
- Footprint Ecology – Recreational use of the New Forest SAC/SPA/Ramsar: Impact of recreation and potential mitigation approaches. (2020).
- New Forest Planning Position Statement (2025)

These strategic mitigation schemes set out avoidance/mitigation measures that are supported by an extensive and tested evidence base which has been scrutinised at various levels from planning appeals, public consultation processes and Habitats Regulations Assessments prepared for local plans or projects.

The proposal is assessed against the likely significant effects as follows:

Designated site	Applicable plan area	Likely Significant Effect?	Adverse effects caused by:
• Dorset Heathlands SPA • Dorset Heathlands Ramsar • Dorset Heaths SAC • Dorset Heaths (Purbeck & Wareham) & Studland Dunes SAC	BCP (Bournemouth, Christchurch & Poole) ¹	Yes	The proximity of urban development and its related effects including recreational pressures, arson, enrichment, etc. which arise from this development, requires measures to avoid and mitigate the effects. The impact of residential development on these sites and the suitability and robustness of avoidance and mitigation measures have already been considered as set out in the Dorset Heathlands Planning Framework 2020 - 2025 SPD, and the Dorset Heathlands Interim Air Quality Strategy - Phase 2 Interim Measures for 2020-2025, along with the underpinning evidence base and plan level HRA work.
• New Forest SAC • New Forest SPA and Ramsar	BPC	Yes	The proximity of urban development and its related effects including recreational pressures, which arise from this development, requires measures to avoid and mitigate the effects. The impact of residential

¹ Area covered by latest local plan – B: Bournemouth Core Strategy (2012), C: Christchurch and East Dorset Local Plan (2014), P: Poole Local Plan (2018)

			development on these sites and the suitability and robustness of avoidance and mitigation measures has already been considered as set out in the New Forest National Park Revised Habitat Mitigation Scheme SPD (July 2020). Footprint Ecology - New Forest Strategic Access Management and Monitoring Strategy (2023), New Forest Strategic Access Management and Monitoring Strategy (2023); and the draft New Forest Access Management & Monitoring (SAMM) Strategy and the underpinning evidence base and plan level HRA work.
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Having concluded that the application will have a likely significant effect in the absence of avoidance and mitigation measures on the above European wildlife sites, this document represents the Appropriate Assessment undertaken by BCP Council as Competent Authority in accordance with requirements under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Article 6 (3) of the Habitats Directive and having due regard to its duties under Section 40(1) of the NERC Act 2006 to the purpose of conserving biodiversity. Consideration of European wildlife sites is a matter of government policy set out in the National Planning Policy Framework.

Part 1: Compliance with strategic approaches

The starting point for this appropriate assessment is to check that the proposed development can be mitigated by compliance with the three strategic mitigation schemes set out above.

TABLE 1: *Can the following strategic schemes mitigate the adverse effects of this planning application?*

The proposed development provides the following contributions towards the strategic mitigation schemes listed above:

Impact: Addition 2 flats

Mitigation Strategy	Applicable plan area	Scheme	Specific Project	Cost per home	This application is mitigated by	
Dorset Heathlands Planning Framework	BCP	SAMM	SAMMs measures undertaken by the Council and the Urban Heaths Partnership	£360 per flat	✓	A payment of £720 towards strategic access management, education and monitoring
		SANG/HIP	Two Riversmeet SANG and other HIPs projects	Based on specific mitigation project	✓	Mitigation projects paid for from the wider CIL pot.
Dorset Heathland Air Quality Strategy	BCP	Direct/ Indirect measures	Management of heathland, changing use of land, encouragement of modal shift / zero emission vehicles	Based on specific mitigation project	✓	Mitigation projects paid for from the wider CIL pot.
The New Forest Strategic Access and Management Plan (October 2023); the draft New Forest Access Management	BCP	SAMM	Access management within the designated sites; Alternative recreational greenspace sites and routes outside the designated sites; Education, awareness and promotion; Monitoring and research; In perpetuity mitigation and funding	£300 per dwelling	✓	A payment of £600 towards strategic access management, education and monitoring.

Mitigation Strategy	Applicable plan area	Scheme	Specific Project	Cost per home	This application is mitigated by	
& Monitoring (SMM) Strategy (October 2024)						

Does the development plan, applicant's evidence or the Council's advisors indicate that additional bespoke mitigation measures are necessary? **No**

If yes, complete Part 2. If no, go to Part 3.

Part 2: Bespoke Mitigation Requirements

Table 2 sets out particular issues and mitigation measures that are additional to those covered in Table 1 and are not therefore covered by strategic mitigation schemes. These issues were highlighted by the development plan, applicant's evidence or the Council's advisors.

TABLE 2: What bespoke measures mitigate the adverse effects of this planning application?

Issue	Proposed Mitigation measures

Have the proposed mitigation measures in Table 2 above been agreed with Natural England as providing effective mitigation and will be secured by legal agreement to enable a conclusion of no effect? **N/A**

Part 3: Conclusion

Based on the assessment undertaken in Table 1 and if relevant Table 2, the Council is able to assess the application against the designated sites as follows:

Designated site affected	Document setting out adverse effect and mitigation strategy	Compliance with mitigation requirements		Confirmation that applicant has avoided / mitigated adverse effects on integrity for all features secured through the payment of CIL/S111/S106 or by any other suitable means and where necessary legal measures, enabling adherence to the relevant mitigation strategy
		Table 1	Table 2	
Dorset Heathlands SPA, Dorset Heathlands Ramsar, Dorset Heaths SAC, Dorset Heaths (Purbeck & Wareham) & Studland Dunes SAC	Dorset Heathlands Planning Framework	✓	n/a	Yes Mitigation secured via S106 Agreement/UU
New Forest SAC, New Forest SPA and New Forest Ramsar site	The draft New Forest Access Management & Monitoring (SMM) Strategy	✓	n/a	Yes Mitigation secured via S106 Agreement/UU

Conclusion

The Council as Competent Authority can therefore conclude that following appropriate assessment and with the necessary mitigation measures secured, there will be no adverse effect on the integrity of the designated sites identified above.

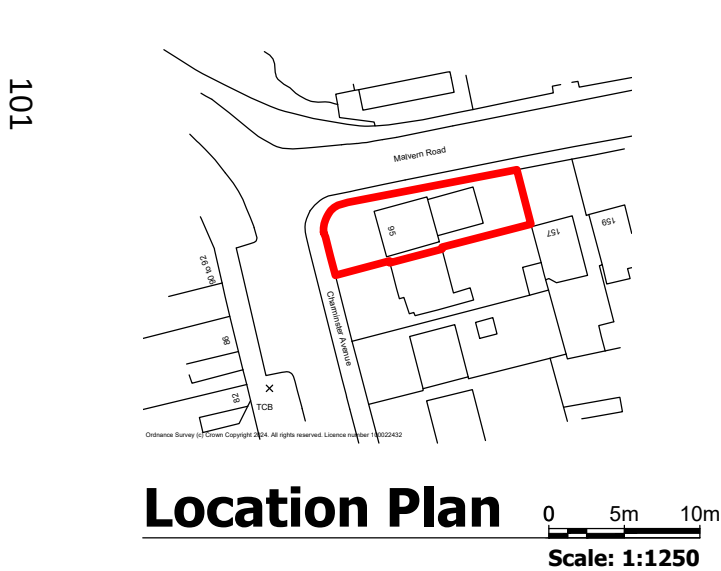
Signatures

Case officer signature: LAURA SIMS

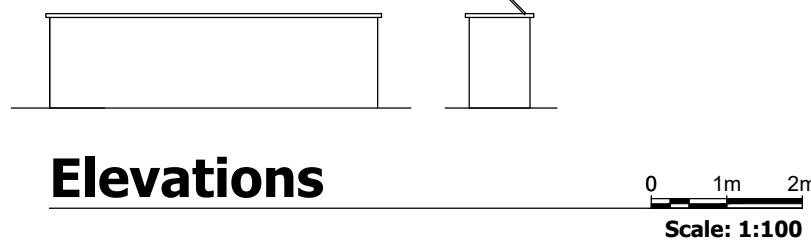
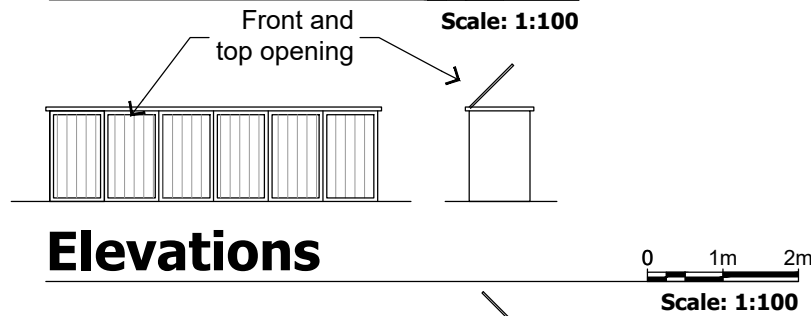
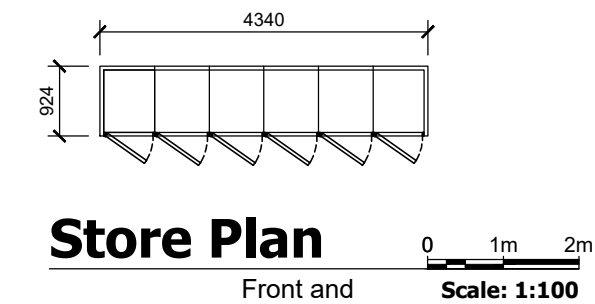
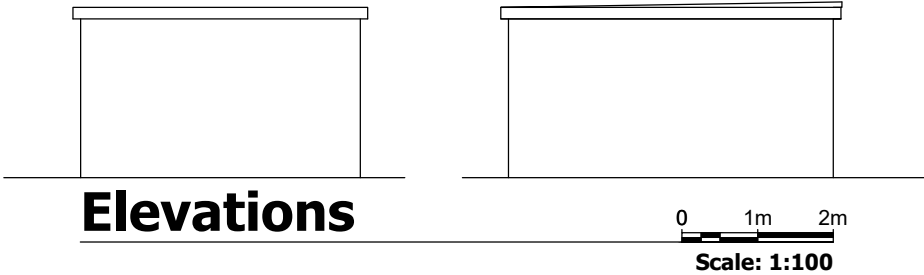
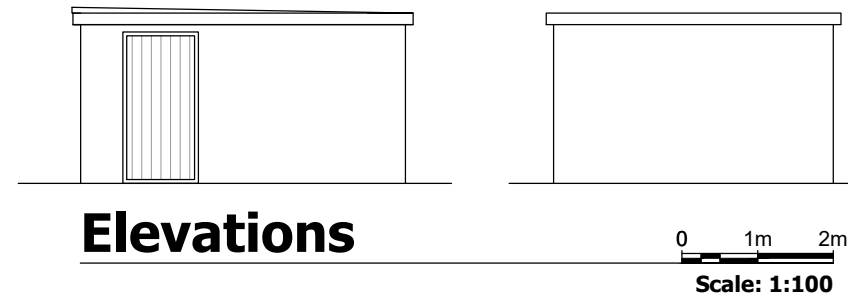
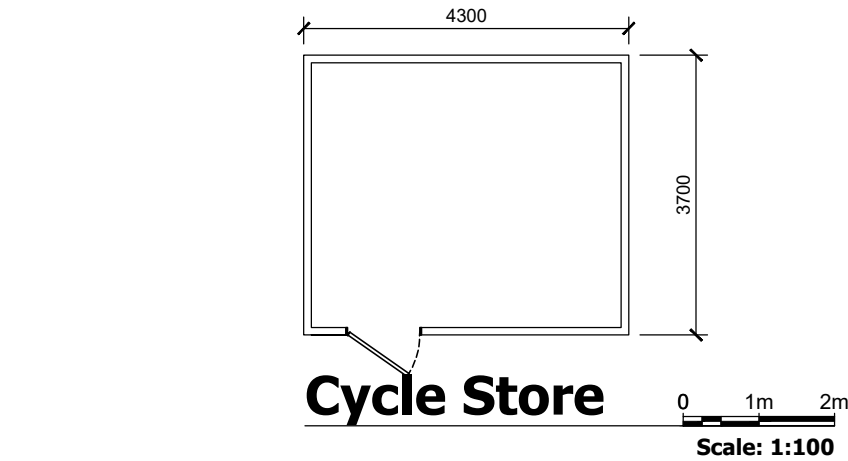
Date: 04 November 2025

Sign off signature: S Gould

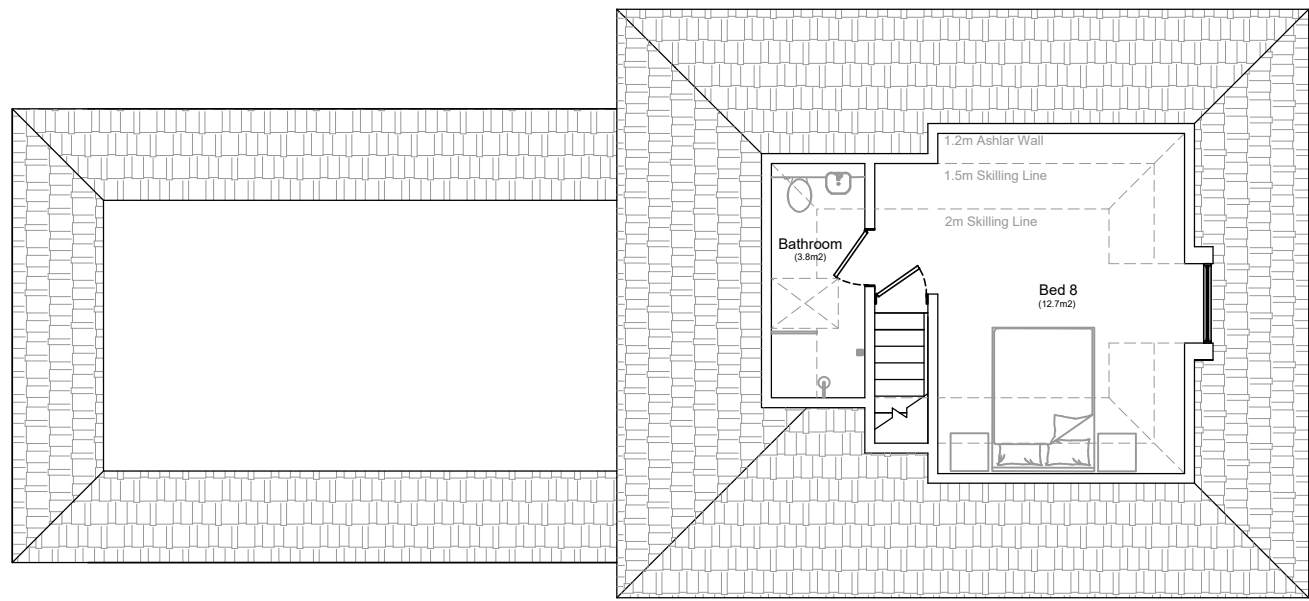
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Details		
95 Charminster Avenue Bournemouth		
Job Title		
Conversion of existing dwelling into HMO		
Drawing Title		
Cycle & Bin Store		
Scale	Drawn By	
As Shown		
Date	Sheet Size	
Aug 2025	A3	
Drawing Number	Rev	
1203 - PL 02		

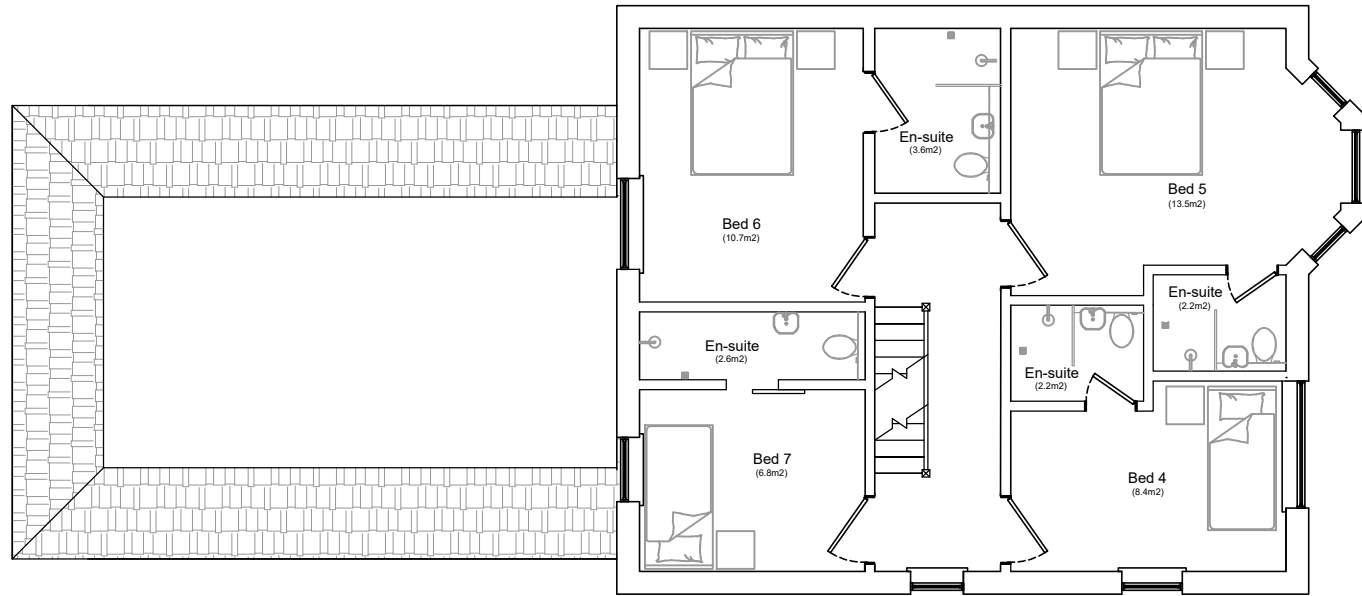


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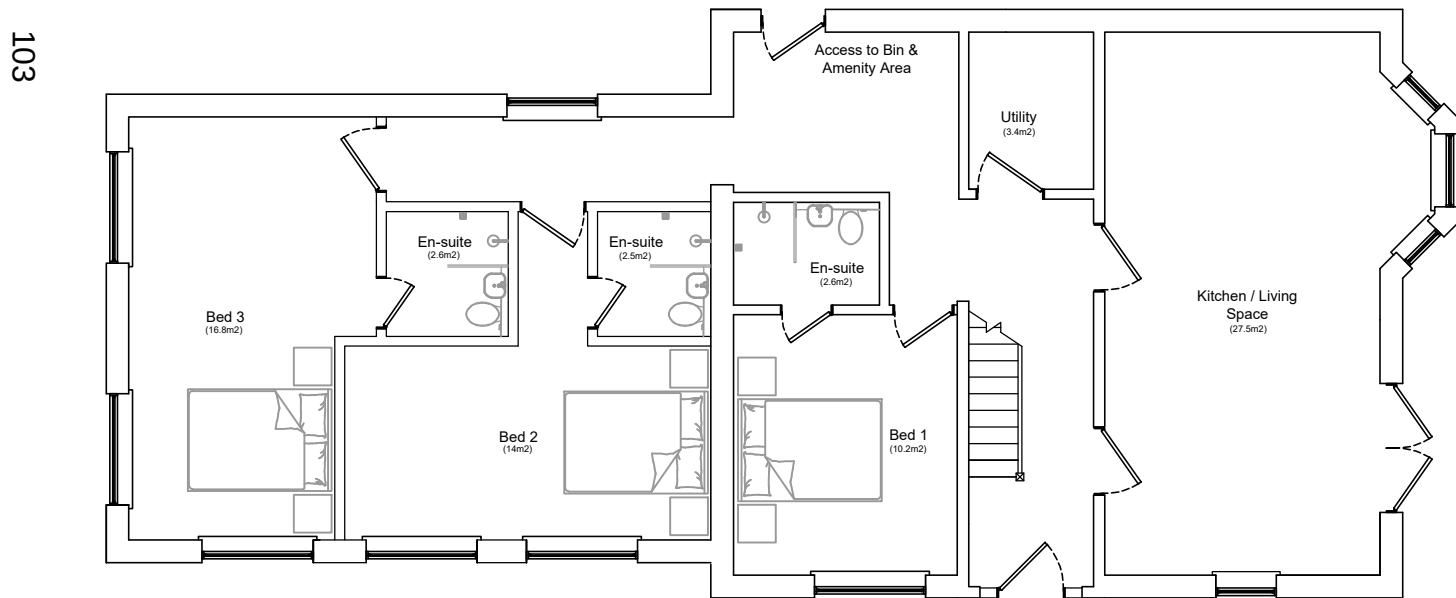
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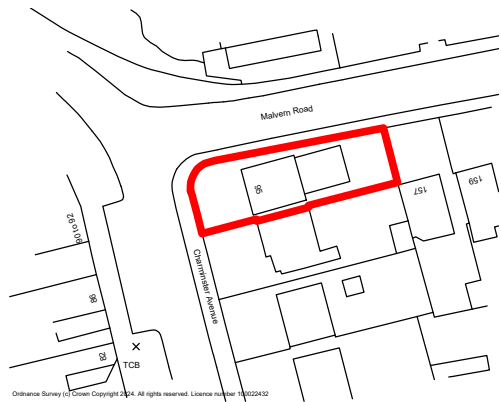
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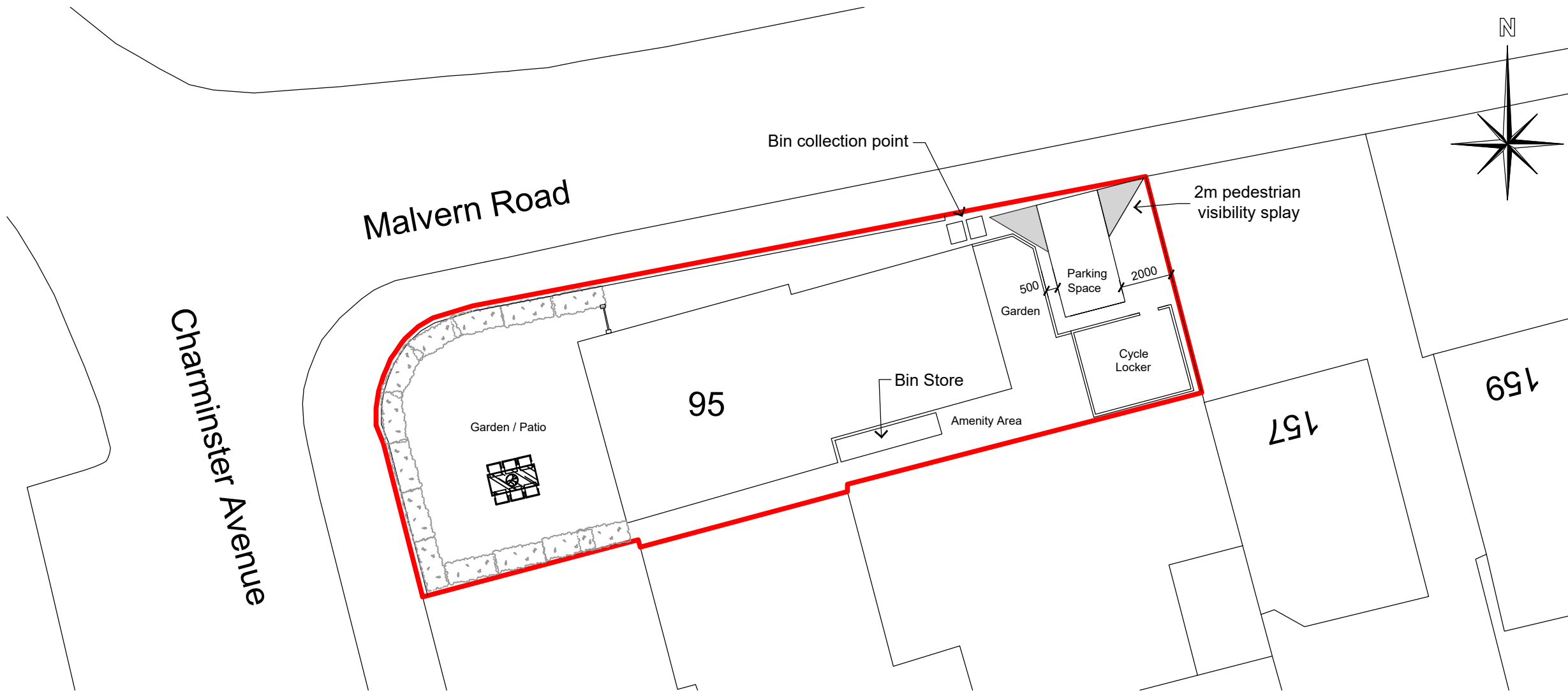
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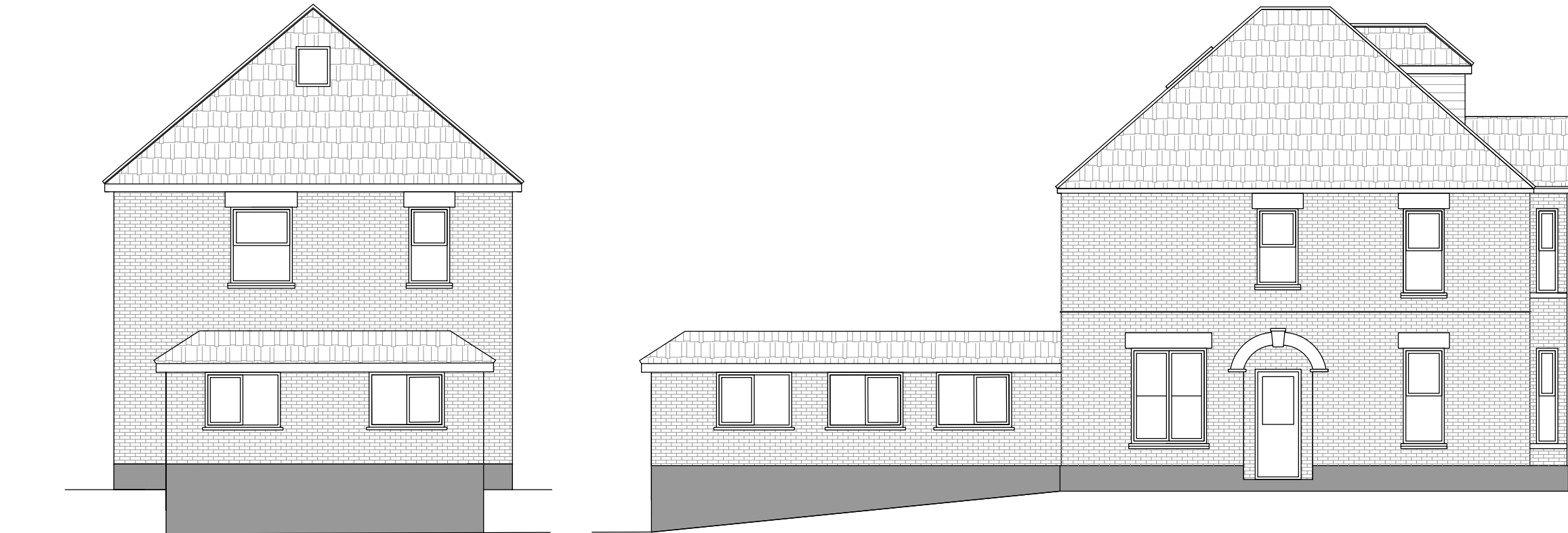
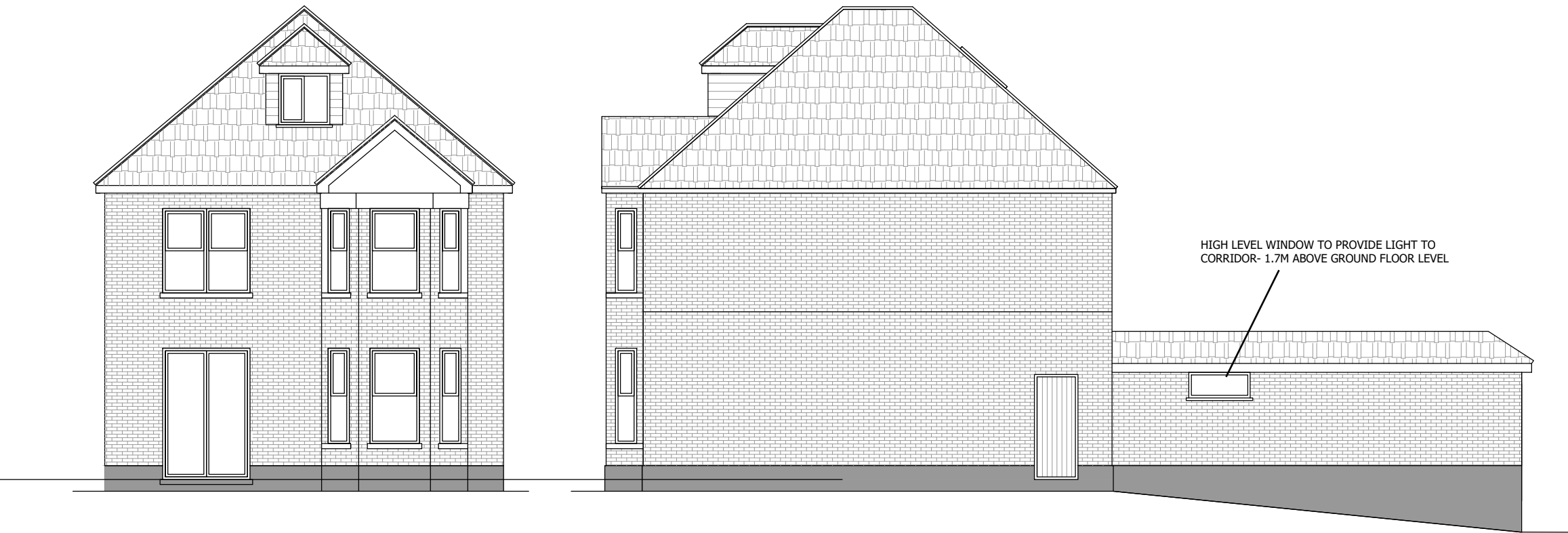
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Site Plan

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Scale: 1:200



Elevations

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Scale: 1:100

Details		
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Job Title		
Conversion of existing dwelling into HMO		
Drawing Title		
Site & Location Plan, Proposed Floor Plans & Elevations		
Scale	Drawn By	
As Shown		
Date	Sheet Size	
July 2025	A2	
Drawing Number	Rev	
1203 - PL 01C		

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Planning Committee

Application Address	Roysdean Manor, 5 Derby Road, Bournemouth, BH1 3PT
Proposal	Install a fence with a pedestrian gate
Application Number	P-7729-310125
Applicant	Roysdean Manor Management Company
Agent	Martingales
Ward and Ward Member(s)	East Cliff and Springbourne Cllr Sara Armstrong Cllr Anne Filer Cllr Anne-Marie Moriarty
Report Status	Public
Meeting Date	20 November 2025
Summary of Recommendation	Refuse for the reason(s) set out below Detrimental to the design and character of the area. The proposal would cause harm to the significance of the East Cliff Conservation Area and would be out of keeping with the character of the surrounding area. The proposed fence by virtue of its appearance and material constitutes poor design and is deemed contrary to Policies CS39 and CS41 of the Core Strategy (2012), para. 4.4 of the Bournemouth District Wide Local Plan (2002), the emerging East Cliff Conservation Area Appraisal & Management Plan, as well as the provisions of the NPPF (2024).
Reason for Referral to Planning Committee	Cllr Call In: Cllr Sara Armstrong. Conditional on if the application is recommended for refusal. It does not harm the look of the public realm. Residents are very mindful not to restrict the movement of wildlife hence the preference of fence. No loss of greenery – Marks a boundary. The fence and gate seeks to improve community safety which many residents are very concerned about. Drug users and prostitutes have been found on the site and there is a fear of crime and concerns about community safety. It is hope that fencing and a gate will reduce ASB in the area. That the concerns of residents do not seem to be taken into account. They have worked tirelessly for some time to obtain permission for a fence to reduce ASB and help them to feel safe with increasing financial cost.
Case Officer	George Sanders

Is the proposal EIA Development?	No
For the purposes of the Conservation of Habitats and Species Regulations 2017 has the application been subject to an appropriate assessment	No

Description of Proposal

1. The proposed development is for a metal fence with a pedestrian gate on the curtilage between Roysdean Manor and Knyveton Road.

Description of Site and Surroundings

2. The application site is between the centre of Bournemouth and Boscombe, within the East Cliff Conservation area. The main building is a block of flats on the corner of Knyveton Road and Derby Road, with a primary access to a car park to the east, off Derby Road. The proposed fence would be to the north, separating the flats from Knyveton Road.
3. The area has multiple large flat blocks, separated by parking and private grassland. Most of these are segregated from the surrounding highways by high, wooden fencing as well as trees and hedging which contribute to a mature sylvan setting.

Relevant Planning History:

4. 7-2002-7729-J | Conservation Area Consent for demolition of two storey rear extension to existing Hotel | REFUSED

Constraints

5. *Conservation Area (East Cliff)*: 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.
6. Langtry Manor Hotel, 26 Derby Road: Grade II Listed Building opposite the application site.

Public Sector Equalities Duty

7. 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

<u>Date</u>	<u>Consultee</u>	<u>Comment</u>
-------------	------------------	----------------

24/06	Highways Officer	No Objection
01/10/2025	Tree Officer	No Objection, subject to the following condition: <i>No part of the development hereby permitted shall be carried out other than in accordance with the details and timetable contained in the approved Arboricultural Method Statement and Tree Protection Plan from Mark Hinsley Arboricultural Consultants Limited dated 19th August 2024, Ref:IH/RoysdeanManor,BH13PT/MethodStatement/7741 – Tree Survey / Protection Plan – dated 19th August 2025 drawing number 7741TP. Reason: To ensure that trees and their rooting environments are afforded adequate physical protection during construction.</i>
15/08/2025	Heritage Officer	“Objection. The submission doesn’t even acknowledge the site is within a conservation area (or across the road from a listed building) and no heritage statement has been submitted. The planning statement notes that Derby Road contains a mixture of boundary treatments including timber fences and brick walls, yet gives no explanation why a mesh fence has been chosen. The 40m run of V mesh fencing (+ 2m wide gate) would be completely out of keeping within the street scene and at detriment to both the character and appearance of this suburban conservation area and the setting of the adjacent listed building.” “As it stands the proposal would cause less than substantial harm to the conservation area and would be a negative addition within the setting of the adjacent listed building, at detriment to their significance. Under the NPPF harm should be minimised and any remaining harm justified, in this instance there are far less harmful options possible to increase the security along this boundary and the current proposal is not justified. There is no specific public benefit to outweigh the identified harm, and in any case there are alternative, more sympathetic options. Refusal reasons can be supplied, or these concerns raised with the agent and amended plans/heritage statement requested.”

Representations

8. Site notices were displayed on the 19th June 2025. One person wrote in support of the application, stating there is anti-social behaviour and theft due to the lack of security at the application site is a danger to residents and that the proposal would partially improve security to the communal areas around the property.

Key Issue(s)

9. The key issues involved with this proposal are:
 - Impact on the design and character of the area:

- Including on Designated Heritage Assets:
 - East Cliff Conservation Area (CA)
 - Langley Manor Hotel (Grade II Listed)
- Impact on neighbouring residential amenity
- Impact on highways
- Impact on Trees
- Impact on BNG

10. These issues will be considered along with other matters relevant to this proposal below.

Policy context

11. Local documents:

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:

Bournemouth Core Strategy (2012)

- CS30: Improving Green Infrastructure
- CS39: Designated Heritage Assets
- CS41: Design Quality

Bournemouth District Wide Local Plan (2002)

- 4.4: New Development in a Conservation Area

Supplementary Planning Documents

- Parking Standards SPD (2021)
- East Cliff Conservation Area: Appraisal and Management Plan

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

Including in particular the following:

- a. Section 2 – Achieving Sustainable Development
 - Paragraph 11 – “Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means:
 - (c) approving development proposals that accord with an up-to-date development plan without delay; or
 - (d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing

well-designed places and providing affordable homes, individually or in combination.”

b. Section 16 – Conserving and enhancing the historic environment

- Paragraph 199 – “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). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- Paragraph 200 – Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification ...”
- Paragraph 215 - “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.”

Planning Assessment

Impact on the design and character of the area, including Designated Heritage Assets

12. The proposal is for a large, green, metal fence which would separate the Roysdean Manor flats from the highway (Knyveton Road). The existing boundary treatment is hedging and trees. This is dense, and when transversing towards the roundabout with Derby Road along Knyveton Road it screens substantial portions of the building. This is the same for the neighbouring Kings Walk, which like Roysdean Manor has no substantial built boundary (it features a low wall) but is screened by foliage. Opposite, buildings are set back and screened in a similar way and there is a wood fence running along the highway.
13. The application would see the installation of a 1.8m high, green powder coated metal fence along the highway. This is at odds with the surrounding boundary treatments, which are either natural or wooden fencing. The open, non-intrusive feel of Knyveton Road would be degraded by the fence as it would be a prominent feature in the street scene. The Conservation Officer considers the proposed fence would be of detriment to the CA as well as a nearby listed building (Langtry Manor Hotel, 26 Derby Road) and the harm caused to these designated assets would be less than substantial. They also found there are less harmful options that could be considered acceptable, which match the existing treatments and materials found in the area. The tall metal fence would be utilitarian and urban in look and feel. This would degrade the more natural and sylvan feel of the area.
14. Within the emerging East Cliff CA Appraisal document, Roysdean Manor is considered a positive contributor to the CA. The approval of the metal fence due to its more utilitarian and industrial appearance compared to the neighbouring boundary treatment would erode the character & appearance of the CA at this point and would be a retrograde step within the setting of a positive contributor to the CA.
15. The applicant was given the Heritage Officer feedback and offered the opportunity to amend their design to a wooden material to soften the boundary. The Heritage Officer gave further design advice, stating that replicating the wood fence design on the opposite side of Knyveton Road would be acceptable. This was further agreed as acceptable to the Tree

Officer if the design used the same post points etc. However, the applicant decided to proceed with the metal fence design.

16. Therefore, the proposed metal fencing would cause harm to the significance of the conservation area. The fence would also introduce a negative element within the setting of the listed building across the road. The level of harm to the assets would be less than substantial, therefore para. 215 of the NPPF would apply:
17. "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."
18. In this instance, the public benefits are minimal. It would discourage anti-social behaviour from permeating into the curtilage land of Roysdean Manor by the nature of its appearance, giving the perception of security. However, the fence only covers the small distance of Knyveton Road. Any persons who wish to engage in unsociable behaviour merely must enter the adjacent Derby Road and walk onto the property through the driveway. The Derby Road perimeter of the application site is not secured. It is in fact less secure than the existing Knyveton Road boundary currently is due to the lack of trees, hedging or gate for the driveway. Therefore, the public benefits are minimal and do not outweigh or offset the less than substantial harm to the identified designated heritage assets.
19. Under the NPPF harm to Heritage should also be minimised and any remaining harm justified. In this instance the proposal is not justified as changing the fence to a close boarded type would be far less harmful. As it stands the fencing, by virtue of its poor design and utilitarian appearance would cause less than substantial harm to the East Cliff CA and the significance of the adjacent Grade II Listed Langtry Hotel; contrary to Core Strategy policies CS39 Designated Heritage Assets and CS41 Design.

Impact on Residential Amenity

20. Residents of Roysdean Manor as well as others have expressed concerns regarding the security of the building. The lack of fencing and reliance on natural screening and barriers such as hedging and trees has led to alleged anti-social behaviour and other crime related issues. The proposed fence would provide additional security to the building, as a visible and physical deterrent from trespassers along Knyveton Road. This would be a positive outcome and help reduce anti-social behaviour activity impacting negatively on the grounds of the building and the residents themselves
21. The fencing would only run along the north boundary. It would leave the Derby Road (east) boundary open. This side has little to no natural screening or physical barriers to entry to the grounds. It also has the car access to the site, which provides a wide, tarmac entry. Therefore, the fence would do little to improve security, due to the retention of numerous other ways to access the site.
22. The fence would not impact the amenity of surrounding properties. It is sufficient distance away from any other development as to not cause looming, overshadowing or visually impact on the amenity of neighbours.
23. The proposal would therefore add some additional security which is compliant with Policy CS41, however, this is tempered by the site having other accesses which would still be easily accessible.

Impact on Trees

24. The Tree Officer raised no objections to the application, subject to the inclusion of a condition to comply with the submitted and approved tree plans.

Impact on Highways

25. For the reasons set out in the consultation response regarding the fence being set back from the highway, the Local Highway Authority (LHA) raises no objections to the application. The proposal is therefore compliant with the Parking Standards SPD (2021).

Impact on BNG

26. The NPPF at chapter 15 'conserving and enhancing the natural environment' sets out government views on minimising the impacts on biodiversity, providing net gains where possible and contributing to halt the overall decline in biodiversity. The Local Plan Policy CS30, sets out policy requirements for the protection and where possible, a net gain in biodiversity. In addition, a 10% biodiversity net gain (BNG) is required as per the Environment Act 2021 though exemptions apply. This proposal is exempt as it is subject to the de minimis exemption.

Planning Balance / Conclusion

27. The proposal does have some positive elements. It would provide additional security, albeit a small amount, to the residents of Roysdean Manor. The impacts to Highways and Trees are also acceptable or addressable via condition. However, the impacts to the character and appearance of the area from the utilitarian and unsympathetic appearance of the proposed boundary treatment would cause harm to the character and appearance of the Conservation Area and the nearby Grade II Listed Langtry Manor Hotel on Derby Road. This harm would amount to less than substantial harm.
28. Paragraph 215 of the NPPF states that where less than substantial harm to a designated heritage asset occurs the harm needs to be weighed against any public benefits that may stem from the proposed development. In this instance there are some limited benefits for the residents of the development from enhanced security along one boundary, however, this is tempered by other points of access into the development being retained from other boundaries. There are no other public benefits that stem from this scheme and therefore the test of paragraph 215 has not been met. Furthermore, the scheme would fail to preserve or enhance the character and appearance of the Conservation Area and the setting of a nearby Grade II Listed building, as required by Sections 66 and 72 respectively of the Planning (Listed Buildings and Conservation Areas) Act 1990.
29. The development is therefore contrary to Policies CS39 and CS41 of the Core Strategy (2012) when read as a whole. The scheme would also not accord with Policy 4.4 of the District Wide Local Plan (2002) and the NPPF (2024), specifically Paragraphs 199, 200 and 215 on Designated Heritage Assets.

Recommendation

REFUSE for the following reasons:

Poor design, out of keeping in street scene, and unjustified harm to the character & appearance of the conservation area and the setting of the adjacent listed building.

The proposed fence would, by reason of its utilitarian, industrial appearance, height and use of unsympathetic materials, would be overly prominent in the street scene, at detriment to the character and appearance of the East Cliff Conservation Area and the significance of

the nearby Grade II Listed Building. The proposal is therefore contrary to policies CS39 and CS41 of the Core Strategy (2012), policy 4.4 of the District Wide Local Plan (2002) and paragraphs 199, 200 and 215 of the NPPF (2024), and the emerging East Cliff CA Appraisal & Management Plan.

1. For the avoidance of doubt the decision on the application hereby determined was made having regard to the following plans:
 - a. J.37.2024-01 Block and Location Plan
 - b. J.37.2024-02 Plans & Elevations
2. In accordance with paragraph 39 of the revised NPPF the Council, as Local Planning Authority, takes a positive, creative 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/ agent did not take the opportunity to enter into pre-application discussions. The applicant was advised that the proposal did not accord with the development plan and that there were no material planning considerations to outweigh these problems. The applicant was offered the opportunity to submit amended plans to overcome problems identified by the case officer but chose not to do so.

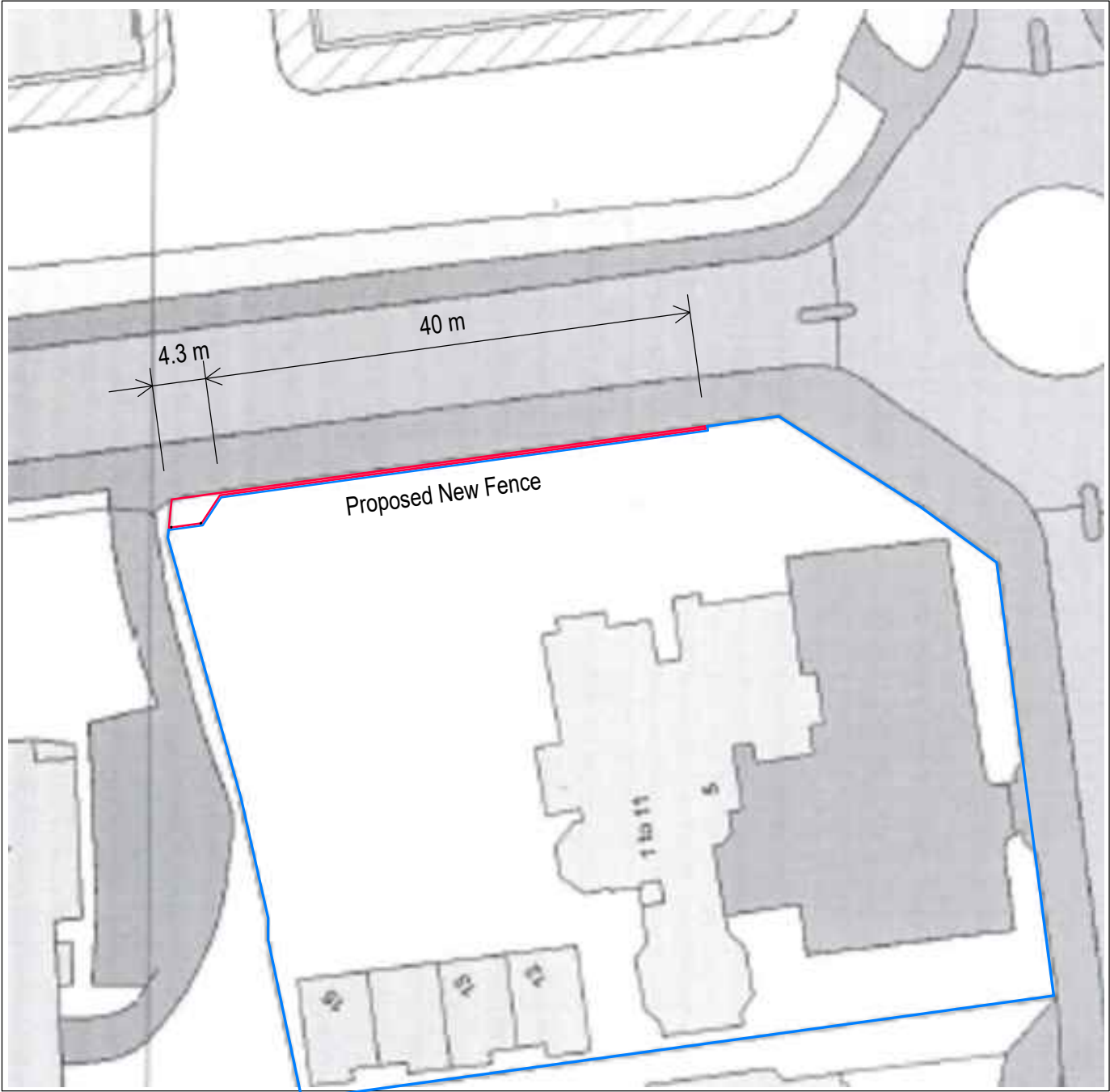
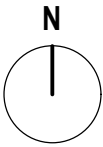
Background Documents:

P-7729-310125

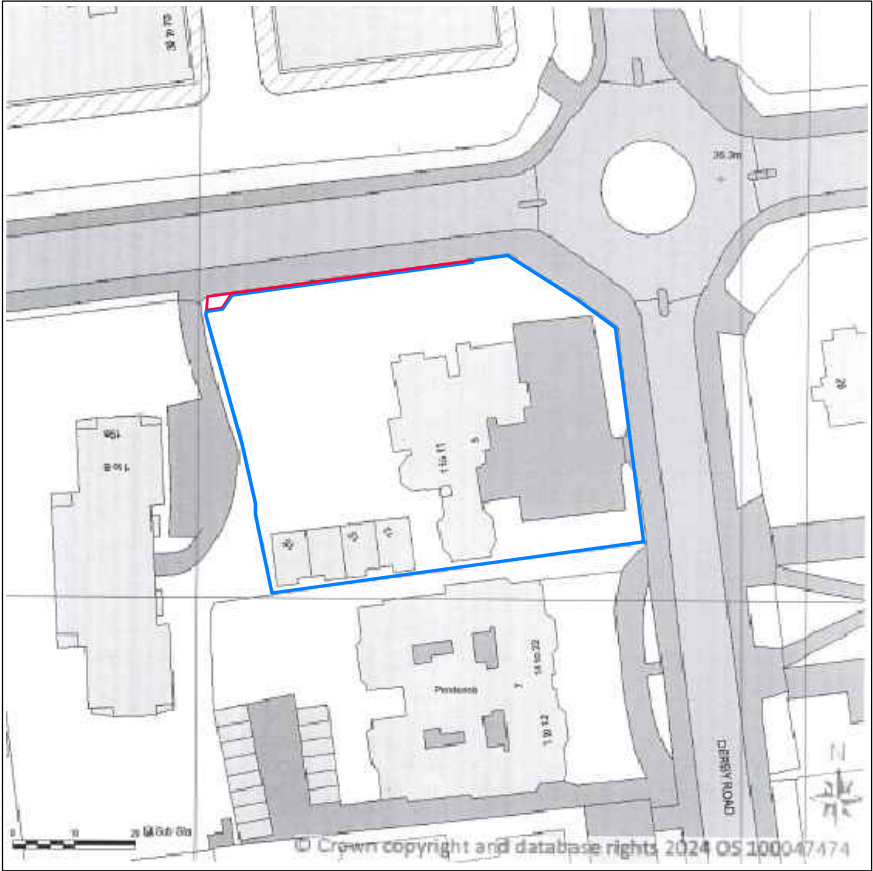
Documents uploaded to that part of the Council's website that is publicly accessible and specifically relates to the application the subject of this report including all related consultation responses, representations and documents submitted by the applicant in respect of the application.

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



Block Plan 1 : 500



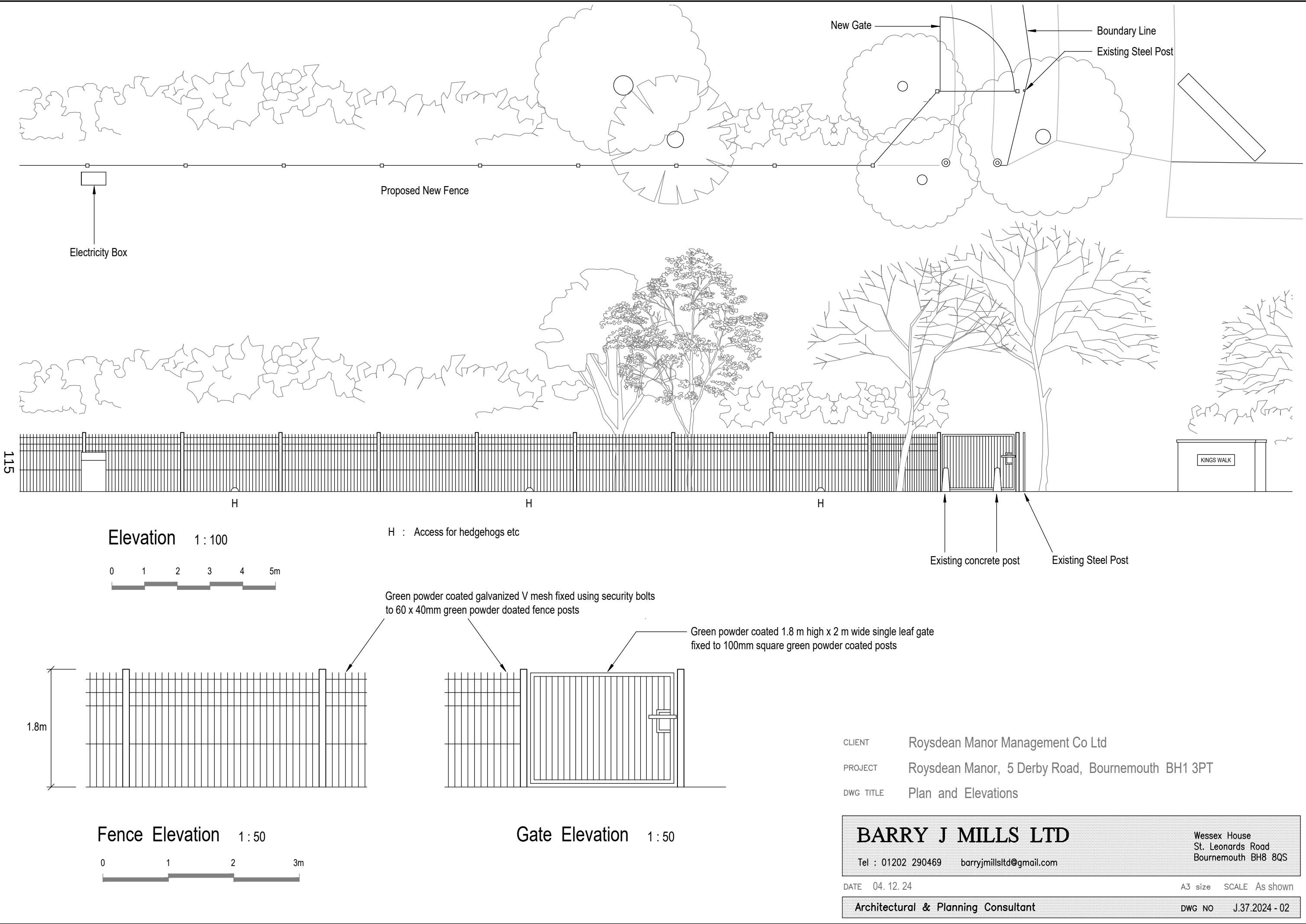
Location Plan 1 : 1250



CLIENT Roysdean Manor Management Co Ltd
PROJECT Roysdean Manor, 5 Derby Road, Bournemouth BH1 3PT
DWG TITLE Block and Location Plan

BARRY J MILLS LTD		Wessex House St. Leonards Road Bournemouth BH8 8QS
Tel : 01202 290469 barryjmillsLtd@gmail.com		
DATE 04. 12. 24	A3 size SCALE As shown	
Architectural & Planning Consultant		DWG NO J.37.2024 - 01

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Tel: 01202 876177 Company Reg. No. 07232825 VAT Reg. No. 7303996

Reg. Office Address: Office F11, 10 Whittle Road, Ferndown, Dorset, England BH21 7RU

Our Ref: IH/RoysdeanManor,BH13PT/MethodStatement/7741

19th August 2025

Roysdean Manor Management Ltd, 5 Derby Road
c/o NMC Property Ltd
161 Old Christchurch Road
Bournemouth
BH1 1JU

Dear Roland

RE: TREE AT ROYSDEAN MANOR, 5 DERBY ROAD, BOURNEMOUTH, BH1 3PT.

Brief:

Provide an Arboricultural Method Statement with details of construction works for the erecting of a perimeter fence in relation to the trees on the above site.

Enclosures:

Please find attached our Arboricultural Method Statement and Tree Protection Plan, all complying with the requirements of BS5837: 2012 Trees in Relation to Design, Demolition and Construction - Recommendations.

All reports and plans should be sent to the Local Planning Authority for their approval. Subsequent to approval, a copy of the Arboricultural Method Statement and Tree Protection Plan should be kept available on site *at all times* during demolition and construction for contractors use and reference purposes.

Planning Conditions:

Arboricultural Method Statement

Under the UK planning system, Local Authorities have a statutory duty to consider the protection and planting of trees when granting planning permission. This detailed Arboricultural Method Statement and accompanying Tree Protection Plan satisfy the planning condition made to protect the trees on site during the development works.

The Local Planning Authority usually requires all works to be carried out in *strict accordance with the Arboricultural Method Statement* in order that trees will not be damaged during the development works. If all the requirements and restrictions contained within the Arboricultural Method Statement are not complied with *in full*, this could invalidate the planning permission.

Included within the Method Statement the LPA expect there to be an auditable system of arboricultural site monitoring extending to arboricultural supervision whenever development activity is to take place within or adjacent to any tree's root protection area i.e. an arboriculturally significant event.

Arboricultural Supervision:

Involvement and supervision by an Arboriculturalist would be at the start of the project, and at all arboriculturally significant events. In our experience, however, a most valuable informal meeting takes place initially prior to any site setting up, when any potential tree related problems or queries can be sorted out before impacting on site works.

Local Planning Authorities usually require a formal Pre-Commencement Meeting just before the project starts on site as a condition of granting planning permission. The Local Planning Authority Tree Officer is invited to attend this formal meeting with the Site Manager and the appointed Arboriculturalist. Please note that Local Planning Authority Tree Officers have free access to the site during site works.

After the Pre-Commencement Meeting the appointed Arboriculturalist has a duty to oversee, monitor and confirm the implementation of the tree protection measures contained within the Arboricultural Method Statement. Overseeing the project involves site meetings between the Site Manager and the Developer's Arboriculturalist taking place prior to all arboriculturally sensitive events; confirmation involves written communication to the Local Planning Authority that the implementation and maintenance of tree protection measures, as outlined within the Method Statement, are being correctly followed. The Local Planning Authority Tree Officer is invited to attend subsequent site meetings.

We recommend that an Arboriculturalist is appointed to monitor the site and a copy of your instruction is sent to the Local Planning Authority.

Please note that, should you decide to commission us to perform this role, we will require a separate and specific instruction from you; *invoicing for site monitoring and site supervision including any meetings will be in addition to that for the enclosed report and plan.*

Should you require any further information, please do not hesitate to contact us

Yours sincerely

Ivan Hinsley
Arboriculturist

ARBORICULTURAL METHOD STATEMENT

FOR

ROYSDEAN MANOR, 5 DERBY ROAD, BOURNEMOUTH, BH1 3PT.

Dated 19th AUGUST 2025

***TO BE DISPLAYED PROMINENTLY ON SITE AND BROUGHT TO THE
ATTENTION OF ALL CONTRACTORS AND SUB CONTRACTORS***

To be used in conjunction with drawings:

Tree Protection Plan No. 7741TP

Note: This Arboricultural Method Statement (when approved by the Local Planning Authority) is an official document and the methods outlined are to be followed in their entirety as a condition of the granted planning application.

It is to be held by the Site Supervisor and be available on site at all times for contractors' site use and reference purposes.

Arboricultural Supervision is required by the Local Planning Authority. We recommend the Arboricultural Consultant be contacted for an informal site meeting prior to the erection of any tree protection measures to clarify any issues regarding trees and ensure all aspects of the tree protection process is understood and agreed.

As site supervision is required by the Local Planning Authority, a **Pre-Commencement Meeting**, to which the Local Planning Authority Tree Officer will be invited, happens post the erection of tree protection measures. The meeting's purpose is to check tree protection measures and confirm methods to be used to protect trees and their root systems.

Other site meetings may be required before the commencement of all other **arboriculturally significant events**.

1. Tree work

1.1. There is no tree work to be undertaken before commencement of construction within the site.

2. Tree Protection Barriers

2.1. There is no requirement for tree protection barriers.

3. Ground protection

3.1 Ground protection that is to be constructed to protect the roots is to be constructed in line with Figure 4. The ground guards would need to be either scaffolding boards or heavy-duty external use plywood which should be secured together. An example of compressible material is composted wood chip.

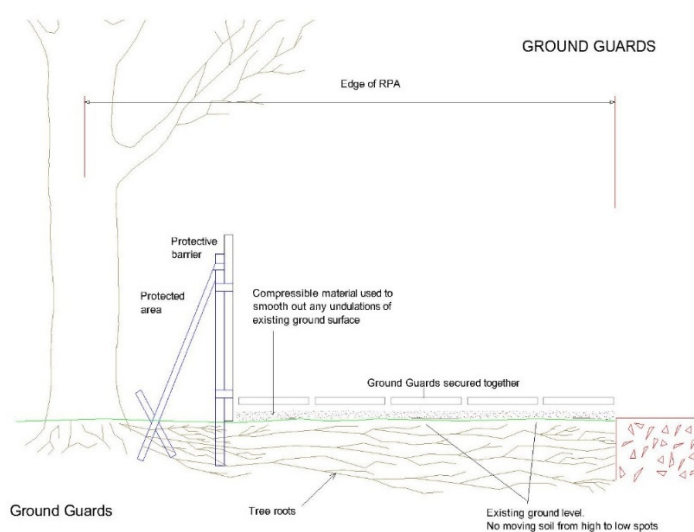


Figure 4

3.2 These ground guards are to be used in areas where there is a need to protect roots within the RPA. If there is the requirement for activity within the RPA, this will also need to be in place if using machinery that exceeds 1.5 tonnes within the marked area.

3.3 There is no need for the protective barrier during construction.

3.4 The ground guards can be used from one post site to the next post site and on without the requirement for on site supervision. A photograph emailed to the supervising arboriculturist is proof enough.

4 Site Organisation: Additional Precautions in relation to retained trees

4.1 The following are to be taken into consideration to ensure retained trees and their canopies or root systems are not damaged by site operations.

Site works and deliveries, especially tall or wide loads.

Space required for construction access, materials storage, cement mixing

Plant with booms, jibs or counterweights

Need for supervision by a banksman to assist operators to avoid damage to tree canopies

4.2 Additionally: Fires on site will be avoided. If unavoidable, fires will not be lit where heat could affect foliage or branches, and fires should be attended at all times until safe enough to leave.

5 Avoiding Physical damage to tree roots during Demolition and/or Construction - General

5.1 Tree root protection areas are to be adequately protected against damage by the use of ground guards as indicated in the paragraphs above.

6 Fence construction.

6.1 All fence post excavation and the erection of the fence should be done from the pavement side and on the hard surfacing as much as possible. Where this is not possible the ground guard construction in Figure 4 should be used.

6.2 The post holes should be hand dug to a depth of 600mm and then a mechanical auger can be used to finish off the post holes to the required depth. No roots larger than 25mm should be severed without consultation with the project arborist or local authority tree officer, and if this is authorised, it should be done with a sharp implement to prevent tearing

6.3 The position of a post hole will need to be adjusted if it is found that an important structural root dissects the post hole and cannot be severed.

6.4 When backfilling the post holes with concrete, the post holes should be lined with a watertight liner that will prevent the leaching out of any compounds. Cement is a calcareous compound which has the ability to modify the pH of the surrounding soil to a level that has the potential to cause harm to the trees, which is why it needs to be contained.

7 Landscape Works.

7.1 Levels will not be changed within tree root protection areas. However, topsoil that is free of contaminants and injurious materials, etc, may be spread to a maximum depth of 150mm within tree root protection areas to marry existing levels if required. Any proposed changes in levels require an additional Arboricultural Method Statement to ensure tree roots are protected.

7.2 No works are to be carried out if the soil is waterlogged or sufficiently moist that soil compaction may occur.

7.3 Herbicides are to be appropriate for the intended use with care taken to avoid any damaging effects. It is *important* that the spraying is not performed during times of *drought*; any chemicals landing on the soil will *not biodegrade* within the soil and could thus reach roots of plants to be retained, resulting in consequent herbicide damage.

8 Variation

8.1 Should working procedures require any variations to the above Method Statement, they will be dealt with by a site meeting to which the Local Planning Authority's Arboriculturalist will be invited to attend and, if agreed, they will be confirmed in writing prior to implementation.

8.2 No such variation will be undertaken until it has been approved by the Local Planning Authority and confirmed to them in writing.

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Tel: 01202 876177 Company Reg. No. 07232825 VAT Reg. No. GB 730399627
Reg. Office Address: Office F11, 10 Whittle Road, Ferndown, Dorset, England BH21 7RU

Our Ref: IH/RoysdeanManor,BH13PT/sur/imp

10th July 2025

Roysdean Manor Management Ltd, 5 Derby Road
c/o NMC Property Ltd
161 Old Christchurch Road
Bournemouth
BH1 1JU

Dear Roland

TREES AT ROYSDEAN MANOR, 5 DERBY ROAD, BOURNEMOUTH, BH1 3PT.

Brief:

Survey trees that have a potential impact on the proposed erecting of fencing at Roysdean Manor, 5 Derby Road, Bournemouth, BH1 3PT, from the plans provided. Comment upon their condition, suitability for retention and the impact they may have upon the proposed fencing.

Date of Inspection: 10.07.25

Inspected by: Ivan Hinsley BSc

Survey method: On foot ground level visual.

Findings:

From the on-site, ground level survey that was conducted at Roysdean Manor, 5 Derby Road, Bournemouth, BH1 3PT, 13 individual trees were identified as potentially having an impact on the proposed erecting of fencing as shown on the plans provided.

The site is currently covered by an Area Tree Preservation Order (TPO). Area TPO 1971 Knyveton Road, Woodford Road and Derby Road, reference E114 protects the trees on the site named in the report as A2. The trees covered are "*The numerous trees of whatever species standing within the area bounded by the dotted black lines.*"

Image 1 below shows the location of the dotted black line that includes Roysdean Manor, 5 Derby Road, Bournemouth, BH1 3PT.

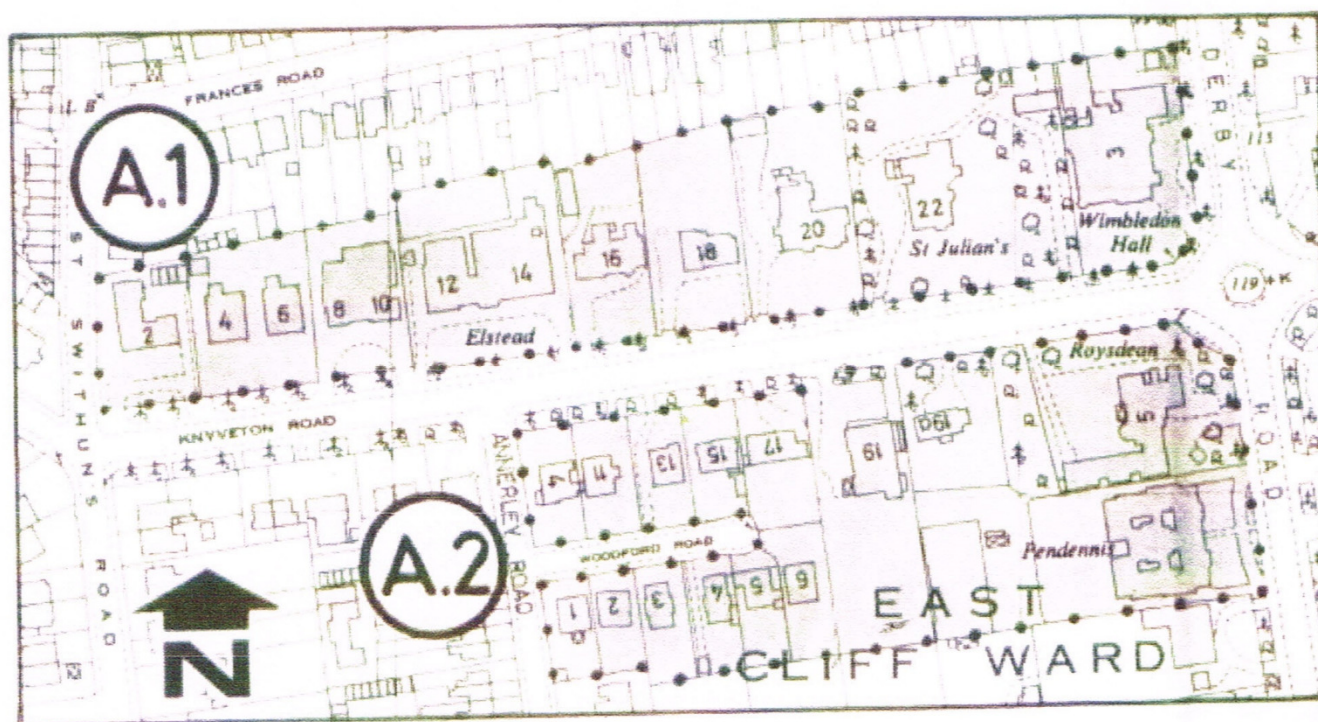


Image 1

TREE SURVEY FOR ROYSDEAN MANOR, 5 DERBY ROAD, BOURNEMOUTH, BH1 3PT.

Survey Technique

The surveyed trees were visually assessed from ground level as far as access allowed. No climbing inspections or invasive examination techniques were carried out. Access to some trees was restricted, in such cases the descriptions of the trees given in the survey schedule are subject to the tree being free of significant defects that were not clearly visible. Detail on the individual trees assessed is given in the survey schedule using the format in BS5837: 2012 'Trees in Relation to Design, Demolition and Construction – Recommendations', please read in conjunction with the enclosed Tree Survey Plan.

The columns and abbreviations used are:

Column 1 = T – Tree number marked on the submitted plan.

Column 2 = The Latin binomial and common name if applicable.

Column 3 = Hgt – Approximate tree height, in metres; to the nearest 0.5m if under 10m.

Column 4 = Dbh – Diameter (rounded to the nearest 10mm). Single stemmed trees, at 1.5m above ground level. Low branched trees, at the narrowest point below the fork. Trunks with irregular swellings, at the narrowest point below the swelling. Multi stemmed trees, each stem measured at 1.5m above ground level. # estimated value if unable to gain access.

Column 5 = RPA – The Root Protection Area: radius measured in metres from the centre of the trunk.

Column 6 = B/S – Approximate branch spread to the four cardinal points of the compass, in meters.

Senior Consultant: Mark Hinsley MSc Res Man(Arb), OND(Arb), F.Arbor.A.
Consultant: John Christopher FdScArb, HNC Building Studies, M.Arbor.A.
Arboriculturalist: Ivan Hinsley BSc
Support staff: Claire Perry, Teresa O'Neale

email: markhinsley@treeadvice.info
email: johnchristopher@treeadvice.info
email: ivanhinsley@treeadvice.info
email: enquiries@treeadvice.info

Column 7 = FSB – Height of first significant branch above ground level in meters and direction of growth

Column 8 = C/C – Height of canopy above ground level, in meters.

Column 8 = Age – Age class as representation of passage through normal life cycle – Y=Young, SM= Semi-Mature, EM = Early Mature, M=Mature, FM = Fully Mature, OM = Over Mature.

Column 9 = R/C – Estimated remaining contribution, in years.

Column 10 = Cat – BS5837: 2012 Survey category.

Categories are:-

U Trees unsuitable for retention (Red on plan)

Trees that cannot realistically be retained, in the context of the current land use, for longer than 10 years.

A Trees of high quality (Green on plan)

Trees able to make a substantial contribution for a minimum of 40 years.

Particularly good examples of trees, or essential components of groups of arboricultural features e.g. avenues. Visual importance or significant conservation, historical or other value. Veteran trees, especially if ancient.

B Trees of moderate quality (Blue on plan)

Those in such a condition as to be able to make a significant contribution for a minimum of 20 years. Might be category A but have defects or lack special qualities; or growing in a high value group. Has conservation or cultural values.

C Trees of low quality (Grey on plan)

Unremarkable trees of limited merit, with a life expectancy of at least 10 years; or growing in a low value group. Also young trees with a stem diameter of below 150mm.

Column 11 = General Observations - notes re structural and/or physiological condition, and/or preliminary management recommendations.

SURVEY SCHEDULE

T	Name & Species	Hgt	Dbh	RPA	B/S	C/C	Age	R/C	Cat	General Observations
1	<i>Acer pseudoplatanus</i> Sycamore	14	540	6.5	N 6 E 4 S 3 W 4 FSB	5 5 8 6	M	40+	B	Historical wound on west side at 1.8m and 0.5m. Bifurcation at 1.9m. Good vigour
2	<i>Pinus sylvestris</i> Scots Pine	14	320	3.8	N 6 E 6 S 5 W 5 FSB	8 8 8 8	M	10-20	C	Dead wood in canopy. Low vigour.
3	<i>Ilex aquifolium</i> Holly	8			N E S W FSB				U	Standing dead tree. Covered in ivy.
4	<i>Ilex aquifolium</i> Holly	9			N E S W FSB				U	Standing dead tree. Covered in ivy.

T	Name & Species	Hgt	Dbh	RPA	B/S	C/C	Age	R/C	Cat	General Observations
5	<i>Pinus pinaster</i> Maritime Pine	20	610	7.3	N 10 E 3 S 3 W 5 FSB	10 10 10 10	M	40+	B	Lean to north due to phototropism. Competing with T6.
6	<i>Quercus ilex</i> Holm Oak	18	730	8.8	N 6 E 4 S 6 W 7 FSB	4 3 6 4	M	40+	B	Bifurcation at 2m. Good vigour.
7	<i>Quercus robur</i> Oak	12	270	3.2	N 8 E 6 S 6 W 3 FSB	4 4 4 4	EM	40+	B	Historical loss of top. Ivy covered. Suppressed by adjacent trees.
8	<i>Ilex aquifolium</i> Holly	12	290	3.5	N 3 E 2 S 1 W 3 FSB	1 1 1 1	M	10-20	C	Low vigour. Ivy up main stem. Low leaf density.
9	<i>Acer saccharum</i> Sugar Maple	13	240	2.9	N 5 E 3 S 4 W 3 FSB	5 5 2 5	EM	40+	A	Good vigour. Good structure.
10	<i>Acer saccharum</i> Sugar Maple	14	360 200 90 120		N 5 E 3 S 4 W 5 FSB	6 6 6 6	M	40+	B	Bifurcation at ground level. Northeast stem multi-stemmed at 1m. Stems rubbing at 1.5m.
11	<i>Quercus ilex</i> Holm Oak	16	550		N 6 E 2 S 5 W 5 FSB	6 2 2 4	M	40+	B	Bifurcation at 2m. Twist in stem.
12	<i>Pinus sylvestris</i> Scots Pine	16	510		N 6 E 3 S 3 W 4 FSB	9 9 9 9	M	40+	B	Phototropism lean to north. Good vigour.
13	<i>Pinus sylvestris</i> Scots Pine	15	520		N 6 E 2 S 3 W 4 FSB	7 5 7 7	M	40+	B	Some dead wood in canopy. Good vigour.

General Constraints:

Trees placed in the removal 'U' category are assessed upon their condition and not on any planning proposals which may require the removal of the tree for other reasons; category U trees are unsuitable for retention in a development context and should be removed for sound arboricultural reasons.

When considering the retention of trees in a planning context, preference should be given to retaining trees in categories A and B as these are the trees that contribute most to the amenity of the site and surroundings for the longest time.

Category C trees are of lesser importance; they would not usually be retained where they would impose a significant restraint on development.

Groups of even low value trees may have a collective screening or group value in the landscape that is higher than the individual categories of the component trees might suggest.

The enclosed tree survey plan indicates the initial root protection areas produced from the survey data. The Root Protection Areas (RPAs) for the trees have been calculated using the formula given in BS5837:2012. This is the recommended area around the tree in square metres within which no construction, excavation, soil stripping, level changes or other potentially harmful activities should take place unless appropriate precautions or techniques are employed to avoid root damage. Barriers should protect this area for the duration of any development works to avoid damage to the root system.





Conclusion:

From the plans provided of the proposed erection of fencing at Roysdean Manor, 5 Derby Road, Bournemouth, BH1 3PT, T1, T2, T5, T6, T7 and T8 are potentially impacted, as shown on drawing 7741. T3 and T4 are not a consideration as they have been categorised as U; they are standing dead trees.

BS5837:2012, *Trees in relation to design, demolition and construction – Recommendations*, 5.3.1 *If operations within the RPA are proposed, the project arboriculturist should: Demonstrate that the tree can remain viable and that the area lost to encroachment can be compensated for elsewhere, contiguous with the RPA.* The encroachment of the proposed fencing at Roysdean Manor, 5 Derby Road, Bournemouth, into the RPAs of T1, T2, T5, T6, T7 and T8 is less than 1.5% in total. Table 1 shows the individual values. This can easily be compensated for within the garden area to the south of the trees or within the boundary area to the east or west of the trees.

Tree number	RPA area (m2)	No. of posts (m2)	Post hole area (m2)	% encroachment
T1	132.7	3	0.21	0.16
T2	45.4	2	0.14	0.31
T5	167.4	5	0.35	0.21
T6	243.3	6	0.42	0.17
T7	32.2	1	0.07	0.22
T8	38.5	2	0.14	0.36

Table 1

We believe that T1, T2, T5, T6, T7 and T8 have sufficient energy reserves to be able to adapt to the new circumstances that the trees will find themselves in. Trees naturally prune their own roots and grow new, more productive ones every growing season, up to 30% of their root network. We would suggest that the work is undertaken from August through to March ideally, because the broadleaf trees are past their optimum energy production months and are starting to tail off into the dormant months of the winter.

The area of the post hole has been calculated from the recommended hole diameter of 300mm for the erection of the fence posts described in the plans provided. The depth of these holes is not as important as the diameter as once the hole is below 600mm the likelihood of it impacting the roots of a tree greatly reduce.

We would also suggest that once the fencing is erected a planting scheme that reflects the need to keep out unwanted trespassers and develop a privacy screen is implemented. Planting dense spikey plants will greatly improve the security of the site for the residents and will also encourage wildlife to these undisturbed secure areas. Native hedging plants such as Blackthorn (*Prunus spinosa*), Hawthorn (*Crataegus monogyna*) and Holly (*Ilex aquifoliaceae*) have been used for centuries by farmers to contain their livestock; they are also a great source of food for our native wildlife. Other non-native shrubs belonging to the *Pyracantha* genus which are large, thorny and evergreen or the *Berberis* genus that have spiny branches with colourful foliage and attractive berries would also add to the spikey deterrent and food sources for the wildlife.

We believe that the erection of fencing at Roysdean Manor, 5 Derby Road, Bournemouth, BH1 3PT, as shown on the plans provided, would not have a detrimental impact on the health and longevity of the trees that were surveyed. The rightful enjoyment of one's property applies to all, and we believe that the residents will be able to enjoy living in this property again once the fencing is erected and the understory planting is established. To confirm, we believe the trees should not be a reason to decline the erection of fencing at Roysdean Manor, 5 Derby Road, Bournemouth, BH1 3PT, as shown on the plans provided.

Method of construction:

To erect the fencing in a way that has the least impact on the trees the post holes should be no bigger than 300mm in diameter. The post holes should be hand dug to a depth of 600mm and then a mechanical auger can be used to finish off the post holes to the required depth. No roots larger than 25mm should be severed without consultation with the project arborist or local authority tree officer, and if this is authorised, it should be done with a sharp implement to prevent tearing. The position of a post hole will need to be adjusted if it is found that an important structural root dissects the post hole and cannot be severed.

When backfilling the post holes with concrete, the post holes should be lined with a watertight liner that will prevent the leaching out of any compounds. Cement is a calcareous compound which has the ability to modify the pH of the surrounding soil to a level that has the potential to cause harm to the trees, which is why it needs to be contained

These requirements should be discussed with the appointed contractor before works are undertaken so they are aware of the methods that are required to protect the trees from harm.

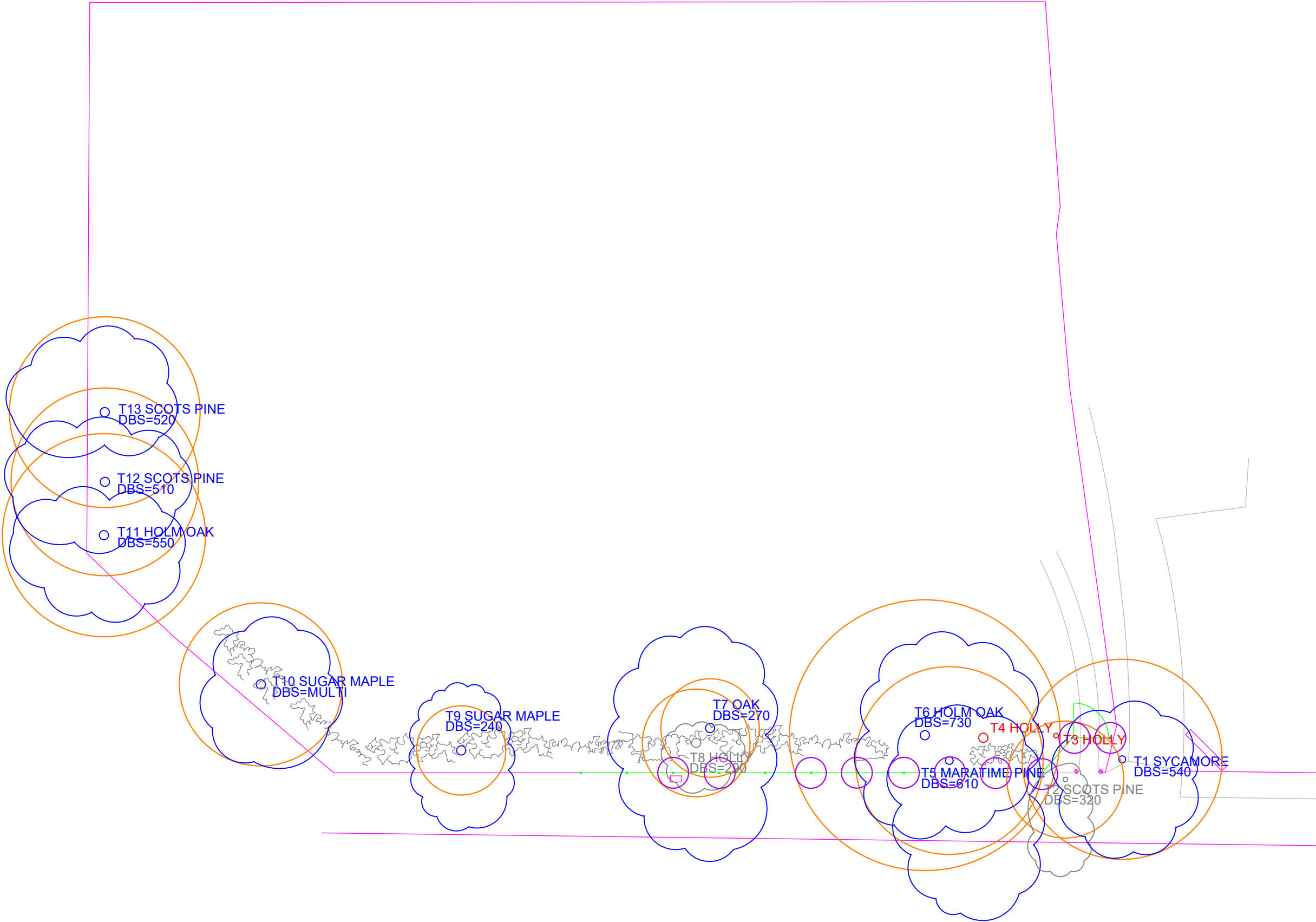
If you require any further information at this stage, please do not hesitate to contact us.

Yours sincerely



Ivan Hinsley

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BS 5837:2012

CATEGORY 'A' TREES
CATEGORY 'B' TREES
CATEGORY 'C' TREES
CATEGORY 'U' TREES



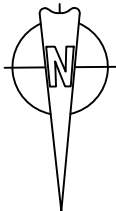
ROOT PROTECTION AREA



PROPOSED NEW FENCING



GROUND GUARD LOCATION



project ROYSDAN MANOR, 5 DERBY ROAD
BOURNEMOUTH, BH1 3PT

client MR ROLAND CLIFF

drawing title TREE SURVEY PLAN

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scale 1:200 paper size A3

drawn by IH date 19/08/2025

drawing number 7741TP revision

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Planning Committee

Application Address	Lower Gardens, Bournemouth BH2 5AU
Proposal	Temporary installation of winter event (temporary period from 27 October 2025 to 25 January 2026 including the installation and removal of structures)
Application Number	P/25/02126/FUL
Applicant	Mr Simon Smith
Agent	Mr John White
Ward and Ward Member(s)	Bournemouth Central Cllr Hazel Allen Cllr Jamie Martin
Report Status	Public
Meeting Date	20 November 2025
Summary of Recommendation	Refuse for the reason(s) set out below
Reason for Referral to Planning Committee	The Head of Planning Operations considers the application to be potentially contentious and raise material planning issues.
Case Officer	Eden Evans
Is the proposal EIA Development?	No

Description of Proposal

1. This application proposes the temporary installation of a winter event (temporary period from 27 October 2025 to 25 January 2026 including the installation and removal of structures). The main structures proposed are as follows:
 - An outdoor ice rink with two associated marquees
 - An alpine chalet
 - A games stall

Description of Site and Surroundings

2. The application site is located within the Grade II Listed 'Upper, Central and Lower Pleasure Gardens, and Coy Pond Gardens' within the Bournemouth Town Centre area. Developed over several decades on both sides of River Bourne, the Pleasure and Coy Pond Gardens follow the river for more than 3 kilometres and are highly valued for amenity and recreational use. They are included in the Historic England's Registered Parks and Gardens (RPG) list (list entry no. 1000724).
3. The Lower Gardens are a public green space which includes small kiosks offering food and drink, a bandstand, and a minigolf course. During the winter months, the Lower Gardens have been used for the winter festival with decorative installations and a temporary ice rink. The application site comprises areas of lawn and landscaping and footpath between Bournemouth Square and Pier Approach.

Relevant Planning History:

4. The provision of a winter ice rink in the Lower Gardens has been considered acceptable previously with temporary planning permissions granted for an ice rink in the Lower Gardens from 2013 onwards.
5. Prior to 2016, the ice rink was located on a parcel of land to the southwest of its currently proposed siting. From planning application 7-2017-15898-AG to the most recent application in 2024, temporary permission has been granted for the ice rink installation to be on the current application site where Bournemouth Eye balloon was previously tethered. Festive decorations and installations have historically been installed in the other sections of the Lower Gardens.

7-2013-15898-Z – Siting of Christmas festival attractions incorporating an outdoor ice-skating rink, a Santa's Grotto and ten interactive light experience Light Pods - Temporary period from 8th November 2013 until 13th January 2014 (including installation and removal of structures). – Approved (Temporary permission) November 2013.

7-2014-15898-AB – Siting of Christmas festival attractions incorporating an outdoor ice skating rink and ten interactive light experience Light Pods - Temporary period from 17th November 2014 until 7th January 2015 – Approved (Temporary permission) November 2014.

7-2015-15898-AC – Installation of Christmas festival ice rink with food and drink uses - Temporary period from 3rd November 2015 until 10th January 2016 including the installation and removal of structures – Approved (Temporary permission) December 2015.

7-2016-15898-AE: Installation of Christmas festival ice rink and erection of marquee to provide temporary cafe/bar and skate hire facility - (temporary period from 24 October 2016 until 10th January 2017 including the installation and removal of structures) – Withdrawn.

7-2016-15898-AF – Installation of Christmas festival ice rink and erection of marquee to provide temporary cafe/bar and skate hire facility - (temporary period from 24 October 2016 until 10th January 2017 including the installation and removal of structures) – Withdrawn.

7-2017-15898-AG – Annual installation of Christmas festival ice rink with food and drink uses (temporary period from late October to early January each year including the installation and removal of structures) – Approved (Temporary permission of 5 years) November 2017.

7-2018-15898-AI – Annual installation of Christmas festival ice rink with food and drink uses (temporary period from late October to early January each year including the installation and removal of structures) – Approved (Temporary permission of 4 years) October 2018.

7-2019-15898-AK – Non-material amendment to application no. 7-2018-15898-AI for changes to the two existing structures to be changed with 2 new marquees with different layout. Removal of smaller ice rink to make one single larger ice rink. Approved (Temporary permission) November 2019.

7-2023-15898-AL – Annual installation of winter ice rink with cafe/bar attached (temporary period from late October to early January each year including the installation and removal of structures) - Approved (Temporary permission for the Christmas season 2023-2024) November 2023.

7-2024-15898-AM Temporary use of land as a roller-skating rink including the stationing of stretch tent roof, flooring, fencing, lighting, big screen and mobile bar and catering cabin and toilet. Refused July 2024.

7-2024-15898-AN Temporary Christmas lighting installations throughout the Lower Gardens and Pier Approach to include a ride on Santa's train and Christmas themed simulator. Withdrawn

7-2024-15898-AO Temporary installation of winter ice rink with cafe/bar attached (temporary period from 28th October 2024 to 25th January 2025 including the installation and removal of structures). Approved October 2025.

Constraints

6. 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.
7. 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.
8. The following site constraints are relevant to the proposal:
 - Grade II Listed Registered Park and Garden
 - Setting of the Grade II listed Pavilion Theatre
 - Mature trees within and around the site
 - Flood zone 3 and some Flood Zone 2
 - 1 in 30 annual likelihood of surface water flooding

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 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.
11. With regard to sections 28G and 28I (where relevant) of the Wildlife and Countryside Act 1981, to the extent consistent with the proper exercise of the function of determining this application and that this application is likely to affect the flora, fauna or geological or physiographical features by reason

of which a site is of special scientific interest, the duty to take reasonable steps to further the conservation and enhancement of the flora, fauna or geological or physiographical features by reason of which the site is of special scientific interest.

12. For the purposes of section 40 Natural Environment and Rural Communities Act 2006, in assessing this application, consideration has been given as to any appropriate action to further the “general biodiversity objective”.
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.
14. For the purposes of this report regard has been had to the Human Rights Act 1998, the Human Rights Convention and relevant related issues of proportionality.

Consultations

15. Historic England – no comment
Dorset Wildlife Trust – no response
Dorset Police Licensing – no response
Wessex Water – no response
The Gardens Trust – commented that annual events have led to almost permanent damage and loss of the area as a garden, this harm to the significance of the registered park and garden must be justified.
LPA Ecologist – confirmed the modified grassland is in poor condition. No objection in principle to the application but issues raised by the BNG officer must be addressed.
Heritage – objection due to impact on Grade II listed gardens and Pavilion, this harm must be justified
Urban Design – objection due to visual harm to the Listed Gardens and to the condition of the grassed areas
Waste & Recycling – no response
BCP BNG Officer – proposal is not compliant with BNG legislation
Lead Local Flood Authority – no objection subject to conditions
Environmental Health – no objection
Trees and Landscaping – There are discrepancies between various submissions.
Officer note: These discrepancies are likely drawing mistakes. These can be addressed by conditions.
Local Highway Authority – no objection subject to compliance with submitted information
BCP Environmental Services (Parks & Open Spaces joint response) – Comments note the value of the proposal and of the gardens but raise concerns about the impact on the gardens, deterioration of the grass and the lack of detail in the Design and Access Statement. Recommendations include that in future years a fund is secured annually for works to the gardens.
Officer Note: The recommendation for financial contribution is made in reference to future years rather than the current application. On the basis of the detail and justification provided in this consult response, the case officer notes that this may not meet the requirements of Section 122 of The Community Infrastructure Levy Regulations 2010.

Representations

16. Site notices were erected in the vicinity of the site on 06/08/2025 with an expiry date of 28/08/2025. A press notice was also issued with an expiry date of 06/09/2025.
17. One representation was received in objection from Councillor Bartlett. Issues raised comprise the following (summary):-
- Development contrary to the Town Centre Area Action Plan
 - Development will cause significant and lasting damage
 - Prevents sites intended use as a garden and does not respect the public realm
 - Proposal is not an appropriate, scale, height, mass or form
 - Impact on key views, skyline and townscape
 - Anti-social behaviour resulting from the bar, increased activity, noise and fume levels
 - Repeated use of the gardens for the temporary ice rink has resulted in permanent damage to the lawns
 - Harmful to designated heritage assets

Key Issue(s)

18. The key issue(s) involved with this proposal are:
- Principle of development and benefits
 - Impact on character and appearance of the area
 - Impact on heritage assets
 - Impact on trees & landscaping
 - Biodiversity Net Gain
 - Impact on residential amenity
 - Impact on highways/footways
 - Flooding and drainage
19. These issues will be considered along with other matters relevant to this proposal below.

Policy context

20. 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 Bournemouth Local Plan Core Strategy 2012, District Wide Local Plan 2002; and Bournemouth Town Centre Area Action Plan 2013.

Core Strategy (2012)

- Policy CS4 – Surface Water Flooding
- Policy CS7 – Bournemouth Town Centre
- Policy CS29 – Protecting Tourism and Cultural Facilities
- Policy CS30 – Promoting Green Infrastructure
- Policy CS31 – Open Spaces
- Policy CS30 – Promoting Green Infrastructure
- Policy CS39 – Designated Heritage Assets
- Policy CS41 – Quality Design

District Wide Local Plan

- Policy 3.28 – Flooding
- Policy 4.25 – Landscaping
- Policy 7.10 – Indoor and outdoor sport and recreation facilities

Town Centre Area Action Plan

- Policy D4 – Design Quality
- Policy U8 – Leisure, Culture and Entertainment
- Policy U9 – Evening and Night-Time Uses
- Policy T1 – Overarching transport and movement considerations
- Policy T2 – Walking and Cycling

Other

- BCP Parking Standards SPD (2021)
- Bournemouth Public Realm Strategy (2013)
- Town Centre Development Design Guide SPD
- 'Temporary Structures in Historic Places' – Historic England Publication

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

- Section 2 – Achieving Sustainable Development

Paragraph 11 states that,

"Plans and decisions should apply a presumption in favour of sustainable development.

.....

For **decision-taking** this means:

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

- Section 8 – Promoting healthy and safe communities, in particular paragraph 96
- Section 9 – Promoting Sustainable Transport, in particular paragraphs 116 and 117
- Section 15 – Conserving and enhancing the natural environment, in particular paragraph 187
- Section 16: Conserving and enhancing the historic environment.

Planning Assessment

Principle and benefits of development

22. Policy 7.10 of District Wide Local Plan promotes the development of public or private sports and recreation facilities providing that the benefits arising from the development outweigh the adverse effects of the development. The Town Centre Area Action Plan states that the experience on offer in the town centre to be further enhanced, whilst Policy U8 of the Town Centre Area Action Plan (2013) states '*Planning permission will be granted for the development of new art, leisure, cultural and entertainment facilities that would be attractive for a wide range of visitors and residents of all ages in the Town Centre....*' Policy CS7 furthermore establishes the town centre as the most appropriate location in the borough for a range of development type including leisure uses.

23. This application proposes the temporary installation of a winter event (temporary period from 27 October 2025 to 25 January 2026 including the installation and removal of structures). The proposal is considered to comply with the aims of the policies listed above in providing a leisure and entertainment offering in the town centre which provides a notable public benefit, discussed below.
24. Bournemouth capitalises on its natural resources in attracting tourists. However, there are supporting facilities that make an important contribution to the quality of the overall experience of visiting Bournemouth and provide a variety of leisure uses for its residents. This is considered particularly important in the winter months when less time is likely to be spent on the beach. Seasonal leisure facilities can help draw people to Bournemouth and notably to the town centre. The ice rink has historically formed part of the winter offering in the town centre along with other installations through the gardens and onto Pier Approach, and the Christmas market in Bournemouth Square.
25. A Public Benefits Statement was submitted with this application and states that in 2023 more than 5.68 million people visited Bournemouth town centre and Christmas Tree Wonderland during the seven-week festive period, averaging around 125,000 visitors each day. It is considered that the Christmas event in the Lower Gardens would provide a significant draw for visitors to the town centre. The proposal is accordingly considered to provide significant economic benefits to the town centre. These benefits weigh positively in favour of the scheme in the planning balance and have been accorded significant weight.
26. Furthermore, the principle of the temporary ice rink and Christmas installations has been long established in the Lower Gardens and on the application site specifically with temporary planning permissions granted for the ice rink over a number of years. This principle is a material consideration in this case.
27. Overall, the principle of a temporary ice rink in the Lower Gardens is considered acceptable and in line with the aims of policies on development in the town centre. The proposal is considered to provide significant public benefits comprising its contribution to the leisure offering of the town centre, particularly in the winter months and economic benefit which promotes the vitality and viability of the town centre.

Impact on character and appearance

28. The Town Centre Area Action Plan (2013) identifies the application site as within the core of the town centre where the main leisure attractions are found. Policy CS7 and CS41 require that development maintains or enhances character.
29. The character of this section of the town centre is mixed, and many commercial uses can be found including leisure, hospitality and retail. The commercial character of this section of the town centre is reflected in the surrounding main streets including Commercial Road, Westover Road and Old Christchurch Road. There are existing commercial facilities within the Lower Gardens which provide both seasonal and year-round offerings. This includes mini golf and a number of food and drink kiosks.
30. Whilst there are both year-round and summer hospitality and leisure offerings within the Lower Gardens, the character of the Lower Gardens during the winter festival is to some extent distinct from the character at other times of the year due to the winter festival facilities and installations. Bournemouth Square leading to Pier Approach is busy, with many sources of artificial lighting, music and a variety of temporary structures.
31. The proposal comprises an ice-skating rink area in a large parcel of land bound by footpaths on three sides and the River Bourne to the northeast. The ice rink structure comprises the skating area, a bar area, ticket area, plant equipment and other ancillary elements. The footprint of this area measures approximately 2,576m². There are two marquees, measuring approximately 6.45m in height. Around the marquee are glass panels, with scaffold railing to the northwest of the site and

ramps and wooden garden fencing along the front of the structure. Wooden features and cladding screen some of the glass frontage where the back of house areas are sited.

32. To the southwest of the ice rink area are a number of other installations; noted on the proposed layout plan as: Walkthrough Christmas Tree Display, Christmas Tree maze, Wonderland Tipis, Alpine Chalet, Christmas Train, Games Stalls and Christmas Ride. Most substantial of these in terms of the structures proposed are the alpine chalet and games stall. The Alpine chalet measures 3m in height with a footprint of 16m by 8m. The total footprint of the structure measures approximately 20.3m by 8m including ramps and stairs. The two games stalls each measure 6m by 2m in footprint with a height of 3m. These structures are timber with pitched roofs.
33. Concern has been raised by the Urban Design Officer about the scale, design and siting. Concern has been raised that, the proposals, particularly the marquees are visually dominant and disrupt the open character of the Lower Gardens.
34. The ice-skating rink has been a key part in the annual winter festivities over the past several years, see the planning history of the site above. It is acknowledged that the current proposal is larger than the schemes that were approved in the past in terms of both the ice rink structure and the inclusion of other installations and structures leading down to Pier Approach. Consequently, the current proposal will be visually prominent with a resultant impact on views across the gardens compared to the historic permissions. However, the development will be temporary and installed only during the winter festivities when the garden is not typically characterized by the same openness and long-range views as at other times of the year due to the extensive festive installations of lighting and sculpture. The presence of temporary structures within the town centre and the gardens, particularly in the winter months, is well established and it is accordingly considered that the proposal would not be out of character on a temporary basis. The proposed structures, although large, are considered to clearly appear as a temporary seasonal event.
35. Concern has also been raised by various consultees relating to impact on grass, particularly the longer-term impact on grass when the structures have been removed. It is highlighted in objections that following previous installations, the grass has remained in poor condition in the summer months and that the prolonged deterioration of the reseeded areas may continue to restrict public access and diminish the overall enjoyment of the gardens throughout the year. Since the size and scale of the current scheme is larger than previous years, it will potentially have greater impact on grass reinstatement.
36. In previous years, the permissions included a grass reinstatement condition which required the grass to be re-seeded. However, as noted by the consultees, this approach has not been successful for the grass recovery in the previous years. Consequently, a new condition is recommended for impacted areas to be re-turfed should the application be recommended for approval.
37. The structures themselves, whilst in situ on a temporary basis, are considered to have an acceptable impact on character and appearance for the reasons provided above. The grass recovery can be secured by condition. Overall, subject to conditions requiring development to be carried out in accordance with the submitted material details, the grass reinstatement plan and for re-turfing impacted areas, the scheme is considered to have an acceptable impact on character and appearance, in accordance with Policies CS7 and CS41.

Impact on designated heritage assets

38. Policy CS39 requires that designated heritage assets are protected. The proposal is sited within the Grade II Listed Parks and Gardens (Registered Parks and Gardens, RPG) that are described as being 'a good example of a series of mid-19th Century public seaside gardens' (Historic England official list entry). The Gardens are a major tourist attraction, receiving a significant number of visitors each year. In the winter months, the winter festival provision is a significant draw for visitors to the gardens. The southern section of the application site is also within the setting of the Grade II listed Pavilion Theatre.

39. Paragraph 212 of 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). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'*. Paragraph 213 states that *'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification'*. Paragraph 215 states that *'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'*.
40. The Heritage Officer advises that the proposal is not supported from a heritage perspective and concludes that it would result in less than substantial harm to the significance of the designated heritage assets. The Heritage Officer and the Gardens Trust have stressed the requirement for the proposal to be justified that there are significant public benefits to outweigh the harm.
41. As described in the previous section, the proposal involves sizeable structures in height and footprint, most notably the marquees associated with the ice rink area. Historic England Guidance 'Temporary Structures in Historic Places' states *'There should not be a presumption against temporary structures simply because they are visible in the historic environment... the duration of the structure and the season of the event can be important factors'*.
42. By way of visual intrusion, it is agreed by the case officer that the proposal would result in less than substantial harm to the designated heritage assets. It is also acknowledged, as in the previous section, that the size of the structures associated with the ice rink have increased compared to previous permissions and that the proposal also includes a number of other structures in the southern areas of the gardens. Nevertheless, considering the less than substantial harm, it is considered that the harm to the designated heritage asset is significantly moderated by the temporary duration of the proposal. The structures would also be temporary in appearance. Specifically in relation to the additional structures in proximity to the Pavilion Theatre, it is highlighted that these are set on lower ground than the heritage asset and measure only 3m in height. For these reasons, the less than substantial harm to both heritage assets is considered by the case officer to be moderate in nature. As required by the NPPF (2024) this harm must be weighed up against the public benefits of the scheme.
43. Overall, it is considered that the proposal would lead to less than substantial harm to designated heritage assets which is moderate in nature. This harm will be weighed up the planning balance.

Impact on residential amenity

44. Policy U9 of the Town Centre Area Action Plan (2013) as well as CS39 and CS41 of the Core Strategy (2012) seek to protect residential amenity.
45. The proposed development is located some distance away from residential properties and is on lower ground than the nearby streets Gervis Place and Westover Road. The proposal is accordingly considered to not result in harmful loss of privacy, overshadowing or overbearing impacts to neighbouring residents. The nature of the proposal, however, may result in additional noise being generated. Environmental Health Officers have also raised the issue of lighting having the potential to impact on neighbouring residents.
46. An Event Management Plan (EMP) and associated documents were submitted which include noise management measures. Environmental Health stated that having reviewed this document, they have no significant concerns with the proposals and historically have not received complaints in relation to this event over the last couple of years. Environmental Health also note that if concerns arise with regards to noise and lighting, these can be dealt with under Licensing and nuisance regimes if necessary.

47. Overall, subject to a condition requiring compliance with the EMP, the proposal is considered to have an acceptable impact on neighbouring residential amenity

Impact on highways/footways

48. Policy T1 of the Town Centre Area Action Plan states proposals should “*place the highest priority on making it easier for pedestrians, disabled and cyclists to move around*”. In addition, it states that proposals “*should improve safety for all users*” and ensure “*appropriate servicing arrangements*”. In addition, Policy T2 seeks to promote walking and cycling by “*ensuring routes are direct*”.
49. Following concerns raised about the lack of information on route closures and other highway/footway impacts, additional information was submitted with the application and was reviewed by the Local Highway Authority (LHA). Information submitted details the delivery routes through the gardens, confirming that larger vehicles will reverse in. In addition, the plan also shows that vehicles can exit onto Gervis Place. This is considered acceptable.
50. The applicant has provided a plan to show the pedestrian route during the build. The layout drawing also shows the location of the bins for collection which is at Exeter Crescent. Bins are already collected from the public highway on Exeter Crescent, and this is considered a logical place to collect by the LHA.
51. The LHA have stated that it is unfortunate that the main pedestrian route through the gardens, which is a desire line to the seafront is closed off from the 27th of October, which is half term, until the 13th of November to enable the build but overall, no objections are raised to the proposal subject to compliance with the information submitted.
52. Overall, on balance, the proposal is considered to have an acceptable impact on highways and footways, compliant with Policies T1 and T2 of the Town Centre Area Action Plan.

Impact on flooding

53. The application site is located in flood zones 2 and 3. The site is at risk of flooding from tidal, fluvial, surface water and sewer sources and has a known history of flooding.
54. Paragraph 176 of the NPPF states – “*Applications for some minor development and changes of use should not be subject to the sequential or exception tests but should still meet the requirements for site-specific flood risk assessments set out in footnote 63*”. As a change of use application, on a temporary basis, it is considered that the sequential test is not required in this instance.
55. The proposal, as outdoor sports and recreation, is classed as ‘Water Compatible development’ as per the classifications set out in Annex 3. However, a Flood Risk Assessment is required given the flood risk on site.
56. The submitted Flood Risk Assessment (FRA) has been assessed by the Local Lead Flood Authority (LLFA). The LLFA confirmed that they do not object on flooding and drainage grounds and are satisfied with the emergency plan in the event of flooding. In addition to compliance conditions with the submitted information, the LLFA recommended that, in relation to rainwater run-off, further details are provided. However, considering the potential for displaced flood risk, it is acknowledged by the LLFA that this risk of surface water flooding would be to the Lower Gardens rather than to properties. In this case, the temporary event and application site extends almost the full length of the bowl-shaped Lower Gardens down to Pier Approach. The displaced flood risk would accordingly be largely restricted to other parts of the temporary event applied for.
57. It is noted that an application for a summer event installation was refused, in part on flooding grounds. However, in this case the application site comprised a small part of the Lower Gardens with the rest of the Lower Gardens in busy use as a space of public recreation. Displaced flooding,

which is at higher risk in summer due to the likelihood of flash flooding, would therefore have a harmful impact on public use of the Lower Gardens outside of the application site. For this application there would not be this harm and accordingly it is not considered necessary to require further information by way of condition.

58. Overall, subject to compliance with the submitted information, it is considered that the impact on flooding is acceptable and compliant with the aims of the NPPF (2024).

Impact on trees

59. Policy 4.25 of the District Wide Local Plan promotes soft landscaping. The site is located in the Lower Gardens where trees form an essential component of the parks character therefore Policies CS39 and CS41 of the Core Strategy are also relevant.
60. A revised tree protection scheme was submitted by the applicant during the course of the application. The Council's Tree and Landscaping Officer reviewed the scheme and commented that one of the palm trees now appear be lost due to a change in position of tree protective fencing. Since only one palm is shown in the amended plan, it is assumed the other is to be removed. However, it was not clear if this will actually happen since the removal of the palm tree is not required for the proposed development. Additionally, an area of shrubs at the eastern end of the site also appears to be affected, and no protection is shown for them, currently. The shrubs should also be retained and protected. It is considered that the omission of the palm tree and lack of protection around the shrubs are likely to be drawing mistakes that has been confirmed by the applicant and as such, can be overcome by condition requiring their retention. It is also to be noted that the loss of palms or shrubbery would have further implications for Biodiversity Net Gain, which is discussed in a later section.
61. Aside from the above issues, following assessment of submitted arboricultural information and tree protection plans, the Tree and Landscaping Officer consider that trees on and around the site, including the two main trees at the western end of the ice rink site are to be suitably protected and no works are to take place within their root protection areas.
62. It has come to the attention of the LPA that during the course of the application, one cherry tree has been removed from the ice rink area of the application site, which has not been detailed within the application. Subject to suitable replacement planting, it is likely that there would be no arboricultural objection to the loss of this tree. However, the removal of this tree has wider BNG implications – see the following section.
63. Overall, the impact on trees and landscaping is considered to be acceptable subject to conditions in relation to replacement tree planting and revised tree protection details. Subject to these conditions the proposal is considered to have an acceptable on trees and landscaping, compliant with Policies 4.25, CS39 and CS41 in this regard.

Biodiversity

64. The NPPF at chapter 15 'conserving and enhancing the natural environment' sets out government views on minimising the impacts on biodiversity, providing net gains where possible and contributing to halt the overall decline in biodiversity. The Local Plan CS30 promotes biodiversity and wildlife habitat. In addition, a 10% biodiversity net gain (BNG) is required as per the Environment Act 2021, though exemptions apply.
65. The application claimed the 'De Minimis' exemption and submitted a supporting statement to demonstrate this. The statement focused on the grass as the only habitat impacted by the proposal. The statement detailed the poor condition of the grass to demonstrate that it could be restored to its present condition within 2 years. Due to the fact that the grass could be restored within the two-year threshold, this impact is not counted as a habitat impact within the BNG framework. The proposal

could therefore benefit from the 'De Minimis' exemption which applies where less than 25 sqm of habitats are impacted.

66. The Council's Ecologist visited the site and advised that the modified grassland is 'poor' condition and therefore the development would not result in an 'impact' to this habitat in terms of the calculation of the biodiversity value in the metric. Consequently, the BNG Policy officer advised that the proposal would benefit from the De Minimis exemption however details of protection of the trees and other habitat in and around the site will be required to be agreed to ensure that the de minimis exemption remains applicable. Should trees or more than 25sqm of other habitat be impacted by the site, the de minimis exemption may no longer apply.
67. During the course of the application, it has come to the attention of the Local Planning Authority that a cherry tree was removed from the application site. Whilst the size of the removed tree is not clear, a small tree (with a diameter at breast height of 7.5cm to 30cm) has an equivalent area value of 41sqm on the biodiversity metric. Accordingly, the loss of this tree would mean that the de minimis exemption would not be applicable as the habitat impacted would exceed 25 sqm.
68. The statutory condition requires all development to provide a net gain in biodiversity of 10% unless exempt. Given that the proposal does not benefit from an exemption to Biodiversity Net Gain, a 10% net gain will need to be demonstrated for area habitat and this would need to be in accordance with the trading rules. This means that the lost tree units would need to be compensated for with other tree units or habitat from a higher distinctiveness. The 10% net gain could be provided from any area habitat. Because the site boundary is within the riparian zone of the Bourne Stream (within 10m of the top of the bank of the Bourne Stream), the adjacent length of watercourse must be included in the baseline habitat metric calculation, and the riparian zone on the opposite bank will also need to be included.
69. To demonstrate compliance with the BNG legislation, the applicant is required to submit a Biodiversity Metric mapping of the baseline habitats on the site and details of how the Biodiversity Net Gain will be achieved, in compliance with the Biodiversity Gain Hierarchy. No such information has been submitted and accordingly the proposal is not compliant with the required legislation.
70. As such, the local planning authority cannot be confident that the statutory biodiversity gain condition is capable of being discharged in accordance with the Biodiversity Gain Hierarchy. Consequently, the proposal is contrary to Policy CS30 and the relevant legislation.

Other Matters

71. Anti-social behaviour was raised as an issue in the objections received. An Events Management Plan has been submitted with this application which contains measures to manage the risk of this occurring and these are acceptable. It is also noted that Dorset Police were consulted with this application and have not submitted a response. Consequently, it is considered that there would not be a significant risk of anti-social behaviour in association with the proposed development warranting refusal or additional conditions.

Planning Balance / Conclusion

72. The proposal is considered to be acceptable in principle, considering such a use on a temporary basis in the Lower Gardens. Whilst it is acknowledged that the structures would be substantial, it would not be considered out of character for the reasons explained above. The temporary nature of the development and the character of the gardens during the winter festivities reduces this harm to some extent.
73. It is considered that the proposal would result in less than substantial harm to the Listed Gardens, a designated heritage asset and that this harm would be moderate in nature. Paragraph 215 of the NPPF states that where a proposed development 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. The proposal has significant public benefits, comprising an enhanced leisure offering in the town centre which would benefit residents and tourists as well as providing economic benefit to the town. During the winter months, the winter festival, which has historically included the ice rink, is a significant draw for visitors to both the Lower Gardens and to Bournemouth Town Centre. These benefits have been accorded significant weight and it is considered that the benefits outweigh the harm to the designated heritage assets, given the temporary nature of the proposal.

74. Subject to the relevant conditions, the impacts on trees, grass, residential amenity, flooding and highways are considered to be acceptable.
75. However, Biodiversity Net Gain is a legislative requirement for all development unless exempt. The Local Planning Authority must be satisfied that the statutory condition can be discharged. In this case, the application has failed to submit the required information in relation to BNG and accordingly it cannot be supported.

Recommendation

Refusal for the following reason:

By reason of the unauthorised removal of a cherry tree, the application does not benefit from the de minimis exemption in relation to biodiversity net gain and the statutory biodiversity gain condition applies.

The applicant has failed to provide the minimum information required by Article 7(1A) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) and therefore the application is not compliant with the requirements of the legislation.

Furthermore, as no information has been provided to demonstrate how the development will achieve the statutory 10% net gain in biodiversity required by legislation, the Local Planning Authority cannot be confident that the statutory biodiversity gain condition is capable of being discharged in accordance with the Biodiversity Gain Hierarchy. As such the proposal is contrary to Schedule 7A of the Town and Country Planning Act 1990 (inserted by Schedule 14 of the Environment Act 2021) and Policy CS30 of the Bournemouth Local Plan: Core Strategy (2012).

Informatives

1. For the avoidance of doubt the decision on the application hereby determined was made having regard to the following plans:
 - Location plan; dwg no. P001
 - Proposed block plan; dwg no. P002
 - Existing site layout 1 of 2; dwg no. P003
 - Existing site layout 2 of 2; dwg no. P004
 - Proposed site layout; dwg no. 1 of 2; dwg no. P005
 - Proposed site layout dwg no. 2 of 2; P006
 - Proposed skate floor plan; dwg no. P007
 - Proposed skate elevations; dwg no P008
 - Tipi plan; dwg no. 2024_067a_03 Rev. P01
 - Games stall plans; dwg no. 2024_067a_04 Rev. P01
 - Alpine chalet elevations; dwg no. 2024_067a_02 Rev. P01
 - Alpine chalet plans; dwg no. 2024_067a_01 Rev. P01
2. In accordance with paragraph 39 of the revised NPPF the Council, as Local Planning Authority, takes a positive, creative 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 offered the opportunity to submit additional information to overcome problems identified by the case officer but chose not to do so. As the proposal is clearly contrary to legislation, it has been recommended for refusal.

Background Documents:

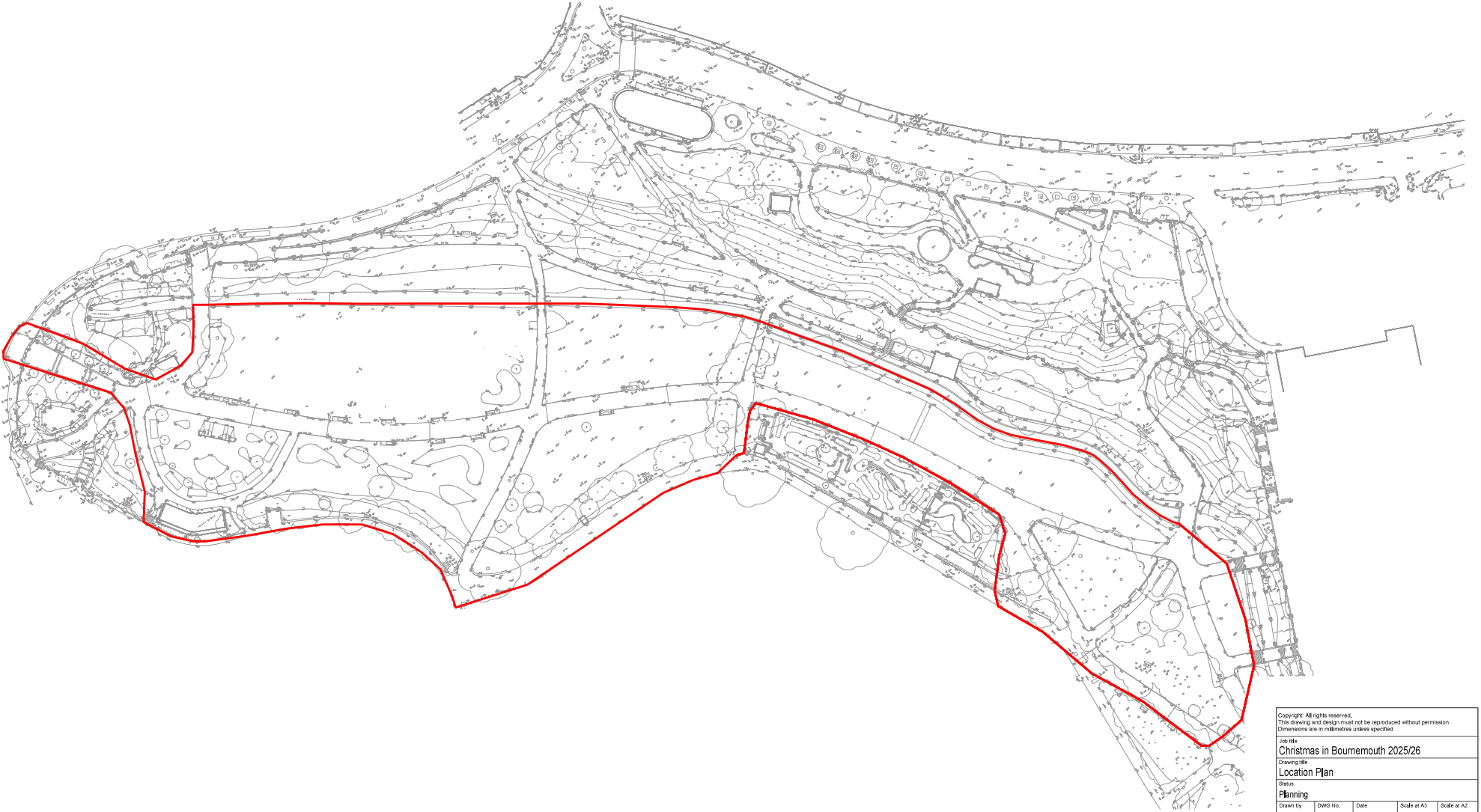
P/25/0216/FUL

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.

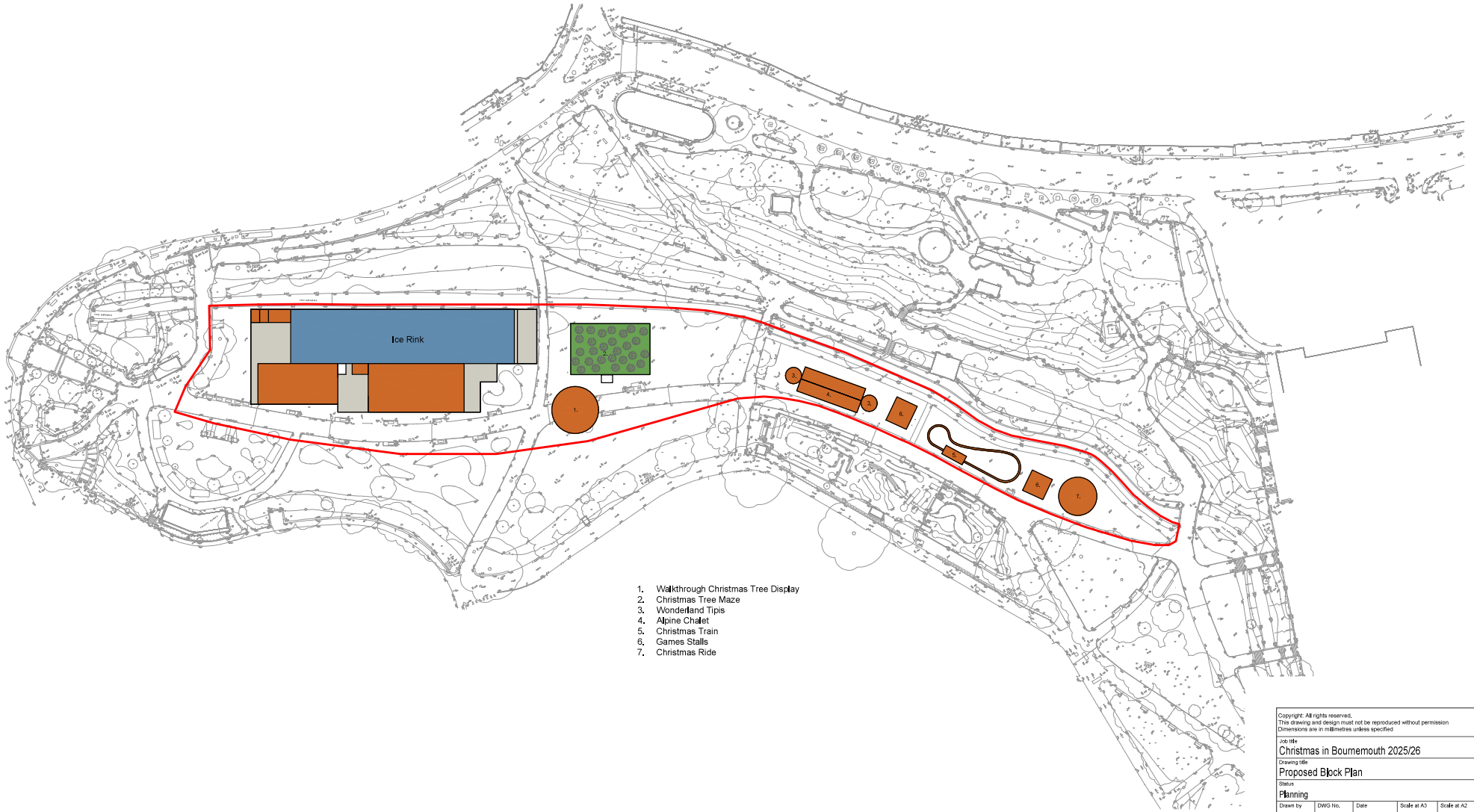
Notes.

This excludes all documents which are considered to contain exempt information for the purposes of Schedule 12A Local Government Act 1972.

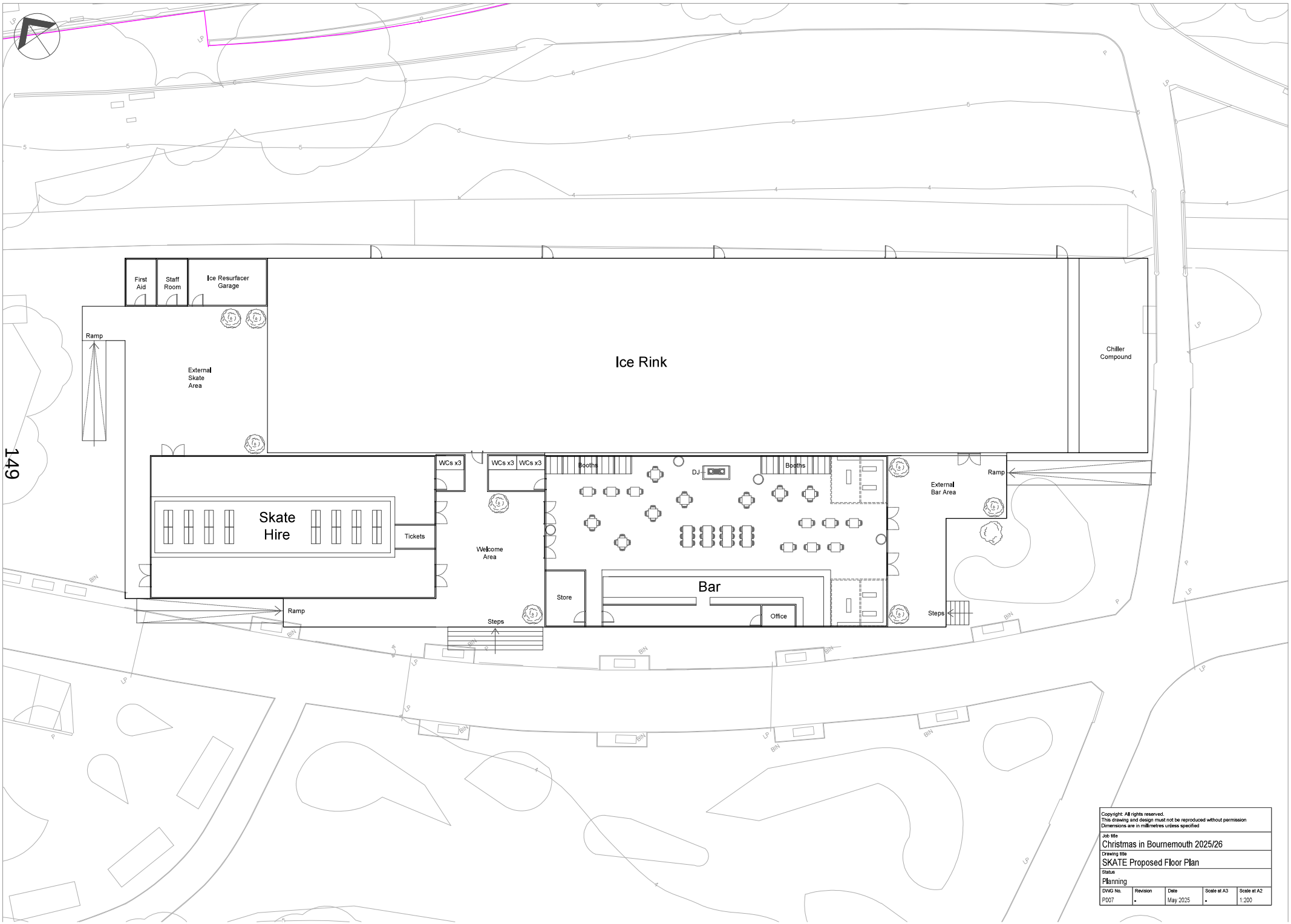
Reference to published works is not included



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Drawing title Location Plan				
Status Planning				
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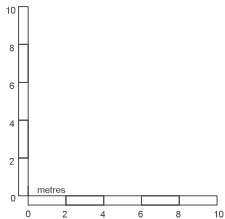
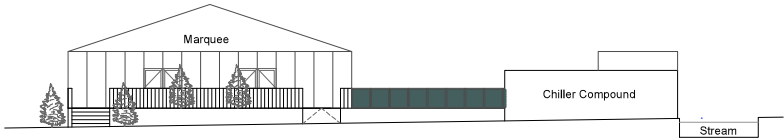
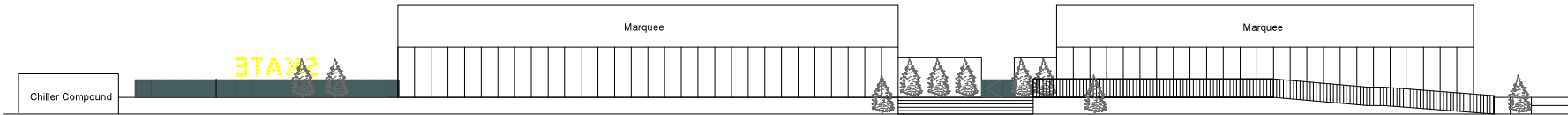
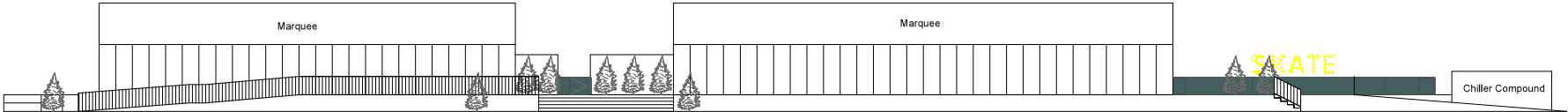


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Drawing title Proposed Block Plan				
Status Planning				
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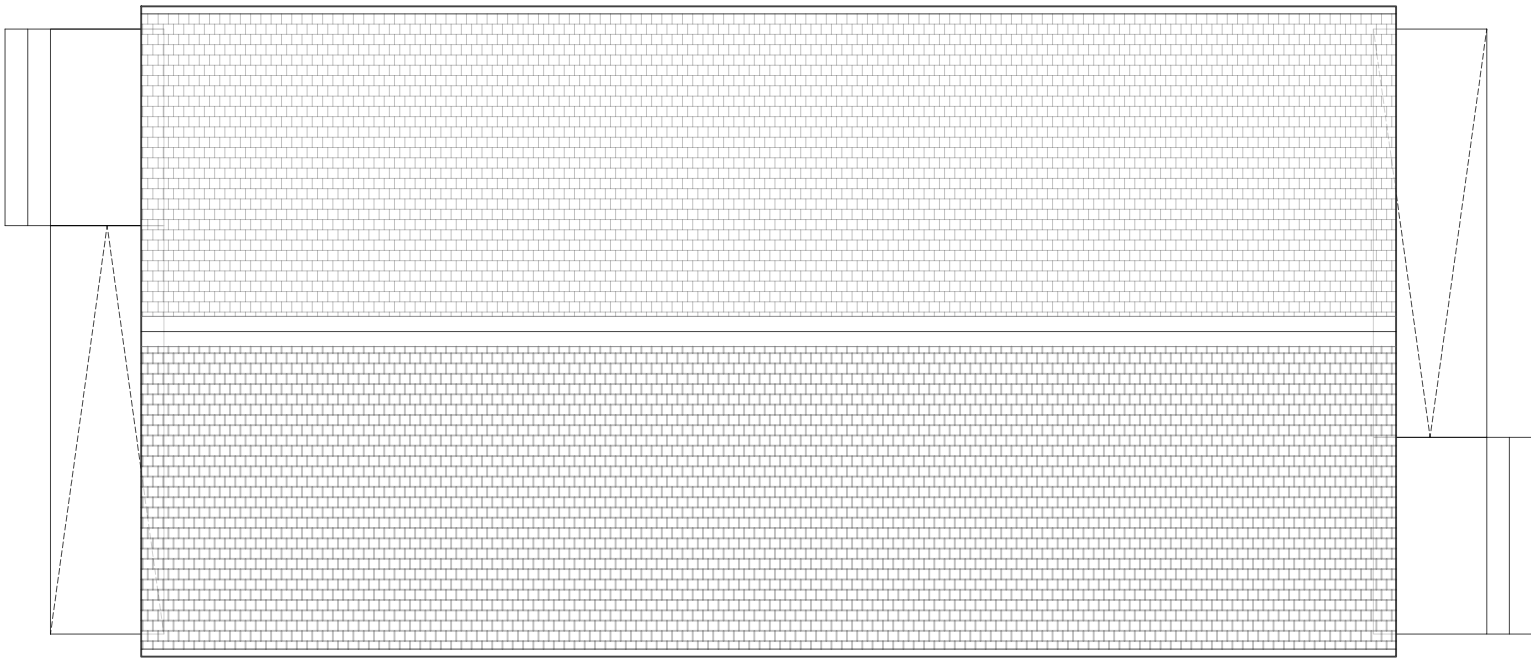
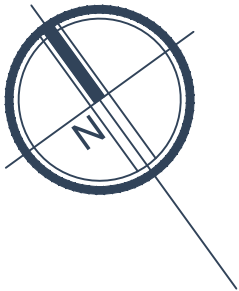
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Drawing title SKATE Proposed Floor Plan				
Status Planning				
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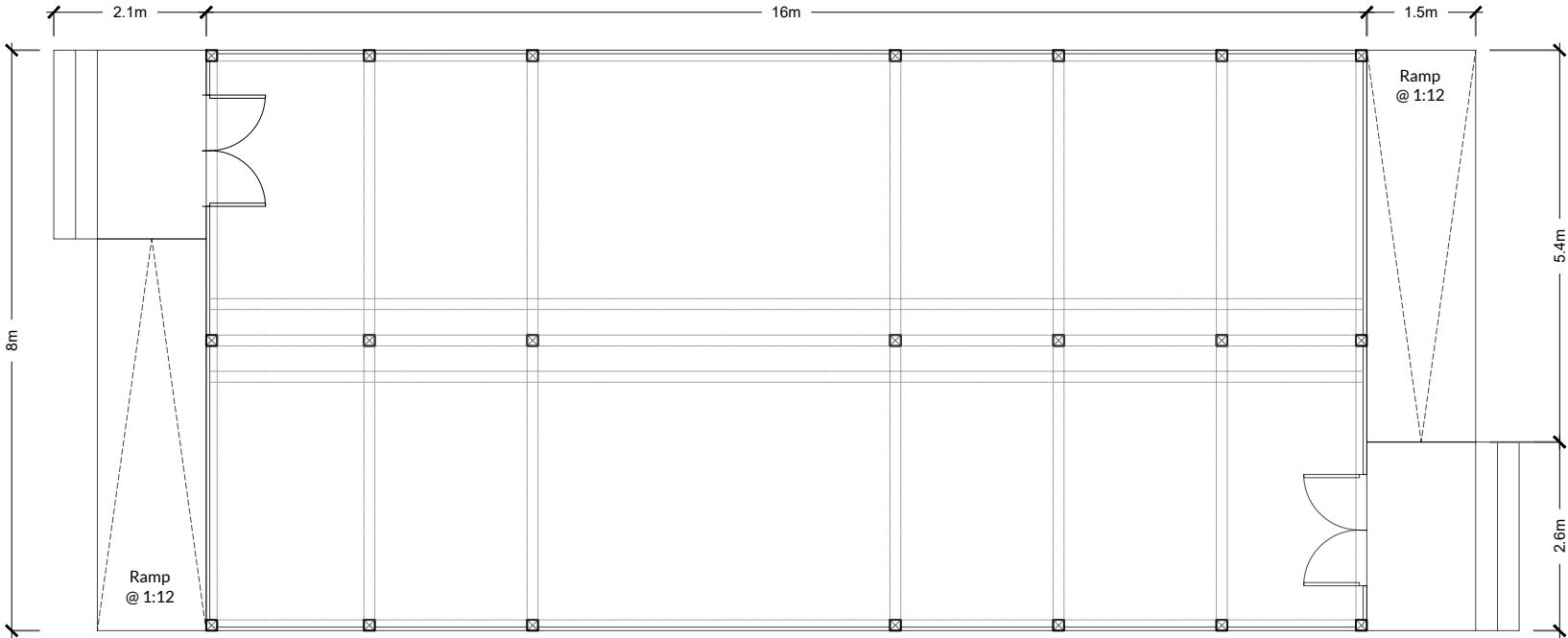


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Job title Christmas in Bournemouth 2025/26				
Drawing title Proposed SKATE Elevations				
Status Planning				
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ALPINE CHALET PLANS [SCALE 1:100]



Roof Plan



Floor Plan



P01	First Issue	24.07.2025
Revision	Description	Date
Drawn by	Checked by	Date created
MC	JT	July 2025

Project
AGM 2024 067a
Lower Gardens, Bournemouth.
Erection of temporary structures for Christmas Event.

Title
Alpine Chalet Plans

Drawing No.	Revision No.
2024_067a_01	P01

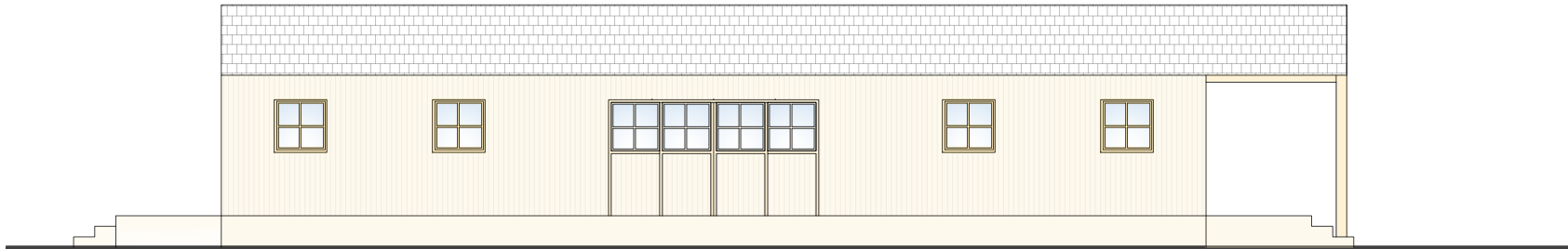
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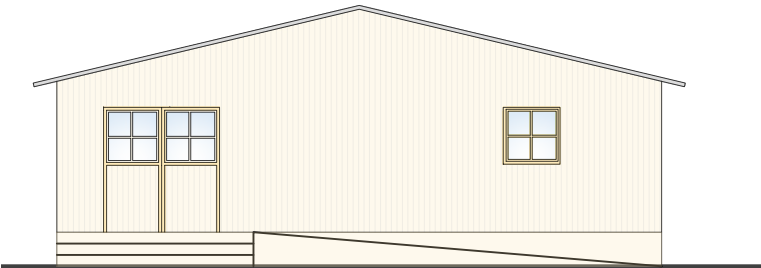
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ALPINE CHALET ELEVATIONS

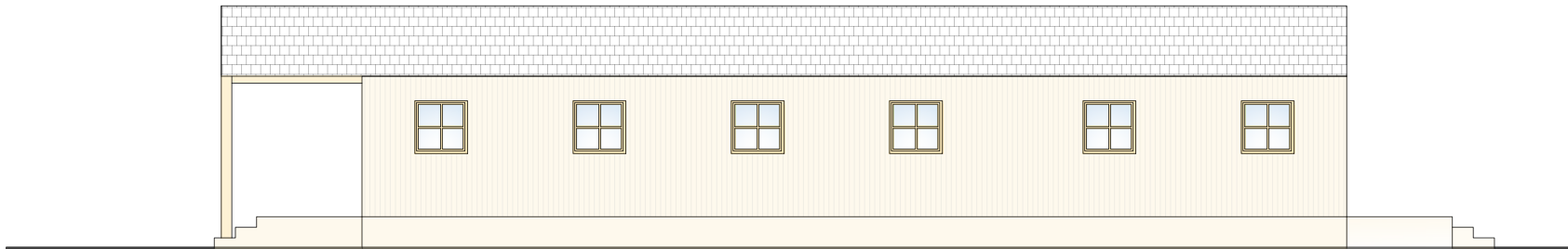
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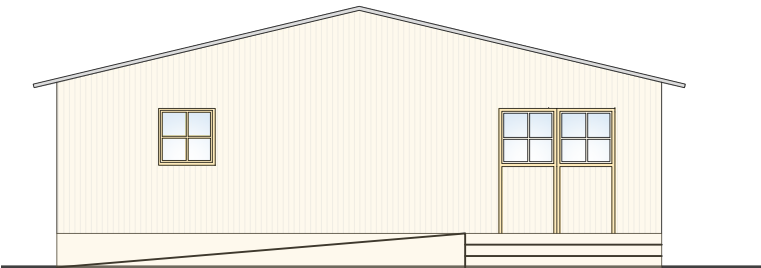
South-west Elevation



North-west Elevation



North-east Elevation



South-east Elevation

P01	First Issue	24.07.2025
Revision	Description	Date
Drawn by	Checked by	Date created
MC	JT	July 2025

Project
AGM 2024 067a
Lower Gardens, Bournemouth.
Erection of temporary structures for Christmas Event.

Title
Alpine Chalet Elevations

Drawing No.	Revision No.
2024_067a_02	P01

Scale
1:100 @ A3

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