

Notice of Eastern BCP Planning Committee



Date: Monday, 8 July 2024 at 10.00 am

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

Membership:

Chairman:

Cllr P Hilliard

Vice Chairman:

Cllr M Le Poidevin

Cllr C Adams
Cllr J Clements
Cllr D A Flagg

Cllr M Gillett
Cllr G Martin
Cllr Dr F Rice

Cllr J Salmon
Cllr M Tarling
Cllr L Williams

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=6186>

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

GRAHAM FARRANT
CHIEF EXECUTIVE

28 June 2024

**DEBATE
NOT HATE**



Available online and
on the Mod.gov app

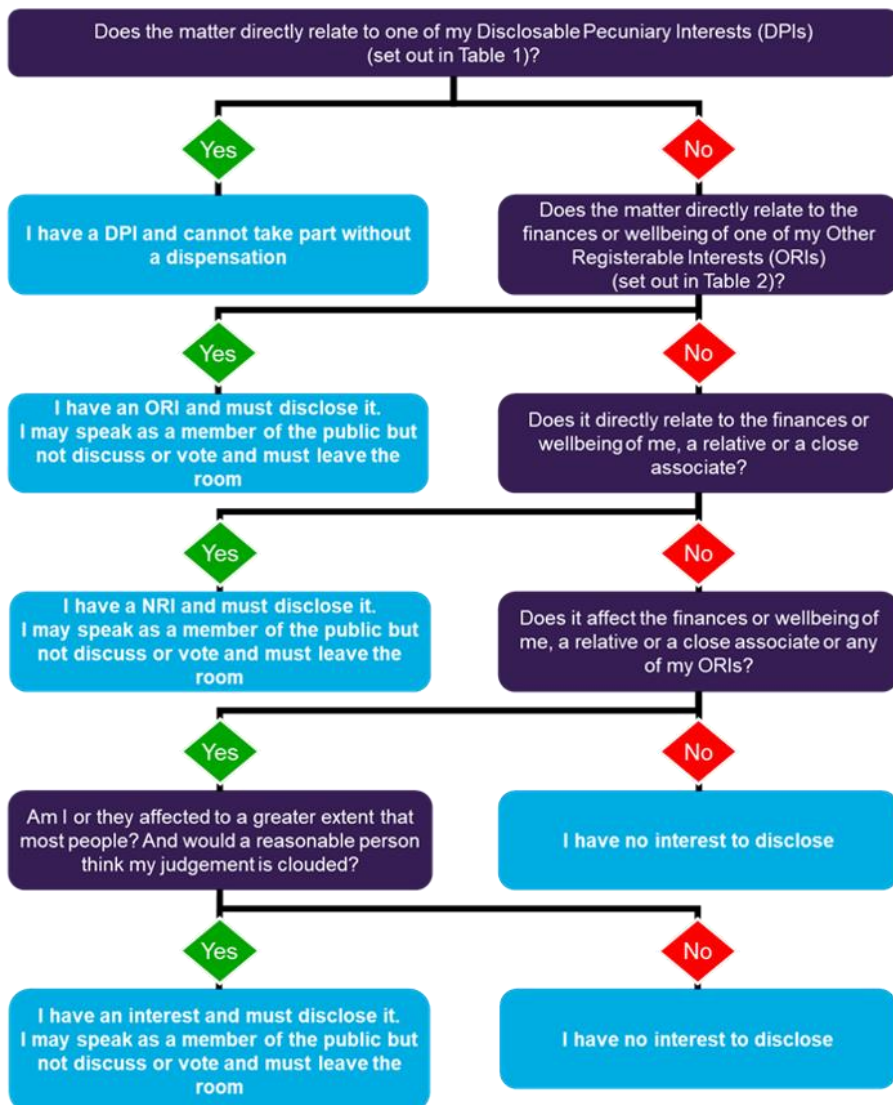


Maintaining and promoting high standards of conduct

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
(janie.berry@bcpcouncil.gov.uk)

Selflessness

Councillors should act solely in terms of the public interest

Integrity

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

Objectivity

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

Accountability

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

Openness

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

Honesty & Integrity

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

Leadership

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

AGENDA

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

1. Apologies

To receive any apologies for absence from Members.

2. Substitute Members

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

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

3. Declarations of Interests

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

Declarations received will be reported at the meeting.

4. Confirmation of Minutes

7 - 10

To confirm and sign as a correct record the minutes of the meeting held on 9 May 2024.

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 Friday 5 July [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.

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

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

Please refer to the full Protocol document for further guidance.

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

6. **Schedule of Planning Applications**

To consider the planning applications as listed below.

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

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

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

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

Members will appreciate that the copy drawings attached to planning application reports are reduced from the applicants' original and detail, in some cases, may be difficult to read. To search for planning applications, the following link will take you to the main webpage where you can click on a tile (area) to search for an application. The link is:

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

[comment-on-applications/Search-and-comment-on-applications.aspx](#)

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

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

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

a)	Land at Lower Gardens, Lower Gardens, Bournemouth BH2 5AU Bournemouth Central ward 7-2024-15898-AM Temporary use of land as roller-skating rink including the stationing of stretch tent roof, flooring, fencing, lighting, big screen and mobile bar and catering cabin and toilet.	19 - 46
b)	Town Centre, The Square, Bournemouth BH2 6EG Bournemouth Central ward 7-2024-7052-Q Use of land for a temporary Summer Entertainment programme and bar alongside trading stalls within the Bournemouth Town Square pedestrian area, open from 12.7.24 until the 1.9.24.	47 - 60
c)	Pavilion Theatre, Westover Road, Bournemouth BH1 2BU Bournemouth Central ward 7-2024-1570-BH Use of rear terrace for the seasonal installation of three cladded shipping containers and a fish and chips van for a temporary period and associated seating, picnic tables and festoon lighting - Retrospective application.	61 - 80
d)	41 Thistlebarrow Road, Bournemouth BH7 7AL Littledown and Iford ward 7-2024-22978-B Change of use from dwellinghouse (Use Class: C3) to 6-bedroom House in Multiple Occupation (HMO) (Use Class: C4) with associated access and parking, including formation of garage, cycle and bin store.	81 - 98

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

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
EASTERN BCP PLANNING COMMITTEE

Minutes of the Meeting held on 09 May 2024 at 10.00 am

Present:

Chair: Cllr M Le Poidevin (Vice-Chair, in the Chair)

Present: Cllr C Adams, Cllr J Clements, Cllr J Salmon, Cllr D A Flagg,
Cllr M Gillett, Cllr M Tarling, Cllr Dr F Rice and Cllr S Carr-Brown

1. Apologies

Apologies were received from Cllr P Hilliard, Cllr G Martin and Cllr L Williams.

2. Substitute Members

Notification was received that Cllr S Carr-Brown was substituting for Cllr G Martin for this meeting.

3. Election of Chair

The Chairman of the Council presided over this item and sought nominations for the election of Chair. A nomination was received and seconded for Cllr P Hilliard. No further nominations were received.

RESOLVED that Cllr P Hilliard be elected as Chair of the Eastern BCP Planning Committee for the Municipal Year 2024/25.

4. Election of Vice Chair

The Chairman of the Council sought nominations for the election of Vice-Chair. A nomination was received and seconded for Cllr Le Poidevin. No further nominations were received.

RESOLVED that Cllr Le Poidevin be elected as Vice-Chair of the Eastern BCP Planning Committee for the Municipal Year 2024/25

In the absence of the newly elected Chair, the Vice Chair presided over the remainder of the meeting.

5. Declarations of Interests

There were no declarations of interest.

6. Confirmation of Minutes

The minutes of the Planning Committee held on 18 April 2024 were confirmed as an accurate record for the Chair to sign.

7. Public Issues

There were no public issues on planning applications for this meeting.

8. Schedule of Planning Applications

The Committee considered a planning application report, a copy of which had been circulated and which appears as Appendix A to these minutes in the Minute Book. A Committee Addendum Sheet was published on 8 May 2024 and appears as Appendix B to these minutes.

9. Land near Toft Steps, Undercliff Drive, Bournemouth BH5 1BN

East Cliff and Springbourne Ward

7-2024-15575-G

Retention of single storey building with public toilets and space for start up businesses falling within Class E (Commercial, Business and Service uses but excluding food and drink class) (Existing building benefitted from temporary planning permission reference 7-2020-15575-E) – Regulation 3

Public representations

No registered speakers

RESOLVED to GRANT planning permission in accordance with the recommendation, details and reasons set out in the officer's report, as updated in the Committee Addendum dated 8.5.24, subject to confirmation from the Environment Agency that the Flood Risk Assessment is acceptable.

Voting: For – 9, Against – 0, Abstain – 0

10. Committee Protocols

The purpose of this item was to confirm the following local protocols adopted by the preceding BCP Planning Committee and set out as schedules in Part 6 of the Council's Constitution in relation to:

- Protocol for Speaking/Statements at Planning Committee (already circulated with Agenda Item 7)
- Planning Committee Site Visit Protocol

- Planning Committee Protocol in relation to Pre Application Presentations

The Committee discussed the Site Visit Protocol and highlighted the following for consideration going forward:

- The need for adequate notice for diary management when a site visit was planned.
- When site visits should be required, the importance of any Members attending to enable full information before considering an application.
- The possibility of sharing the pipeline planning applications to highlight any applications which would be beneficial for a site visit
- That should a Member be unable to attend a site visit, they could request a Substitute for both the site visit and Committee meeting.
- The length of site visits to be appropriate and the best way for Committee Members to travel to each site to be considered.
- The need for agreement across both Eastern and Western Planning Committees to ensure consistency.

RESOLVED that the Eastern Planning Committee accept the Committee Protocols.

Voting: For – 9, Against – 0, Abstain – 0

The meeting ended at 10.57 am

CHAIR

This page is intentionally left blank

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	Land at Lower Gardens, Lower Gardens, Bournemouth, BH2 5AU
Proposal	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
Application Number	7-2024-15898-AM
Applicant	Seventa Events
Agent	Mr Matt Annen
Ward & Ward Councillors	Bournemouth Central Councillor Hazel Allen Councillor Jamie Martin
Status	Public Report
Meeting Date	8 July 2024
Summary of Recommendation	REFUSAL
Reason for Referral to Planning Committee	Referred for consideration by the Director of Planning and Destination as BCP Council is the landowner.
Case Officer	Eden Evans
Is the proposal EIA Development?	No

Description of Proposal

1. This application proposes the temporary use of land in the Lower Gardens 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. The temporary consent relates to the inclusive dates 19th July-26th August 2024.

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 Listed Gardens is a public green space with the lower sections including 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 is a lawn area to the southeast of the section most recently used for the temporary ice rink, to the northwest of a small kiosk. The site is bound by public footpaths on three sides and the River Bourne channel. The eastern section of the site contains mature trees.

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 this in the Lower Gardens from 2013 onwards.
5. Prior to 2016, the ice rink was located on the application site. From the planning application 7-2017-15898-AG to the most recent application in 2023, temporary permission has been granted for the ice rink installation to be in a larger area just northwest of the application site where the Bournemouth Eye balloon was previously tethered. The most recent permission granted for the ice rink was for a temporary period of 4 months expiring on 29 February 2024. Applications relating to the ice rink are listed below.

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.

Constraints

6. The following constraints apply to the application site:
- Grade II Listed Registered Park and Garden
 - A number of mature trees within and around the site
 - Flood zone 3

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.

Other relevant duties

8. 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.
9. 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”.
10. 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.
11. 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

12. Historic England – deferred to LPA Heritage department
Police Licensing – no response
Police Architectural Liaison – no response
Wessex Water – no response (awaiting)

The Gardens Trust – objection raised due to impacts on grass, trees and to the setting and enjoyment of the public park.

Trees – initial objection withdrawn subject to conditions, following receipt of arboricultural information however the retention of the Liquidamber tree not supported.

Heritage – objection to proposal due to impact on the Listed Registers Park and Garden

Flood Management – objection raised due to concerns around displaced flood risk and flood management

Urban Design – objection raised due to impact on listed gardens

The Local Highway Authority – objection raised due to pedestrian safety and impact on bus operators

Environmental Health – objection raised due to noise management

Waste & Recycling – awaiting response

Ecologist – holding objection raised due to impact on protected species from lighting, the application has failed to demonstrate it is BNG exempt or compliant.

Policy – the application has failed to demonstrate that it is BNG exempt or compliant.

Tourism – no response.

Strategic Green Spaces – comments made in response to Tree Officer comments – does not support the officer proposal for the replacement of the Liquidamber tree.

Emergency Planning & Resilience – condition requested regarding the Events Management Plan

Representations

13. Site notices were erected on 03/05/2024 and a press notice was issued. The expiry date for public consultation was 28/06/2024. One public representation has been received in objection. The key issue raised relates to the condition of the site following the removal of the installation. The objection also raises concerns which are financial and therefore not a material planning consideration.
14. One representation in objection has been received from Councillor Bartlett relating to the commercial use of the gardens and the impact on the listed heritage asset.

Key Issue(s)

15. 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
- Impact on protected species
- Biodiversity Net Gain
- Impact on residential amenity
- Impact on highways/footways
- Impact on flooding

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

Policy context

17. Local documents:

Core Strategy

Policy CS4 – Surface Water Flooding

Policy CS7 – Bournemouth Town Centre

Policy CS29 – Protecting Tourism and Cultural Facilities

Policy CS31 – Open Spaces

Policy CS30 – Promoting Green Infrastructure

Policy CS39 – Designated Heritage Assets Policy

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

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

Including in particular the following:

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 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 & Safe Communities

Paragraph 96

“Planning policies and decisions should aim to achieve healthy, inclusive and safe places and beautiful buildings which:

- a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;
- b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of beautiful, well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas; and
- c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.”

Section 9 – Promoting Sustainable Transport

Paragraph 115

“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

Paragraph 116

“Within this context, applications for development should:

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and ...”

Section 15 – Conserving and Enhancing the Natural Environment

Paragraph 180

“Planning policies and decisions should contribute to and enhance the natural and local environment by:

...

d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;

e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and ...’

Section 16 – Conserving and Enhancing the Historic Environment

Paragraph 195

“Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.”

Paragraph 203

“In determining applications, local planning authorities should take account of:

a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

c) the desirability of new development making a positive contribution to local character and distinctiveness”

Paragraph 205

“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 206

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. Substantial harm to or loss of: a) grade II listed buildings, or grade II registered

parks or gardens, should be exceptional; b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional”

Paragraph 208

“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”

Paragraph 212

“Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably”

Planning Assessment

Principle and benefits of development

19. Policy 7.10 promotes the development of public or private indoor and outdoors sports and recreation facilities providing that the benefits arising from the development outweigh adverse effects of the development. The Town Centre Area Action Plan states that the experience on offer in the area needs 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 development including leisure uses.
20. The proposal is considered to comply with the aims of the policies listed above and to provide notable public benefit. Other potential adverse impacts will be discussed later in the report.
21. 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. These facilities can provide particular attractions that draw people to the town, and notably to the town centre. The provision of a roller rink and associated facilities contributes to the leisure offering which in turn promotes the vitality and viability of the town centre. The revenue generated by the proposals will contribute to economic development. These benefits weigh positively in favour of the scheme in the planning balance and have been accorded significant weight.
22. Furthermore, the principle of such a temporary change of use and commercial operational development has been long established in the Lower Gardens with temporary planning

permissions granted for the ice rink over a number of years. This principle comprises a material consideration in this case.

23. Overall, the principle of such a facility in the Lower Gardens is considered acceptable and supported by policies relating to development in the town centre. It is considered that there are significant public benefits associated with the proposal in terms of an additional leisure offering and economic benefit which promotes the vitality and viability of the town centre.

Impact on character of the area

24. The Town Centre Area Action Plan (2013) identifies the applicant site as within the core of the town centre where the town's main leisure attractions are found.
25. 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 centre is reflected in the surrounding main streets including Commercial Road, Westover Road and Christchurch Road. There is also an existing commercial offering within the Lower Gardens including mini golf and a number of food and drink kiosks. As noted in previous sections, the principle of additional seasonable leisure offerings in the garden is well established. It is accordingly not considered that such an offering would be out of character, and enhancing the commercial offering within the town centre is considered to align with the aims of the Town Centre Area Action Plan, as well as policies U8 and CS7.
26. In terms of the physical structures proposed, the proposal comprises an area enclosed by picket fencing. From the elevations provided this measures approximately 1.1m in height with posts measuring approximately 1.4m in height. Within this, the roller rink itself measures 10m by 15m on an area of hard surfacing measuring 18m by 20m. Over the roller rink area, a stretch tent is proposed to a height of approximately 8m. To the southeast of the roller rink itself, the site includes assorted event paraphernalia including an area for trading, a television screen, a small toilet block and seating areas.
27. The application site is currently open space and it is acknowledged that the proposal would to some extent reduce the feeling of openness within this section of the park. However, the fencing proposed, whilst not insignificant in the context of open green space is considered of acceptable height which reduces its impact.
28. The most conspicuous elements of the proposal in terms of visual impact are considered to be the stretch tent and television screen. The stretch tent is considerable in height. The proposed elevations show it to be approximately 8m to the highest point. It is noted however that given the form of the tent which comprises a series of conical tensile canopies, the bulk of the stretch tent would be considerably less tall. The canopy is positioned approximately 3.55m above ground level. The tent furthermore covers only part of the proposed application site, to the northwest over the proposed roller rink. The application site in turn is much smaller than the ice rink site, the acceptability of which has been repeatedly established with previous planning permissions, as outlined above.
29. It has been highlighted by the Urban Design Officer and the Heritage Officer that the proposal would obstruct views across the garden. To the northwest of the site, the topography of the garden slopes up considerably, which would greatly reduce the visibility of the proposal when viewed from the northwest. This would reduce the impact of the bulk and height of the proposed application site when viewed from this section of the garden, Westover Road and Gervis Place which are all on higher ground. However, it is agreed that the proposal, notably the stretch tent and the big screen below would impact on views across the gardens and would be visually prominent in the setting.

30. The big screen would be visually conspicuous and also noisy. However, during the summer months the Lower Gardens and surrounding areas are bustling with people and a variety of activities therefore this impact would be reduced. It is noted also that a television screen has previously been sited in the gardens, for instance during the Royal Coronation in 2023.
31. Overall, it is acknowledged that the proposal would impact on the character and appearance of the area, most notably in terms of its visual presence which would impact on views. However, given the temporary nature of the proposal, this is not considered to be materially harmful to the character of the area. It is also not considered that this would be strictly out of character given existing commercial uses within the gardens and surrounding area. The proposal is accordingly considered compliant with Policies CS7, CS41 and U8.

Impact on the heritage assets (Grade II Listed Gardens)

32. 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.
33. Paragraph 205 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 206 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.*'
34. The LPA Heritage Officer has reviewed the proposal and raised objection to the scheme, citing harm to the designated heritage asset. In the objection, the LPA Heritage Officer notes the cumulative impact of development around and within the gardens and raises a number of concerns about the current proposal. The Heritage Officer considers that the fencing off and commercial use of the area would go against the philosophy of the gardens as an area of public space. The officer also raises concerns about the visual and audio intrusion of the proposal which would impact on views. Harm is also identified in terms of potential long-term damage to grass and trees. The Heritage Officer overall takes the view that the harm to the garden would be less than substantial and considerable in nature and that this harm would not be justified.
35. It is agreed that the proposal would be harmful to designated heritage assets and that this harm would be less than substantial. As described in the previous section, particularly due to the significant height of the stretch tent and presence of the big screen, the proposal would be visually imposing with obstruction to views and would result in increased noise. However, it is noted that the proposal is for a temporary consent which would take place in the busy summer period where the area is bustling with visitors and activities and likely to be noisy in any case. Given the temporary nature of the proposal the visual impact of the development is considered acceptable.
36. Considering longer term impacts, potential harm to trees and grass are a serious consideration given the proposals siting, with the preservation of trees and grass essential to the preservation of the designated heritage asset. These will be discussed in the following sections.

37. Whilst it is acknowledged that the application site will be fenced off rather than remaining an open green space and would be commercial, the nature of a Pleasure Garden is a public park for recreation and entertainment. Paragraph 203 of the NPPF provides that (amongst other matters) in determining applications the significance should be sustained including with viable uses consistent with their conservation. The proposal for a recreational facility open to the public is accordingly considered consistent with this use. As a temporary permission it would also not close off the section for free use by the public in the long-term.
38. Overall whilst the proposal is considered harmful to the designated heritage assets, given the temporary nature of the proposal, it is considered to result in less than substantial harm which is moderate in nature. Due to the harm identified there is accordingly conflict with CS 39 of the Core Strategy that seeks to preserve or enhance designated heritage assets.

Impact on trees

39. Policy 4.25 promotes soft landscaping. The site is located in the Lower Gardens where trees form an essential component of the parks character. Policies CS39 and CS41 of the Core Strategy are also relevant.
40. Information initially submitted with the application in relation to trees was limited with no arboricultural information. The LPA Tree Officer accordingly raised objection requesting full arboricultural information.
41. The trees which present material considerations to the proposal are at the eastern end of the site. At the far eastern end is a group of mature Pine trees considered by the Tree Officer to be very fine. There is one tree in the open grass area at the sites eastern end which is a Liquidamber tree that has suffered from past installations at the site. The Tree Officer suggested that this tree should be replaced given their assessment that it would be harmed by the proposal and given that its protection would be very difficult. The agent confirmed they would not be looking to replace the tree. Concern was raised around the suggestion of felling the tree by the LPA's Strategic Green Spaces team. The Greenspace Officer stated that they *'do not support the principle of felling and removing the Liquid Amber tree but that the event proposal should adequately protect the tree... this view is based on the principle of protecting our green space assets...'* The Greenspace Officer further detailed that in the event of a replacement tree, financial mitigation would be required from the applicant to cover remedial works to the current tree area, the replacement specimen, and its care. It is also noted that the felling of the tree would have resultant impacts on Biodiversity Net Gain, which is discussed in a later section of this report.
42. Arboricultural information was subsequently received and assessed by the LPA Tree Officer. The LPA Tree Officer withdrew his earlier objection, however, he does not support the retention of the Liquidamber Tree and preferred the removal of this tree and sought agreement for replacement planting. Notwithstanding this the Tree Officer is satisfied with the tree protection measures set out in the Arboricultural Report and has recommended tree protection conditions.
43. In order to reduce the impact on the tree, the arboricultural information provided includes tree fencing and protection measures and a changed layout of the southwestern area of the site with benches repositioned and the screen moved out of the route protection area, amongst other measures.
44. Overall, the tree is considered to have limited amenity value and is in decline, therefore whilst there may be some associated impact from the proposal, subject to the relevant tree protection conditions the impact is considered to be small.

Impact on protected species

45. Circular 06/2005 – Biodiversity and Geological Conservation states that the presence of a protected species is a material consideration when a development proposal is being considered, which would be likely to result in harm to the species or its habitat.
46. The LPA Ecologist has raised a holding objection until a lighting impact map has been produced and considered. This application has the scope to have adverse impacts on bats, which has not previously been an issue for the temporary ice rink as bats hibernate in winter. There are recorded bats bracketing the site including on Tregonwell Road and Bath Road, as well as further upstream along the River Bourne. The impact on bats as a protected species is accordingly a material consideration in this case.
47. Lighting is included in the description of development however no information on lighting was provided with the application and lighting is not shown on the plans submitted. The LPA Ecologist has stated that an acceptable lighting plan would show a maximum of 5 lux within the red line site boundary and then up to 1 lux in the area surrounding the red line, at a distance of up to 10m. In order that the lighting is not harmful to bats, luminaires must have a colour temperature of 2700 K or lower. With peak wavelengths greater than 550nm; luminaires should be mounted horizontally, with no light output above 90° and/or no upward tilt as in accordance with 'GN08/23 Bats and Artificial Lighting at Night' by Institution of Lighting Professionals'. Only luminaires with a negligible or zero Upward Light Ratio, and with good optical control, should be considered.
48. Overall whilst the proposal has failed to demonstrate an acceptable impact on ecology with regards to protected species, it is considered that this matter could be addressed by way of a pre-commencement condition. Subject to this, the proposal is considered to have an acceptable impact on protected species.

Biodiversity Net Gain

49. Policy CS30 of the Core Strategy (2012) and paragraph 180 of the NPPF (2023) promote biodiversity enhancement. This has now been mandated *under Schedule 7A of the Town and Country Planning Act 1990* (as inserted by Schedule 14 of the Environment Act 2021). All developments must comply with this unless exempt.
50. The application form submitted holds that the development is subject to the de minimis exemption. This exemption applies where the development does not impact a priority habitat and impacts less than 25 square metres (5m by 5m) of on-site habitat and less than 5 metres of on-site linear habitat such as hedgerows.
51. Whilst temporary development is not explicitly exempt from Biodiversity Net Gain (BNG), guidance makes it clear that where the condition of a habitat at the time of application (known as the baseline condition) has been agreed, and it can be demonstrated that the habitat would be restored to that baseline condition within 2 years of the development commencing, the loss or harm to the habitat would not need to be recorded for the purposes of BNG calculations.

52. In other words, where it can be shown that the quality of a habitat could be restored within a 2-year period, and there would not be any other harm that would take the application above the 25 square metre threshold of area habitat impacted by the development, the 'de minimis' exemption would apply.
53. The proposed roller rink itself covers a far larger area than 25 square metres and there would clearly be some impact on the grass, classified as modified grassland within the BNG framework. What is not clear from the limited information provided is what the current 'condition' of the grassland is, and this could have implications in terms of the time that it would take for the habitat to be restored to its 'baseline condition'.
54. In order to establish the timescale that the modified grassland could be-reasonably restored to its current condition within the BNG framework categories, requires specialist assessment by an ecologist and for details of proposed protection and mitigation measures to restore the habitat to be submitted with the application. It is considered by the LPA Ecologist, that the modified grassland on the site may be either in poor condition or in moderate condition. It is highly unlikely that the grass is in good condition. If the grass is in poor condition, then, subject to satisfactory protection and mitigation measures, the Biodiversity Metric indicates that it can be reasonably considered restorable within 2 years. This being the case, the impacted grassland would not count towards the area of habitat affected.
55. However, if the modified grassland is in moderate condition, then the Biodiversity Metric suggests that it could take up to 4 years for the habitat to be restored. This being the case, the area of impacted grassland may not meet the requirement of being restored within 2 years to enable it to be discounted from the BNG calculations.
56. If this were to be the case then because the-area of affected grassland would exceed 25 square metres, the de minimis exemption would not apply. This would mean that all habits within the site would then automatically be subject to the mandatory 10% net gain in biodiversity requirement: the 10m riparian zone (buffer area) around the Bourne Stream and the onsite trees. There would therefore be a requirement for the applicant to identify how they propose to achieve the required 10% uplift in biodiversity value either on-site, off-site or a combination of both.
57. The LPA has sought to work proactively with the agent to attain the required information in order to demonstrate that the proposal is either exempt from, or otherwise compliant, with the BNG legislation, mandated by the Environment Act (2021). The legislation requires applicants where the de minimis exemption is claimed to provide reasons, and Planning Policy Guidance on BNG advises applicants to provide sufficient evidence to support these reasons. The agent has failed to supply this information.
58. In the absence of evidence to demonstrate that the de minimis exemption would apply, we must assume that the application would need to comply with the standard Biodiversity Gain condition requiring 10% uplift in biodiversity. In determining the application, the local planning authority must therefore consider whether or not the proposal would be capable of discharging this condition.
59. As no details have been provided on how the BNG requirement will be met, it is not possible to assess whether there an appropriate balance between onsite and offsite habitat creation/enhancements would be provided to accord with the Biodiveristy Hierarchy. It is also not possible to assess whether BNG proposals would align with or be in conflict with other local plan policies, or whether a legal agreement would be required to secure the habitat creation/enhancement. This also raises questions about who (the applicant or council as landowner) would be liable for providing the habitat creation/enhancement.

60. It is also unclear whether the applicant would be in a position to satisfy the standard condition within the timescale stated on the application form. Given the Government website suggests that the process for purchasing national biodiversity credits could take up to 8 weeks which would be beyond the date that the applicants have indicated they would need to be on site.
61. Therefore, in the absence of sufficient evidence to demonstrate that the de minimis exemption would apply, and in the absence of sufficient information to provide assurance that the standard Biodiversity Net Gain condition can be discharged, the LPA cannot be confident that the proposal complies with the *Schedule 7A of the Town and Country Planning Act 1990* (as inserted by Schedule 14 of the Environment Act 2021). This amounts to a reason for refusal as the LPA cannot assess this aspect of the proposal.

Impact on residential amenity

62. Policy U9 of the Town Centre Area Action Plan (2013), CS39 and CS41 of the Core Strategy (2012) promote protection of residential amenity. 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 not considered to 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. Following discussions with the Environmental Health Officer, there are no concerns that the lighting associated with the proposal would be harmful to residential amenity given the location.
63. An Environmental Health Officer has reviewed the submitted Noise Management Plan and has raised concerns regarding the management of low frequency (Bass) noise and the management of noise complaints. It is noted that there are no residential properties in the immediate vicinity of the site. The application form proposes the opening hours of 09:00-22:30. This is considered reasonable in a town centre location where you would expect to find a thriving night time economy.
64. It is accordingly considered that residential amenity, of which concerns raised relate to noise, could be addressed by condition. If this application were recommended for approval, a condition on noise management as well as a condition on approved opening hours would be recommended in order to safeguard neighbouring residential amenity from noise, in compliance with Policies U9, CS39 and CS41.

Impact on highways/footways

65. 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 should “*improve conditions for public transport*” and ensure “*appropriate servicing arrangements*”. In addition, Policy T2 seeks to promote walking and cycling by “*ensuring routes are direct*”.
66. A Local Highways Authority (LHA) officer has reviewed the proposal and raised objection. Two issues have been raised by the LHA which regard pedestrian safety and interference with the operation of buses.
67. The Event Management Plan submitted with the application states that “there will be no vehicular access to the site once it is open unless by an emergency vehicle which will be bank onto the site. All deliveries will be taken via Exeter Crescent. The only vehicles

accessing the site will be during build if we are unable to carry the load through via Exeter Crescent. A risk assessment has been completed.”

68. Nevertheless, no information has been provided regarding the closures of the footways in order to build and break down the roller rink and associated structures. The LHA has raised concern that the proposal will introduce vehicles into the pedestrianised areas during the peak time of the year (summer holidays) when the footpath between the square and the seafront is heavily used. This is an important safety consideration and careful thought must be given to this aspect of the proposal.
69. The LHA has noted that no mitigation is shown and no information has been provided as to how construction traffic will be managed and what this impact will be on residents and visitors of the lower gardens. To promote pedestrian safety, the LHA has requested that full details are provided upfront to ensure that the main accesses linking the Square to the seafront are not adversely affected. Full details regarding route closure during construction and the relocation of pedestrian flow should be submitted. Without the full information, the LHA has been unable to complete a full assessment and therefore ensure that existing pedestrian routes are not unacceptably compromised.
70. Concern has also been raised regarding the location of Euro bins awaiting collection as shown on the site plan. The bins would be located on the public highway with a refuse vehicle stopping on Gervis Place. The Euro bins would need to be pulled up the hill to Gervis Place. This section of Gervis Place has a bus stop running parallel with the footway which may accordingly be adversely affected by the location and collection point of the bins.
71. The stopping of a refuse vehicle and time taken to empty the Euro bins must not affect the ability of buses to use the designated bus stop. No information has been provided regarding the times the bins will be collected and no consideration has been given to the impact on the bus operator and the ability for buses to pull into the designated stop. Policy T4 of the AAP is clear that development should not prejudice the aim of improved bus services on high frequency routes around the town centre through the provision of additional bus priority measures and attractive bus waiting areas.
72. The LHA also raises concerns about the Euro bins placed on the public highway with no information on how they can be stored safely, given they are proposed to be sited adjacent to people waiting at the bus stops. An alternative collection point should therefore be sought.

Impact on flooding

73. Policy 3.28 states that *‘development will not be permitted in or in the vicinity of, areas liable to flood... where it would impede floodwater flows... increase flooding risks elsewhere, lead to life, damage to property...’* Policy CS4 also aims to safeguard against the risk of surface water flooding. Chapter 14 of the NPPF sets out requirements for development in relation to flood risk.
74. The application site is located in flood zone 3. The site is at risk of flooding from tidal, fluvial, surface water and sewer sources and has a known history of flooding. From discussions with the Lead Local Flood Authority (LLFA) it is understood that the time of year results in a serious risk of flooding given the likelihood of summer thunderstorms and flash flooding.
75. Paragraph 174 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 59”*. The

structures are not considered to be buildings therefore it is not considered that they need to follow the sequential test. The NPPF paragraph 169 states that '*The need for the exception test will depend on the potential vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification set out in Annex 3.*' The proposal, as outdoor sports and recreation, is classed as 'Water Compatible development' as per the classifications set out in Annex 3 and on this basis would not require the submission of the exception test to determine alternative sites. However, a Flood Risk Assessment is required given the flood risk on site.

76. The applicant has submitted a flood risk assessment which states that the design has taken into account the risk that flooding can occur, with the level of the structures being raised and all electrical equipment being suitably waterproofed and sheathed. The Event Management Plan submitted also references flooding.
77. The Event Management Plan has been considered by the BCP Safety Advisory Group. From discussions from the Council's Emergency Planning and Resilience Team it is understood that whilst heavy rain and flooding is covered in the Event Management Plan, aspects of this should be strengthened with trigger points and additional actions in the plan. The location is not covered by an Environment Agency warning and can be quick reacting. The LLFA have also noted that '*Whilst the event management plan has a heading of 'rain and flooding' it does not contain any actions of what to do during a flood for the purposes of public safety.*' It is considered that this must be addressed by the applicant in order to ensure the proposal is acceptable in terms of flood risk on-site. It is considered however that this can be addressed by a condition requiring the submission of a more detailed plan for managing public safety and evacuation in the event of flash flooding.
78. Concern was also raised by the LLFA about displaced flooding. The location of the development, even if temporary, should not displace flood risk to others. Placing structures within the flood extent could impede or displace flows. The LLFA has stated that this should be more clearly addressed in the FRA with inclusion of anticipated flood levels and the impact of the proposed structures. In order for the LPA to be confident the proposal will not have a harmful impact on the surrounding area by means of displaced flooding, the applicant should more clearly demonstrate that the proposals will not displace flood risk. The FRA supplied states that the development will not displace flood risk elsewhere however this is not adequately substantiated. The statement also provides that the structures will be raised however details of the raised platforms have not been provided and there is a discrepancy between the supporting documentation and the proposed elevations in this regard.
79. The LLFA has provided that this should not be addressed by condition. Given the high flood risk to the site and failure to demonstrate the proposal would not result in displaced flood risk, the proposal is accordingly not considered compliant with Policy 3.28 on flooding or the aims of CS4 of the Core Strategy (2012).

Planning Balance / Conclusion

80. The proposal is considered to be acceptable in principle, considering such a use on a temporary basis in the Lower Gardens. It is not considered out of character for the location however it is acknowledged that it would be visually imposing and impact on views. Given the temporary nature of the development, this is accordingly not considered to be materially harmful.

81. It is considered that the proposal would result in less than substantial harm to the Listed Gardens, a designated heritage asset. Paragraph 208 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 public benefits associated, comprising an enhanced leisure offering in the town centre which would benefit residents and tourists as well as providing an economic benefit to the town. This has been accorded significant weight and given that the proposal is temporary, with the harm considered less than substantial and moderate in nature, this is on balance considered to be acceptable.
82. The proposal has the potential to impact on protected species, trees and residential amenity however it is considered that these impacts would be acceptable subject to the relevant conditions.
83. However, the applicant fails to demonstrate an exemption from BNG. Furthermore, the application fails to provide sufficient information for the LHA to assess the impact on pedestrian safety within the Lower Gardens. Concerns have been raised about the impact on the bus network as well as highways and footways, particularly given the high pedestrian flow during the time of the temporary period sought. In addition, the application site is at high risk of flooding and the application fails to demonstrate it would not result in unacceptable displaced flooding. The proposal is accordingly considered contrary to Policies 3.28 of the District Wide Local Plan (2002), CS4, CS18, CS30, CS41 of the Core Strategy (2012), Policies T1, T2 and T4 of the Area Action Plan (2013).
84. Therefore, having considered the appropriate development plan policy and other material considerations, including the NPPF, it is considered that the development would not be in accordance with the Development Plan.

Recommendation

REFUSE for the following reasons

- 1. Insufficient information on Biodiversity Net Gain**
- 2. Failure to demonstrate an acceptable impact on pedestrian safety**
- 3. Harmful impact on bus operations**
- 4. Failure to demonstrate acceptable impact on flooding**
- 5. Contrary to Schedule 7A of the Town and Country Planning Act 1990, Policies 3.28, CS4, CS18, CS41, T1, T2, T4 and the NPPF (2023).**

The applicant has failed to demonstrate that the de minimis exemption to Biodiversity Net Gain would apply, resulting in insufficient information for the LPA to assess that the proposal complies with the Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).

The applicant has failed to clearly demonstrate the impact the development has on pedestrian safety which in turn fails to help achieve the Councils strategic objective of facilitating and increased levels of walking in the local area. In addition, the applicant has failed to locate the bins awaiting collection in a safe and convenient location that does not interfere with the bus operator.

Finally, the proposals fail to demonstrate that it would not result in unacceptable displaced flood risk to the surrounding area due to its location in flood zone 3 where the risk of flooding is high.

The proposal is overall contrary to Policies 3.28, CS4, CS18, CS41, T1, T2, T4 and the NPPF (2023).

Informatives

INFORMATIVE NOTE: For the avoidance of doubt the decision on the application hereby determined was made having regard to the following plans:

Installation of the ice rink plan; dwg no. 10

Site layout with dimensions; as submitted on 23/05/2024

Site layout; as submitted on 23/05/2024

Site location plan; as submitted on 23/05/2024

Proposed north and south elevations; dwg no. 00-0001-P01

Proposed west and east elevations; dwg no. 00-0002-P01

Background Documents:

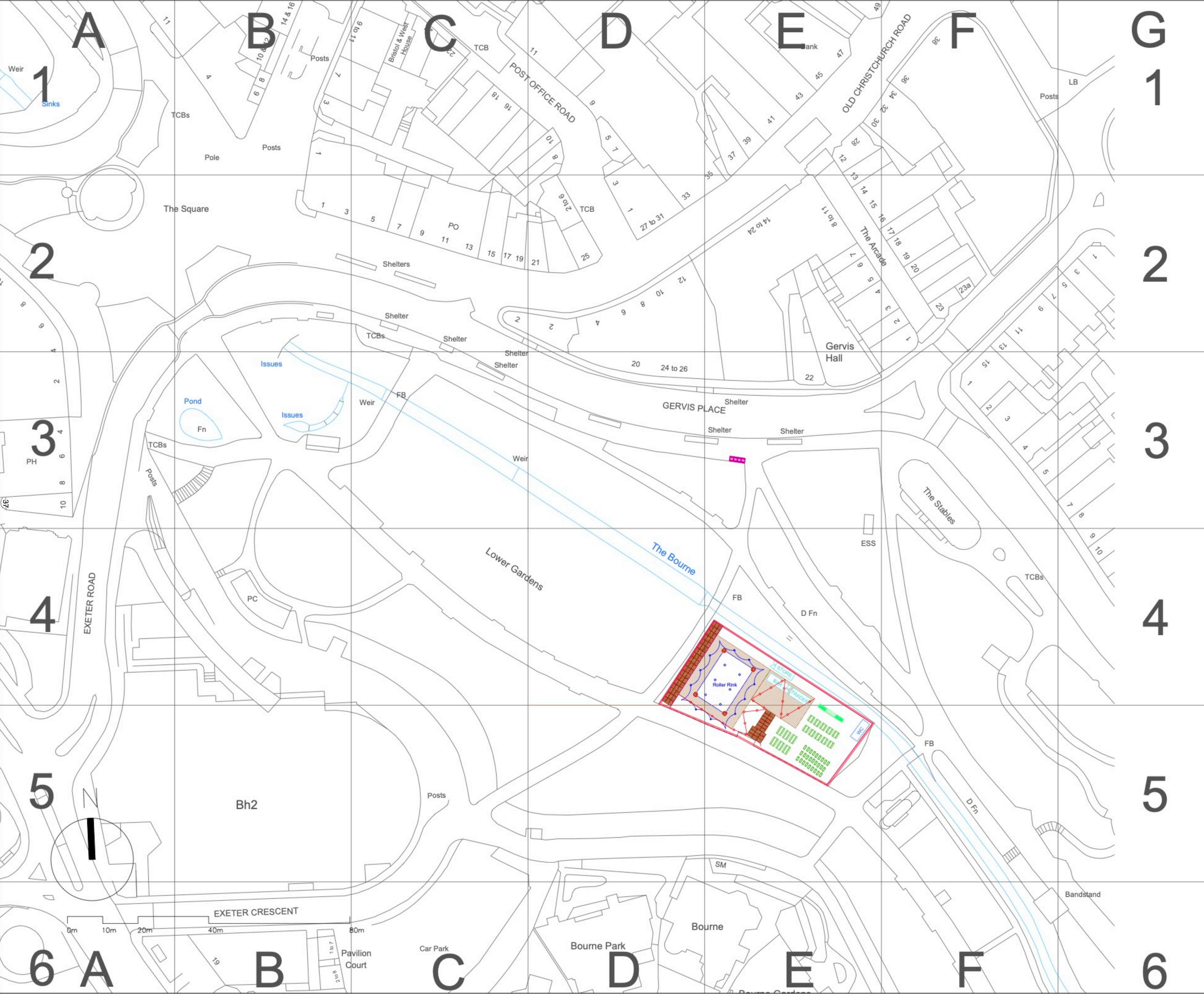
Documents uploaded to that part of the Council's website that is publicly accessible and specifically relates to the application the subject of this report including all related consultation responses, representations and documents submitted by the applicant in respect of the application.

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.

Case file: 7-2024-15898-AM



seventa
EVENTS

Event:
SEVENTA ROLLER RINK

Location:
FULL SITE MAP

Venue:
LOWER GARDENS, BOURNEMOUTH
TOWN CENTRE, BH2 5AH

Version:
2.1

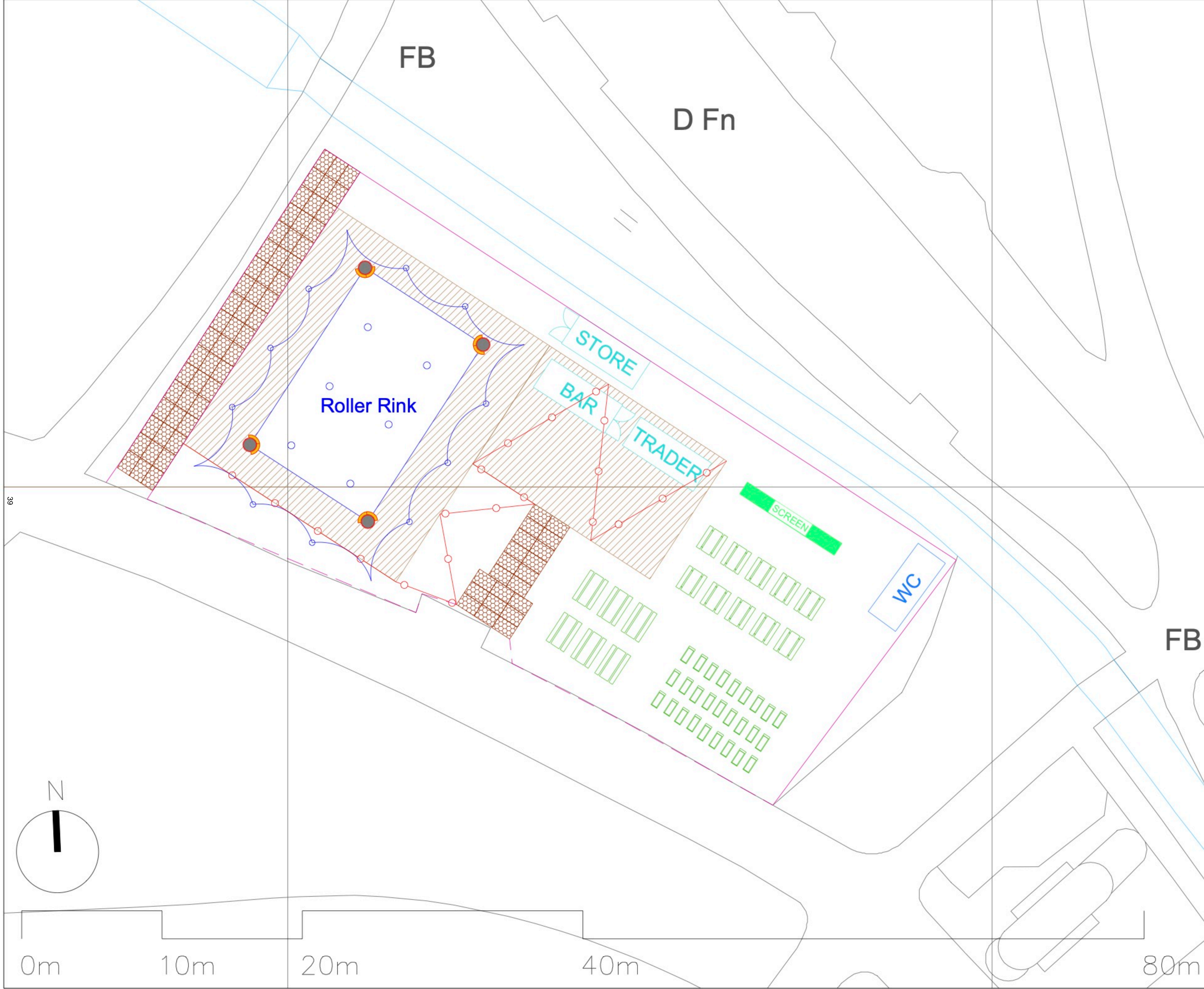
Last Updated:
08/05/2024

Drawing Information:
SCALE 1:500
PRINT A1

Drawing By:
Craig Mathie
COPYRIGHT: Project 30 Ltd

PROJECT 30

This page is intentionally left blank



Event:
SEVENTA ROLLER RINK

Location:
SITE LAYOUT

Venue:
LOWER GARDENS, BOURNEMOUTH
TOWN CENTRE, BH2 5AH

Version:
2.1

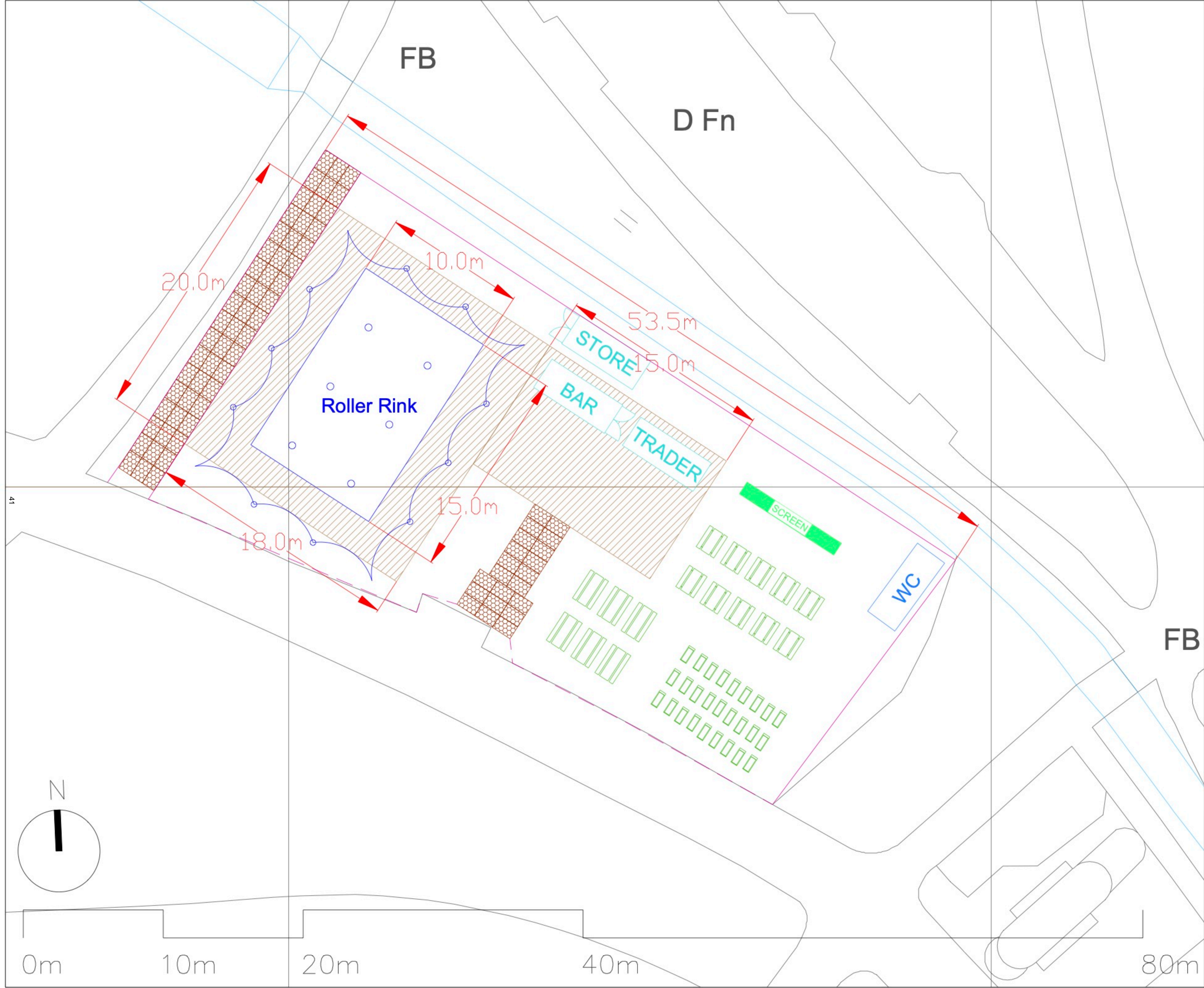
Last Updated:
08/05/2024

Drawing Information:
SCALE 1:125
PRINT A1

Drawing By:
Craig Mathie
COPYRIGHT: Project 30 Ltd



This page is intentionally left blank



seventa
EVENTS

Event:
SEVENTA ROLLER RINK

Location:
SITE LAYOUT

Venue:
LOWER GARDENS, BOURNEMOUTH
TOWN CENTRE, BH2 5AH

Version:
2.1

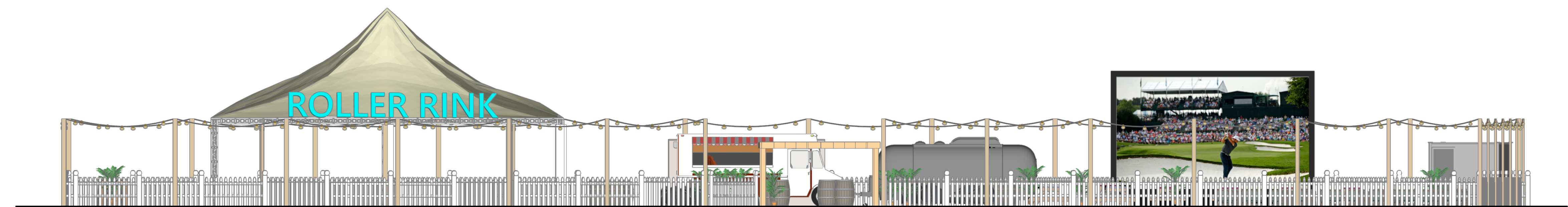
Last Updated:
08/05/2024

Drawing Information:
SCALE 1:125
PRINT A1

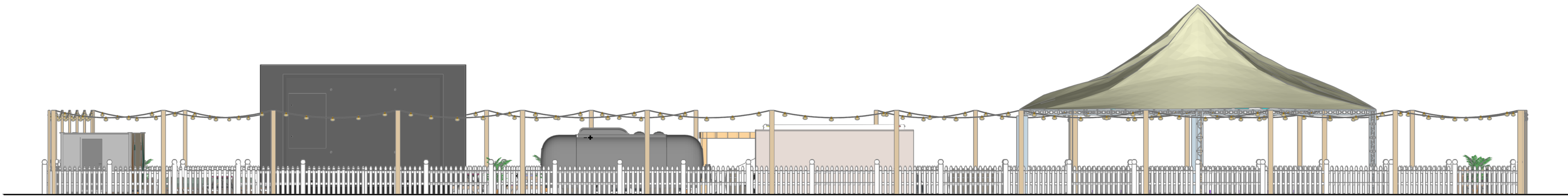
Drawing By:
Craig Mathie
COPYRIGHT: Project 30 Ltd



This page is intentionally left blank

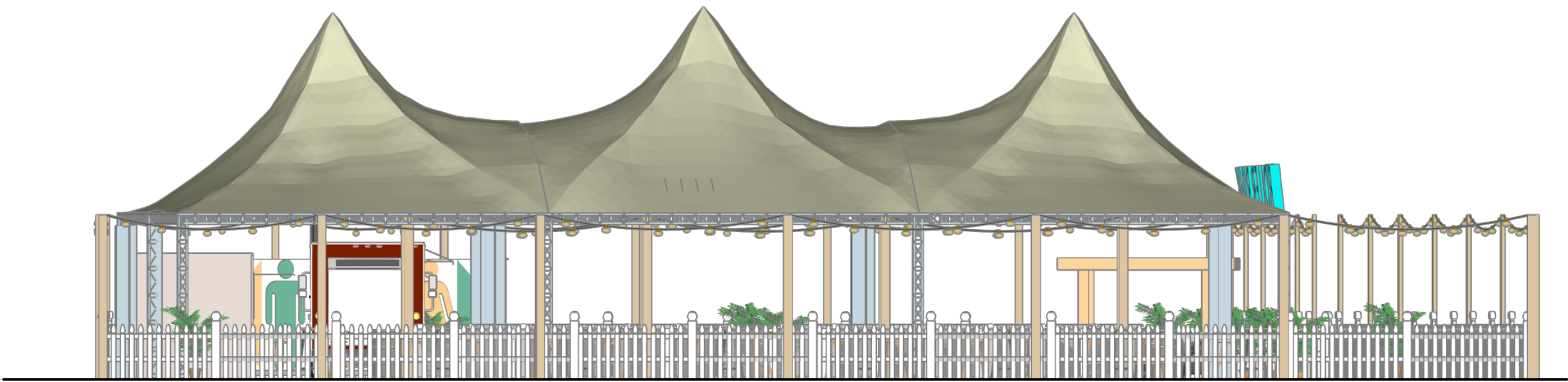


1 North Elevation
Scale 1:100

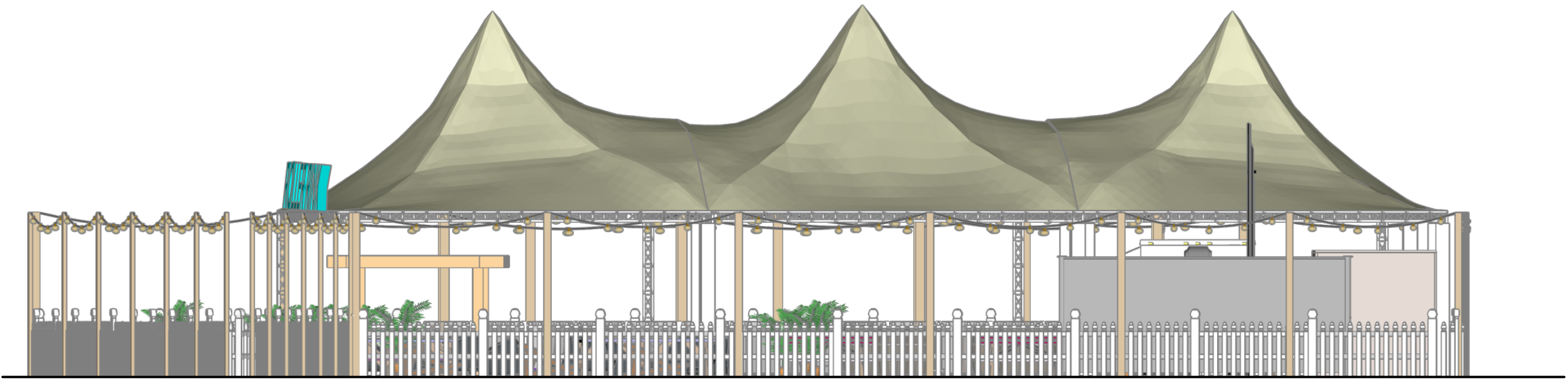


2 South Elevation
Scale 1:100

This page is intentionally left blank



3 West Elevation
Scale 1:100



4 East Elevation
Scale 1:100

This page is intentionally left blank



Planning Committee

Application Address	Town Centre, The Square, Bournemouth, BH2 6EG
Proposal	Use of land for a temporary summer entertainment programme and bar alongside trading stalls within the Bournemouth Town Square pedestrian area, open from 12.7.24 until the 1.9.24
Application Number	7-2024-7052-Q
Applicant	Freeman & Schmidt Limited
Agent	Freeman & Schmidt Limited
Ward and Ward Member(s)	Bournemouth Central Councillor Hazel Allen Councillor Jamie Martin
Report Status	Public
Meeting Date	8 July 2024
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	Referred for consideration by the Director of Planning & Transport as BCP Council is the applicant.
Case Officer	Steve Davies
Is the proposal EIA Development?	No

Description of Proposal

- 1 Planning consent is sought for use of land for a temporary summer entertainment programme and bar alongside trading stalls within the Bournemouth Town Square pedestrian area, open from 12.7.24 until the 1.9.24. Temporary consent has previously been granted for events in the past but that consent was restricted to 70 days in any one year. With other events taking place for longer periods and this event taking place for a longer period to cover the school holidays a separate application is now required.
- 2 The current proposal will have a new theme and include the following: -
 - A bar area dressed with real plants, palm trees and grasses, as well as decor props such as surfboards and driftwood, enclosed by white picket style fencing.
 - A confectionary bus allowing a fun way to present a wide array of pick and mix sweets, laces, fudge, and honeycomb.
 - Two stages will enable workshops and live performances to happen concurrently. The

- programme will inform visitors which stage will host the advertised activity or performance.
- A variety of seating options to cater for both small and larger groups.
- Trading stalls selling food, beverages, summer accessories and art.
- A back of house area to accommodate the toilets, waste and recycling bins, generator, and grey water storage.

Description of Site and Surroundings

- 3 The site is located within The Square pedestrian zone. The Square precinct is an award winning public space. The Square is generally more open and wider giving the appearance of an open piazza. Whilst it is generally open there is an external seating area in front of the camera obscura and at various times of the year and for relatively long periods there are events and the area is covered with stalls and other temporary structures.

Relevant Planning History:

- 4 7-2021-7052-P - Use of land for temporary event space, exhibition use, temporary markets and ancillary entertainment facilities for up to 70 days per calendar year (Regulation 3) – Granted, 5 year consent.
- 5 7-2018-7052-O - Use of land for temporary event space, exhibition use, temporary markets and ancillary entertainment facilities for up to 70 days per calendar year (Regulation 3) – Granted, 3 year consent - expired October 2021.
- 6 7-2012-16259-N - Use of land for temporary markets (and ancillary entertainment facilities) up to 70 days per calendar year - Regulation 3 – Granted (3 years temp)
- 7 7-2009-7052-L - Use of land for temporary markets (and ancillary entertainment facilities) up to 70 days per calendar year - Regulation 3 – Granted (3 years temp)

Constraints

- 8 The following constraints have been identified.
 - Old Christchurch Road Conservation Area and Lower Gardens is on the list of Historic Gardens.
 - The gardens have an open space allocation and falls within the remit of policy CS31.

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 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. In this case the site will be subject to normally licencing conditions which would help to control and anti-social behaviour.
- 11 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.
- 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”.

Consultations

- 13 Biodiversity– as the buildings/structures are located on an existing area of hardstanding with no loss of greenspace or impact thereon there is no requirement to offset or consult in this instance. The PPG guidance on Biodiversity net gain gives exemption for de minimis proposals. The guidance indicates that it does not need to be considered where the impact is less than 25 square metres (e.g. 5m by 5m) **of onsite habitat** and where less than 25sqm of habitat is affected. As the site it totally covered with hardstanding very little habitat if any is affected. Also in this case as the portable buildings do not involve development the application is a change of use of the land.
- 14 The Gardens Trust - Statutory Consultee.*affects Upper, Central and Lower Pleasure Gardens, and Coy Pond Gardens, an historic designed landscape of national importance which is included by Historic England on the Register of Parks and Gardens of Special Historic Interest at Grade II. We have considered the information provided in support of the application and on the basis of this we confirm we do not wish to comment on the proposals at this stage. We would however emphasise that this does not in any way signify either our approval or disapproval of the proposals.*
- 15 Urban Design Officer – *The proposed structure in the Square is suitable for market stalls and entertainment facilities, although potentially blocking pedestrian pathways. Nonetheless, the proposed markets and events have been a regular feature of Bournemouth town centre, considered to be beneficial for the local economy.*
The scale and footprint of the temporary structures currently proposed is comparable to previous approvals.
Given the fact that the two-storey bar would be opened and would be painted in light colours, any potential visual impact on the character and appearance of the area would be reduced
- 16 Transport Officer – the transport officer has indicated that the site and proposal requires a highway licence as the works are on the public highway.
- 17 Environmental Health Officer – No objection

Representations

- 18 Site notices were posted in the vicinity of the application site and a press notice published with an expiry date for consultation of 14/6/24.

- 19 3 representations have been received from town centre residents and local businesses expressing concerns including the following comments.

“the temporary establishment will cause congestion, it will prevent the variety of temporary independent pop up venues, it duplicates services that are provided by surrounding permanent venues. It has adverse impacts on the local environment. Its location will conflict with construction work being undertaken on the new Ivy restaurant. It is of no benefit to the town or the long term economy of the town”

“As a resident and business owner in this area, I have significant concerns about the impact these events have on the flow of foot traffic and overall commercial activity.”

“This obstruction not only hampers regular trade but also detracts from the shopping experience, discouraging visitors who might otherwise contribute to the local economy. The congestion created by these events results in a significant loss of footfall for businesses, affecting their revenue and sustainability.”

“I propose that future events be relocated to Horseshoe Common, a location better suited for handling such gatherings without disrupting the essential retail and commercial flow of the town centre. This would ensure that Bournemouth remains a convenient and attractive destination for shoppers and diners, benefiting the entire community.”

Key Issues

- 20 The following matters are relevant.

- Impact on the character and appearance of the area and the setting of the Old Christchurch Road Conservation Area
- Impact on vitality and viability of the shopping area
- Impact on neighbouring residents

Planning Policy Context

21 Core Strategy (2012)

Policy CS7 – Bournemouth Town Centre
Policy CS18 – Increasing opportunities of cycling and walking
Policy CS38 – Minimising Pollution
Policy CS39 – Designated Heritage Assets
Policy CS40 – Local Heritage Assets (Bobbys)
Policy CS41 – Quality design

22 Area Action Plan

Policy D4 – Design Quality
Policy D6 - Encourages a high quality well designed public realm.
Policy U7 – Cafes and restaurants
Policy U8 – Leisure, Culture and Entertainment
Policy U9 – Evening and night time uses
Policy T2 – Walking and cycling

23 District Wide Local Plan (2002)

Policy 5.14 - Prime Shopping Area
Policy 5.15 - Major Shopping Use
Policy 5.19 - Core Shopping Area
Policy 4.4 - Development in a Conservation Area

24 **Supplementary Planning Documents:**

Public Realm Strategy: Guiding Principles - SPD
Town Centre Development Design Guide - SPD
BCP Parking Standards – SPD

25 **The National Planning Policy Framework (2023)**

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

Including the following relevant paragraphs:

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 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 6 – Building a strong, competitive economy;

Section 7 – Ensuring the vitality of town centres;

Section 8 – Promoting healthy and safe communities;

Section 12 – Achieving well-designed spaces;

Section 15 – Conserving and enhancing the natural environment.

Section 16 – Conserving and enhancing the historic environment

Planning Assessment

Principle of development

- 26 A key objective of the Bournemouth Core Strategy through the policies as set out above seek to ensure sustainable communities through good quality development and well designed

spaces, supporting tourism, retail and protecting spaces for recreation, walking and general enjoyment. Policies in the District Wide Local Plan support job creation, small businesses.

- 27 On the basis of the above the proposal is considered acceptable in principle and in accordance with policy CS7 of the Core Strategy and policy U8 of the AAP - Leisure, Culture and Entertainment

Impact on character and appearance of the area including the impact on the setting of Old Christchurch Road Conservation Area.

- 28 The Square piazza is an award winning pedestrianised space at the heart of the town. It acts as a meeting point and links the two main shopping areas in Commercial Road and Old Christchurch Road. For large parts of the year it remains open and serves as circulation/meeting space. However, it has always been used for seasonal events and for other functions. As can be seen from the planning history section above various planning consents have been granted over the years. This has now become an established character of the Square as various times of the year. The consents have always been temporary for limited parts of the year. The current application seeks a longer period to cover the school holidays however, it is not considered that the additional period is significant as for most of the year the Square will be free from structures.
- 29 This application is specifically for this summer season and is for a new operator with a different theme from other years. The area is restricted to that shown on the red line plan attached to the report and is less extensive than the winter alpine market. In previous years the use appears to have functioned well and balances the competing demands for the space. The precinct area does become more congested and at times very busy but in a thriving town centre this is expected and is part of its character.
- 30 The proposal includes various stalls, structures and items as set out in section 1 above and shown on the submitted layout plan. These are all moveable and would not necessarily in themselves involve development. It is considered that the low rise items are non-contentious. The larger structures can be seen from and affect the setting of the nearby gardens and from the Conservation Area. When the Square is open and free from events the buildings in Old Christchurch Road, Richmond Hill, Bourne Avene and Bobbys can be viewed openly. The current proposals will interrupt these views from various viewpoints. There will be a degree of impact on the setting of these heritage assets however, it is considered that the impact will be less than substantial and there are public benefits with the proposal by providing an increased range of catering and retail options within the town centre. Also, similar 2 floor structures have been approved previously and as they are temporary it is not considered that they are harmful to the heritage assets.
- 31 On the basis of the above, it is considered that the proposals are in accordance with planning policy CS39, CS40 and CS41 in respect of design and visual amenity as the harm to the setting is not considered overly significant when considering the positive tourism/retail benefits.

Impact on vitality and viability of the shopping area

- 32 The proposal will add to the retail offer of the town centre. However, the scale of the use does not require a retail impact assessment. Also, the retail policies support the town centre as a location for new development of this type. It is considered that the proposal complements the existing town centre uses and provides more choice for visitors. The proposed uses will be providing similar products to other more established retail uses in the

Town Centre and be in competition. However, a market style operation has been in existence for many years now during parts of the year and within a busy town this type of competition at this scale is considered acceptable and would not conflict with retail policies. The proposal will extend the period when events take place however, this use coincides with the school holidays when the town is at its busiest and when it is more appropriate to have these uses. On the basis of the above, it is considered that the proposals are in accordance with planning policy CS7 which encourages a Town Centre first approach.

Impact on amenity

- 33 The proposal is likely to increase activity in the area in this busy area and there are flats above the shops in Bourne Avenue and Richmond Hill. The bar and entertainment areas are likely to create a noisy atmosphere. As mentioned above a similar summer operation has been carried out in previous summers and includes live music events. The Environment Health Officer has not raised any objections and any potential nuisance will be monitored under the Environmental Protection legislation to ensure that no statutory nuisance occurs. Whilst the test for statutory nuisance is a higher threshold it is considered that the impact on amenity in this busy town centre location is acceptable and no different to the many seasonal events that already take place during the year. However, given that there are residential properties nearby a late night operation would not be appropriate and it is considered that the use should not operate beyond 11.00 pm in the evening. On this basis, it is considered that the proposal wouldn't cause harm to amenity and would accord with policies CS38 and CS41 of the Bournemouth Core Strategy.

Transport Issues

- 34 The transport officer had expressed concerns about the management and layout of the site to ensure that it operates in a safe and efficient manner and doesn't compromise other road and footway users. However, as the site is located on public highway the applicant will require a separate highway events licence. This is required under separate legislation and does not need to be duplicated in the planning consent. However, I have added conditions to ensure that an emergency access route is provided.

Planning Balance / Conclusion

- 35 As set out above it is considered that the proposal is acceptable in terms of impact. The main issue is the cluttered appearance of the pedestrianised precinct area. However, it is now an established characteristic of the area for certain periods during the year and many towns including historic cities have similar events in their town centres. Whilst it is acknowledged that the proposals will have an impact and some may prefer the area to remain open this needs to be weighed against the benefits of utilising the space for tourism and visitor benefits. Whilst there are other bars and retail outlets in the Town Centre the proposal with entertainment and providing a different experience will add to the variety and choice in the Town Centre. The proposal involves a longer period of time over the year from 70 days to about 100 days. However, this allows more flexibility for other events during the year and for the majority of the time the Square will still be open.
- 36 Many of the core strategy policies and specifically CS6 and CS31 seek to ensure sustainable communities through good quality development, supporting tourism and protecting spaces for recreation, walking and general enjoyment. The provision of commercial uses and structures in this location is low rise and the concerns with the impact can be weighed against the clear tourism benefits of the project. Whilst the proposed structures are clearly temporary and utilitarian the proposal will encourage many more people into the town centre which is its

main purpose. Similarly, the impact on heritage assets as set out above is considered to be less than substantial and in paragraph 208 of the NPPF there is scope to afford the opportunity to consider whether identified harm is outweighed by public benefits.

- 37 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

- 38 **GRANT** permission with the following conditions, which are subject to alteration/addition by the Head of Planning Services provided any alteration/addition does not go to the core of the decision

1. Development to be carried out in accordance with plans as listed

The development hereby permitted shall be carried out in accordance with the following approved plans: 1.1250 red line location plan and the submitted proposed layout plan.

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

2. Temporary permission expiring

On the 2 September 2024 the temporary use shall cease and the portable buildings and any ancillary structures hereby permitted as shown by the submitted plans shall be removed in their entirety and the land restored to its condition before the development hereby permitted took place.

Reason: The temporary nature of the materials used in the construction of the structures make it unsuitable for permanent permission and in accordance with policies CS31 and CS41 of the Bournemouth Local Plan: Core Strategy (October 2012) and policy D4 of the Bournemouth Town Centre Area Action Plan (March 2013).

3. Hours of Use

The use hereby permitted shall not be used outside the following times: 07.00 hours and 23.00 hours.

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

4. Emergency access route

An emergency vehicle corridor of access not less than 3.7m wide, with a 4 metre vertical clearance for a minimum width of 3 metres, shall be provided and maintained at all times that the markets and entertainment facilities are operating.

Reason: To provide a suitable fire appliance access in the interests of public amenity.

INFORMATIVE NOTE: Highway Licence

The applicant is advised that a highway licence must be obtained for the use of the public highway. BCP Council should be consulted to agree on the detailed specification. They can be contacted by email at highwayenforcement@bcpcouncil.gov.uk

Informative Note: This permission does not convey consent in respect of any advertising on the premises, for which a separate application under the Town and Country Planning (Control of Advertisements) (England) Regulations, 2007 (or any subsequent Order or Regulations revoking or re-enacting these Regulations with without modification) may be necessary.

Statement required by National Planning Policy Framework

In accordance with paragraph 38 of the revised NPPF the Council takes a positive and proactive approach to development proposals focused on solutions. The Council work with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service,
- 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 was not provided with pre-application advice, but the application was dealt with following discussions with the applicant.

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.

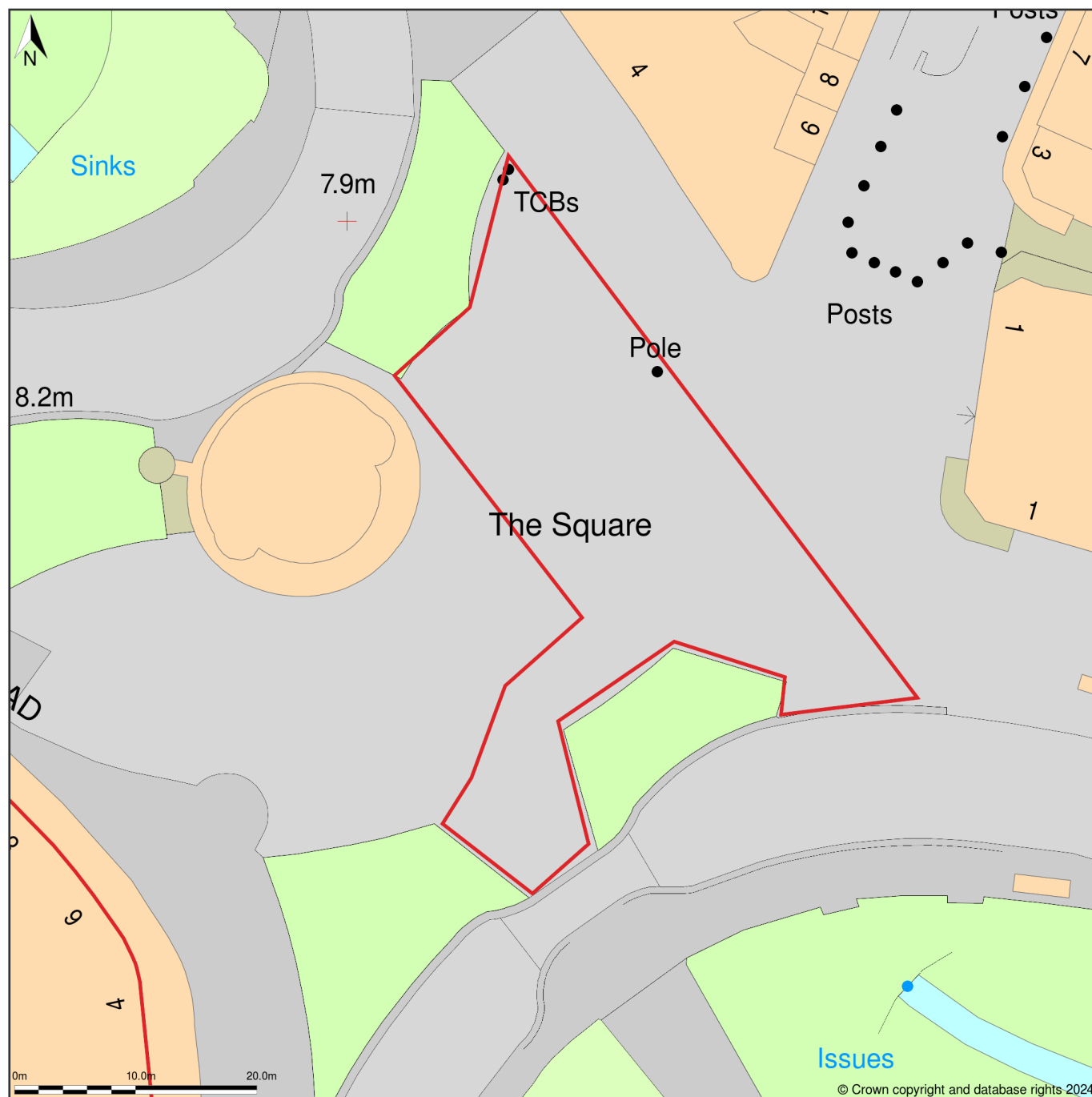
Notes.

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.

This page is intentionally left blank

Bournemouth Summer Entertainment and Bar



Site Plan (also called a Block Plan) shows area bounded by: 408536.37, 91140.68 408626.37, 91230.68 (at a scale of 1:500), OSGridRef: SZ 8589118. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

Produced on 4th May 2024 from the Ordnance Survey National Geographic Database and incorporating surveyed revision available at this date. Reproduction in whole or part is prohibited without the prior permission of Ordnance Survey. © Crown copyright 2024. Supplied by www.buyaplan.co.uk a licensed Ordnance Survey partner (100053143). Unique plan reference: #00897522-4E436D.

Ordnance Survey and the OS Symbol are registered trademarks of Ordnance Survey, the national mapping agency of Great Britain. Buy A Plan® logo, pdf design and the www.buyaplan.co.uk website are Copyright © Passinc Ltd 2024.

This page is intentionally left blank

Proposed layout

LIVE @

THE SQUARE

Decor

The bar area will be dressed with real plants, palm trees and grasses, decor props such as surfboards and driftwood

Bus

Our confectionary bus is a fun way to present a wide array of pick and mix sweets, laces, fudge and honeycomb.



High stool area

Stage hut

Stage

Two stages will feature, one in the bar area and beyond the fence area. Two stages will enable workshops and live performances to happen concurrently. The programme will inform visitors which stage will host the advertised activity/performance.

Barrels with Umbrellas



Basketball

Two hoop basketball booth.

Toilets

Sofas

Coffee table area



Table Tennis Tables

At least 5m distance to ensure access for emergency vehicles

Chalets

5 matching 3mx2m light oak coloured open front chalets with faux thatch roof. All materials have been fire retardant treated.

Beach Booths

Stylish seating for groups up to 8. Light drapes offer shade.



Fence

White picket style fencing will enclose the bar area.

Sofas

White benches with custom made waterproof navy cushions, dressed with stylish scatter cushions.



Second floor terrace seating up to 20 people with shade sails (no under 12's).

Emergency Exit

Break point in fencing

CCTV

Back of house area

This area will be situated behind the toilet unit. This area will house the waste and recycling bins, generator and grey water storage.

This page is intentionally left blank



Planning Committee

Application Address	Pavilion Theatre, Westover Road, Bournemouth, BH1 2BU
Proposal	Use of rear terrace for the seasonal installation of three cladded shipping containers and a fish and chips van for a temporary period and associated seating, picnic tables and festoon lighting - Retrospective application
Application Number	7-2024-1570-BH
Applicant	BH Live
Agent	Footprint Architects Ltd
Ward and Ward Member(s)	Bournemouth Central Councillor Hazel Allen Councillor Jamie Martin
Report Status	Public
Meeting Date	8 July 2024
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	Referred for consideration by the Director of Planning & Transport as BCP Council is the applicant.
Case Officer	Steve Davies
Is the proposal EIA Development?	No

Description of Proposal

1. Planning permission is sought to use of rear terrace of the Pavilion for the seasonal installation of three cladded shipping containers and a fish and chips van for a temporary period during the summer and associated seating, picnic tables and festoon lighting. The use has already commenced and therefore the application is retrospective and falls within section 73 on the Planning Act. The application is in effect a change of use application. It could be argued that the structures themselves do not require planning permission separately as they are moveable structures. However, their design and position can be considered under the change of use application. In previous years the use has operated without permission but consent is now sought for a 5 year period to regularise the situation. An amended plan has also been submitted to alter the layout for next season to include the site of the upside down house which will be removed.

Description of Site and Surroundings

- 2 The Pavilion site include a public theatre complex and terrace adjacent to the Bourne Stream. It faces the Pleasure Gardens and is close to the beach and seafront.

Relevant Planning History:

- 3 Temporary Consent for the “upside-down house” granted 16/2/22 “AZ” application.
- 4 Temporary consent for a Use of rear terrace for the siting of a catering vehicle for the period April-Sept 2022 Granted 13/4/22 “BA” application.
- 5 Temporary consent for a Use of site for the installation of temporary igloo domes for seating, tent with container seating, food, beverage and WC containers, food truck, associated decking, tables, chairs and ski gondola seating with festoon lighting between 15th November and the 4th January on an annual basis Granted 14/12/22. “BB” application.
- 6 Temporary Consent for the upside-down house for a 3 year period Refused January 23 “BC” application.
- 7 Approval for another year for - Use of land for the temporary siting of an 'Upside Down House' entertainment installation until 15th November 2023.

Constraints

- 8 The following constraints have been identified.
- Grade 2 Listed Building and Lower Gardens are on the list of Historic Gardens. There are duties under s66 of the 1990 listed building act to ensure that appropriate consideration is given.
 - The gardens have an open space allocation and fall within the remit of policy CS31 of the Core Strategy and Policy D7 of the Area Action Plan.

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 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. In this case the site will be subject to normally licencing conditions which would help to control and anti-social behaviour.

- 11 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.
- 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”.

Consultations

- 13 Highway Officer – no objection.
- 14 Biodiversity – as the buildings/structures are located on an existing area of hardstanding with no loss of greenspace or impact thereon there is no requirement to offset or consult in this instance. The PPG guidance on Biodiversity net gain gives exemption for de minimis proposals. The guidance indicates that it does not need to be considered where the impact is less than 25 square metres (e.g. 5m by 5m) **of onsite habitat** and where less than 25sqm of habitat is affected. As the site is totally covered with hardstanding very little habitat if any is affected. Also in this case as the portable buildings do not involve development the application is a change of use of the land.
- 15 The Gardens Trust - Statutory Consultee.*affects Upper, Central and Lower Pleasure Gardens, and Coy Pond Gardens, an historic designed landscape of national importance which is included by Historic England on the Register of Parks and Gardens of Special Historic Interest at Grade II. We have considered the information provided in support of the application and on the basis of this we confirm we do not wish to comment on the proposals at this stage. We would however emphasise that this does not in any way signify either our approval or disapproval of the proposals.*
- 16 Heritage Officer – an objection is raised for the following reasons – *“it is considered the proposal would be detrimental to the special interest of the Grade II listed Pavilion Theatre, contrary to s. 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposed scheme would cause harm not only to the significance of the listed building, but also of the listed Pleasure Gardens which would be within the ‘less than substantial harm’ category. The harm is not considered minimised, as the proposed structures could be located nearer the Bournemouth Pier or at the beach, for example, where such elements would be more expected, thus avoiding any physical impact on the heritage assets and limiting any visual impact on them.”*
- 17 Transport Officer – no objection

Representations

- 18 Site notices were posted in the vicinity of the application site with an expiry date for consultation of 31/5/24. A revised notice was posted as the redline plan changed to expire on the 5/7/24. Any additional comments will be reported to the Planning Committee.

19 No representations have been received from the general public.

Key Issues

20 The following matters are relevant.

- Impact on character and appearance of the area including the impact on the Pavilion which is a listed building and the Lower Gardens which is on the Register of Historic Gardens.
- Impact on residential amenity/living conditions
- Highway matters.

Planning Policy Context

21 Bournemouth Local Plan Core Strategy (2012)

CS1:	NPPF and Sustainable Development
CS6:	Delivering Sustainable Communities
CS7:	Bournemouth Town Centre
CS18:	Increasing Opportunities for Cycling and Walking
CS29:	Protecting Tourism and Cultural Facilities
CS30:	Green Infrastructure
CS31:	Recreation, Play and Sports
CS38:	Minimising Pollution
CS39:	Heritage assets
CS41:	Quality Design

22 Bournemouth District Wide Local Plan (2002)

Policy 5.1: Job Creation

23 Supplementary Planning Documents:

Public Realm Strategy: Guiding Principles – SPD

24 Area Action Plan

Policy D4:	Design Quality
Policy D7:	Improved Public Space
Policy U8:	Leisure, Culture and Entertainment

25 Other

The Seafront Strategy is a corporate policy. It does not form part of the Statutory Development Plan but is a key Council objective. It supports the visitor experience stretching between the West Cliff and Boscombe Pier by developing a coherent and consistent linear promenade space to create an ultimate vibrant beachfront and also supports investment in utilities, public toilets and infrastructure to support the development of new pop-up leisure, cafes, restaurants, bars, cultural attractions and eventing space between Bournemouth and Boscombe Piers.

The Seafront Visitor Survey (2023) supports the public views around investment in food & drink offers.

26 The National Planning Policy Framework (2023)

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

Including the following relevant paragraphs:

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 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 6 – Building a strong, competitive economy;

Section 7 – Ensuring the vitality of town centres;

Section 8 – Promoting healthy and safe communities;

Section 12 – Achieving well-designed spaces;

Section 15 – Conserving and enhancing the natural environment.

Section 16 – Conserving and enhancing the historic environment.

Planning Assessment

Principle of development

- 27 A key objective of the Bournemouth Core Strategy through the policies as set out above seek to ensure sustainable communities through good quality development, supporting tourism and protecting spaces for recreation, walking and general enjoyment. Policies in the District Wide Local Plan support job creation, small businesses.
- 28 On the basis of the above, and notwithstanding the issue of the relationship to the heritage assets as discussed below, the proposal is considered generally acceptable in principle and in accordance with policy 5.1 of the District Wide Local Plan relating to support for the jobs and the economy and policy U8 of the AAP - Leisure, Culture and Entertainment

Impact on character and appearance of the area including the impact on the Pavilion which is a listed building and the Lower Gardens

- 29 This is a key issue. As set out above the Pavilion terrace is within the setting of the listed building and adjacent to the historic Lower Gardens. It is in a very prominent location and viewed by thousands of visitors especially during the summer months as they walk through the gardens to the beach. The two main points to consider are whether the group of structures in close proximity to the Pavilion will adversely affect its setting and whether the long views from the gardens are harmful.
- 30 The pavilion terrace has been used in this manner for several years firstly for a temporary period and in more recent summers more regularly. Planning permission was also granted for the Upside Down House and last winter there was a similar winter themed event with several structures which was approved by the local planning authority and remain extant for next winter although it appears that it won't now go ahead. The upside-down house will also no longer be in situ after this winter as the planning permission expires and they have been advised that it will no longer be renewed. Historically there was also a larger permanent structure that covered a large part of the terrace although this was removed many years ago. When the Pavilion Dance was created the terrace was refurbished and now is an attractive space. Therefore historically and more recently the terrace has traditionally been seen to be utilised as an area for refreshments and catering.
- 31 It is accepted that the proposed portable buildings and seating clutter the space. The heritage officer rightly has concerns and to ensure that the building is fully appreciated perhaps the terrace should remain open to enjoy the setting of the building. In particular the portable building as currently erected adjacent to the building blocks a feature window. However, it is considered that a balance has to be struck as the terrace for this leisure building also has a purpose to be used as well. People using the terrace for its catering are also able to appreciate the Pavilion building and the historic setting. The applicant has tried to provide a range of catering outlets to maximise its potential. There were concerns with how the site has been laid out for this summer and as a result an amended plan has been submitted. With the upside down house removed next year there is more scope to move the structures closer to the flyover which is a less sensitive part of the site.
- 32 There will still be a portable building located adjacent to the gardens which will have an impact on the views from the gardens. However, this will be partially screened by some shrubbery on the bank of the stream. There is also a proposal for a catering vehicle but as this has a more temporary appearance it is considered less intrusive and can be moved easily. Whilst it is intended to remain in the same place because it is a vehicle the perception of its appearance is considered to be different to a building. In considering the impact on the heritage assets it is acknowledged that there is some harm. However, the harm is considered to be less than substantial and in these circumstances the benefits can also be considered.
- 33 The applicant has also indicated that the revenue raised from the catering operation will help to maintain the Pavilion building. Whilst the income will not be ring fenced and the recommendation is not made on the basis of enabling development where a proposal is only being approved because of other benefits it is clear that the listed building needs constant repair and refurbishment and any funding will help this aim.
- 34 On the basis of the above, it is considered that the proposals are on balance acceptable and any conflict with planning policies CS39 and CS41 in respect of design including the design of spaces and visual amenity is not significant and the harm to the setting of the heritage assets is not considered overriding when considering the positive tourism benefits.

Impact on amenity

- 35 The proposal is likely to significantly increase activity in the area however, in this busy area and given the location which is not close to residential property there is unlikely to be any residential amenity concerns. The nearest residential properties are an acceptable distance away that they would not be directly affected by noise and disturbance in this location, and the development would not be visually intrusive or overbearing to them. However, given the character of the gardens a late night operation would not be appropriate and it is considered that the use should not be operated beyond 11.00 pm in the evening. On this basis, it is considered that the proposal wouldn't cause harm to amenity and would accord with policies CS38 and CS41 of the Bournemouth Core Strategy.

Planning Balance / Conclusion

- 36 As set out above it is considered that the proposal is on balance acceptable in terms of impact. The main issue is the cluttered appearance of the buildings in relation to the heritage assets. Whilst it is acknowledged that the proposals will have an impact on the setting of the Pavilion and Lower Gardens this needs to be weighed against the benefits of utilising the space for tourism benefits. Also the NPPF in paragraph 208 affords the opportunity to consider whether identified harm is outweighed by public benefits.
- 37 Many of the core strategy policies and specifically CS6 and CS31 seek to ensure sustainable communities through good quality development, supporting tourism and protecting spaces for recreation, walking and general enjoyment. The provision of commercial uses and structures in this location is low rise and the concerns with the impact on the setting of the listed building and historic gardens can be weighed against the clear tourism benefits of the project which will add to the catering offer giving more choice and capacity in this tourist hot spot. Whilst the proposed structures are clearly utilitarian in appearance the proposal will encourage many more people onto the terrace, which is its main purpose, where they can appreciate and enjoy views of the Pavilion first hand. This is considered to offset the adverse impact on the heritage assets. Some attempt has been made to improve the appearance of the containers by cladding them in vertical timber and whilst they may not be as attractive as a permanent building they are only temporary, low rise and do not overwhelm the listed pavilion or the gardens.
- 39 Given the temporary and portable nature of the proposal and the benefits of fully utilising the terrace during the summer tourist season it is recommended that a 5-year temporary permission is granted. This will give the Council the opportunity to review the appearance and impact in the future.
- 40 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

- 41 **GRANT** permission with the following conditions, which are subject to alteration/addition by the Head of Planning Services provided any alteration/addition does not go to the core of the decision

1. Development to be carried out in accordance with plans as listed

The development hereby permitted shall be carried out in accordance with the following approved plans: 7401 P001A, 002A, 003A, 004

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

2. Temporary permission expiring

On or before the period of 5 years from the date of this permission the portable buildings and any ancillary structures hereby permitted as shown by the submitted plans and elevations reference 7401 P001A, 002A, 003A, 004 shall be removed in their entirety and the land restored, including to repair any damage caused each season, to its condition before the development hereby permitted took place.

Reason: The temporary nature of the materials used in the construction of the structures make it unsuitable for permanent permission and in accordance with policies CS31 and CS41 of the Bournemouth Local Plan: Core Strategy (October 2012) and policy D4 of the Bournemouth Town Centre Area Action Plan (March 2013).

3. Hours of Use

The use hereby permitted shall not be used by customers outside the following times: 06.00 hours and 23.00 hours.

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

4 Layout and buildings

Prior to the use re-commencing in 2025 and notwithstanding the details shown on the submitted drawings details of the design, cladding materials and layout of all structures and ancillary equipment shall be agreed in writing with the Council. The agreed details shall be implemented and maintained throughout the period of the consent layout, design and cladding materials.

Reason: The temporary nature of the materials used in the construction of the structures make it unsuitable for permanent permission and in accordance with policies CS31 and CS41 of the Bournemouth Local Plan: Core Strategy (October 2012) and policy D4 of the Bournemouth Town Centre Area Action Plan (March 2013).

5 Removal of structures outside of the summer season

All structures, equipment and portable buildings including tables and chairs shall be removed from site (and not stored nearby within the curtilage of the Pavilion or Gardens unless otherwise agreed by the Local Planning Authority) between the period of 30 September until the following Easter annually. The land shall be restored, including to repair any damage caused each season, to its condition before the development hereby permitted took place.

Reason: The temporary nature of the materials used in the construction of the structures make it unsuitable for permanent permission and in accordance with policies CS31 and CS41 of the Bournemouth Local Plan: Core Strategy (October 2012) and policy D4 of the Bournemouth Town Centre Area Action Plan (March 2013).

6 Waste Plan

Within 1 month of the date of this consent a waste management plan including a plan for litter management shall be submitted to and approved in writing by the Local Planning Authority. The refuse management plan shall be carried out in accordance with the approved details at all times, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development includes a management plan for the collection of refuse in the interests of visual and residential amenities, and to accord with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

Informative Note: This permission does not convey consent in respect of any advertising on the premises, for which a separate application under the Town and Country Planning (Control of Advertisements) (England) Regulations, 2007 (or any subsequent Order or Regulations revoking or re-enacting these Regulations with without modification) may be necessary.

Statement required by National Planning Policy Framework

In accordance with paragraph 38 of the revised NPPF the Council takes a positive and proactive approach to development proposals focused on solutions. The Council work with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service,
- 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 was not provided with pre-application advice, but the application was dealt with following discussions with the applicant and subsequent amendments.

Background Documents:

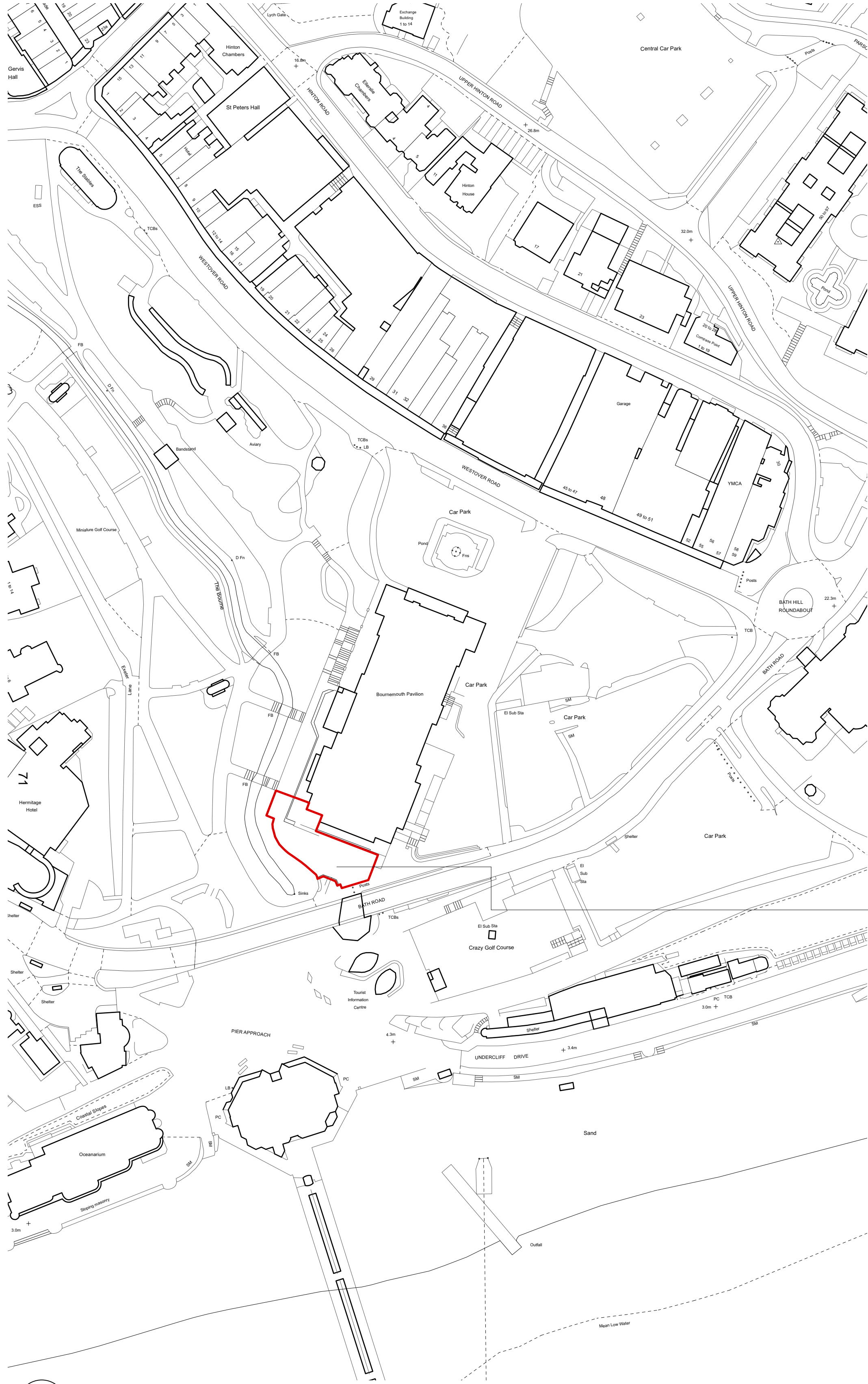
Documents uploaded to that part of the Council's website that is publicly accessible and specifically relates to the application the subject of this report including all related consultation responses, representations and documents submitted by the applicant in respect of the application.

Notes.

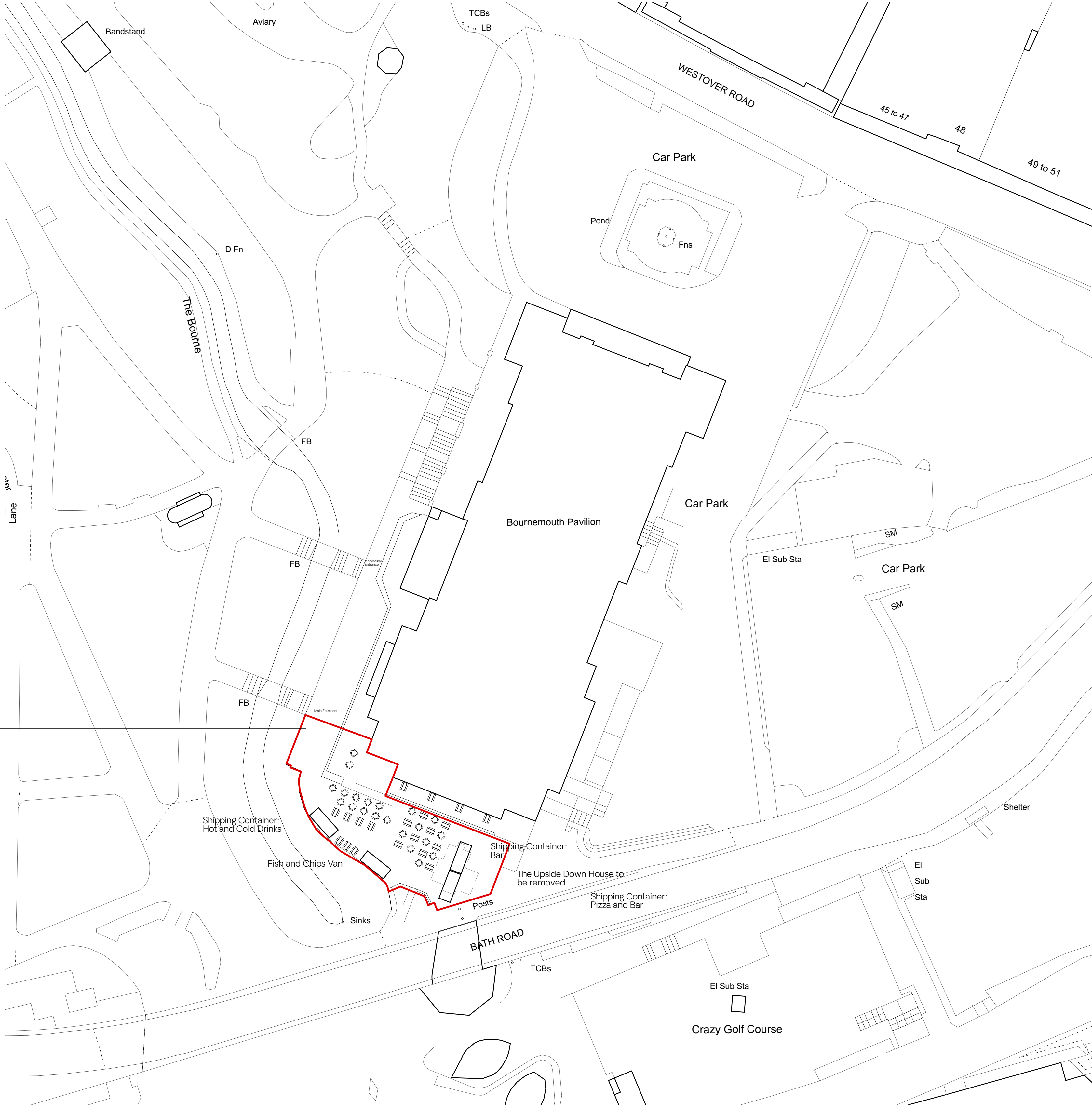
This excludes all documents which are considered to contain exempt information for the purposes of Schedule 12A Local Government Act 1972.

Reference to published works is not included.

This page is intentionally left blank



Application Area



2 Existing Site Location Plan
Scale: 1:1250

This page is intentionally left blank



73

The Upside Down House

SECONDARY ENTRANCE

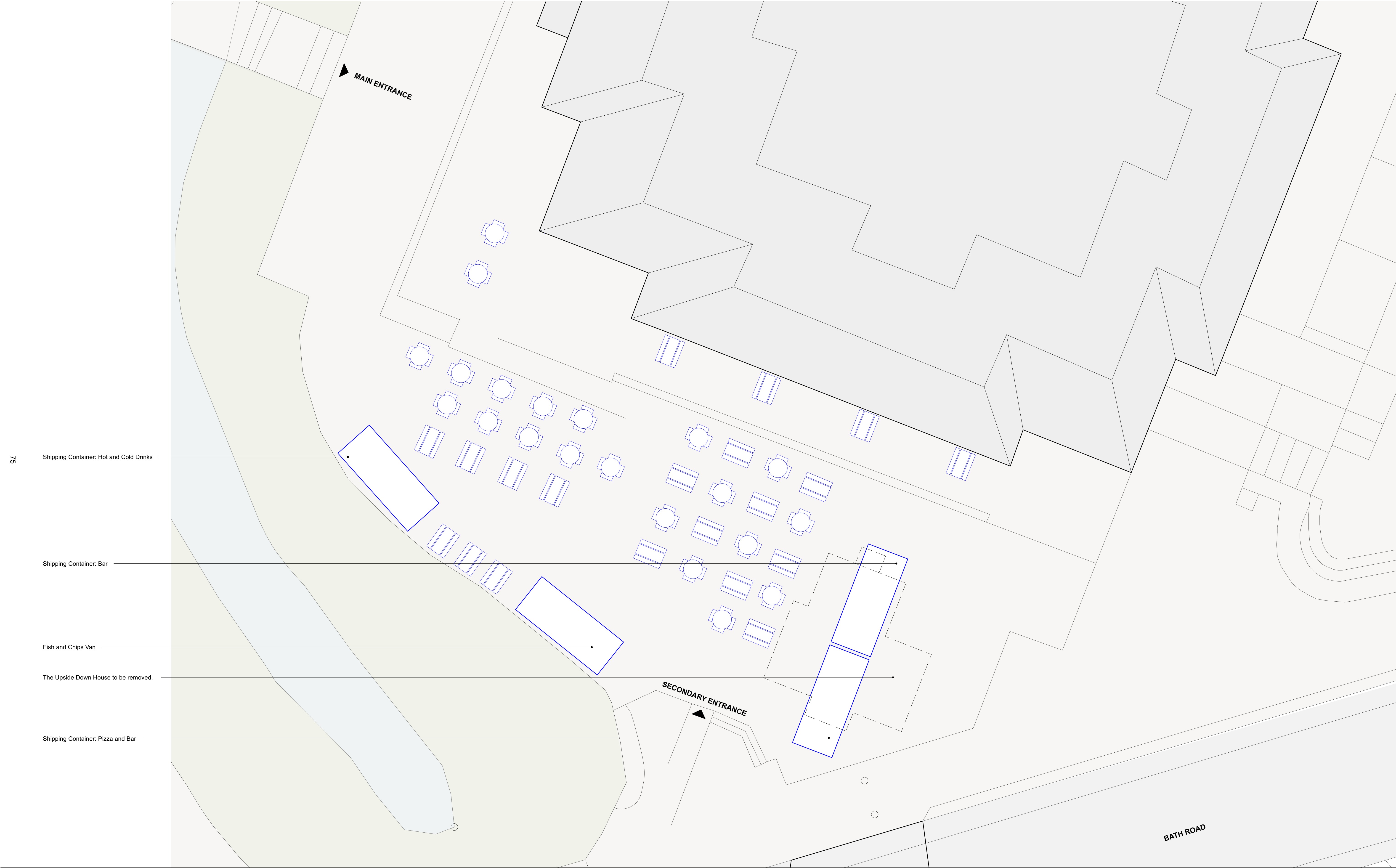
BATH ROAD

#	Date	Revision Note
---	------	---------------

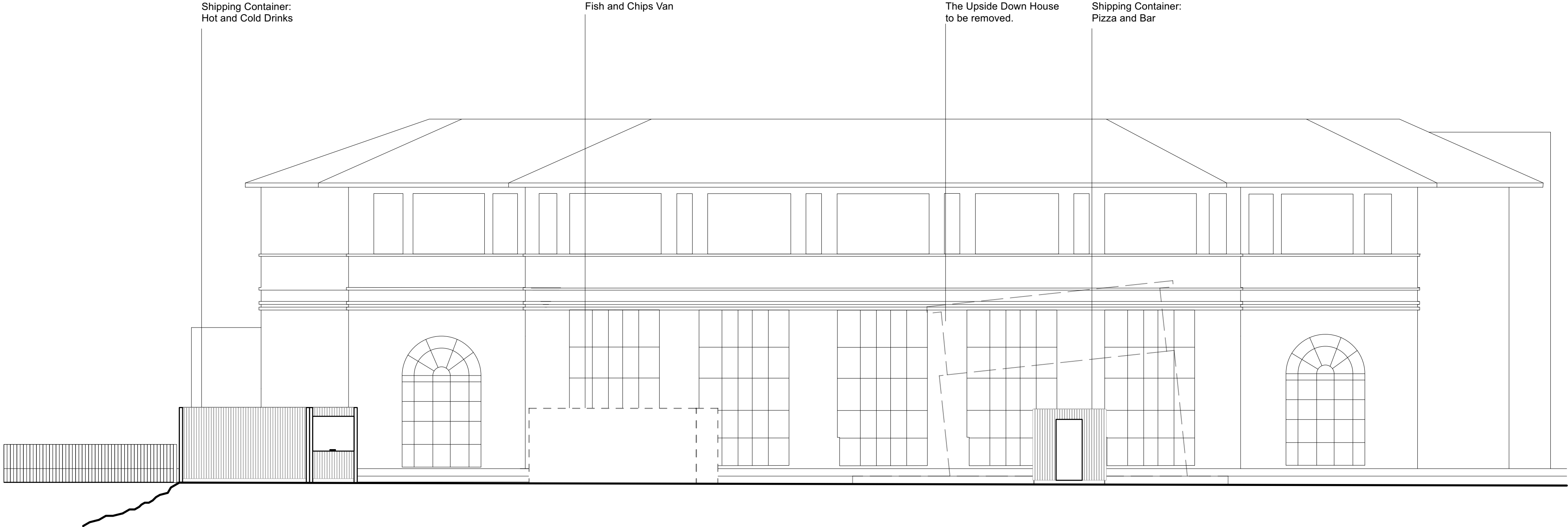
Bournemouth Pavilion South Terrace | Bournemouth
Created: June 2024

Existing Site Plan	Status: Planning	1:100 @ A1
Project Ref: 7401 P005	Rev:	

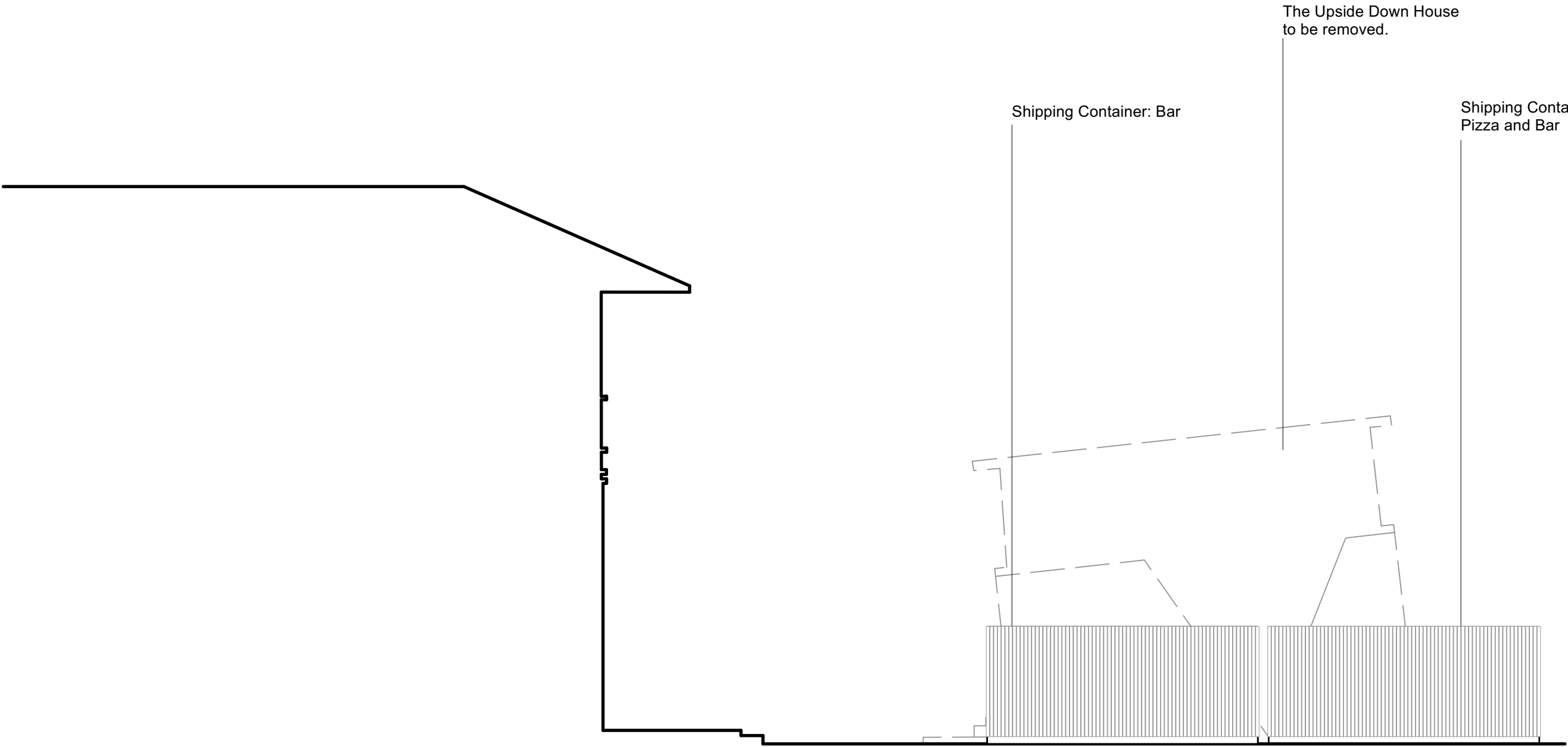
This page is intentionally left blank



This page is intentionally left blank

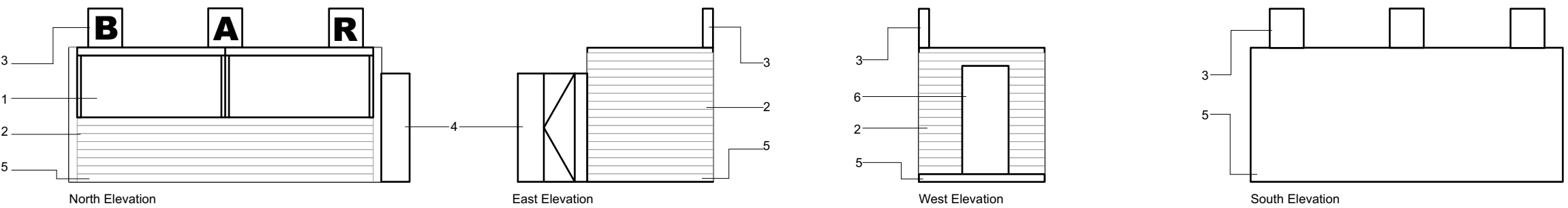
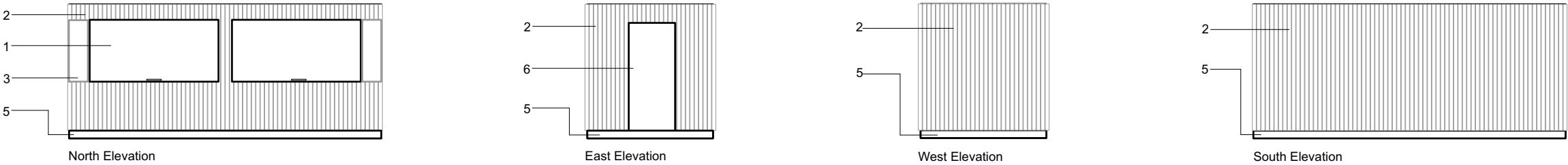
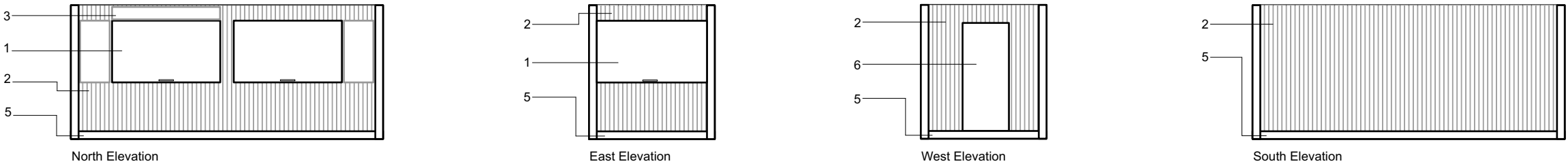


1 Proposed South Elevation
Scale: 1:100



2 Proposed West Elevation
Scale: 1:100

This page is intentionally left blank



Materials Key
1: Security Shutter
2: Timber Cladding
3: Signage
4: Gate/Fence
5: Container/Structure
6: Metal Door

This page is intentionally left blank



Planning Committee

Application Address	41 Thistlebarrow Road, Bournemouth, BH7 7AL
Proposal	Change of use from dwellinghouse (Use Class: C3) to 6-bedroom House in Multiple Occupation (HMO) (Use Class: C4) with associated access and parking, including formation of garage, cycle and bin store.
Application Number	7-2024-22978-B
Applicant	Ms D. Kaddah
Agent	Mr Chris Miell MRTPI
Ward	Littledown & Iford
Report Status	Public
Meeting Date	8 th July 2024
Summary of Recommendation	Approval subject to conditions
Reason for Referral to Planning Committee	Councillor Call in as proposals are considered to be out of character in the context and additional parking pressures due to intensification of the use of the property.
Case Officer	Natasha McCann
Is the proposal EIA Development?	No

Description of Development

1. Planning consent is sought for change of use from dwellinghouse (Use Class: C3) to 6-bedroom House in Multiple Occupation (HMO) (Use Class: C4) with associated access and parking, including formation of garage, cycle and bin store.

Key Issues

2. The main considerations involved with this application are:
 - Impact on character and appearance of the area;
 - Impact on immediate neighbours;
 - Impact on the highway.
3. These points will be discussed as well as other material considerations throughout this report.

Planning Policies

4. Core Strategy(2012)

Policy CS4 – Surface Water Flooding

Policy CS16 – Parking Standards

Policy CS17 – EV

Policy CS18 – Cycling

Policy CS24 – Houses of Multiple Occupation

Policy CS33 – Heathlands – *Not required for HMO's 3-6 People*

Policy CS38 – Minimising pollution

Policy CS39 – Designated Heritage Assets

Policy CS41 – Quality Design

District Wide Local Plan

Saved Policy 6.17 – Houses in Multiple Occupation

Supplementary Planning Documents:

BCP Parking Standards SPD (2021)

Waste and Recycling Guidance

The National Planning Policy Framework (2023)

The National Planning Policy Framework (NPPF) sets out the government strategy to achieve sustainable development. The framework is relevant to the current application and issues relating to the economy, ensuring the vitality of town centres, sustainable transport, high quality communications, housing, flooding/climate change, good design, promoting healthy communities, protecting green belt land, and conserving the natural and historic environment will be dealt with in the report where relevant.

- *The National Planning Policy Framework is the key national planning guidance. Within this it sets out the need for 'Achieving well-designed places'. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development and in creating better places in which to live and make development acceptable to communities. Good planning decisions should ensure developments will function well and add to the overall quality of the area.*
- *This should be not just for the short term but over the lifetime of the development. They should be visually attractive as a result of good architecture and layout. They should be sympathetic to local character including the surrounding built environment and establish or maintain a strong sense of place. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and*

the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.

Relevant Planning Applications and Appeals:

- 7-2006-22978: Alterations extension at 1st floor level of dwellinghouse and formation of dormer window. Planning permission granted on 12th February 2007.
- 7-2007-22978-A: Formation of dormer window on side and retrospective application for dormer window on front. Planning permission granted on 23rd January 2008.

Representations

5. Site notices were posted in the vicinity of the site on 25/03/2024 with an expiry date for consultation of 17/04/2024. 15 objection comments have been received and are summarised below:
 - Out of keeping with the residential character of the area
 - Noise and disturbance
 - Refuse/waste issues
 - Loss of privacy
 - Anti-social behaviour
 - Diminishing of the single family dwelling nature of the area
 - On street parking restrictions
 - Congestion
 - Burden on local services
 - Impact on access for emergency services (congestion)
6. The comments received shall be taken into consideration during the assessment of the application and discussed further below.
7. It is also noted that this application was called in by Councillor Lawrence Williams.

Consultations

8. Consultations were raised with Environmental Health and Waste and Regulation but no responses were received.

Constraints

9. No relevant site constraints.

Planning Assessment

Site Location and Proposal

10. The site is occupied by a detached, two storey dwelling with front projecting bay windows under a hipped roof form. The property benefits from a loft conversion with dormer windows to the front and side elevation. The building has a render finish with concrete roof tiles. To the side of the dwelling there is a single storey garage. The property is set back from the road and features a large forecourt parking area. The front boundary is defined by a low wall and two conifer trees. The rear garden is lawned with mature planting to the rear boundary adjacent to the football stadium.

11. Vehicular and pedestrian access to the dwelling is provided via Thistlebarrow Road. The front door of the dwelling is located on the side elevation. The application site is located in the Kings Park area of Bournemouth close to the Vitality Stadium. The area is predominately residential in character with good access to local services and facilities within Springbourne, Boscombe and Pokesdown. The dwellings along Thistlebarrow Road are typically detached properties from the interwar period.

Principle of a C4 Use & impact on the character of the area

12. In terms of the impact on the visual amenity of the area, the proposal does not include any external alterations and as such is not found to harm the street scene or appearance of 41 Thistlebarrow Road.
13. Planning permission would not normally be required for the change of use to Class C4. However, the Council made an Article 4 Direction on the 15th December 2010 under Article 4(1) of the Town and Country Planning (General Permitted Development) Order 1995, as amended. An 'Article 4 Direction' is a planning tool that can be used to remove permitted development rights from a particular type of development. The Direction relates to development consisting of a change of use of a building to a use falling within Class C4 (houses in multiple occupation), from a use falling within Class C3 (dwellinghouses) and removes permitted development rights for this type of development from when the Direction came into force on the 16th December 2011.
14. Therefore, planning permission is required for any change of use from Class C3 to Class C4. As the Council has issued an Article 4 Direction to prevent these types of development taking place without planning permission, consideration must be given to the reasons behind this. In introducing the Article 4 direction the Council considered that the concentration of HMO properties was causing tension to existing residents. Commonly, University and coastal towns experience higher rates of HMO uses and consequently higher rates of associated negative impacts on the amenities of local residents and on the character of the area.
15. These tensions and issues are recognised nationally and can include anti-social behaviour; noise and nuisance from properties and on the street; imbalanced and unsustainable communities; negative impacts on the physical environment and streetscape; pressures on parking provision; untidy gardens; higher than average occurrence of to-let boards and the accumulation of rubbish. Even though high concentrations of HMO uses are associated with specific wards, a Borough-wide Article 4 Direction was introduced to avoid high concentrations of HMOs in certain areas. A Borough-wide approach therefore enables the Council to deal with problems associated with concentrations of HMO uses in a timely fashion controlling the emergence of new concentrations of HMO uses and limiting additional numbers in areas already impacted upon.
16. Policy CS24 of the Bournemouth Core Strategy refers to Houses in Multiple Occupation. This states that the change in use of Class C3 to Class C4 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. In light of this policy 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. It is difficult to be precise in the identification of HMO uses, but the variety of assessment measures builds up a picture.

17. Assessing the proposal in line with the policy identifies that there is one publicly registered and licenced HMO within the 100m of the application site to the street that form part of the policy requirement; 24 Littledown Avenue. 73 dwellings have been identified within the 100m policy radius,
18. Out of the 73 dwellings identified within the 100m policy radius, this one HMO would result in 1% of the residential units being HMO accommodation. Taking into account the flatted nature of some of the buildings further reduces the percentage of HMO units within the assessment zone. Therefore, a new HMO use would therefore be acceptable in principle based on the requirements of Policy CS24, which aims to restrict concentrations of HMO uses below 10% to maintain a balanced population. It is considered that the point has not been reached where the character of the area and balance of the population are becoming affected in the immediate area. The proposal is considered to accord with policy CS24.

Impact on neighbouring residents

19. The proposal does not include additional building mass or changes to windows. It is acknowledged that upper level windows will now serve habitable rooms compared to predominantly bedrooms when in use as a house, however it is noted that upper level windows face forwards towards the street scene and rearwards towards AFC Bournemouth's football ground. As such, the proposal would not result in any adverse overbearing, overshadowing or overlooking / loss of privacy impacts to the neighbouring properties.
20. The siting of a small bike store to the front garden and bin stores adjacent the side of the dwelling does not give rise to adverse impacts on neighbouring residential amenity.
21. HMO accommodation frequently give rise for concern about noise, parking, waste etc. In this instance the intensification is acknowledged and invariably there will be more activity associated with the premises, however the intensification is modest and it is considered that the use of the property as a Class C4 HMO would not in this case increase vehicular parking / access intensity of use to a materially harmful degree from that of a large C3 single-household dwelling. Absence the Article 4 Direction this type of proposal would ordinarily constitute permitted development. As such, the proposal is considered acceptable in terms of neighbouring amenity and compliance with CS 41 of the Core Strategy is achieved.

Living Environment for Future Occupants

22. The proposal would provide 6 bedrooms, 1no bathroom, 3no ensuites, 1no kitchen and 1no lounge area. Each of the habitable rooms would be provided with sufficient day/light and outlook, would afford sufficient communal living space for the 6no bedroom occupants and would provide an outdoor amenity space to the rear. The proposal is therefore considered to accord with CS 41 of the Core Strategy.

Parking/traffic/highway safety

23. Table 12: C4 HMO of the Parking Standards SPD is relevant to this application. The table states that a HMO for up to 6 unrelated residents should have cycle parking on

a 1 cycle parking space per bed space ratio. Cycle store details have been provided and show sufficient parking for six bikes across two stores, one to the front garden and the remainder in the garage. Furthermore, table 12: C4 HMO states that a HMO should have car parking for 1 vehicle. The site benefits from car parking to the front of the site which meets these requirements set out in the SPD. In conclusion, the Local Highway Authority raises no objections to the change of use subject to a condition relating to cycle parking.

Summary

24. It is considered that:

- The development would not result in an over-concentration of HMO uses
- The development would not be harmful to the character and appearance of the area
- The development would not be harmful to neighbouring residents
- The development would not on its own have any significant highway impacts.

Planning Balance

25. The change of use would satisfy the requirements of Policy CS24 in terms of the number of HMO uses in the assessment zone and would not be an over intensive use of the site. The living conditions of future occupiers is considered acceptable and the proposal is not found to result in undue harm to neighbouring amenity. No concerns are raised in terms of highway safety.

26. 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

27. GRANT

Conditions:

1. Development to be carried out in accordance with plans as listed:

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

400-346-01
400-346-02
400-346-03
400-346-04
400-346-05

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

2. Cycle Store

Before the occupation of any part of the development hereby approved, the cycle store shall be erected as shown on the approved plans and thereafter kept maintained in a manner sufficient to ensure that the bicycle store is safe and secure to use and the bicycle store shall at all times be available for use by all the households of development hereby permitted.

Reason: To promote alternative modes of transport and in the interests of amenity in accordance with Policies CS18 and CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

3. Before development commences unless agreed in writing by the Local Planning Authority details of a screened refuse bin store suitable for the housing of bins showing the site location, elevations and materials to be used in the construction of the bin store shall be submitted to and approved in writing by the Local Planning Authority. The approved store shall be completed prior to the occupation of any of the units of accommodation granted by this permission and shall be retained and maintained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of occupiers of adjoining and nearby residential properties and in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

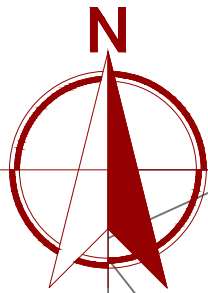
4. **INFORMATIVE NOTE:** This consent gives permission for a House in Multiple Occupation for 3-6 persons under Class C4 of the Use Classes Order. The maximum number of occupants permitted is therefore six, and any more would constitute a change of use for which further planning permission would be required.

Background Documents:

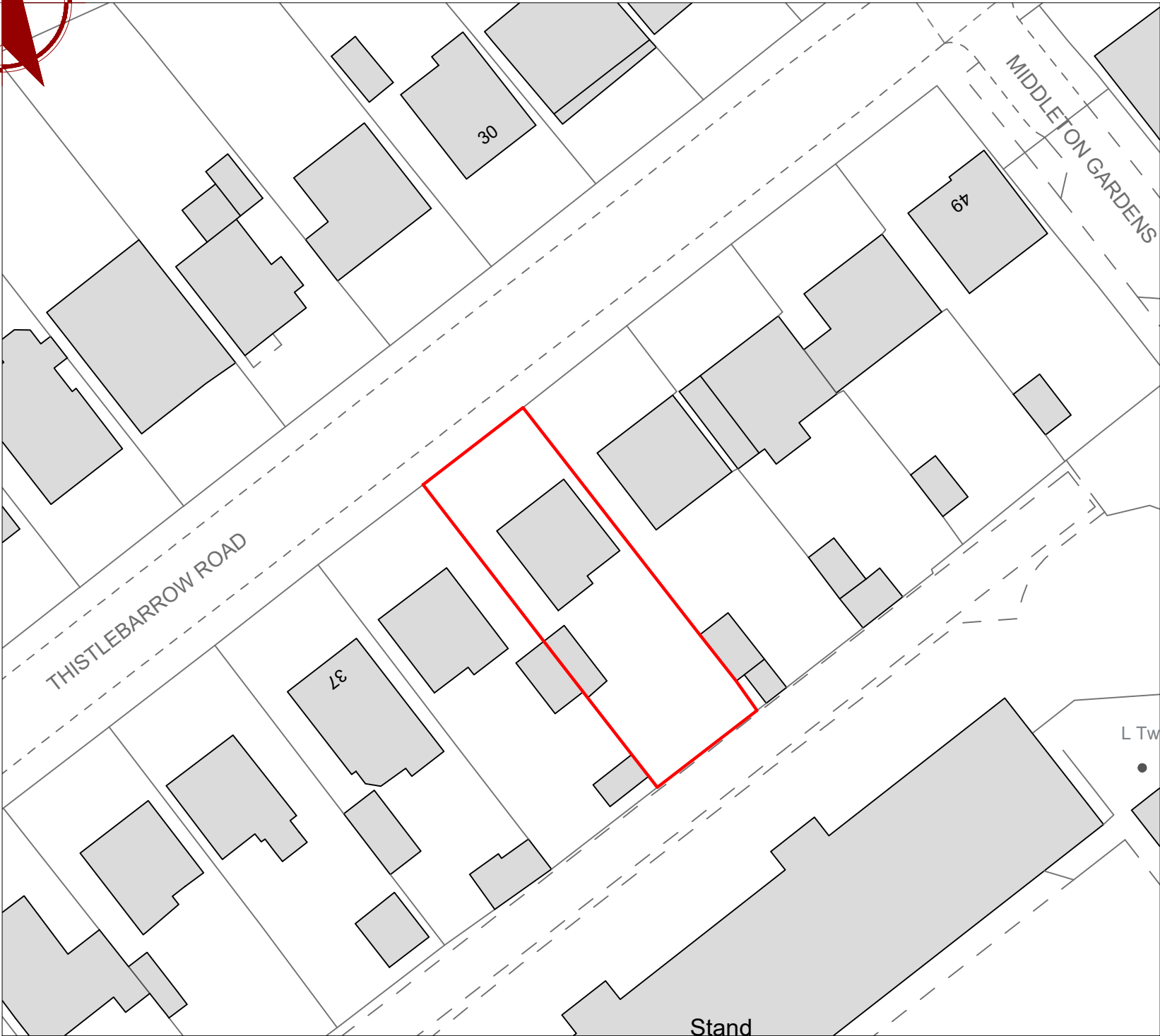
Case File – ref 7-2024-22978-B

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

This page is intentionally left blank



68

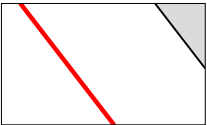


Existing Block Plan
Scale 1:500

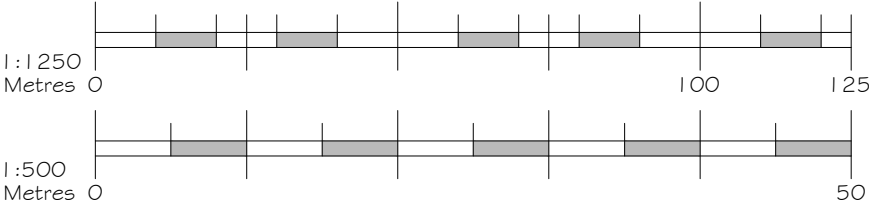


Existing Location Plan
Scale 1:1250

Key:



Land edged red denotes application site boundary



Note.
This drawing may not be copied/reproduced or altered in anyway without written authority from JOLP
Do Not Scale, Use figure dimensions
Check all dimensions on site before work proceeds, report discrepancies to JOLP
If In Doubt Please Contact JOLP

Rev.	Comment.	Date.
------	----------	-------

Drawing Title.

Existing Block & Location
Plan

Client.

Dania Kaddah

Site.

41 Thistlebarrow Rd,
Bournemouth,
Dorset,
BH7 7AL

Agent.



JOLP LTD
The Pagoda, 30 Avenue Road, Bournemouth, BH2 5SL
Tel: (+44) 01202 143363
Eml: office@jolph.co.uk

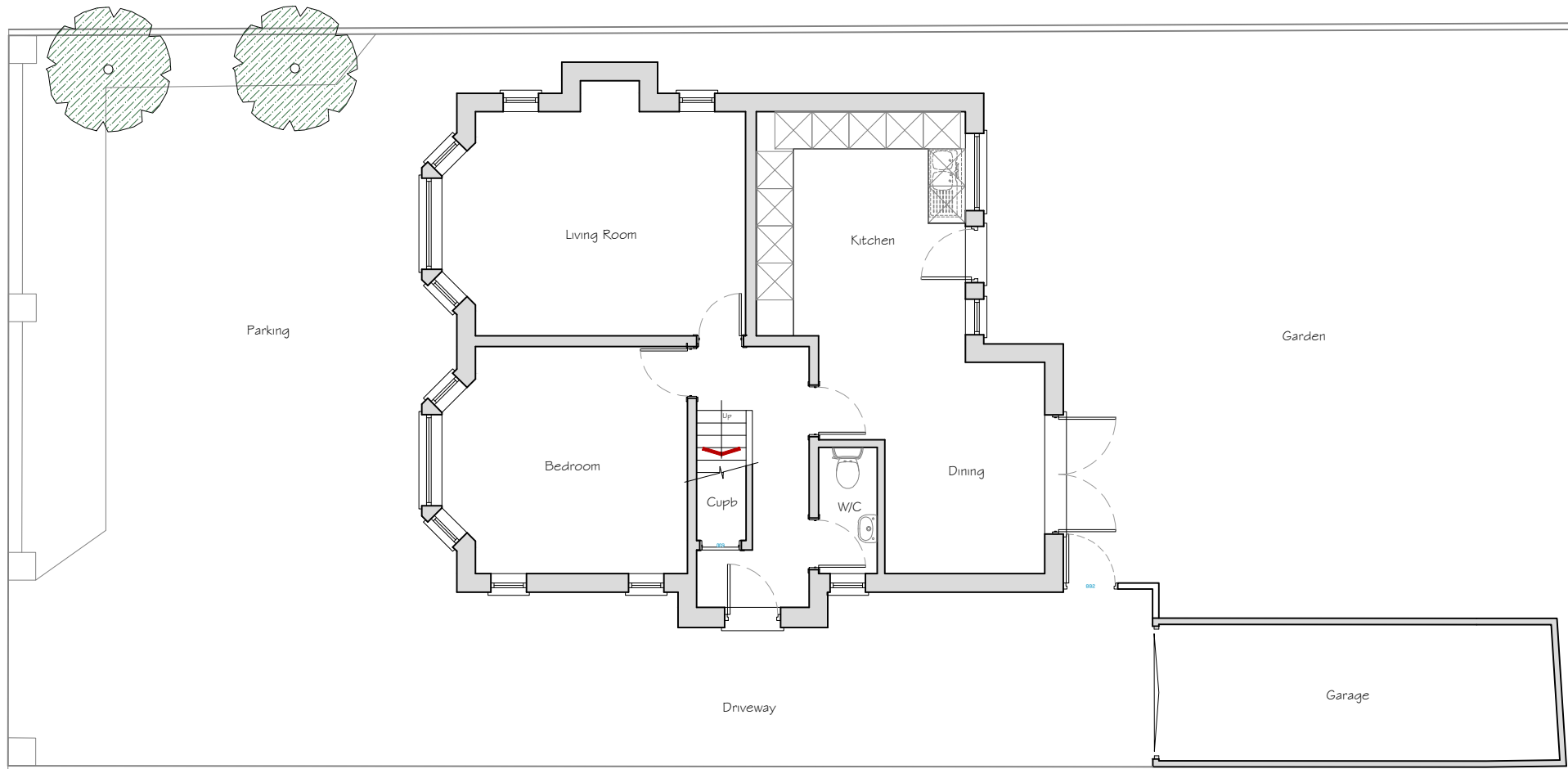
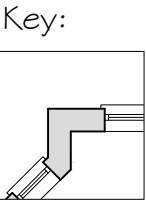
www.jolph.co.uk

Date: Feb 2024	Scale: 1:500@A3
----------------	-----------------

Dwg No. 400-346/01

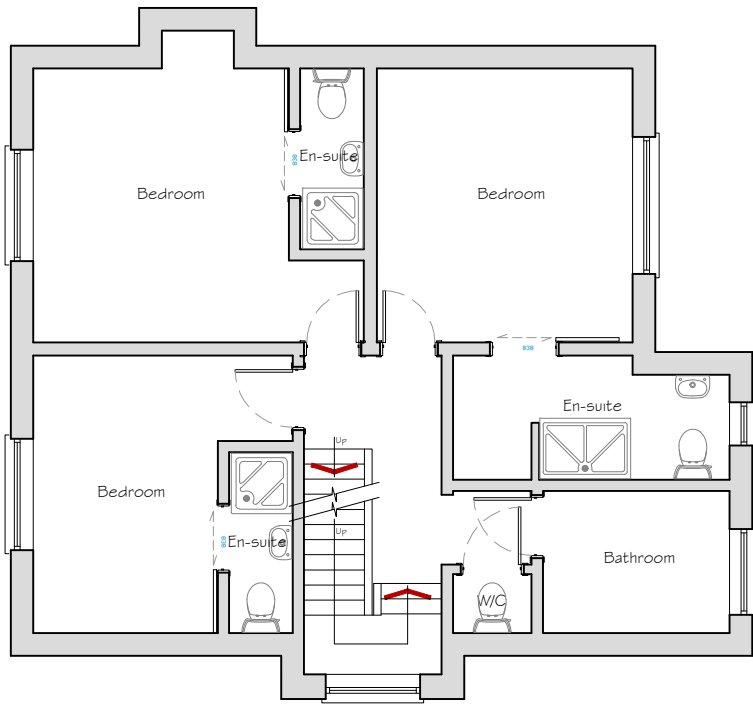
This page is intentionally left blank

When Scaled correctly this bar measures 100mm.

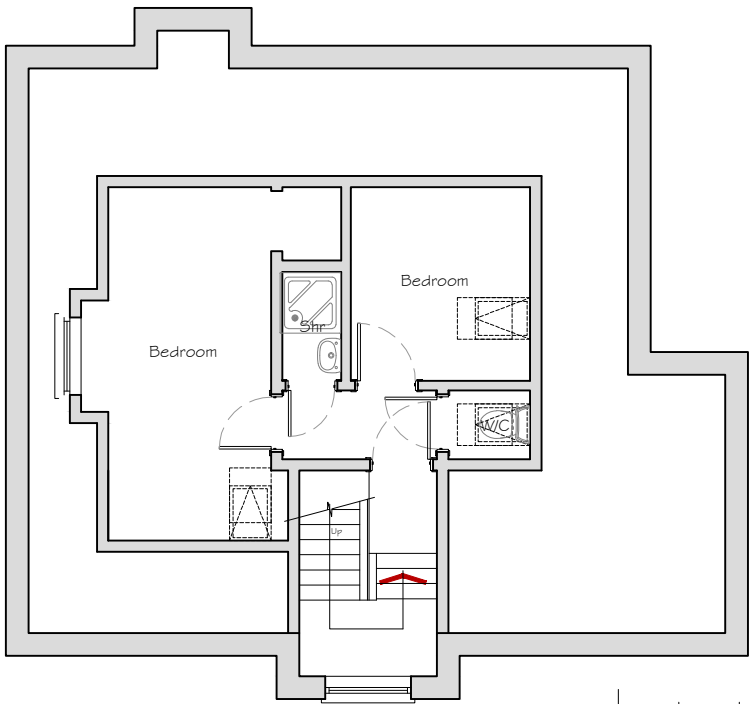


91

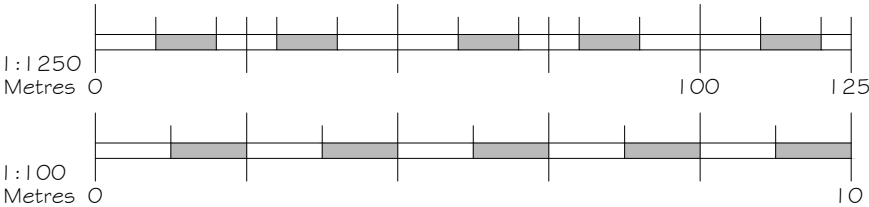
Ground Floor Plan



First Floor Plan



Second Floor Plan



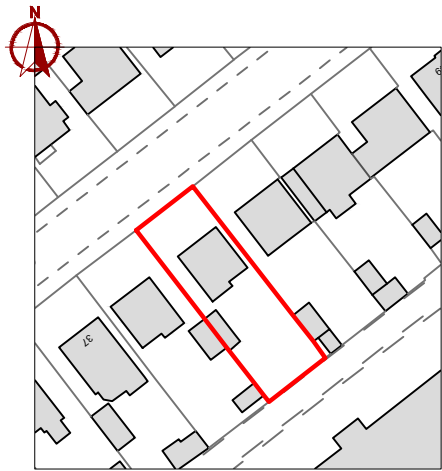
Note.

This drawing may not be copied/reproduced or altered in
anyway without written authority from JOLP

Do Not Scale, Use figure dimensions

Check all dimensions on site before work proceeds, report
discrepancies to JOLP

If In Doubt Please Contact JOLP



Rev.	Comment.	Date.

Drawing Title.

Existing Floor Plans

Client.

Dania Kaddah

Site.

41 Thistlebarrow Rd,
Bournemouth,
Dorset,
BH7 7AL

Agent.

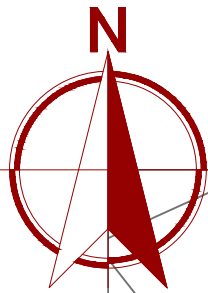


JOLP LTD
The Pagoda, 30 Avenue Road, Bournemouth, BH2 5SL
Tel: (+44) 01202 143363
Eml: office@jolph.co.uk
www.jolph.co.uk

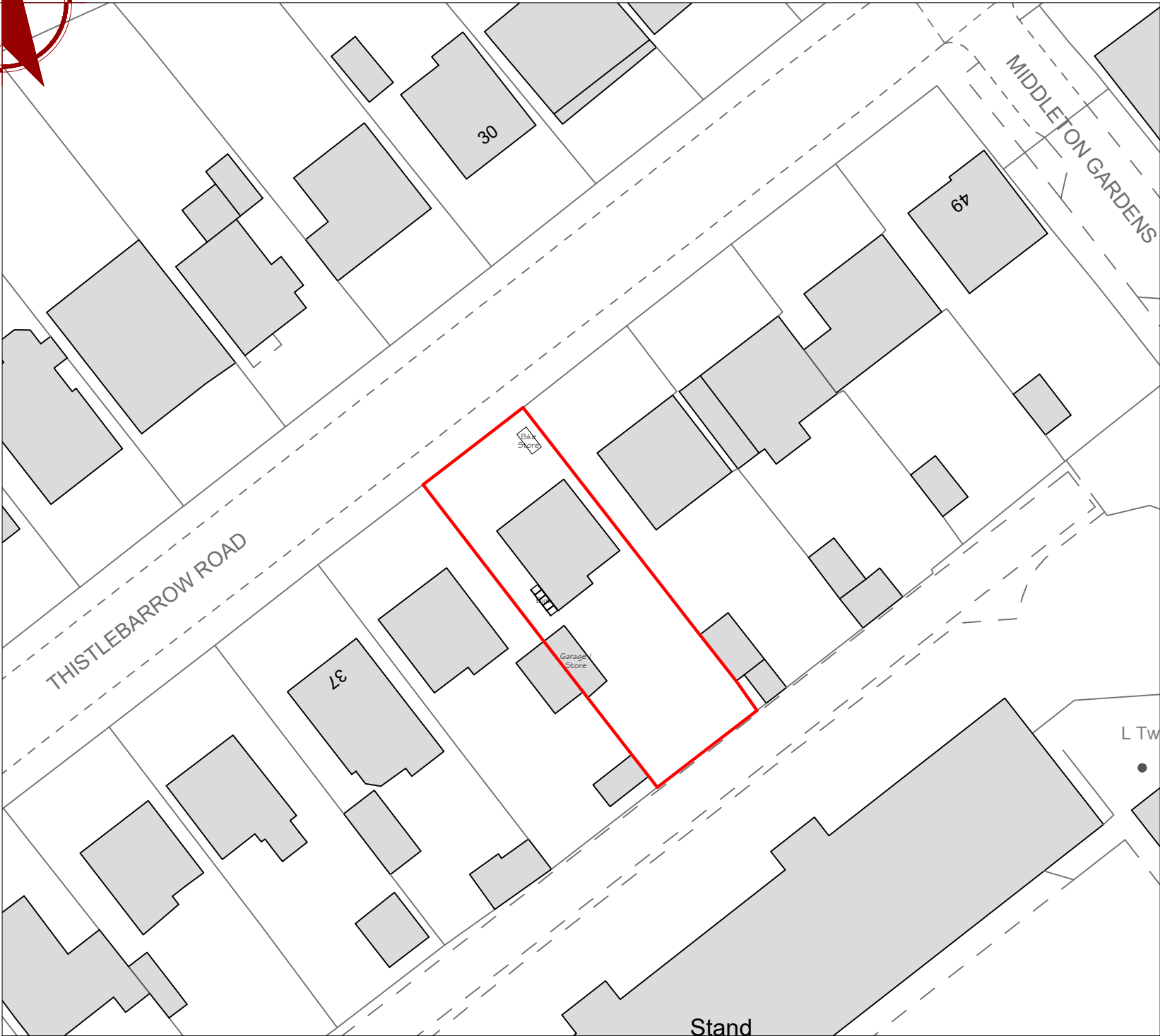
Date: Feb 2024 Scale: 1:100@A3

Dwg No. 400-346/02

This page is intentionally left blank



93

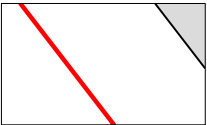


Proposed Block Plan
Scale 1:500

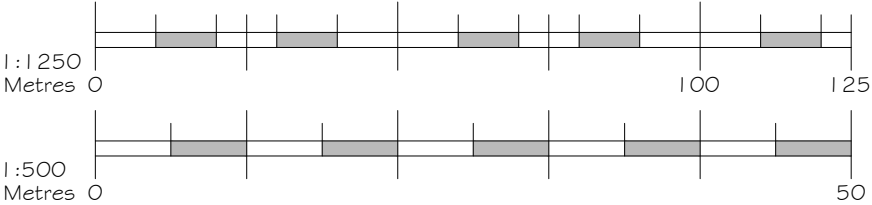


Proposed Location Plan
Scale 1:1250

Key:



Land edged red denotes
application site boundary



Note.
This drawing may not be copied/reproduced or altered in
anyway without written authority from JOLP

Do Not Scale, Use figure dimensions

Check all dimensions on site before work proceeds, report
discrepancies to JOLP

If In Doubt Please Contact JOLP

Rev.	Comment.	Date.
------	----------	-------

Drawing Title.

Proposed Site & Location
Plan

Client.

Dania Kaddah

Site.

41 Thistlebarrow Rd,
Bournemouth,
Dorset,
BH7 7AL

Agent.



JOLP LTD
The Pagoda, 30 Avenue Road, Bournemouth, BH2 5SL
Tel: (+44) 01202 143363
Eml: office@jolph.co.uk

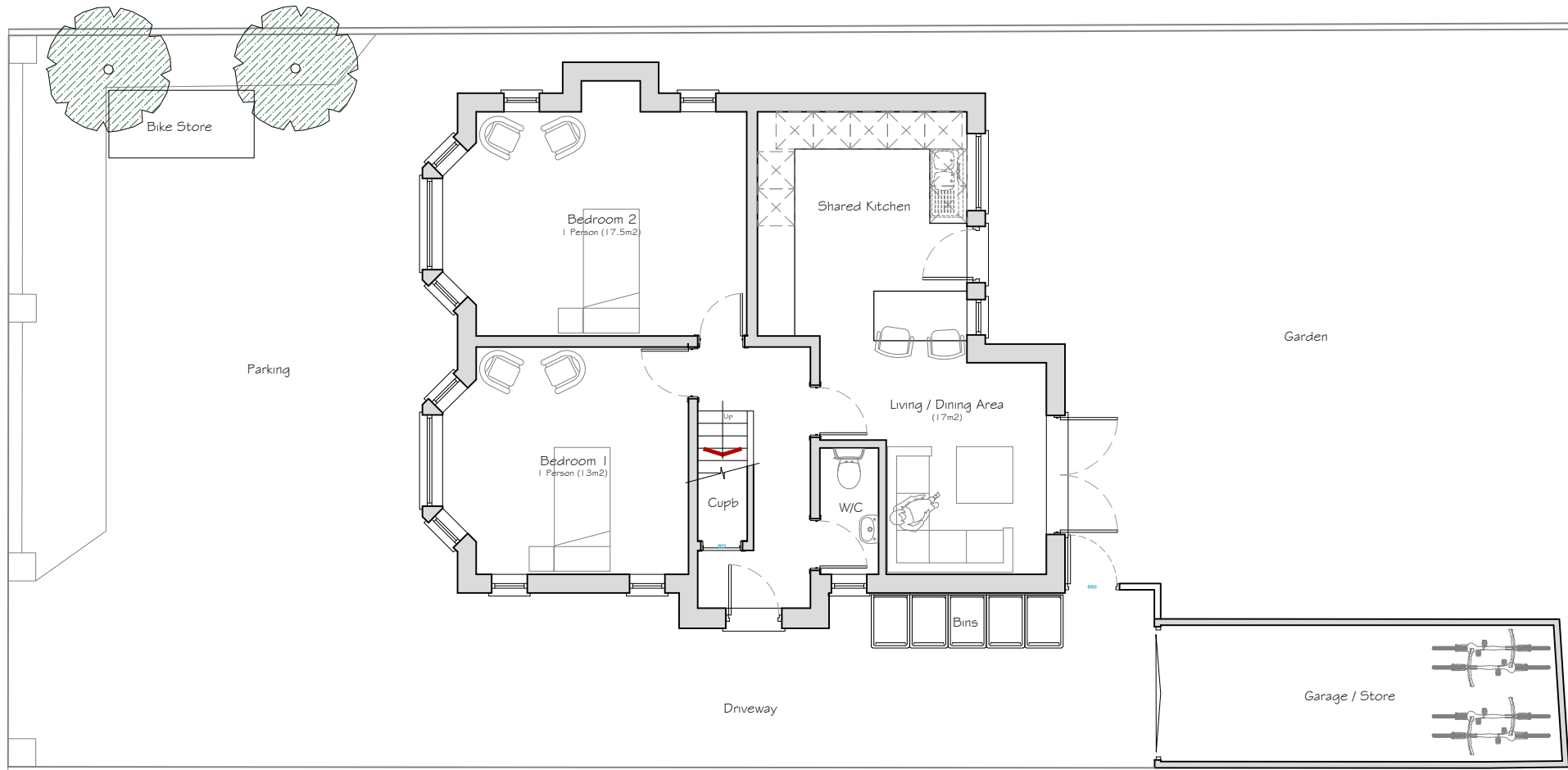
www.jolph.co.uk

Date: Feb 2024	Scale: 1:500@A3
----------------	-----------------

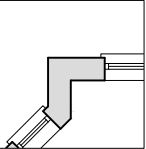
Dwg No. 400-346/03

This page is intentionally left blank

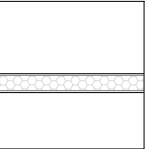
When Scaled correctly this bar measures 100mm.



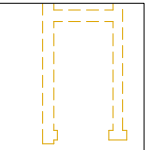
Key:



Existing Wall:
Existing internal and external walls,
where works effect allow to make
good where required.



Proposed Stud Internal Wall:
Timber stud wall. Sound insulation
between. Lining 12.5mm wallboard
with skim coat.



Existing Removed:
Indicates existing wall removed,
allow to make good where
required.

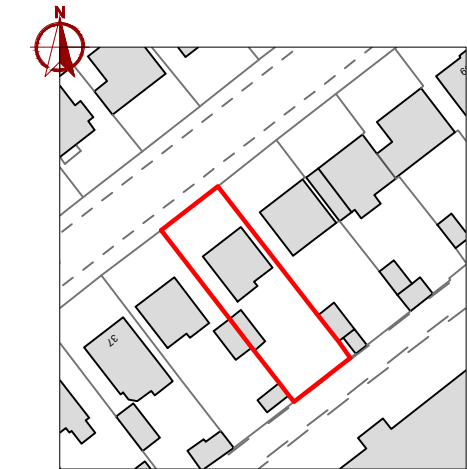
Note.

This drawing may not be copied/reproduced or altered in
anyway without written authority from JOLP

Do Not Scale, Use figure dimensions

Check all dimensions on site before work proceeds, report
discrepancies to JOLP

If In Doubt Please Contact JOLP



Reference Plan

Scale 1:1250

Rev.	Comment.	Date.
------	----------	-------

Drawing Title.

Proposed Floor Plans

Client.

Dania Kaddah

Site.

41 Thistlebarrow Rd,
Bournemouth,
Dorset,
BH7 7AL

Agent.



JOLP LTD
The Pagoda, 30 Avenue Road, Bournemouth, BH2 5SL
Tel: (+44) 01202 143363
Eml: office@jolph.co.uk

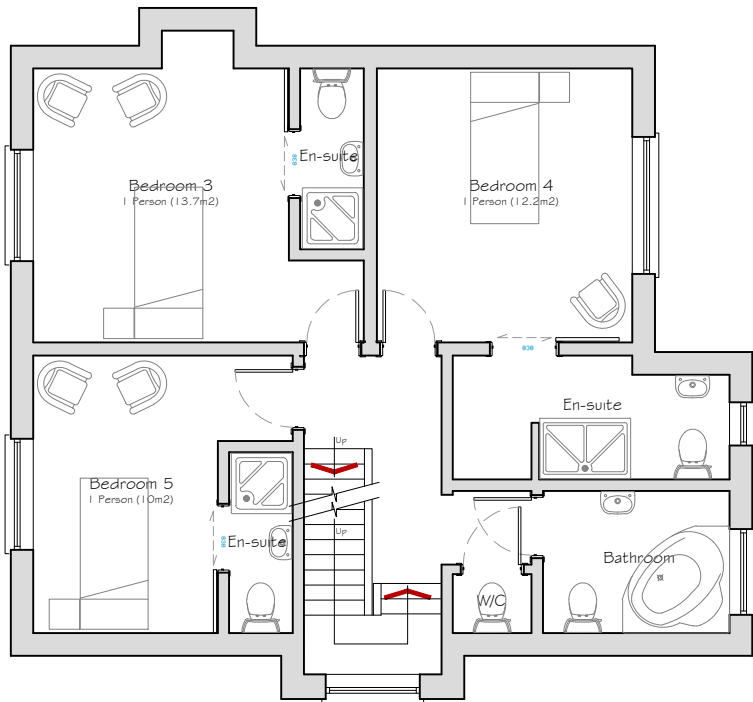
www.jolph.co.uk

Date: Feb 2024 Scale: 1:100@A3

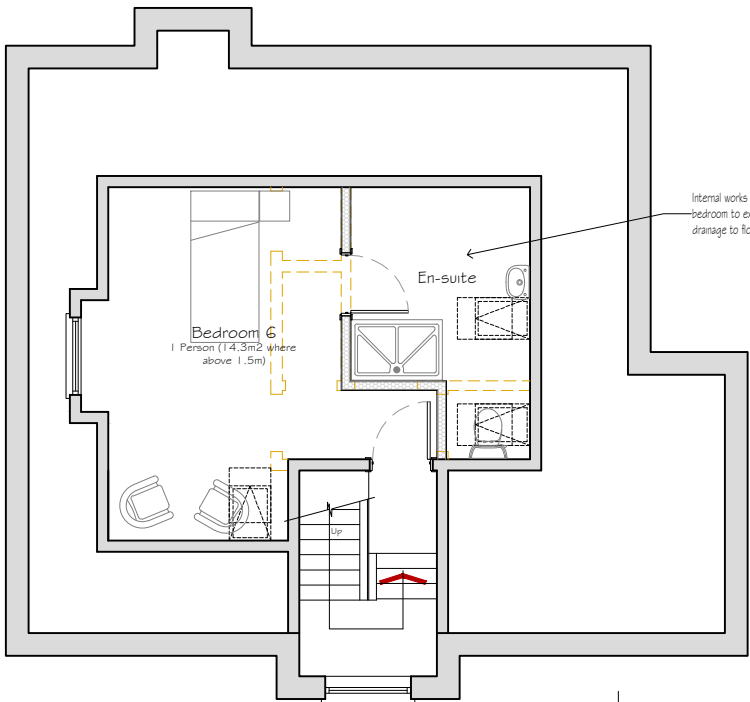
Dwg No. 400-346/04

96

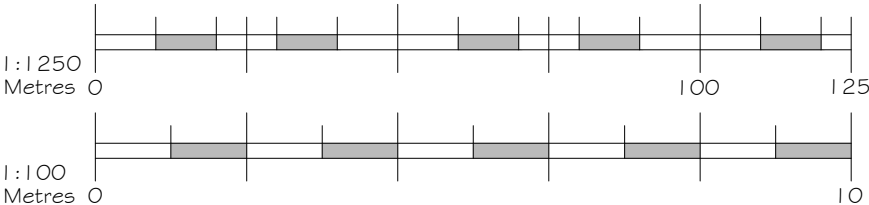
Ground Floor Plan



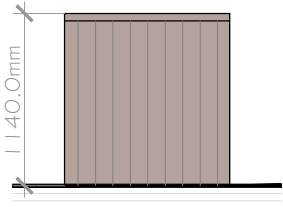
First Floor Plan



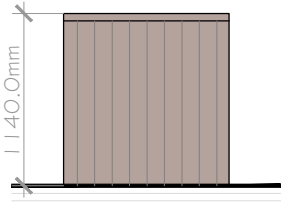
Second Floor Plan



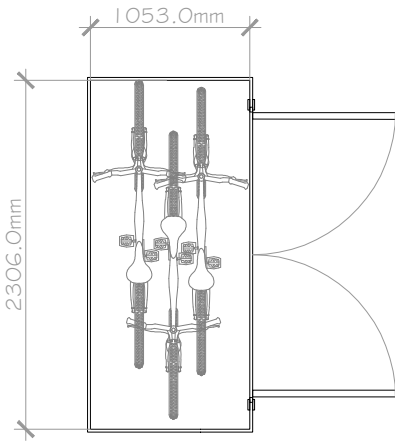
This page is intentionally left blank



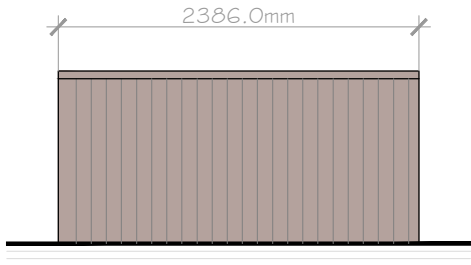
Front



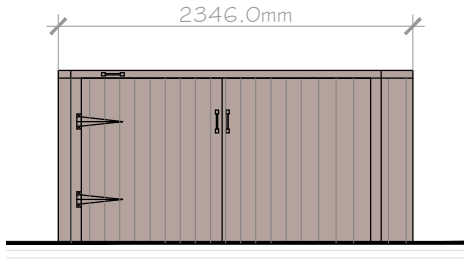
Rear



Plan

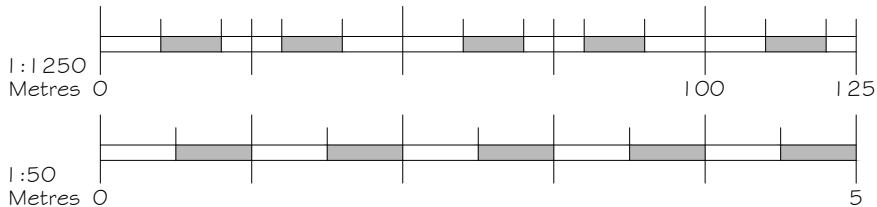


Side

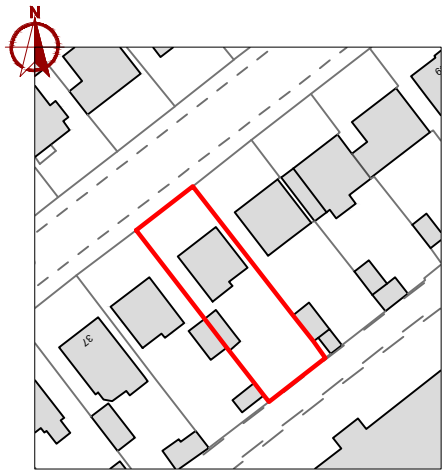


Side

Cycle Store
Scale 1:50



Note.
This drawing may not be copied/reproduced or altered in anyway without written authority from JOLP
Do Not Scale, Use figure dimensions
Check all dimensions on site before work proceeds, report discrepancies to JOLP
If In Doubt Please Contact JOLP



Reference Plan
Scale 1:1250

Rev.	Comment.	Date.
------	----------	-------

Drawing Title.

Proposed Cycle Store

Client.

Dania Kaddah

Site.

41 Thistlebarrow Rd,
Bournemouth,
Dorset,
BH7 7AL

Agent.



JOLP LTD
The Pagoda, 30 Avenue Road, Bournemouth, BH2 5SL
Tel: (+44) 01202 143363
Eml: office@jolph.co.uk
www.jolph.co.uk

Date: Feb 2024 Scale: 1:50@A3

Dwg No. 400-346/05

This page is intentionally left blank