

Notice of Eastern BCP Planning Committee

Date: Thursday, 20 February 2025 at 10.00 am

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



Membership:

Chair:

Cllr P Hilliard

Vice Chair:

Cllr M Le Poidevin

Cllr J Clements
Cllr D A Flagg
Cllr M Gillett

Cllr G Martin
Cllr Dr F Rice
Cllr J Salmon

Cllr T Slade
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=6323>

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

12 February 2025

**DEBATE
NOT HATE**



Available online and
on the Mod.gov app



Maintaining and promoting high standards of conduct

Declaring interests at meetings

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

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



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

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

Bias Test

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

Predetermination Test

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

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

For more information or advice please contact the Monitoring Officer
(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 23 January 2025.

5. Public Issues

11 - 18

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

The deadline for the submission of requests to speak is 10.00am on Wednesday 19 February 2025 [10.00am of the working day before the meeting]. Requests should be submitted to Democratic Services using the contact details on the front of this agenda.

Further information about how public speaking is managed at meetings is contained in the Planning Committee Protocol for Public Speaking and Statements, a copy of which is included with this agenda sheet and is also published on the website on the following page:

<https://democracy.bcpccouncil.gov.uk/mgCommitteeDetails.aspx?ID=613>

Summary of speaking arrangements as follows:

Speaking at Planning Committee (in person or virtually):

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

- There will be a further maximum combined time of five minutes to speak in support and up to two persons may speak within the five minutes.
- No speaker may speak for more than half this time (two and a half minutes) UNLESS there are no other requests to speak received by the deadline OR it is with the agreement of the other speaker.

Anyone who has registered to speak by the deadline may, as an alternative to speaking/for use in default, submit a written statement to be read out on their behalf. This must be provided to Democratic Services by 10.00am of the working day before the meeting, must not exceed 450 words and will be treated as amounting to two and a half minutes of speaking time.

Please refer to the full Protocol document for further guidance.

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

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)	Hengist Caravan Park, Wick Lane, Bournemouth, BH6 4LE East Southbourne and Tuckton Ward 7-2024-951-AG Engineering works to infill the existing residential caravan park to stabilise the surrounding banks	19 - 40
b)	156 River Way, Christchurch, BH23 2QU Commons ward 8/24/0151/FUL Sever rear garden of 156 River Way. Construct 1 x 4 bed dwelling with garage, associated parking and amenity space. Demolish existing garage to create access to new dwelling, to include bin presentation point to the front of the site.	41 - 62
c)	Royal Arcade, Christchurch Road, Bournemouth, BH1 4BT Boscombe West ward 7-2023-16746-AX Change of use of the upper floors to mixed office and business startup space; a mix of retail and other commercial uses at ground floor including the creation of a food hall area with pop up eateries; loss of 4 retail units to provide lift access to upper floors and ground floor toilets; partial loss of 2 retail units to provide bin stores; replacement of external ground floor doors and windows to alley; installation of cycle parking and roof mounted photovoltaics – Regulation 3	63 - 108
d)	44 Minterne Road Christchurch BH23 3L Mudford, Stanpit and West Highcliffe 8/24/0720/HOU Demolition of existing garage. Erection of 2 storey side extension, single storey rear extension & creation of 1st floor accommodation	109 - 134

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

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BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
EASTERN BCP PLANNING COMMITTEE

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

Present:-

Cllr P Hilliard – Chair

Cllr M Le Poidevin – Vice-Chair

Present: Cllr A Chapmanlaw (in place of Cllr J Clements), Cllr M Gillett,
Cllr G Martin, Cllr Dr F Rice, Cllr J Salmon, Cllr T Slade and
Cllr L Williams

74. Apologies

Apologies were received from Cllr J Clements, Cllr D Flagg and Cllr M Tarling.

75. Substitute Members

Notification was received that Cllr A Chapmanlaw was substituting for Cllr J Clements for this meeting.

76. Declarations of Interests

Cllr J Salmon reported that he had called in the Westover Retail Park planning application (item 6a) and would therefore reclude himself from the debate. He did not speak or vote as a committee member for this item, he sat in the public gallery and spoke as a ward councillor.

77. Confirmation of Minutes

The minutes of the meeting held on 19 December 2024 were confirmed as an accurate record for the Chair to sign.

78. Public Issues

The Chair advised that there were a number of requests to speak on the planning applications as detailed below.

79. Schedule of Planning Applications

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

80. Westover Retail Park, Castle Lane West, Bournemouth, BH9 3JS

Moordown Ward

7-2023-1927-BT

Redevelopment of retail park by erecting a foodstore (Use Class E(a) with associated access, parking, and landscaping works, involving demolition of existing 4 x units.

Public Representations

Objectors

- ❖ Richard Goslin
- ❖ Saul Trewern

Applicant/Supporters

- ❖ James Mitchell, on behalf of the applicant

Ward Councillors

- ❖ Cllr Joe Salmon, objecting

Resolved to REFUSE permission contrary to the recommendation set out in the officer's report as updated in the Committee Addendum dated 22.1.25 for the following reasons, with power delegated to the Head of Planning Operations in consultation with the Chair to determine the final wording of these reasons:

- The failure to provide the land necessary to support the delivery of a high-quality walking and cycling network in accordance with national policy and best practice would fail to support the uptake of active travel and as such, fails to fully mitigate the impact of the proposed development. The proposal is considered poor design and is contrary to policies CS14, CS18 and CS41 of the Bournemouth Local Plan: Core Strategy (Adopted October 2012). The development is also considered to be contrary to the aims of the National Planning Policy Framework (2023) [now 2024] which requires opportunities to promote walking, cycling and public transport use are identified and pursued adequately.
- The scheme would fail to make efficient use of land by not bringing forward a mixed use scheme and is therefore contrary to Paragraph 11 and Chapter 11 of the National Planning Policy Framework.
- The failure to make necessary contributions to mitigate the impact of the proposal would not support sustainable form of development for future occupiers in terms of limiting the need to travel and offering a genuine choice of transport modes.

Voting: For – 5, Against – 3, Abstain – 0

Note: Prior to the vote to refuse, a move to grant the application was seconded but was not carried: Voting: For – 3, Against – 4, Abstain – 1

81. 134 Carbery Avenue

East Southbourne and Tuckton Ward

7-2024-19822-A

Demolition of existing dwelling and construction of a block of 5 flats with associated parking and amenity space.

Public Representations

Objectors

- ❖ Richard Matthew
- ❖ Simon Willis

Applicant/Supporters

- ❖ Matt Stevens, on behalf of the applicant

Ward/Other Councillors

- ❖ Cllr Bernadette Nanovo, objecting

Resolved to GRANT permission in accordance with the recommendation set out in the officer's report, subject to power being delegated to the Head of Planning Operations to determine the final wording of the conditions set out in the report and the completion of a Section 106 agreement in respect of Heathland Mitigation (SAMM).

Voting: Unanimous

The meeting ended at 12.20 pm

CHAIR

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PLANNING COMMITTEE - PROTOCOL FOR SPEAKING / STATEMENTS AT PLANNING COMMITTEE

1. Introduction

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

2. Order of presentation of an application

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

3. Guidance relating to the application of this protocol

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

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

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

4. Electronic facilities relating to Planning Committee

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

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

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

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

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

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

7. Questions to person speaking under this protocol

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

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

- 8.1. Any ward councillor shall usually be afforded an opportunity to speak on an application at the Planning Committee meeting at which it is considered. Every ward councillor who is given the opportunity to speak will have up to **five** minutes each.
- 8.2. At the discretion of the Chair, any other councillor of BCP Council not sitting as a voting member of the Planning Committee may also be given the opportunity to speak on an application being considered at Planning Committee. Every such councillor will have up to **five** minutes each.
- 8.3. Any member of the Planning Committee who has exercised their call in powers to bring an application to the Planning Committee for decision should not vote on that item but subject to any requirements of the Member Code of Conduct, may have or, at the discretion of the Chair, be given the opportunity to speak in connection with it as a ward councillor or otherwise in accordance with the speaking provisions of this protocol. Such a member will usually be invited after speaking to move themselves from the area where voting members of the Planning Committee are sitting and may be requested to leave the room until consideration of that application has been concluded.

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

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

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

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

any person or group, including the applicant, any officer or councillor or might result in the disclosure of any personal information for which express consent has not been given.

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

11. Remote speaking at Planning Committee

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

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

- 12.1. It is solely the responsibility of a person who has been given an opportunity to speak on an application at a Planning Committee meeting (whether in person or remotely) to ensure that they are present for that meeting at the time when an opportunity to speak is made available to them.
- 12.2. A failure / inability by any person to attend and speak in person or remotely at a Planning Committee meeting at the time made available for that person to speak on an application will normally be deemed a withdrawal of their wish to

speaking on that application. This will not therefore usually be regarded as a reason of itself to defer or prevent an application from being heard.

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

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

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

14. Provisions relating to a statement

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

withdrawing the statement wishes instead to exercise their opportunity to speak in person they should notify Democratic Services on or before the time of withdrawing the statement.

15. Assessment of information / documentation / statement

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

16. Guidance on what amounts to a material planning consideration

- 16.1. As at the date of adoption of this protocol, the National Planning Portal provides the following guidance on material planning considerations:

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

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

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

https://www.planningportal.co.uk/faqs/faq/4/what_are_material_considerations#:~:text=A%20material%20consideration%20is%20a,Loss%20of%20light%20or%20overshadowing

Note

For the purpose of this protocol:

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

Adopted by the Planning Committee on 17.11.22 and updated on 20.7.23



Planning Committee

Application Address	Hengist Caravan Park, Wick Lane, Bournemouth, BH6 4LE
Proposal	Engineering works to infill the existing residential caravan park to stabilise the surrounding banks
Application Number	7-2024-951-AG
Applicant	AR (Christchurch Marina) Ltd
Agent	Bratherton Park Design Consultants
Ward and Ward Member(s)	East Southbourne and Tuckton Councillor Bernadette Nanovo Councillor Judy Richardson
Report Status	Public
Meeting Date	20 th February 2025
Summary of Recommendation	Grant in accordance with the details set out below for the reasons as set out in the report subject to the signing of a Section 106 legal agreement to provide monitoring fees to ensure that BNG is maintained for 30 years. OR Refuse if S106 agreement is not signed due to the failure to provide suitable biodiversity net gain.
Reason for Referral to Planning Committee	Called in by Councillor Nanovo for the following reasons: The infill works are unnecessary and raising the level of the site will potentially affect the whole neighbourhood and result in flooding and overlooking when the development is completed. Plus other factors relating to the health and wellbeing of the community. CS4 – Surface Water flooding. CS5 – Promoting a healthy community CS38 – Minimising Pollution CS4- Quality Design Wick Farm and Village where this site is located and through which access is required is a conservation area and should be protected. When this caravan park originally was created there was another access route but land has been sold and

	now the access is restricted to a single lane via Wick village. There is also a public pathway leading to St Katherines School which is used by families daily.
Case Officer	Peter Walters
Is the proposal EIA Development?	No

Description of Proposal

- 1 The applicant is seeking planning permission to carry out engineering works to the site to infill it, with a degree of cutting. The land levels will fall to the existing levels at the northern end of the site. The works will prevent future subsidence from the existing escarpments on the west, south and eastern boundaries of the site. The imported material for the infilling will be crushed hardcore graded from 6F2 to 6F5 and will be introduced in controlled compacted layers across the site using a combination of tracked machines and rollers to create an infill to match as closely as possible the nature of the original ground conditions and those of the surrounding higher ground on which the residential properties are constructed.
2. The proposal does not result in the change of the existing use of the site as a residential caravan park and does not alter the number of caravans allowed on the site, which is set out in the site licence.

Description of Site and Surroundings

3. The site is situated within Wick, and is bounded on the north, west and southern sides by suburban residential development. To the south west of the site is St Katherines School. To the east is Wick Meads Nature Reserve. Access is achieved along Wick Lane from the north eastern side of the site. Wick Lane continues as a pedestrian only route past the eastern boundary of the site.
4. The site has a lawful use as a caravan park for residential caravans. The site itself is set below the land level of the surrounding neighbouring properties, and therefore there are escarpments on the west, south and east of the site. These reach a maximum height of 4m and taper down towards the northern end of the site. The ground levels on the site fluctuate, dropping to the street level at the north eastern corner of the site.

Relevant Planning History:

5. The planning history for the proposal is as follows:
 - 7/9/9511 – 1964 – Use as a permanent caravan park – granted 13.10.1964
 - 7-2000-951-AA - Formation of new vehicular access from Thornbury Road and new internal road – Refused 24/07/2000

Constraints

6. Within 5km of SSSI heathland

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. For the purposes of this application in accordance with regulation 9(3) of the Conservation of Habitats and Species Regulations 2017 (as amended) (“the Habitat Regulations”) 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.

In accordance with section 40 Natural Environment and Rural Communities Act 2006, in considering this application, regard has been had, so far as is consistent with the proper exercise of this function, to the purpose of conserving biodiversity.

Consultations

9. Historic England

- Not offering advice
- Seek advice of internal conservation and archaeological advisers

County Archaeologist

- While there is some excavation around the site, most of the works are infilling
- As a result of this, do not consider there to be a strong enough case to require archaeological condition

Lead Local Flood Authority

- Site is not mapped as being at risk of surface water flooding so proposals should not increase flood risk elsewhere
- A condition will be required to ensure surface water drainage is considered as part of any works at the site to ensure that there is no increase in flood risk from surface water.

Highways

- No objections raised to the engineering works as they do not alter the access to the site.
- Applicant has submitted a construction management plan to demonstrate how materials and caravans will be delivered to the site. Compliance with the construction management plan is required to ensure safety and efficiency, minimising disruption to the local area. This will be resolved by means of a planning condition.

Tree Officer

- The site is not protected by a Tree Preservation Order and is not within a Conservation Area.
- Low quality trees may be lost with the engineering works. There are no objections to this, a scheme for tree losses on the embankment should be provided if it is required.
- Recommends a high quality new tree planting scheme and soft landscaping scheme to improve visual amenity values for the future.

Environmental Health

- Site has potential infill and falls within the 250m notifiable area of two tipped sites.
- Consideration of whether there is any asbestos from former caravans removed from the site should be taken into account
- Given the potential for land contamination on the site, pre-commencement conditions are proposed.

Biodiversity

- No objection to the proposals on the grounds of BNG
- Additional net gain will need to be secured by offsite biodiversity units
- Section 106 agreement will be required to secure monitoring fees

Representations

10. 54 comments have been received on this proposal. The issues raised by the proposal are as follows: 1 support, 2 withdrawn objections
 - Concerns regarding the delivery lorries waiting in wider parts of Wick Lane – these should be defined.
 - Signage at the entrance to Wick Lane to instruct delivery drivers is also required and the works should take place outside of peak tourist season.
 - Concerns regarding whether the drainage is sufficient on the site

- Concerns regarding damage to neighbouring properties and properties on Wick Lane (some of which are Grade II listed) during the construction process.
- Clarity required about the hours of operation
- Concerns regarding whether Wick Lane can sustain the delivery lorries and the safety of other users, including pedestrians
- Concerns about the density of the site once the development is completed
- Concerns about the increase in traffic movements from the increased density of units
- Will the proposed layout ensure compliance with the site licence
- Maintenance of the hedgerow next to Roscrea Drive has not been regular, causing potential damage to sewer
- Concerns about privacy of neighbours if additional caravans are brought onto the site
- Engineering issues could be resolved through other means
- Concerns about the impact of vibrations etc from the construction process on neighbouring houses.
- Can more material be used on site?
- Suitability of the access onto the site for installing caravans
- Weight limit on Wick Lane to protect underground sewage pipe may be breached by delivery lorries
- New sewage should be provided for larger caravans
- Original site was larger in size, therefore site will have a higher density than originally intended
- Work has been undertaken on the site prior to the submission of the application which may have contributed to land stability issues
- Bigger park homes are proposed on the site than was previously the case
- Less intrusive stabilisation works could have been undertaken – proposed fill is to increase the developable area
- Risk to safety of children during school pick up and drop off
- Previous larger site had two additional access points
- Infill may have already begun
- Generation of dust could have an impact on nearby SSSI
- Raised site will make the site more visually prominent in the local area
- Roof ridge heights will be higher than in Wick Lane and Roscrea Drive which will impact on the character of the area.
- Climate change impact associated with importing the material to the site
- Health risks from dust generated
- Clarification should be sought regarding the height of the caravan units
- Concerns that foul drainage is not fully addressed in the application
- Concerns that some retaining walls were removed during the removal of the previous caravans
- No details on site plan of visitor parking spaces
- Noise impact during the construction process
- Could a new access to the site be provided?

- Age of owners of new caravans should be conditioned to prevent subletting or holiday home use
- Construction management plan should be submitted to the Council and if the application is approved it should be the subject of a planning condition.
- Should be an in and out access point
- Impact on the privacy of neighbouring residents
- Noncompliance of the submitted construction management plan has already occurred by contractors installing caravan units outside of the area that is the subject of the proposed engineering works

Key Issue(s)

11. The key issue(s) involved with this proposal are:

- Whether the proposed development would have a harmful impact upon:
 - Principle of development
 - Highway safety
 - Drainage
 - Neighbouring amenity
 - The character and appearance of the area
 - Biodiversity Net Gain

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

Policy context

13. Local documents:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications must be determined in accordance with the development plan for an area, except where material considerations indicate otherwise. The development plan in this case comprises the following:

- **Bournemouth Core Strategy (2012)**

CS1: National Planning Policy Framework – Presumption in Favour of Sustainable Development
 CS4: Surface Water Flooding
 CS34: Site of Special Scientific Interest
 CS35: Nature and Geological Conservation
 CS41: Quality Design

- **Bournemouth District Wide Local Plan (2002) – saved policies**
 Policy 3.12 Camping and Caravan Sites

14. 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 strong reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.”

Section 12 – Achieving well-designed places

Paragraph 135 –

“Planning policies and decisions should ensure that developments: a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;”

Section 14 – Meeting the challenge of climate change, flooding and coastal change

Paragraph 182 –

“Applications which could affect drainage on or around the site should incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff, and which are proportionate to the nature and scale of the proposal. These should provide multifunctional benefits wherever possible, through facilitating improvements in water quality and biodiversity, as well as benefits for amenity. Sustainable drainage systems provided as part of proposals for major development should: a) take account of advice from the Lead Local Flood Authority; b) have appropriate proposed minimum operational standards; and c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development.

15. Caravan Sites and Control of Development Act 1960

Requires all caravan sites to have a valid site licence issued by the Local Authority.

Includes the definition of a caravan

16. Caravan Sites Act 1968

Provides a definition of the maximum size of a structure that can be defined as a caravan (including twin units)

Planning Assessment

Principle of Development

17. The site is situated within the settlement boundary of Bournemouth. The planning history of the site being used for caravans dates to 1948 when a temporary planning permission was granted for the use of land for siting caravans. The number of caravans permitted was restricted to 25. The site had previously been used for extracting gravel. An extension was granted to this permission in 1951, with a seeming restriction on the caravans being used for holiday purposes, and was once again granted for a further 5 years in 1960. In 1964, planning permission was granted for use of the site as a permanent caravan camp. The site licence granted at the same time specifies that caravans were being used for residential purposes. While it is noted that there are gaps in the planning history, officers consider that on the balance of probability based on the site licence, the 1964 planning permission allowed permanent residential occupation of the site.
18. The proposed development is to undertake engineering works to level the land at the site, by partially cutting and filling the land, while also importing fill to the site. Given that there is an extant permission on the land, works to facilitate the continued use of the land are considered to be acceptable.
19. The proposal is to infill the site, to provide finished levels that gently slope as opposed to the current escarpments. Some of the fill material required to do this will be achieved through cutting and filling of the existing banks, however, there will be a shortfall which will need to be achieved by importing fill to the site. This is estimated as being up to 6000 cubic metres of filling material.
20. The proposed development will not result in a change of use of the land. The site is identified as having a lawful use as a caravan site and this use will continue. As is required for all caravan sites, a site licence has been issued permitting the site's use and imposing restrictions. While the site licence does not specify a number of caravans that can be stationed on the site, it does specify the density of the site, of 50 caravans per hectare. The site area is 0.98 hectares, therefore, approximately 49 caravans are permitted within the site. It is noted that the site licence is separate from the planning process. As such, at present, the applicant has the option of installing 49 caravans (subject to compliance with stipulations in the licence regarding the distances between each caravan and fire assembly points etc).
21. A number of comments have been received suggesting that the proposed levelling works would facilitate an increase in the number of caravans on the

site. In practice, the applicant is proposing 29 units, which is fewer than were on the site prior to its clearance. While the units themselves maybe larger, it is considered that the intensity of use is likely to reduce. Regardless of the proposed works, it is noted that the applicant has a fallback position of stationing caravans up to the allowed density. As such, officers are satisfied that the proposed engineering works would not tacitly allow an increase in the number of units that can be stationed on the site.

Highway Safety

22. Access to the site is achieved via Wick Lane, immediately prior to the public highway becoming a footpath. No alterations are proposed to the access as part of the proposal. Moreover, as noted above, due to the potential reduction in total number of units, number of traffic movements will be reduced. Concerns have been raised by members of the public regarding the suitability of the access. As stated above, the use of the site will not be intensified by the proposals). The Council's Highways Team have reviewed the proposal and indicated that they have no objections to the proposal on the grounds of access provision. It is noted that comments made by the public have put forward a suggestion for the reformation of an additional access. As the proposal is solely for engineering works and does not increase the intensity of the use of the land it is considered that this cannot be justified.
23. Further concerns have been raised regarding the route to access the site. Vehicular access is gained from Wick Lane. Comments raised include concerns regarding the width of the highway in places, the lack of footways and the weight limit of the road. The proposal will require transportation of the fill material to the site using this approach. The Highways Team have not identified that this will have a severe adverse impact on the safety of the Highways.
24. A construction management plan has been produced by the applicant to demonstrate how the impact of the construction process will be mitigated. This includes hours of operation, the provision of a traffic marshal, the vehicles sheeted before leaving the site to reduce materials being spread onto the highway, the use of roadsweepers to clean the road where required and restricting the size of the vehicles bringing the fill material to site, amongst other measures. The Highways Authority have considered this and concluded that it would address the concerns that have been raised. Therefore, subject to a planning condition requiring compliance with the construction management plan the proposal is considered to be acceptable in terms of highway safety.

Drainage

25. The proposal will require significant changes to the land levels across the site, forming a gentle slope. Public concerns have been raised regarding the potential for an increase in surface water run-off, affecting neighbouring properties to the north of the site. The Lead Local Flood Authority have been consulted on the proposals. It is noted that the site has not been identified as being at risk from surface water flooding. However, it is considered appropriate to impose a planning condition to ensure that the proposed development does

not result in an increase in surface water run-off causing the risk of flooding elsewhere.

26. Subject to the imposition of the planning condition, the proposal is considered to be compliant with Policy CS4: Surface Water Flooding of the Bournemouth Local Plan Core Strategy 2014.

Neighbouring Amenity

27. The proposed development will increase the land levels of the site. The levels taper off towards the northern end of the site, as such the caravans at this end of the site are at the same level as the neighbouring properties. The caravans stationed at the other end of the site will be at a higher level than is presently the case.
28. However, the caravans are limited by the 1968 Caravan Sites act to having a maximum height (measured internally from the floor at the lowest level to the ceiling at the highest level) of 3.05 metres. In this respect, they be single storey, therefore there will be no first floor window to window overlooking from the caravan to neighbouring residential properties. The height will also not be sufficient to have an overbearing impact on the neighbouring residential properties.
29. In addition to this, the provided sections demonstrate that due to the cutting of the bank, the ground levels adjacent to the site boundaries are set below the ground level of the neighbouring properties by between 1m and 2m at different points of the site. In addition, there is established screening on all boundaries comprising of a 1.9m fence and vegetation.
30. Taking the above into account, it is considered that the proposal will not have a harmful impact on the amenity of neighbouring residents and is therefore compliant with Policy CS41 Quality Design of the Bournemouth Local Plan Core Strategy 2014.

Impact on the character and appearance of the area

31. The previous caravans were largely set below the ground level of the neighbouring properties to the south, west and east of the site, although Google Street imagery indicates that some were at the same height as the properties on Thornbury Road. Comments received by the public raise concerns that the proposal, by virtue of increasing the land level on part of the site will have a harmful impact on the character of the area.
32. Officers do not agree with this conclusion. It is noted that some of the former caravans on site were prominent in the local area, notably those on the eastern and southern ends of the site which were on a plateau. The caravans on the eastern plateau were visually dominant from Wick Lane:



Google Street View image April 2011

33. The caravans that were stationed at the southern end of the site were also visible on Thornbury Road. As detailed earlier in the report the ground height of the replacement caravans will be lower. As such, it is considered that they will be less visually prominent. While some of the caravans will be on a higher ground level than was previously the case, they will likely only be visible in very localised views, predominantly from Wick Lane. There are no wider views of the site. Additionally, the proposal is for engineering works to level the site which, due to the limited height of the infill will not have any additional impact on the character of the area.
34. Taking into account the above the proposal is considered not to have a harmful impact on the character and appearance of the area and therefore is compliant with Policy CS41: Quality Design.

Biodiversity Net Gain

35. Paragraph 40 of the Natural Environment and Rural Communities Act, under the heading of 'duty to conserve biodiversity' states "every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity."
36. The NPPF at chapter 15 'conserving and enhancing the natural environment' sets out government views on minimising the impacts on biodiversity, providing net gains where possible and contributing to halt the overall decline in biodiversity. The Local Plan at Policy CS35 Nature and Geological Conservation Interests, sets out policy requirements for the protection and where possible, a net gain in biodiversity. In addition, a 10% biodiversity net gain (BNG) is required as per the Environment Act 2021.

37. An ecological impact assessment and Statutory Biodiversity Metric has been submitted with the application. The metric demonstrates that the replacement on-site habitats will result in a reduction of 52.49% BNG (-52.49%). However, the proposal includes an increase of hedgerow habitats.
38. Existing habitat within the site are of moderate distinctiveness including an urban tree and a native hedgerow. It also includes low distinctiveness habitats consisting of vegetated garden, mixed scrub, a poor quality tree and developed land, sealed surface. All but the hedgerow will be lost, due to the nature of the proposed development which consists of engineering works. The applicant is proposing post site intervention of mixed scrub, modified grassland, broadleaved woodland and an urban tree, as well as enhancing the retained hedgerow.
39. As no further gain that can be counted towards the 10% can be provided within the site as set out in the Natural England BNG Guidance, it is considered that in this case the design and layout of the proposal has retained as many habitats, particularly those of moderate distinctiveness, as is possible and as such, though the 10% BNG cannot be achieved, it is accepted and the remainder of the 10% target can be achieved when the statutory condition is discharged prior to commencement, by way of purchasing other biodiversity units, or if this is not possible, biodiversity credits.
40. Therefore, proposal can be made acceptable and in accordance with the relevant legislation and Policy CS35 Nature and Geological Conservation Interests.

Land Contamination

41. Officers note that the Environmental Health Team have identified that the land could have potential land contamination. Given that the proposal includes cutting some of the escarpments, conditions are recommended to monitor the site for contamination. Subject to the conditions the proposal is considered to be acceptable in this regard.

Planning Balance / Conclusion

42. The proposal will enhance the stability of the escarpments surrounding the site. However, the proposals will necessitate the loss of existing habitats to undertake the works. It is noted that members of the public have raised concerns regarding the intensification of the use of the site. However, the site licence restricts the number of caravans that can be stationed on site. The proposed number of twin units on the site will be lower than the number of single units that were formerly on the site and therefore this is not considered to be the case. Officers note that the site has an extant permission that would allow for caravans to be stationed with immediate effect, up to the permitted density.

43. The proposal will not increase flood risk as outlined above, nor will it have a harmful impact on the amenity of neighbouring residents. In addition, given the lack of wider views, the proposal will not have a harmful impact on the character of the area. Biodiversity Net Gain will be met by a combination of onsite and offsite measures.
44. Taking account of the above, officers consider that the proposal is acceptable and in accordance with the relevant planning policies outlined in the report.

Recommendation

45. **GRANT** permission for the reasons as set out in this report subject to:
- the following conditions with power delegated to the Head of Planning Operations (including any officer exercising their powers if absent and/or the post is vacant, and any other officer nominated by them for such a purpose) to alter and/or add to any such conditions provided any alteration/addition in the opinion of the Head of Planning (or other relevant nominated officer) does not go to the core of the decision; together with
 - a deed pursuant to section 106 Town and Country Planning Act 1990 (as amended) securing the terms below with power delegated to the Head of Planning (including any officer exercising their powers if absent and/or the post is vacant and any other officer nominated by them for such a purpose) to agree specific wording provided such wording in the opinion of the Head of Planning (or other relevant officer) does not result in a reduction in the terms identified in this report.

OR

Refuse if S106 agreement is not signed due to the failure to provide suitable biodiversity net gain.

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:

1441.1 Location Plan

1441.4 A Existing & Proposed Sections

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

2. Reporting of unexpected contamination

The presence of any previously unencountered contamination that becomes evident during the development of the Site shall be reported to the Planning Authority in writing within one (1) week, and work on the affected area shall cease with immediate effect.

At this stage, if requested by the Planning Authority, an investigation and risk assessment shall be undertaken, and an amended remediation scheme shall be submitted to and approved by the Planning Authority prior to re-commencement works in the affected area. The approved details shall be implemented as approved. Following completion of the above remediation works a Verification Report must be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved.

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

3. Implementation of Construction Method Statement

Before the approved development begins, the submitted Construction Environmental Management Plan must be fully implemented and adhered to throughout the entire construction and movement of the caravan's period.

Reason: To minimize the impact of construction traffic on the surrounding highway network and prevent the deposit of loose material on the adjoining highway.

4. Surface Water Drainage (SUDS Implementation)

Before the commencement of development, unless otherwise agreed in writing by the Local Planning Authority, a scheme for the whole site providing for the disposal of surface water run-off and incorporating sustainable urban drainage systems (SUDS), shall be submitted to and approved in writing by the Local Planning Authority. The drainage works shall be completed in accordance with the approved details prior to occupation of the development or in accordance with a timetable to be agreed in writing by the Local Planning Authority. The scheme shall include the following as appropriate:

- a) A scaled plan indicating the extent, position and type of all proposed hard surfacing (e.g. drives, parking areas, paths, patios) and roofed areas.
- b) Details of the method of disposal for all areas including means of treatment or interception for potentially polluted run off.
- c) Scaled drawings including cross section, to illustrate the construction method and materials to be used for the hard surfacing (sample materials and literature demonstrating permeability may be required).

Reason: To provide satisfactory drainage for the development in accordance with Policy CS4 of the Bournemouth Local Plan: Core Strategy (October 2012) and in order to achieve the objectives set out in the Local Planning Authority's Planning Guidance Note on Sustainable Urban Drainage Systems.

5. BNG LEMP

No part of the development hereby permitted shall be commenced, including any site clearance for the purposes of the development, unless a Landscape and Ecology Management Plan ("LEMP") has first been submitted to and approved in writing by the local planning authority. The LEMP shall accord with the Biodiversity Gain Plan

approved for the purposes of the development [and] the approved HMMP required in accordance with the conditions forming part of this permission (“the agreed HMMP”) together with the recommendations contained in the Biodiversity Net Gain Assessment dated January 2025. The LEMP shall in particular include:

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

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

Reason: To ensure there is adequate protection for the existing habitats and provide suitable external amenity space for future occupiers in accordance with Policies CS35 of the Bournemouth Local Plan Core Strategy 2014 and to ensure 10% Biodiversity Net Gain can be provided in accordance with the Biodiversity Gain Hierarchy as per paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 and the Environment Act 2021.

6. BNG HMMP

(a) No part of the development hereby permitted shall be commenced, including any site clearance for the purposes of the development, unless a Habitat Management and Monitoring Plan (“HMMP”) has first been submitted to and approved in writing by the local planning authority.

(b) The HMMP shall accord with the Biodiversity Gain Plan approved for the purposes of the development hereby permitted and the recommendations contained in Biodiversity Net Gain Assessment dated January 2025.

(c) The HMMP shall in particular include:

(A) a background section; including:

- (i) a high level summary of all relevant matters identified in the HMMP;
- (ii) details of the person(s) who have written the HMMP and who will be responsible for delivery and maintenance of all Habitat Provision; and
- (iii) the metric used for the purposes of the HMMP; and

(B) a section setting out all planned habitat activities, including:

- (i) overarching aims and objectives;
- (ii) design principles informed by all relevant baseline information;

- (iii) full details of the Habitat Provision;
- (iv) a Condition Target for each habitat forming part of the Habitat Provision together with targets required to meet every Condition Target including timelines against which progress against those targets can be assessed;
- (v) details of all protective, management and maintenance measures in relation to the Habitat Provision to cover a period of at least thirty years from the Completion of Development; and
- (vi) details of any identifiable risk relating to the Habitat Provision and also the meeting of any Condition Target together with initial identified remedial measures relating to any such risk; and
- (C) a monitoring schedule section including:
 - (i) a monitoring strategy;
 - (ii) details of monitoring methods to be used for a Monitoring Report together with intervals for the provision of every Monitoring Report to the local planning authority; and
 - (iii) details of how Adaptive Management will be incorporated into meeting every Condition Target; and
- (D) plans and details reasonably necessary for each section.

(d) No part of the development shall be occupied or otherwise brought into use unless the local planning authority has approved in writing the Completion of Development Report.

(e) The approved HMMP shall at all times be accorded with. If at any time it is identified that any Condition Target specified in the approved HMMP may not be, or is no longer being, met then Adaptive Management shall be implemented without unreasonable delay sufficient to ensure that the Condition Target will be met or continues to be met (as the case may be) in accordance with the approved HMMP.

(f) Whenever a Monitoring Report is submitted to the local planning authority in accordance with the approved HMMP, in addition to any other information, it shall in particular include:

- (i) a progress summary;
- (ii) details of the person(s) responsible for compiling the information in the monitoring report;
- (iii) details identifying the success or failure of the Habitat Provision both generally and in particular as against every relevant Condition Target;
- (iv) progress toward every Condition Target including any identified barrier(s) to such progress;
- (v) any Adaptive Management required to ensure that the Habitat Provision is on track to meet each Condition Target and continues to meet every Condition Target once achieved;
- (vi) a register of activity; and
- (vii) any identified need to vary the approved HMMP together with relevant explanation.

For the purposes of this condition:

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

including any procedure(s) that the local planning authority may at any time specify in writing for such a purpose [in the event of any procedure not proving successful;

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

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

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

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

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

Reason -To ensure there is adequate protection for the existing habitats and provide suitable external amenity space for future occupiers in accordance with Policies PP33 and PP27 respectively of the Poole Local Plan November 2018 and to ensure 10% Biodiversity Net Gain can be provided in accordance with the Biodiversity Gain Hierarchy as per paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 and the Environment Act 2021.

Informative Notes:

1. S106 Legal Agreement

This permission should be read in conjunction with the legal agreement under section 106 of the Town and Country Planning Act dated [TBC], the obligations in which relate to this development.

2. Informative BNG - Approval Required

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

arrangements which mean that the biodiversity gain condition does not always apply. These are listed in paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024.

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

3. Statement required by the National Planning Policy Framework

In accordance with paragraph 39 of the revised NPPF the Council, as Local Planning Authority, takes a positive and proactive approach to development proposals focused on solutions. The Council works with applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this instance, the applicant/agent was provided with the opportunity to address issues identified by the case officer and the application has been recommended for approval.

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.

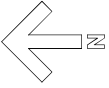
This excludes all documents which are considered to contain exempt information for the purposes of Schedule 12A Local Government Act 1972.

Reference to published works is not included.

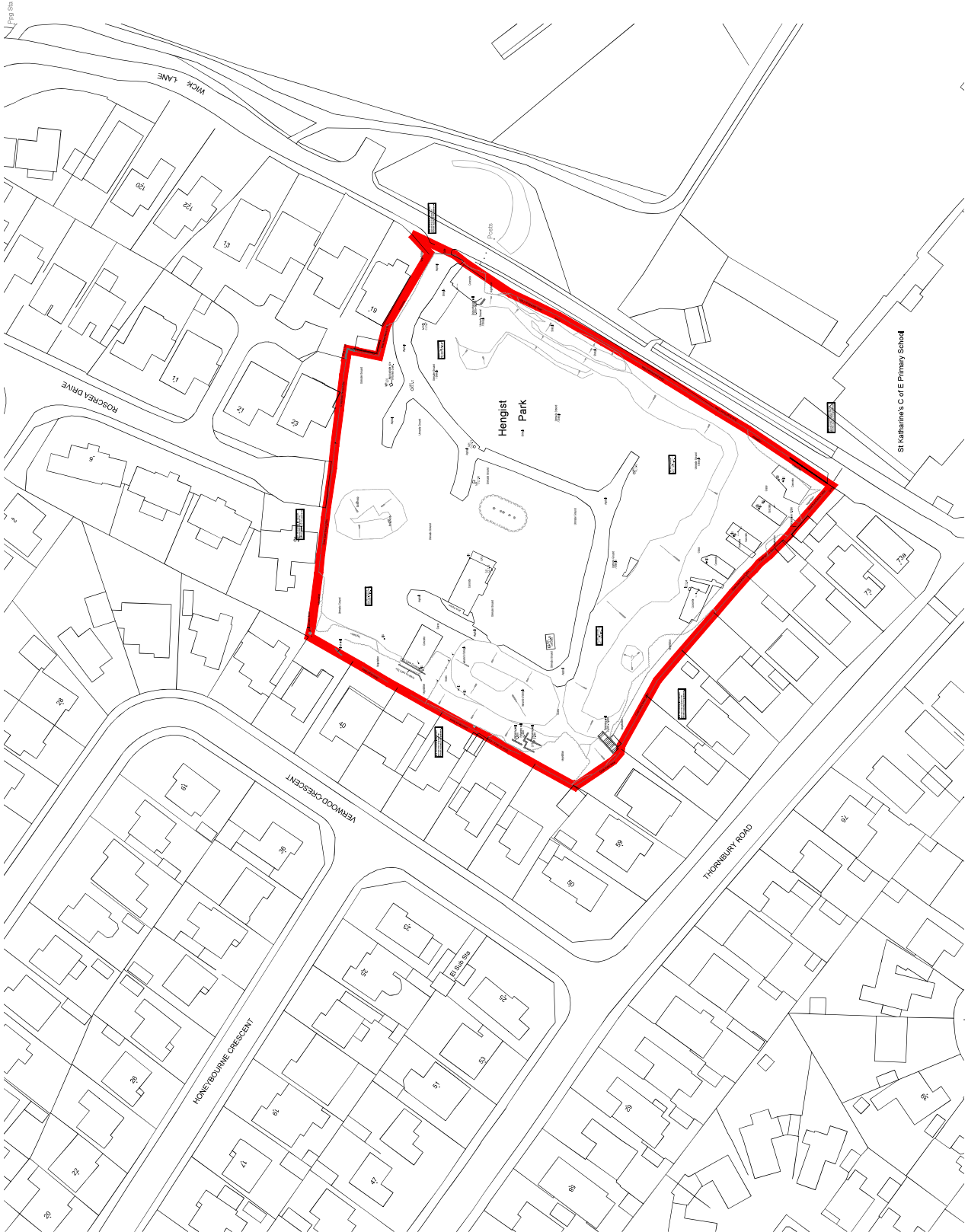
Case Officer Report Completed

Officer: Peter Walters
Date: 31/01/2025

Agreed by:
Date:
Comment:



KEY
BOUNDARY LINE



REF	DESCRIPTION	DATE	NOTES

Bratherton PARK DESIGN CONSULTANTS Chester Business Park • Chester • CH1 4PL E: info@bratherton.co.uk W: www.bratherton.co.uk T: 01244 853 000	CHRISTCHURCH MARINA
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DATE: 27/02/24	SCALE: 1:1250 @ A1	DRAWING: 03	CREATED: 28/01/24	REV: 1	JOB: 444/2
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Planning Committee

Application Address	156 River Way, Christchurch, BH23 2QU
Proposal	Sever rear garden of 156 River Way. Construct 1 x 4 bed dwelling with garage, associated parking and amenity space. Demolish existing garage to create access to new dwelling, to include bin presentation point to the front of the site
Application Number	8/24/0151/FUL
Applicant	D R Property Ltd
Agent	Mr Matt Stevens
Ward and Ward Member(s)	Commons- Councillor Margaret Phipps Councillor Vanessa Ricketts
Report Status	Public
Meeting Date	20 February 2025
Summary of Recommendation	Grant in accordance with the details set out below for the reasons as set out in the report
Reason for Referral to Planning Committee	Called in by Councillor Phipps for below reasons: Contrary to Policy ME6, no sequential test submitted. There are sequentially preferable sites outside the flood risk area within the LA planning area. Contrary to Policy HE2, not compatible with or improves its surroundings.
Case Officer	Peter Walters
Is the proposal EIA Development?	No

Description of Proposal

1. The application seeks full planning permission to sever the garden of 156 River Way and construct a four bed dwelling with garage, associated parking and amenity space
2. The site would be severed approximately 19.8 metres to the rear of No.156. The new dwelling would be served by an access off River Way and would benefit from a parking and turning area to the front and a garden to the rear.
3. The proposed dwelling would be a chalet bungalow style, with accommodation in the roof. It would benefit from an integral garage and a total of four bedrooms.

Description of Site and Surroundings

4. The application site is located to the west of River Way and includes No.156 River Way and its garden to the rear. The existing dwelling is a bungalow and surrounding development comprises of a mix of one and two storey dwelling. The wider area has in recent years seen a rise of infill cul-de-sac

developments that range in size, the nearest being No's 1-3 River Glade, sited to the rear of No's 158-162 River Way.

5. The site is located adjacent to the Green Belt, to the rear of the site. The rear of the site is also located within Flood Zone 2 and Future Flood Zone 3a and 3b, as indicated on the Strategic Flood Risk Assessment for Christchurch. Present day flood zone 3 lies to the rear of the site, however the site is not within present day flood zone 3.

Relevant Planning History:

6. 8/06/0375 - 158 and land to rear of 160 & 162 River Way, application to sever land and erect three dwelling houses with access and parking and rebuild 158 River Way, approved 23/11/2006 and implemented as 1 – 3 River Glade.
7. 8/18/1773/FUL - Land to rear of 33-37 River Way, application to construct two chalet bungalows with associated landscaping, parking & access, approved 10/06/2019
8. 8/18/1549/FUL - Land to rear of 29 Cross Way and 59 River Way, application to construct six 4-bedroom properties with parking and gardens, access from Cross Way, approved 15/5/2020 .
9. 8/20/1191/FUL - Land rear of 150-156 River Way Christchurch BH23 2QU, application for subdivision of the plots and construction of three new homes to the rear of the existing buildings together with associated parking, access and landscaping. (extension at the side of no.150 River Way to be demolished). Refused 14/07/2021. Appeal lodged and dismissed. The reasons for refusal were the impact of the development on protected trees and the lack of Heathland mitigation
10. 8/21/0842/FUL- Land rear of 150-156 River Way Christchurch BH23 2QU, application Subdivision of the plots and construction of two new homes to the rear of the existing buildings together with associated parking, access and landscaping. (extension at the side of no.150 River Way to be demolished) (Revised scheme). Refused 12/05/2023. The reasons for refusal where the lack of Sequential Test.

Constraints

11. The application site is located adjacent to the Green Belt.
12. The rear of the site is located within Flood Zone 2 and Future Flood Zone 3a and 3b, as indicated on the Strategic Flood Risk Assessment for Christchurch. Present day flood zone 3 lies to the rear of the site, however the area to be developed is not within the flood risk zones.
13. The site is within 5km of Ramsar Heathland. In accordance with the Heathlands SPD mitigation is required by means of a Strategic Access, Mitigation and Monitoring payment (SAMM).
14. The site is in the catchment area of the River Avon Special Area of Conservation (SAC). Mitigation is required to offset the increase in phosphate load generated by the proposed development.

Public Sector Equalities Duty

15. 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

16. 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.
17. With regard to sections 28G and 28I (where relevant) of the Wildlife and Countryside Act 1981, to the extent consistent with the proper exercise of the function of determining this application and that this application is likely to affect the flora, fauna or geological or physiographical features by reason of which a site is of special scientific interest, the duty to take reasonable steps to further the conservation and enhancement of the flora, fauna or geological or physiographical features by reason of which the site is of special scientific interest.
18. In accordance with section 40 Natural Environment and Rural Communities Act 2006, in considering this application, regard has been had, so far as is consistent with the proper exercise of this function, to the purpose of conserving biodiversity.
19. For the purposes of this application, in accordance with section 2 Self-build and Custom Housebuilding Act 2015, regard has been had to the register that the Council maintains of individuals and associations of individuals who are seeking to acquire serviced plots in the Council's area for their own self-build and custom housebuilding.
20. 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.
21. 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

22. **BCP Highways Authority-** No highway objections, subject to the attachment of conditions to ensure the access, parking and turning areas, and the submission of details of secure cycle parking facilities and EV charging points.
23. **Planning Policy Team-** As the dwelling, parking, access and egress are all located outside the flood zone 2 and 3, a sequential test is not required.
24. **Tree Team-** No objection, subject to the attachment of conditions to ensure the development is carried out in accordance with the submitted tree reports, and full plans and particulars showing the siting of services and soak ways are submitted for approval prior to commencement of development.
25. **Biodiversity Officer-** No objection, if permission is granted biodiversity mitigation and enhancement as outlined in Preliminary Ecological Appraisal shall be implemented in full.
26. **Flooding Team-** Recommended that the LPA satisfy themselves that the Sequential Test has been satisfied.

27. **Natural England**- No objection subject to mitigation being secured
28. **Environment Agency**- No comments received
29. **BCP Waste and Recycling**- No comments received
30. **Christchurch Town Council**- No comments received
31. **Dorset & Wilts Fire & Rescue Service**- No comments received

Representations

32. A site notice was erected on 14th March 2024 with an expiry date of 6th April 2024.
33. In total, 10 letters of objection have been received, commenting on the following:
 - Site is at flood risk
 - Concerns regarding impact on wildlife
 - Concerns regarding spillage into river
 - Central Government Policy does not support digging up and selling on back gardens
 - Overdevelopment already evident in area
 - Concerns regarding drainage
 - Overshadowing
 - Overlooking
 - Overbearing
 - Creation of precedent
 - Architectural style and design is not compatible with and neither improves surroundings
 - Concerns regarding height of building
 - Request for surety that additional water will be routed away from neighbours property
 - Proximity of scheme to boundaries
 - Reference to developers as a 'cartel'
 - Reference to planning system being not fit for purpose
 - Images of flooding submitted
 - Concerns regarding increase in traffic and parking dangers
 - Concerns regarding application process- names and addresses of those making representations should not be shown
 - Reference to the council being once of the worst councils open to potential planning corruption
 - Responses should not be ignored
 - Website claiming there are no associated neighbours is incorrect
 - Lack of parking in area

Key Issue(s)

34. The key issue(s) involved with this proposal are:
 - Principle of development including Sequential Test for Flood Risk
 - Impact on character and appearance of area

- Impact on residential amenities
- Impact on highways and parking
- Flooding and Drainage
- Other Matters

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

Policy context

36. Local documents:

Christchurch and East Dorset Local Plan – Core Strategy (2014)

- KS1: Presumption in favour of sustainable development
- KS2: Settlement Hierarchy
- KS4: Housing Provision in Christchurch and East Dorset
- KS11: Transport and development
- KS12: Parking Provision
- HE2: Design of new development
- HE3: Landscape Quality
- LN1: The Size and Type of New Dwellings
- LN2: Design, Layout and Density of New Housing Development
- ME1: Safeguarding biodiversity and geodiversity
- ME2: Protection of the Dorset Heathlands
- ME3: Sustainable development standards for new development
- ME6: Flood Management, Mitigation and Defence

Christchurch Borough Council Local Plan (2001) – saved policies

- H12: Residential Infill
- H16 Crime Prevention and Design
- ENV1: Waste Facilities in New Development
- ENV 5 Drainage and New Development
- ENV 6 Connection of Development to Mains System
- ENV21: Landscaping in New Development

Supplementary Planning Guidance (SPG):

- Dorset Heathlands Planning Framework 2020 to 2025 SPD (March 2020)
- BCP Parking Standards SPD
- Christchurch Borough Wide Character Assessment 2003

Other Documents:

- Phosphorous in the River Avon – Position Statement (2024)

37. National Planning Policy Framework 2024 (“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 and safe communities

Section 9 – Promoting sustainable transport

Section 12 – Achieving well-designed places

Section 14 – Meeting the challenge of climate change, flooding and coastal change

Section 15 - Conserving and enhancing the natural environment

Section 16 - Conserving and enhancing the historic environment

Planning Assessment

Principle of Development including Flooding Sequential Test

- 38. The application site is located within an established residential area. The site is within the urban area of Christchurch which is a Main Settlement in the settlement hierarchy in Policy KS2 that will provide the major focus for community, cultural, leisure, retail, utility, employment and residential development. This will include infill development as well as options for some greenfield development. The site is a sustainable location with access to the services and facilities this location provides, including the public transport links. KS2 allows for smaller scale residential development within the existing urban areas and therefore it is considered the principle of new dwellings in this location complies with the Local Plan.
- 39. Paragraph 73 of the NPPF states; *‘Small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should: d) support the development of windfall sites through their policies and decisions – giving weight to the benefits of using suitable sites within existing settlements for homes;’*
- 40. The western part of the site is situated within the existing flood risk zones 2 and 3 as well as future flood risk zones 2 and 3. As such, a Sequential Test would be required to demonstrate no alternative sites are available to accommodate the proposed development. However, the area of the site to be developed, including the access and escape routes are situated outside of both the existing and future flood zones. Paragraph 175 of the NPPF 2024 states that, *“The sequential test should be used in areas known to be at risk now or in the future from any form of flooding, except in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk)”* The Council’s Planning Policy officers have reviewed the application and commented that since the development will be completely outside of current and future flood zones 2 and 3, Sequential Test will not be required in this instance. The applicant has submitted a Flood Risk Assessment to demonstrate the acceptability of the proposed development. In accordance with Paragraph 175 of the NPPF, development is considered to be acceptable.

41. The Council does not have a 5-year housing land supply as it currently stands at 2.1 years. However, as the site is within flood risk zone, in accordance with paragraph 11.d.i, the tilted balance will not engage. Notwithstanding, as the proposal is sustainably located within the settlement boundary of Christchurch according to policies KS1 – Presumption in Favour of Sustainable Development, and KS2 – Settlement Hierarchy and the proposed development will be located outside of current or future Flood Zones 2 and 3, the proposal complies with policy ME6 – Flood Management, Mitigation and Defence of core strategy and is acceptable in principle.

Type of housing and size

42. Policy LN1 refers to the Strategic Housing Market Assessment (2015) and the Housing Quality Indicators and in particular the size of proposed housing. The SHMA identifies that 2- and 3-bedroom properties are what is mostly required in the Christchurch area. The proposal is for 1no. 4-bedroom houses. Although the 4-bed units are not considered to technically meet this need, given the current housing land supply issues there is no justification for refusing the application on this ground alone.

Impact on character and appearance of the area

43. Policy HE2 states that development will be permitted if its compatible with or improves its surrounding in relation to layout, site coverage, style, scale, bulk, height, mass, materials and landscaping.
44. With regards to the proposed plot severance, it is noted that the existing site will be severed approximately 19.8 metres to the rear of the existing dwelling. The resultant plots will be shorter in length in comparison to those located to the south of the site. However it is noted that plot size to the north is more varied following the approval and construction of River Glade. No's 158-162 River Way each have shorter rear gardens given the development to the rear of the site, whilst the dwellings located within River Glade are all situated on smaller plots. It is noted that the building line on the western side of River Way is not consistent, with some dwellings being notably set back (144 River Way is approximately 25m from the street), whilst others are closer to the street (148 River Way is approximately 6m from the street). River Glade, to the north is an infill development that is not related directly to River Way and does not follow the building line. The proposed dwelling is not aligned with the neighbouring property in River Glade due to the incursion into the flood risk zone. Given the varied building lines, it is considered that the proposed development would not be harmful to the character of the area in this respect. Officers note the public comments raising concerns that the proposal would represent overdevelopment of the site. However, given the site is considered to be large enough to accommodate both dwellings while providing an acceptable degree of amenity. As such, it is considered that the proposed plot severance and resultant plot sizes of both No's 156 and that of the proposed dwelling would not be at odds with the surrounding pattern of development.
45. The proposed dwelling will have a front projection closest to the northern boundary and an integral garage located towards the southern boundary. It will span most of the width of the site, however this is not uncommon within the surrounding area. Parking will be located to the frontage and a rear garden will be situated to the rear of the dwelling. Overall, the amount of plot coverage is considered acceptable and in keeping with surrounding development.
46. The proposed dwelling is a chalet bungalow style. Overall, the proposed height of the dwelling is in keeping with surrounding development, where both bungalows and two storey dwellings are evident. The dwelling will have a hipped roof with some projected and recessed elements. Both the style of the dwelling, and proposed materials are considered in keeping with surrounding development, where a range of styles and materials are evident.
47. It is noted that the previous scheme (8/21/0842/FUL) which sought permission for two dwellings to the rear of No's 150-156 concluded that the scheme had an acceptable impact on the character and appearance of the area, in accordance with policy.
48. Overall, the proposed design form is considered to be acceptable and its appearance is sympathetic to the style of properties within the road and thus considered acceptable. The scheme is considered to

comply with the test in Policy HE2 to be compatible with or improve its surroundings in its layout; site coverage; architectural style; scale; bulk; height; materials and visual impact.

Future residential amenity

49. In relation to the residential amenity of future occupiers, the dwelling will measure a total of 151.5 sqm. This is well above the threshold set out in the minimum space standards for a 4 bedroom single storey dwelling accommodating 8 people. 3 of the 4 bedrooms exceed the minimum floorspace required by the Technical Space Standards (which requires one of the double rooms to exceed the threshold). Each room has natural lighting, provided by either windows or rooflights. The building will not be overshadowed by other buildings and therefore will receive adequate sunlight. It will benefit from a spacious open plan kitchen/living/diner on the ground floor. There will also be a lounge to the front of the property. In total there will be four bedrooms, with one located on the ground floor. Private amenity space will be provided to the rear, which is 17m in length and considered to be sufficient. Overall, it is considered that the proposed dwelling will provide an acceptable standard of amenity for future occupiers. The proposal will be in accordance with policy HE2 with regard to future residential amenity.

Neighbouring residential amenity

50. In terms of impact on neighbouring amenity, all side elevation windows above ground floor level are rooflights set at 1.7 metres above finished floor level. The submission of boundary treatment details can be conditioned in the event of an approval, to ensure no loss of privacy from windows at ground floor level on the side elevations. Given the above, the scheme will not result in overlooking to No.154 or No.156 or the properties in River Glade. Furthermore, it is noted that the dwelling will sit mostly adjacent to part of the access road to the properties in River Glade to the northern boundary. There are no residential properties located to the rear of the site, therefore the rear elevation windows will not result in overlooking. The only windows above ground floor level on the front elevation are also roof lights set at 1.7 metres above finished floor level- they will therefore not result in material harm by way of overlooking to the residents of No.156 River Way. Overall, it is considered that the scheme will not result in any unacceptable overlooking.
51. Given separation distances from neighbouring dwellings, and the acceptable size of the proposed dwelling (chalet bungalow) it is unlikely to appear oppressive or overbearing to neighbouring dwellings. Given its siting in relation to neighbouring dwellings, it is unlikely to result in any loss of light or overshadowing.
52. The additional pedestrian movements from the new dwellings although noticeable to the neighbours, the noise and disturbance arising would be of a residential nature and scale not so great as to materially harm the amenities of these neighbours.
53. It is noted that the previous refusal at the site (8/21/0842/FUL) concluded that the scheme would have an acceptable impact on the living conditions of adjoining neighbours.
54. Overall, the proposal is considered to have acceptable impacts on the residential amenities of neighbouring residents. The scheme is therefore considered to comply with Policy HE2 in this regard.

Impact on highways and parking

55. The proposed dwelling would be provided with sufficient parking within the site to meet guidelines (The Parking Standards SPD 2021). The existing dwelling would also retain enough parking on the existing driveway/frontage to meet SPD guidelines. Onsite turning would be possible.
56. The Parking Standards SPD outlines the requirements for electric vehicle (EV) charging in new development. In order to future proof development ahead of the expected transition to electric vehicles, the Council expects the inclusion of charging points for electric vehicles in all new developments.

Proposals for houses with at least one designated parking space within the curtilage of its own plot must ensure the installation of at least one 'active' EV charging point (active and passive charging points are defined within the Parking Standards SPD (page 23)). As such, the proposed dwelling would need to have an active EV charge point. This matter could be dealt with by way of planning condition.

57. Furthermore, the SPD requires new dwellings, including houses, to be provided with cycle parking. It is noted that the proposed plan suggests cycle parking would be provided within the garage, however, the garage would not be large enough to accommodate formal cycle parking and car parking, and therefore the proposed dwelling should be provided with a cycle store, with suitable cycle stands, and sufficient capacity for at least four cycles (one cycle per bedroom). This matter can be secured by condition.
58. BCP Highways Authority have confirmed that they have no objection to the scheme, subject to conditions to ensure the access, parking and turning areas, and the submission of details of secure cycle parking facilities and EV charging points.
59. Overall, with the attachment of conditions, the scheme will not result in a detrimental impact to highway safety or parking provision, in accordance with policy KS12 – Parking Provision and the BCP Council Parking SPD.

Flooding and drainage

60. The rear of the site is located within Flood Zone 2 and Future Flood Zone 3a and 3b, as indicated on the Strategic Flood Risk Assessment for Christchurch. Present day flood zone 3 is situated adjacent to the rear boundary of the site. Numerous objections have stated that a Sequential Test is therefore necessary. It is however evident that the dwelling, access and egress are located outside of the flood zone. Paragraph 175 of the NPPF allows for development to take place where the development is outside of the area that is at risk of flooding. A Sequential Test is therefore not necessary, this has been confirmed by the Planning Policy Team. It is noted that the flooding team have suggested a Sequential Test is necessary- such an issue is however a planning policy matter. The LPA are content that no Sequential Test is necessary in this instance, for the reasons explained above.
61. The flood risk assessment has outlined a number of measures to incorporate flood resilience into the new build. Some of these measures include using flood resilience materials and making sure doors are flood proof. Such measures can be secured via a condition in the event of an approval. Given the actual dwelling itself will be situated in flood zone 1, further details of drainage are not deemed necessary.
62. Overall, the LPA are content that the scheme complies with the test in the NPPF to direct development towards areas at the least risk of flooding and Policy ME6.

Biodiversity

63. A Preliminary Ecological Appraisal (PEA) was submitted alongside the application. This confirms that there are no protected habitats or records of any protected species within the site, or within 100 metres of the site. It is noted that a garage will be demolished to accommodate the new dwelling. A walkover survey found no Potential Roost Sites for bats or bird nests on the garage and that the site largely consists of a closely cut lawn, and mature non-native shrubs and non-native evergreen Leyland cypress hedges along the site boundaries.
64. The PEA advises that the development provides an opportunity to achieve a significant biodiversity net gain within the site through enhancements for: bats; bees; birds; and hedgehogs. New planting within the site can also be carried out that would create new habitats. The recommendations outline a number of mitigation and enhancement measures.

65. The Biodiversity Officer has been consulted on the scheme and has no objection subject to the attachment of a condition to ensure the outlined mitigation and enhancement measures are implemented in full. The application was submitted prior to the requirements of the Environment Act 2021 coming into force. As a result, this proposal is not required to provide 10% Biodiversity Net Gain.
66. Overall, with the use of the above condition, it is considered that the scheme will be in accordance with Policy ME1.

Heathland Mitigation

67. The site is within 5km of a designated Dorset Heathlands SPA (Special Protection Area) and Ramsar Site, and part of the Dorset Heaths candidate SAC (Special Area of Conservation). Working in collaboration with Dorset Council and with advice from Natural England, BCP Council has adopted the Dorset Heathlands Planning Framework 2020 – 2025 Supplementary Planning Document, the purpose of which is to set out the approach to avoid or mitigate harm to these protected sites. In this instance, it is considered that the proposal is likely to have a significant effect on the Dorset Heathlands; however, having undertaken an appropriate assessment it is believed that the integrity of these sites can be maintained provided appropriate mitigation is secured. In this case, a financial contribution of £510 plus an administration fee of £75 is considered necessary for the purposes of such mitigation; such contribution to be secured by way of an appropriate planning obligation.

Phosphates into the River Avon SAC

68. The site is situated within the catchment area of the River Avon Special Area of Conservation (SAC). Natural England have identified that phosphates released into the SAC from waste water generated by human occupation is harming the SAC. Accordingly, all development that involves a net increase in the number of dwellings must provide mitigation to prevent the phosphate load into the SAC being increased. This is achieved by purchasing credits from two providers that own sites formerly used for fish farming (which released phosphates into the SAV). The applicant has calculated the phosphate load generated by the net increase of one dwelling and has an agreement to purchase the equivalent credits. A Grampian planning condition will be added to ensure that the agreement credits will be purchased prior to commencement of the development. Subject to this condition, the proposal is considered to be acceptable.

Impact on trees

69. Trees on the application site are not protected by any statutory protection but trees off site are protected by TPO 1993 no.16 and 1982 no. 4 with individual designations. The application has been supported by an arboricultural impact assessment and method statement with tree protection plan, which identifies the constraints of trees on site and any off site tree which would impact the site, along with possible impacts to trees from the development and methods of tree protection to avoid accidental damage during development. Tree on an off site remain clear of the proposed development and it has been demonstrated in the arboricultural information that there is adequate space to locate new services drains.
70. The Tree Team have been consulted and have confirmed that they have no objection to the scheme subject to attachment of conditions to ensure the development is carried out in accordance with the submitted tree reports, and full plans and particulars showing the siting of services and soak ways are submitted for approval prior to commencement of development. Consequently the proposal is in accordance with policy H3 Landscape Quality subject to conditions.

Other Matters

71. It is noted that a representation raises a number of queries and requests various assurances from the Council. The same neighbour states that they do not wish for their queries to be ignored. The

Statement of Community Involvement however clearly advises that it is not possible to respond to specific points raised in representations.

72. A representation refers to previous applications and developers as a 'cartel.' They also suggest corruption within the Council. The application has however been assessed against planning policy and any other material considerations, as required by the NPPF, and as any other planning application received by the LPA is.
73. It is noted that bin storage is indicated on the site plan, to the side of the dwelling. Bins could easily be pulled up to the kerbside on collection day, then returned. This is considered acceptable. It is noted that the waste team were consulted however no comments were received.

Planning Balance / Conclusion

74. The Council encourages sustainable development. This seeks to strike a balance between the economic benefit of the development, the environmental impacts and the social benefits derived by the creation of much needed housing. The proposal would provide for 1 additional dwelling.
75. The scheme has an acceptable impact on the character and appearance of the area, and also an acceptable impact on the amenity of future occupiers and that of neighbouring residents. It will not increase flood risk and will have an acceptable impact on highway safety and parking provision.
76. Given the shortfall of the number of homes delivered in the Local Plan area, the balance is tilted in favour of sustainable development and granting planning permission except where the benefits are significantly and demonstrably outweighed by the adverse impacts or where specific policies in the NPPF provide a clear reason for refusal.
77. Having recognised the collective benefits of the proposed scheme, it is concluded that the scheme would achieve the economic, social and environmental objectives of sustainable development, in line with the adopted local policies and the provisions of the NPPF.
78. The scheme is therefore recommended for approval, subject to conditions and the completion of a Section 106 agreement to secure Heathlands mitigation.

Recommendation

79. **GRANT** permission for the reasons as set out in this report subject to:
- the following conditions with power delegated to the Head of Planning Operations (including any officer exercising their powers if absent and/or the post is vacant, and any other officer nominated by them for such a purpose) to alter and/or add to any such conditions provided any alteration/addition in the opinion of the Head of Planning (or other relevant nominated officer) does not go to the core of the decision; together with
 - a deed pursuant to **section 106** Town and Country Planning Act 1990 (as amended) securing the terms below with power delegated to the Head of Planning (including any officer exercising their powers if absent and/or the post is vacant and any other officer nominated by them for such a purpose) to agree specific wording provided such wording in the opinion of the Head of Planning (or other relevant officer) does not result in a reduction in the terms identified in this report.

S106 Heads of Terms:

Unilateral Undertaking by the developer to provide a SAMM payment of £510.00 plus £75.00 administration fee in relation to mitigating the harm caused by the development to heathlands as set out above.

Conditions

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

Reason: This condition is required to be imposed by the provisions of Section 91 of the Town and Country Planning Act 1990 and amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

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

Location & Block Plan, Drg No. ASP.24.014.001 received 01/03/2024
Proposed Site Plan, Drg No, ASP.24.014.002 received 01/03/2024
Proposed Floor Plans, Drg No. ASP.24.014.100 received 01/03/2024
Proposed Elevations, Drg No. ASP.24.013.100 received 01/03/2024

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

3. No development shall commence unless proposals for the mitigation or offsetting of the impact of phosphorus arising from the development on the River Avon Special Area of Conservation (SAC), including mechanisms to secure the timely implementation of the proposed approach, have been submitted to and approved in writing by the Local Planning Authority. Such proposals must: (a) Provide for mitigation which achieves a phosphorous neutral impact from the development; and (b) Provide details of the manner in which the proposed mitigation is to be secured. Details to be submitted shall include arrangements for the ongoing monitoring of any such proposals which form part of the proposed mitigation measures. The development shall be carried out in accordance with and subject to the approved proposals.

Reason: To ensure that the development does not increase the phosphate load on the River Avon SAC, which has been demonstrated to cause harm to the SAC.

4. Notwithstanding details already submitted, full plans and particulars showing the final siting of the services and soakaways shall be submitted to the Local Planning Authority for written approval prior to commencement of groundworks on site.

Reason: To ensure that the neighbouring tree, its rooting environment is afforded adequate physical protection during construction in accordance with Policy HE3 – Landscape Quality.

5. No work shall be carried above ground level unless particulars of the materials to be used for external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Such particulars will include the manufacturers specifications of the materials proposed.

Reason: In the interest of ensuring the character of the area is maintained in accordance with Policy HE2 - Design of New Development of the Christchurch and East Dorset Local Plan 2014.

6. The development hereby permitted shall not be occupied or utilised until the access, parking, and turning areas shown on the approved plans have been constructed. Thereafter, these areas shall be maintained, kept free from obstruction and available for those purposes specified.

Reason: In the interests of highway safety, in accordance with Policy KS11 of the Christchurch and East Dorset Local Plan Part 1 Core Strategy (April 2014), and the Parking Standards SPD (2021).

7. Prior to the first occupation of the development, details of secure cycle parking facilities shall be submitted to, and approved in writing by, the Local Planning Authority, implemented in accordance with the agreed details and thereafter retained.

Reason: In order to secure the provisions of appropriate facilities for cyclists in accordance with Policy KS11 of the Christchurch and East Dorset Local Plan Part 1 Core Strategy (April 2014), and the Parking Standards SPD (2021).

8. Within 3 months of the commencement of the development details of the provision of Electric Vehicle Charging Points and associated infrastructure shall be submitted to the Local Planning Authority for approval in writing. Those details shall be in accordance with the BCP Council Parking Standards SPD (adopted 5th January 2021). The approved details shall be implemented and brought into operation prior to the first occupation of the residential unit hereby approved. Thereafter the Electric Vehicle Charging Points shall be permanently retained available for use at all times.

Reason: In the interests of promoting sustainable development including sustainable forms of transport in accordance with Policies KS1 and KS11 of the Christchurch and East Dorset Local Plan Part 1 Core Strategy (April 2014), and the Parking Standards SPD (2021).

9. The development hereby approved shall be carried out in accordance with the Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement, by KJF Consultancy ref TR.V1.156.RW.C version 1, dated 20/03/23, unless otherwise agreed in writing with the Local Planning Authority. This condition shall not be discharged until an arboricultural supervision statement detailing the installation of the driveway, is submitted to and approved in writing by the Local Planning Authority on completion of development.

Reason: To ensure the protected trees on site are given adequate protection before and during the works on site in accordance with Policies HE2 and HE3 of the Local Plan.

10. All biodiversity and mitigation measure as outlined in section 4 of 'Preliminary Ecological Appraisal (PEA) on Land at 156 River Way, Christchurch BH23 2QU' by KJF Consultancy Ltd shall be implemented in full prior to first occupation of the dwelling hereby approved.

Reason: To ensure that the proposed development enriches biodiversity and wildlife habitat in accordance with Policy ME1 Safeguarding Biodiversity and Geodiversity.

11. Prior to first occupation of the dwelling, details of boundary treatment shall be submitted for approval to the LPA, they must also be implemented prior to first occupation of the dwelling.

Reason: To ensure privacy for neighbouring residents in accordance with Policy HE2 – Design of New Development

12. The flood risk management measures, as outlined in section 9.0 of Meridan Civil Engineering Consultancy, 156 River Way, Flood Risk Assessment, shall be implemented in full prior to first occupation of the dwelling.

Reason: To ensure flood resilience in the new development in accordance with Policy ME6 – Flood Management, Mitigation and Defence

13. Removal of domestic PD rights

Notwithstanding the provisions of Classes A, B, C, D, E, and F of Part 1 of the Second Schedule of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no buildings, enlargement or alterations permitted shall be carried out without the express permission in writing of the local planning authority.

Reason: To ensure that the development does not increase the risk of flooding elsewhere and in the interest of the neighbouring amenity in accordance with policy ME6 and HE2 of the Core Strategy 2014.

Informative Notes:

1. This permission should be read in conjunction with the legal agreement under section 106 of the Town and Country Planning Act dated [TBC], the obligations in which relate to this development.
2. The applicant is informed that the “first” part of the 4.5 metres of the access crossing in any case falls within the highway and is subject to the direct jurisdiction of the local highway authority. The remaining proportion of the 4.5 metres is also required to be surfaced to ensure free and easy access to and from the highway and to ensure stones, mud, gravel and the like do not result in a hazard on or near the highway.
3. In accordance with paragraph 39 of the revised NPPF the Council, as Local Planning Authority, takes a positive and proactive approach to development proposals focused on solutions. The Council works with applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this instance, the applicant/agent was provided with the opportunity to address issues identified by the case officer and the application has been recommended for approval.

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

Based on the information available this permission does not require the approval of a biodiversity gain plan before development is begun because one of the statutory exemptions or transitional arrangements listed is relevant.

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.

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 Officer Report Completed

Officer: Peter Walters

Date: 22/01/2025

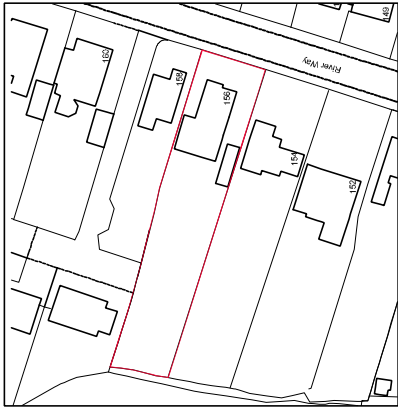
Agreed by:

Date:

Comment:

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4. Lower ground construction/ retaining structure to be structural engineers design.
5. Footings to be agreed with client & access to drawing.
6. Drawings to be read in conjunction with specifications.



Rev. Date Description By PH

APPROVAL

PROJECT STAGE: PLANNING

CLIENT: DR Property Ltd

PROJECT & DRAWING TITLE: 156 River Way/ Christchurch

Location & Block plan

Scale @ A3(1000 x 1250)	Drawn by: PH	REVISION:
Date @ 28/02/24		
DRAWING No:	ASP.24.014.001	

ARCHITECTURE - PLANNING - PROJECT MANAGEMENT - CON

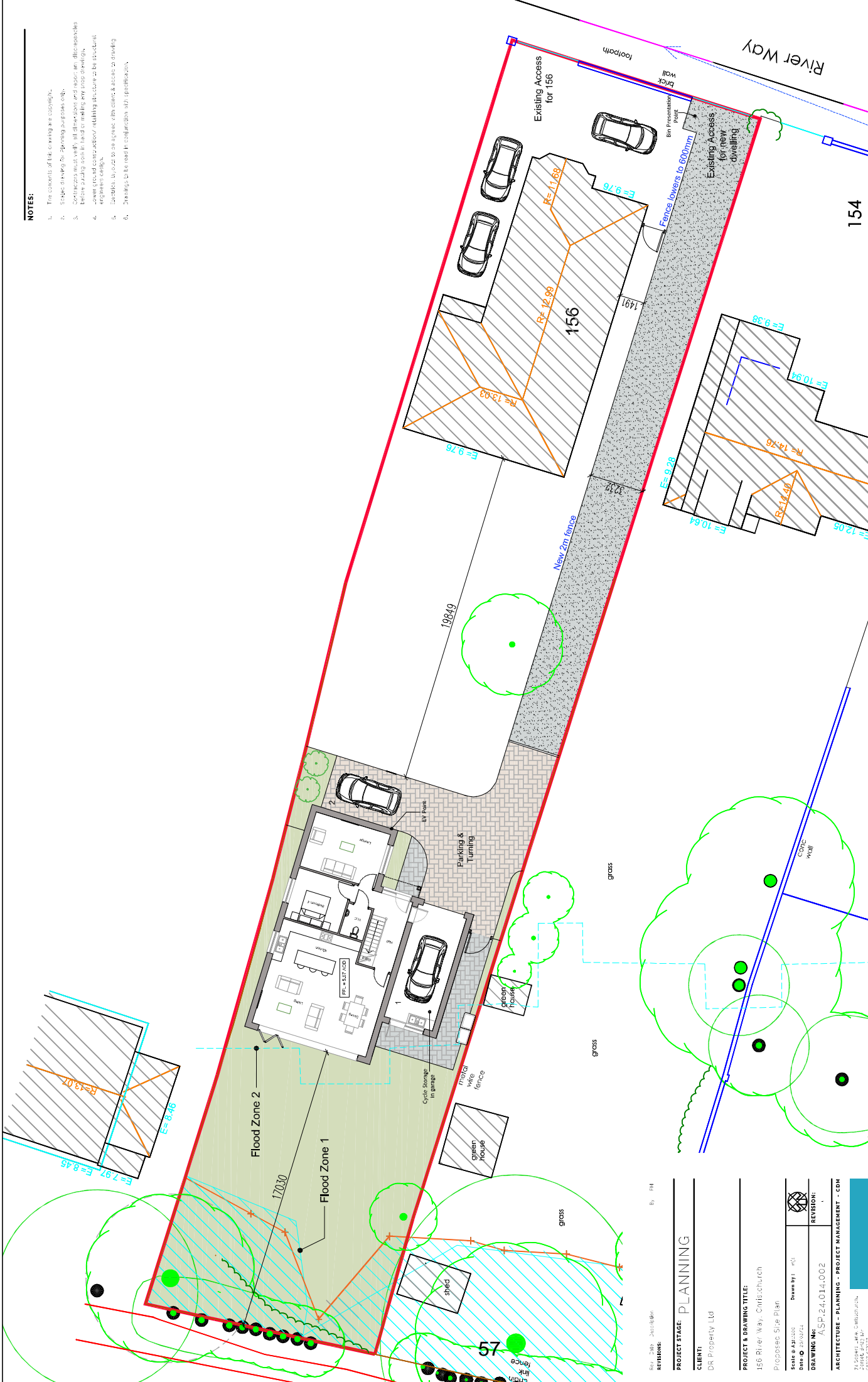
156 River Way, Christchurch
Dorset BH23 3LJ
01302 497000
www.aspirearchitects.co.uk
info@aspirearchitects.co.uk
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Proposed Site Plan (1:200)



Ref: 2046 Attribution: By: PH

PROJECT STAGE: PLANNING

CLIENT: DR Property Ltd

PROJECT & DRAWING TITLE: 156 River Way, Chrischurch
Proposed Site Plan

Scale @ A3: 1:200
Date: 20/07/24
Drawn by: PH

DRAWING NO: ASP-24-014-002

REVISION:

ARCHITECTURE - PLANNING - PROJECT MANAGEMENT - CDM

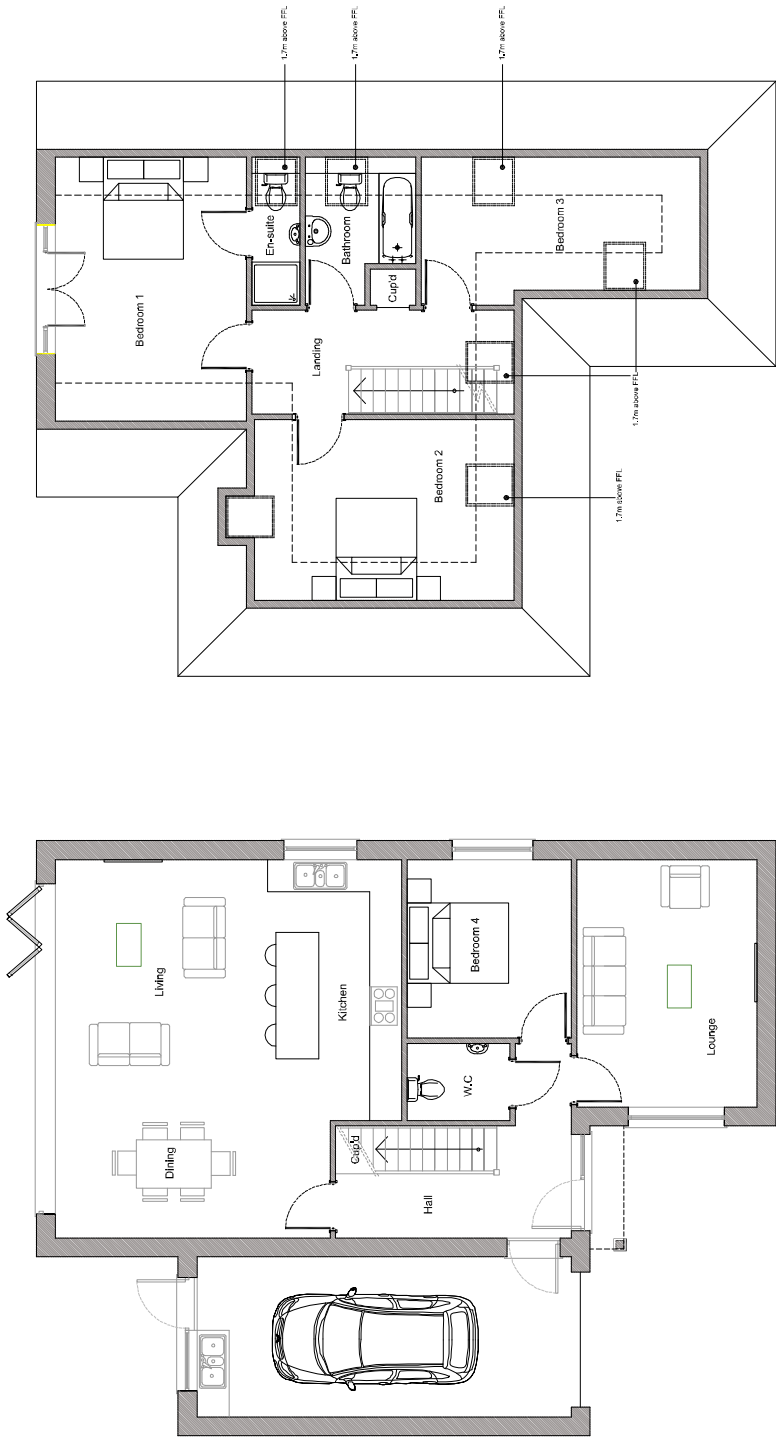
72, 50th Floor, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

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5. Electrical schedule to be agreed with client & added to drawing.
6. Drawings to be read in conjunction with specification.



Ground Floor Plan


Total Floor Area = 151.5m² / 1630 sq ft

First Floor Plan

Rev.	Date	Description	A1	PH
Activities				
PROJECT STAGE: PLANNING				
CLIENT: CR Property Ltd				

PROJECT & DRAWING TITLE:		156 River Way / Christchurch	
Proposed Floor Plans		Scale 8 A3:1:100	
Date 10/05/24		Drawn By 1403	
Drawing No: ASP24.014.100		REVISION:	
ARCHITECTURE - PLANNING - PROJECT MANAGEMENT - CDM		74, Soperia Ave, Colchester, Essex, CO1 1JL	

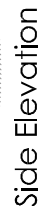
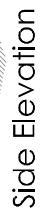
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5. Electricals to be agreed with client, access to drawing.

Drawings to be read in conjunction with specifications.



Proposed Elevations 1:100



Rev	Date	Description
REVISIONS:		

PROJECT STAGE: PLANNING

CLIENT:
DR Property Ltc

PROJECT & DRAWING TITLE:
156 River Way, Christchurch
Proposed Elevations

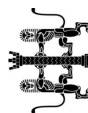
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Date: 20/02/24

DRAWING No:

ASP.24.014.200	
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Planning Committee

Application Address	Royal Arcade, Christchurch Road, Bournemouth, BH1 4BT
Proposal	Change of use of the upper floors to mixed office and business startup space; a mix of retail and other commercial uses at ground floor including the creation of a food hall area with pop up eateries; loss of 4 retail units to provide lift access to upper floors and ground floor toilets; partial loss of 2 retail units to provide bin stores; replacement of external ground floor doors and windows to alley; installation of cycle parking and roof mounted photovoltaics – Regulation 3
Application Number	7-2023-16746-AX
Applicant	BCP Council
Agent	ECA Architecture & Planning
Ward	Boscombe West Cllr Patrick Canavan Cllr Gillian Martin
Report Status	Public
Meeting Date	20 February 2025
Recommendation	Grant
Reason for Referral to Planning Committee	<ul style="list-style-type: none"> Need for removal of Highway contributions previously to be secured via Section 106 Agreement. Now proposed to use a condition that will secure 3no. cycle stands serving as visitor cycle parking facilities. Application previously considered by Planning Committee
Case Officer	Piotr Kulik
Is the proposal EIA development	No

Description of Proposal

- This application follows a planning committee resolution dated 1st August 2024 where a permission for the proposed change of use, including continued use of Ground Floor as Class E use, change of use of upper floors to Class E, including uses ancillary to Class E and up to 400sq. metres of Class F was granted.

2. The current application has been brought back to the committee as during formulation of a legal agreement, the applicant has decided to contribute towards visitor cycle parking facilities via a planning condition instead of a Section 106 Agreement (S106).

Description of Application Site

3. The application site is occupied by the Royal Arcade which is an impressive redbrick building of high architectural quality and appearance and a focal point within Boscombe High Street. The site is located in Boscombe District Centre and within Boscombe's Core Shopping Area. It sits within Flood Zone 1. The neighbouring building is the former Boscombe Hippodrome, now the O2 nightclub, is also of particular merit as recognised by its Grade II Listing. Both of these buildings date to the Victorian period when Boscombe rapidly grew as an area. The High Street is also characterised by many other historic buildings which make an important contribution to the character and appearance of the area.
4. The Royal Arcade was Grade II Listed in 1976 and the list description states:

'Includes Nos 2 to 18 Haviland Road West. L-plan shopping arcade (from Christchurch Road to Palmerston Road), 1892-3, Lawson and Donkin. Mixed Renaissance facade, red brick with stone, stucco and buff brick dressings: triple-arched stucco entrance to arcade, doubled in depth, over it, vast glazed lunette outlined in buff brick with rosette in each spandrel and ornate circular balcony corbelled out of keystone on sculptured plumes, all enclosed by shaped gable with 3 stepped round-arched windows, central one with septfoil tracery, behind flanking balustrades high splayed hipped roof rising to cupola with segmental pedimented bull's eye and square leaded dome with obelisk finial and vane. Symmetrical side wings, 3 storeys, with rounded corners to centre, pilastered shopfronts with egg-and-tongue cornice, scrolled pediments to 1st floor mullioned and transom windows within blind round-headed arcade, mullioned and transomed 2nd floor windows, lunette with bull's eye over in shaped gable. Similar wings to Palmerston Road facade, where the central lunette of the arcade is framed in simple flat-parapetted red brick walling. Red brick rear to Haviland Road West has workshop-type shops with living accommodation over (bargeboarded dormers). The Arcade itself has 2 walks, each of 8 bays, meeting at central octagon. Shop fronts with detached ornamental iron columns, 1st floor windows with Cinquecento tracery in glazing bars; roof with transverse iron arches supporting pitched roof of glass with pitched lantern down centre. Octagon has bow shop front to east supporting big ornamental bowed balcony (perhaps originally a cafe).'
5. The Royal Arcade was originally designed around workshop-type retail units with living accommodation above. Then, throughout the years, the current use of floors above the ground floor level has been used as offices, storage spaces and historically residential use, which is considered the current lawful use. The application site currently consists of 32 no. retail units set around a central walkway. Most of the units along the basement, first, second and third floor are now vacant, but have been used previously for work spaces, storage and retail. The submitted Planning Statement identifies an average occupancy level of the ground floor units as 64% retail units, 13% storage units and 23% unoccupied units.
6. The site is located on the north side of Christchurch Road on its junction with Palmerston Road. The Arcade has a frontage to Christchurch Road, Palmerston Road and a rear entrance to the Sovereign centre service road. The site is located within the local town centre of Boscombe and is therefore well located for transport and movement networks and has good access to local amenities and services.

7. The upper floors of the Royal Arcade were originally designed to provide residential accommodation for individual shop businesses and each retail unit contained a staircase leading directly to the upper floor. Over time, the units have been adapted to accommodate the variety of uses evidenced over the years, such as office spaces and associate storage units. These changes have largely resulted in the removal of internal staircases linking the ground floor to the upper levels/ Today most of the upper level units are no longer linked to the ground floor commercial units. Looking at historic planning records, it would appear that some of the upper floor areas have been used for office purposes or retail storage associated with the shop unit within the last 30 years. A number of the units have remained vacant with the last known authorised use remaining as residential. The upper floors units have now been empty for a considerable amount of time. The reasons for this relate to the separation of the upper level units from the ground and the limitations for further adaptation of the units due to the listed status of the Royal Arcade. Complex land ownership and lease agreement have further stifled the efficient use of the building.
8. In 2016 approval was granted to bring the upper floors of the Royal Arcade back into residential use. This approval relied on the installation of external gantries to provide access to the upper floors but has not been implemented due to the complications outlined above.

Relevant Planning History:

9. There have been numerous applications over the years - those of most relevance are noted below:
10. 7-2021-16746-AV
Change of use to a Towns Fund Engagement Office including use as a local community meeting place, small engagement events, learning centre, with ancillary office, for a temporary period until 31.3.2026 - Regulation 3 – Granted
11. 7-2021-16746-AU
Listed Building Consent for investigative works to facilitate an understanding of the structural condition of the building - Granted
12. 7-2014-16746-AO
Listed Building Consent for alterations and refurbishment of the upper floors to form 11 flats – Granted
13. 7-2014-16746-AN
Alterations, refurbishment and conversion upper floors to form 11 flats - Granted
14. 7-2013-16746-AM
Listed Building Consent for alterations, refurbishment and conversion of existing offices to form 16 flats and erection of bin stores and cycle parking - Refused
15. 7-2013-16746-AK
Listed Building Consent for refurbishment of upper floor flats, external alterations including erection of external gantry and access stairs and formation of bin and cycle storage, internal alterations to ground, 1st and 2nd floors including removal and installation of staircases and partitions – Granted
16. 7-2013-16746-AJ
Change of use of existing offices to residential in association with refurbishment of upper floor flats, external alterations including erection of external gantry and access stairs and

formation of bin and cycle storage, internal alterations to ground, 1st and 2nd floors including removal and installation of staircases and partitions - Granted

Constraints

17. In considering whether to grant planning permission or permission in principle for development which affects a listed building special regard shall be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest - section 66 - Planning (Listed Buildings and Conservation Areas) Act 1990
18. The significance of the building is well documented in Sections 5 and 6 of the applicants Heritage Statement. This includes reference to its - historic importance, architectural design, plan form, shopfronts, windows and doors, decorative plaster and ceilings, timber floors, fixtures and fittings (including skirtings and architraves to windows and doors), fireplaces and chimney breasts, staircases, and its roof.

Public Sector Equalities Duty

19. 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

20. 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.
21. 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

22. Additional consultee comments to the approved scheme on 1st August 2024 have been provided by the Local Highway Authority Officer. No objection raised to the imposition of a condition to secure visitor cycle facilities.

Key Issues

23. The main consideration for this application is the principle of conditioning visitor cycle parking facilities instead of agreeing a financial contribution towards visitor parking.

Policy context

24. Local documents:

Core Strategy (2012)

Policy CS1 – Presumption in Favour of Sustainable Development
Policy CS5 – Promoting a Healthy Community
Policy CS6 – Delivering Sustainable Communities
Policy CS9 – Enhancing District Centres
Policy CS16 – Parking Standards
Policy CS18 – Encouraging Walking and Cycling
Policy CS38 – Minimising Pollution
Policy CS39 – Designated Heritage Assets
Policy CS41 – Quality Design

Boscombe and Pokesdown Neighbourhood Plan (2019)

Policy BAP1 – The scale and density of development
Policy BAP2 – Good Design for the 21st century
Policy BAP3 - Shopfronts
Policy BAP9 – Christchurch Road

District Wide Local Plan (2002)

Policy 5.19 – Core Shopping Areas
Policy 6.3 – Retention of residential accommodation
Policy 6.4 – Loss of residential above shops and commercial premises

Supplementary Planning Documents:

Public Realm Strategy: Guiding Principles – SPD
BCP Parking – SPD
Waste and Recycling Services Planning Guidance Note

Emerging BCP Local Plan

It should be noted that the emerging BCP Local Plan has been published and has now been submitted for examination in June 2024, however at this stage, the emerging Local Plan attracts limited weight, although its evidence base may on occasion have information that could be material.

25. **Planning (Listed Buildings and Conservation Areas Act) 1990**

Of particular relevance to the determination of this application is:

Section 7 - No person shall execute or cause to be executed any works for the demolition of a listed building or for its alteration or extension in any manner which would affect its character as a building of special architectural or historic interest, unless the works are authorised.

Section 16 (2) - Special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

26. **National Planning Policy Framework (2024)**

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

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:

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

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

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

- Chapter 2 - Achieving sustainable development
- Chapter 5 - Delivering a sufficient supply of homes
- Chapter 6 - Building a strong and competitive economy
- Chapter 7 – Ensuring the vitality of town centres
- Chapter 8 - Promoting healthy and safe communities
- Chapter 9 – Sustainable transport
- Chapter 11 – Making effective use of land
- Chapter 12 - Achieving well-designed places
- Chapter 14 - Meeting change of climate change
- Chapter 16 - Conserving historic environment

Of particular relevance to the determination of this application is Chapter 16 ‘Conserving and enhancing the historic environment’ including the following:

Paragraph 202

‘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 210

‘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 212

‘When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.’

Paragraph 213

‘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 215:

‘Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.’

Planning Assessment

Principle

- 27. The principle of the proposed change of use with associated works considered under the original permission ref. 7-2023-16746-AX was agreed by members during a planning committee on 1st August 2024 (please see appendix 1 for officer’s recommendation report). This included assessment of the public benefits arising from the scheme; impact on local area character and heritage assets; impact on neighbours; living standards serving future residents; highway consideration; as well as waste management.
- 28. The current report solely considers an additional planning condition, which would remove the need for the originally suggested highway contribution relating to off-site visitor cycle parking facilities. It should be noted that the original permission pre-dates the Government requirements for statutory Biodiversity Net Gain and therefore there is no requirement for the application to provide 10% enhancements.

Highway Considerations

- 29. The Local Highway Authority originally agreed to mitigate the lack of on-site visitor cycle parking through a S106 agreement which would have delivered the cycle parking within the vicinity of the site. The Council’s Legal Department had been instructed to prepare a required legal agreement. However, during the drafting of the S106 agreement, it was concluded that the Council (as Applicant) do not have a perpetuity interest in the land and the application site owner does not want to enter into a S106 agreement.
- 30. The highway funds have been secured for the delivery of the visitor cycle parking and it is now proposed to use a Grampian planning condition to secure 3no. Sheffield cycle stands. This removes the need for a clause in the S106 Agreement relating to visitor cycle parking. This alternative mechanism is supported by the Local Highway Authority Officer.

31. It is considered that the proposed alternative mechanism to secure visitor cycle parking would still result in a policy compliant development (policies CS16, CS18 and CS41).

Planning Balance / Conclusion

32. The principle of the proposed comprehensive refurbishment works of the existing Grade II Royal Arcade has been agreed by members back in August 2024. The current report suggests removal of the originally suggested highway contribution and replacement of those by a Grampian planning condition to secure the delivery of visitor cycle parking.
33. On the basis of the information submitted with the application and subject to compliance with the conditions attached to the permission granted by members on 1st August 2024 and the imposition of an additional condition relating to visitor cycle parking, it is considered that the proposals are acceptable and that the scheme would be in accordance with the Local Plan, NPPF, Government Guidance and Government Legislation.

Recommendation

34. **GRANT permission for the reasons as set out in this report and decision report for permission granted on 1st August 2024, subject to an additional condition (#17) and a revised Section 106 Agreement:**

Financial contribution of £9,048, plus £452.40 administration fee towards Heathlands Mitigation (SAMM).

1 Work to be carried out in accordance with plans as listed

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

- Drawing No 286 3 001 Rev A, Site Location Plan
- Drawing No 286 3 143, Existing First and Second Floor
- Drawing No 286 3 145, Existing Uses
- Drawing No 286 3 141, Existing Site Plan
- Drawing No 286 3 142 Rev A, Existing Basement and Ground Floor Plan
- Drawing No 286 3 144, Existing Third Floor Plan
- Drawing No 286 3 200 Rev A, Existing & Proposed South Elevation
- Drawing No 286 3 201 Rev B, Existing & Proposed North Elevation
- Drawing No 286 3 202 Rev A, Existing South & East Wings Elevation
- Drawing No 286 3 203 Rev C, Proposed South & East Wings Elevation
- Drawing No 286 3 204 Rev A, Existing West Wing Elevation
- Drawing No 286 3 205 Rev A, Proposed West Wing Elevation
- Drawing No 286 3 206 Rev B, Existing & Proposed West Elevation (Palmerston Road)
- Drawing No 286 3 301 Rev A, North Wing South Internal Elevation
- Drawing No 286 3 302, East Wing West Internal Elevation
- Drawing No 286 3 303 Rev A, South Wing North Internal Elevation
- Drawing No 286 3 304, West Wing East Internal Elevation
- Drawing No 286 3 401 Rev A, Existing Section AA

- Drawing No 286 3 402 Rev C, Proposed Section AA
- Drawing No 286 3 403 Rev A, Existing Section BB
- Drawing No 286 3 404 Rev B, Proposed Section B
- Drawing No 286 3 150 Rev C, Proposed Site Plan
- Drawing No 286 3 151 Rev A, Proposed Basement Floor Plan Part A
- Drawing No 286 3 152 Rev A, Proposed Basement Floor Plan Part B
- Drawing No 286 3 153 Rev D, Proposed Ground Floor Plan Part A
- Drawing No 286 3 154 Rev C, Proposed Ground Floor Plan Part B
- Drawing No 286 3 155 Rev C, Proposed First Floor Plan Part A
- Drawing No 286 3 156 Rev C, Proposed First Floor Plan Part B
- Drawing No 286 3 157 Rev C, Proposed Second Floor Plan Part A
- Drawing No 286 3 158 Rev C, Proposed Second Floor Plan Part B
- Drawing No 286 3 159 Rev A, Proposed Third Floor Plan
- Drawing No 286 3 160 Rev B, Proposed Roof Plan
- Drawing No 286 3 161 Rev A, Proposed Use

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

2 Submission of details – general

Notwithstanding the information on the attached approved plans and prior to the commencement of work, as it relates to each of the individual areas of work as noted below, further detail/clarification is required as follows:

- Submission of schedules of work detailing the proposed internal finish/appearance to each of the rooms/units and circulation spaces including staircases. This will identify and record where original elements/features remain (including staircase balustrade, doors, fireplaces, cornice, skirting, picture rail, floorboards, lath and plaster walls and ceilings; architrave) along with the full details relating to the nature and extent of their retention, reuse, repair/making good, refurbishment, reinstatement
- Details of the nature and extent of repairs required to timber windows (including any shopfront windows)
- Details of the nature and extent of external repairs to stonework, render, brickwork and pointing
- Details of the colour (ie RAL no.) and finish (matt/gloss) of all elements/features to be redecorated internally and externally where there is a change to the existing colour
- Details of the nature and extent of repairs to the iron entrance gates
- Details of the nature and extent of insitu roof repairs relating to the replacement of damaged/missing slates to the roof and ridge
- Details, where the slate roof covering is to be removed to install a membrane, which clarify (i) the number of slates which have been salvaged and the amount of new slates required due to shortfall (ii) the method of re-roofing (ie randomly mixing salvaged and new, or using salvaged on most visible roofslopes) taking into account any shortfall required (iii) through the submission of samples of existing, and new, slates that the existing profile, size, colour, finish and fixing match (iv) the type of roof membrane to be installed - ensuring that any product is breathable and does not alter the height or profile of the existing roof
- Details of restoration of lead work to the roof (including flashing, dressings, valleys, capping, parapets, cupola)
- Details clarifying the design, location, size and colour of roof vents
- Details on the condition of existing rooflights and the nature and extent of any repairs/replacements required
- Details of nature and extent of repair/making good required to the external ground floor doors and windows facing the rear alleyways following removal of existing boarding

- Details of the location, size and appearance of external lighting and cameras
- Colour, size and location of the external heat pump units in the alleyway
- Details of the location, material, size and colour of any new external pipework
- Details on the nature and extent of fire upgrades to existing historic timber panelled doors.
- Details of the material and appearance of new timber doors
- Details of new ironmongery required to existing doors (where currently missing) and new doors
- Details of the appearance of new partition walls and risers indicating how they would scribe around skirting, cornice and picture rail
- Large scale plan and elevation details (1:20) showing the abutment of upper floor partition walls (to toilet and staircase enclosures) with window architrave
- Details of the location of internal reco-air units to the ground floor
- Details of the installation, style, appearance and material of all lifts
- Details of the appearance of the shop front fascia (including colour, size, style) to each ground floor unit
- Photos of all the ground floor ceilings (fully recording any cornicing/moulding present) upon removal of existing suspended ceiling and prior to the provision of a new suspended ceiling
- Details of the height of new ground floor suspended ceilings, relative to the existing ceiling height and shop window) where there are currently none present or where there is a change in height from the existing
- Elevation of a typical wall opening where original partitions are to be removed showing the size of opening (including nibs and downstand) relative to features (cornice, picture rail)
- Details (section, plan, elevation) showing capping/covering/enclosure of original staircases clearly showing original staircases retained in situ
- Details (section, plan, elevation) of the new external bin store door (Haviland Road West) showing any changes to the shopwindow

All details shall be submitted to and approved in writing by the Local Planning Authority. Work shall be carried out in accordance with the approved details.

Reason: To safeguard the historic and architectural interest and significance of the listed building in accordance with legislation and policy.

3 Installation of new services

Notwithstanding the information on the attached approved plans and prior to the installation of the HVAC system and internal services (including - internal units, pipes, cables, wires, trunking, trays, risers, lighting, heating, drainage/waste and water) details of their installation (including location/position, fixing, appearance, colour, size, run of pipework through floors/walls/ceiling/attic) relative to existing features along with works of alteration/intervention required to the fabric of the building shall be submitted to and approved in writing by the Local Planning Authority. Work shall be carried out in accordance with the approved details.

Reason: To safeguard the historic and architectural interest and significance of the listed building in accordance with legislation and policy.

4 Removal of redundant services

Unless otherwise agreed in writing with the Local Planning Authority redundant internal and external services (including pipework, cables, wires, trunking, junction boxes, air condition units) and their fixings should be removed. Their removal should be undertaken carefully so as not to damage the fabric of the building. All making good should be to match the original material in all respects (ie colour, profile, material, consistency, appearance).

Reason: To safeguard the historic and architectural interest and significance of the listed building in accordance with legislation and policy.

5 Removal of floorboards

Prior to the lifting of any floorboards they should be carefully labelled and photographed to ensure they are returned to the same location. They should be lifted in an appropriate manner for their size, age and fixing method and safely stored for reuse. Floorboards should be refixed in their original positions with nails.

Reason: To safeguard the historic and architectural interest and significance of the listed building in accordance with legislation and policy.

6 Making good

All making good required (ie when: repairing/reinstating missing stair components including balustrade and newel posts; widening openings; reinstating original walls; installing lifts; installing vents, pipes, wires and other services; plastering of holes/blown lath and plaster walls/ceilings; reinstating timber floorboards; removing redundant elements; repairing windows; replacing broken glass) - shall match the original in all respects (colour, profile, size, material, consistency/mix/type, appearance).

Reason: To safeguard the historic and architectural interest and significance of the listed building in accordance with legislation and policy.

7 Use of Selectaglaze secondary glazing

Unless otherwise agreed in writing by the Local Planning Authority Selectaglaze slimline secondary glazing shall be installed. Prior to its installation large scale details (1:20) showing the approach to each window type (ie sash, casement, curved, arched) shall be submitted noting: the location of the secondary glazing; its fixing; size of individual panes; colour of the secondary glazing frame. These shall be submitted to and approved in writing by the Local Planning Authority. Work shall be carried out in accordance with the approved details.

Reason: To safeguard the historic and architectural interest and significance of the listed building in accordance with legislation and policy.

8 Prior approval of solar panels

Notwithstanding the detail on the attached approved plans, prior to their installation details confirming: the number and location of the panels; the projection of the panels from the roof covering; fixing; colour of supporting framework; colour and finish of panels; any structural intervention required to strengthen the roof; the number of new slates if existing are damaged (to match the existing - type, profile, size, colour, finish, fixing); and, the location, appearance and fixing of associated cabling and equipment (ie inverter, isolator) shall be submitted to and approved in writing by the Local Planning Authority. Work shall be carried out in accordance with the approved details. The solar panels, external cabling and associated internal equipment shall be removed at the end of their useful life. All making good required to match the existing.

Reason: To safeguard the historic and architectural interest and significance of the listed building in accordance with legislation and policy.

9 Salvage and reuse of features

All loose features (including historic timber panel doors, balustrade, skirting, floorboards,

fireplaces, floorboards, cornice, architrave) shall be reused and incorporated into this scheme. Where features are surplus to requirements they shall be safely stored on site and remain accessible for future use.

Reason: To safeguard the historic and architectural interest and significance of the listed building in accordance with legislation and policy.

10 Structural Investigations

Prior to the commencement of any structural work to any area of the building full details (including a structural report), noting the nature and extent of necessary works identified following a detailed inspection/survey, and assessment of the structural condition of the building, shall be submitted to and agreed in writing by the Local Planning Authority. Work shall be carried out in accordance with the approved details.

Reason: To safeguard the historic and architectural interest and significance of the listed building in accordance with legislation and policy.

11 Protection of building

Prior to the commencement of work details in relation to the protection of the external façade and internal features while the works are being undertaken, should be submitted to and approved in writing by the Local Planning Authority. The work shall be carried out in accordance with the approved details.

Reason: To safeguard the historic and architectural interest and significance of the listed building in accordance with legislation and policy.

12 Cycle Parking

Before the proposed change of use of the building is brought into operation, staff cycle parking shall be constructed and arranged as shown on approved plans. The cycle parking shall be externally illuminated to ensure safe and convenient access during day and night. The cycle parking facility shall thereafter be retained, maintained and kept available for its intended purpose at all times.

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

13 Construction Management Plan

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

- 24 hour emergency contact number;
- Hours of operation;
- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Routes for construction traffic;

- Locations for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud being carried onto the highway;
- Measures to protect vulnerable road users (cyclists and pedestrians)
- Any necessary temporary traffic management measures;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

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

14 Noise report

The proposed works shall be carried out in accordance with the ECA Architecture & Planning and BCP Council BE 16452 by Build Energy Ltd. (V2 11/7/2024 – Updated Figures and Floor Calculations) prepared by Build Energy Ltd. Report, where the specification for the secondary glazing is specified in Table 5 of the report and the specifications for the sound insulation for the ceiling between the food court and first floor is specified in Table 8 of the report. The approved noise mitigation measures shall at all times be accorded with.

Reason: In order to safeguard the amenities of future occupiers of this noise sensitive development, in accordance with Policy CS38 of the Bournemouth Local Plan Core Strategy (October 2012).

15 Crime prevention scheme

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

Reason: In the interests of Crime Prevention.

16 Refuse Management Plan

The development hereby permitted shall not be occupied until a Refuse Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include: details of the management company to be set up; the employment of a private contractor to collect the refuse; measures to be taken if no private contractor is available at any time in the future (such as the employment of a person or persons to ensure bins are wheeled to the collection point); and that bins will not be stored in the open or at the collection point apart from on the day of collection. The refuse management plan shall be carried out in accordance with the approved details, unless otherwise approved in writing by

the Local Planning Authority.

The Refuse Management Plan shall be implemented and complied with by the Applicant, or its successor, upon occupation of the development and the Refuse Management Plan shall be permanently retained thereafter. Should the Applicant or its successor prefer to use the larger refuse vehicles, further amendments of Traffic Orders (TRO) on Hinton Road would need to be pursued at the developer's expense and in agreement with the Local Highway Authority (LHA). A plan showing the proposed new TRO shall be submitted to the LHA for approval in writing.

Reason: To ensure that the proposed development includes a long-term management plan for the collection of refuse in the interests of visual and residential amenities, and in the interests of highway safety.

17 Off-site Works as a Pre-requisite of Development / Cycle Parking – Grampian Condition

Before the development hereby approved is occupied or utilised, 3no. Sheffield type cycle stands shall be provided on the public highway within the vicinity of the site. The cycle stands shall be designed, constructed and located to the satisfaction of the Local Planning Authority, with all associated costs to be borne by the applicant, including any necessary remedial works to the surface of the highway arising from the construction of the stands. Thereafter, the cycle stands shall be retained and maintained for their designated purposes unless otherwise agreed in writing by the Local Planning Authority.

Reason: These specified works are seen as a pre-requisite for allowing the development to proceed, to mitigate the impact of the development, namely the shortfall of onsite cycle parking provision, to encourage the cycling mode of transport in accordance with Policy CS18 of the Bournemouth Local Plan: Core Strategy (October 2012).

Informative Notes

1. No Storage of Materials on Footway/Highway

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

2. Listed Building (alterations)

As alterations are being proposed to a Listed Building, before any of these works are undertaken you must obtain Listed Building Consent. Failure to do so is an offence

3. Building Regulations and Fire Requirements

Informative Note: It is assumed that consideration has been given to the requirements of the Building Control Regulations and Fire Service requirements in respect of the design of the submitted scheme and that the effects of compliance with these are represented by the application drawings. The Applicant is advised that the grant of Planning Permission does not imply that any additional works that may be required to comply with the Building Regulations will be acceptable in relation to this application.

Statement required by National Planning Policy Framework (Approvals)

The Council aims to take a solution focused, positive and proactive approach to development proposals. This includes working with applicants and agents by:

- offering a pre-application advice service, and
- as appropriate, updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this instance: The applicant was provided with pre-application advice. Following the submission of the application, the applicant/agent was updated of the need for amendments and further information to support the application. The applicant/agent responded by submitting amended plans and additional information, which was found to be acceptable, and permission was granted with conditions.

Background Documents:

Case File ref 7-2023-16746-AX

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."



Planning Committee

Application Address	Royal Arcade, Christchurch Road, Bournemouth, BH1 4BT
Proposal	Change of use of the upper floors to mixed office and business startup space; a mix of retail and other commercial uses at ground floor including the creation of a food hall area with pop up eateries; loss of 4 retail units to provide lift access to upper floors and ground floor toilets; partial loss of 2 retail units to provide bin stores; replacement of external ground floor doors and windows to alley; installation of cycle parking and roof mounted photovoltaics – Regulation 3
Application Number	7-2023-16746-AX
Applicant	BCP Council
Agent	ECA Architecture & Planning
Ward	Boscombe West
Report Status	Public
Meeting Date	01 August 2024
Recommendation	Grant
Reason for Referral to Planning Committee	<ul style="list-style-type: none"> • Importance of building as part of the wider regeneration of Boscombe as per paragraph 2.3.3 point c) the application which have a significant impact on a wide number of businesses and/ or people; of the Council's Constitution • BCP Council application as per paragraph 2.3.4 (the Council is the applicant)
Case Officer	Piotr Kulik
Is the proposal EIA development	No

Description of Proposal

1. This application seeks full planning permission for the proposed change of use, including continued use of Ground Floor as Class E use, change of use of upper floors to Class E, including uses ancillary to Class E and up to 400sq. metres of Class F provision (providing a permanent skills lab for IT and other technical services). The proposed works include

creation of new cycle parking space, installation of roof mounted PV panels, provision of public conveniences and associated ancillary space, as well as replacement and repair of external doors and windows. The current Use Class Order identifies Use Class E as 'Commercial, Business and Service', and Use Classes F1 as 'Learning and non-residential institutions', and Use Class F2 'Local community uses'.

Description of Application Site

2. The application site is occupied by the Royal Arcade which is an impressive redbrick building of high architectural quality and appearance and a focal point within Boscombe High Street. The site is located in Boscombe District Centre and within Boscombe's Core Shopping Area. It sits within the Flood Zone 1. The neighbouring building the former Boscombe Hippodrome, now the O2 club, is also of particular merit as recognised by its Grade II Listing. Both of these buildings date to the Victorian period when Boscombe rapidly grew as an area. The High Street is also characterised by many other historic buildings which make an important contribution to the character and appearance of the area.
3. The Royal Arcade was Grade II Listed in 1976 and the list description states:

'Includes Nos 2 to 18 Haviland Road West. L-plan shopping arcade (from Christchurch Road to Palmerston Road), 1892-3, Lawson and Donkin. Mixed Renaissance facade, red brick with stone, stucco and buff brick dressings: triple-arched stucco entrance to arcade, doubled in depth, over it, vast glazed lunette outlined in buff brick with rosette in each spandrel and ornate circular balcony corbelled out of keystone on sculptured plumes, all enclosed by shaped gable with 3 stepped round-arched windows, central one with septfoil tracery, behind flanking balustrades high splayed hipped roof rising to cupola with segmental pedimented bull's eye and square leaded dome with obelisk finial and vane. Symmetrical side wings, 3 storeys, with rounded corners to centre, pilastered shopfronts with egg-and-tongue cornice, scrolled pediments to 1st floor mullioned and transom windows within blind round-headed arcade, mullioned and transomed 2nd floor windows, lunette with bull's eye over in shaped gable. Similar wings to Palmerston Road facade, where the central lunette of the arcade is framed in simple flat-parapetted red brick walling. Red brick rear to Haviland Road West has workshop-type shops with living accommodation over (bargeboarded dormers). The Arcade itself has 2 walks, each of 8 bays, meeting at central octagon. Shop fronts with detached ornamental iron columns, 1st floor windows with Cinquecento tracery in glazing bars; roof with transverse iron arches supporting pitched roof of glass with pitched lantern down centre. Octagon has bow shop front to east supporting big ornamental bowed balcony (perhaps originally a cafe).'
4. The Royal Arcade was originally designed around workshop-type retail units with living accommodation above. Then, throughout the years, the current use of floors above the ground floor level has been established as offices, storage spaces and historically residential use, which is considered the current lawful use. The application site currently consists of 32no. retail units set around a central walkway. Most of the units along the basement, first, second and third floor are vacant now, but have been used previously for work spaces, storage and retail. The submitted Planning Statement identifies an average occupancy level of the ground floor units as 64% retail units, 13% storage units and 23% unoccupied units.
5. The site is located on the north side of Christchurch Road on its junction with Palmerston Road. The Arcade has a frontage on Christchurch Road, Palmerston Road and a rear entrance on the Sovereign centre service road. Consequently, the site is located within the

local town centre of Boscombe and is therefore well located for transport and movement networks and has good access to local amenities and services.

6. The upper floors of the Royal Arcade were originally designed to provide residential accommodation for individual shop businesses and each retail unit contained a staircase leading directly to the upper floor. Over time, the units went through different use class purposes, such as office spaces and associate storage units, which then have largely been separated from ground floor units so that there is no longer a link between ground floor commercial premises and the floors above. Looking at historic planning records, it would appear that some of the upper floor areas have been used for office purposes or retail storage associated with the shop unit within the last 30 years. A number of the units have remained vacant with the last known authorised use remaining as residential. The upper floors have now been empty for a considerable amount of time and the reasons for the are complicated with a number of issues including limitations due to the listed status of the building and land ownership and lease agreement conflicts.
7. In 2016 approval was granted to bring the upper floors of the Royal Arcade back into residential use. This approval relied on the installation of external gantries to provide access to the upper floors but has not been implemented due to the complications outlined above.
8. To avoid confusion, the most accurate current use classes have been listed in a table below:

Unit	Basement	Ground Floor	Upper Floors
1	Class E ancillary storage use	Class A3 (now Class E)	Class E
2	Class E ancillary storage use	Class A3 (now Class E)	Class E
3	Class E ancillary storage use	Class E	Class E
4	Class E ancillary storage use	Class E	Class E
5	Class E ancillary storage use	Class E	Class E
6	Class E ancillary storage use	Class E	Class E
7	Class E ancillary storage use	Class E	Class E
8	Class E ancillary storage use	Class E	Class E
9	Class E ancillary storage use	Class E	Class C3
10	Class E ancillary storage use	Class E	Class C3
11	Class E ancillary storage use	Class E	Class C3

12	Class E ancillary storage use	Class E	Class C3
13	Class E ancillary storage use	Class E	Class C3
14	Class E ancillary storage use	Class E	Class C3
15	Class E ancillary storage use	Class E	Class C3
16	Class E ancillary storage use	Class E	Class C3
17	Class E ancillary storage use	Class A1/ A3 (now Class E)	Class C3
18	Class E ancillary storage use	Class A1/ A3 (now Class E)	Class C3
19	Class E ancillary storage use	Class A1/ A3 (now Class E)	Class C3
20	Class E ancillary storage use	Class E	Class C3
21	Class E ancillary storage use	Class E	Class C3
22	Class E ancillary storage use	Class E	Class C3
23	Class E ancillary storage use	Class E ancillary use, forms entry way to north. No longer a unit in its own right.	Class E
24	Class E ancillary storage use	Forms Part of the O2 Academy (excluded from application)	Class C3
25	Class E ancillary storage use Class E ancillary storage use	Class E	Class C3
26	Class E ancillary storage use	Class E	Class E
27	Class E ancillary storage use	Class E	Class E
28	Class E ancillary storage use	Class E	Class E
29	Class E ancillary storage use	Class E	Class E
30	Class E ancillary storage use	Class F (temporary permission will resume	Class E

		Class E use in March 2026)	
31	Class E ancillary storage use	Class F (temporary permission will resume Class E use in March 2026)	Class E
32	Class E ancillary storage use	Class F (temporary permission will resume Class E use in March 2026)	Class C3 (assumed)

Relevant Planning History:

9. There have been numerous applications over the years - those of most relevance are noted below:
10. 7-2021-16746-AV
Change of use to a Towns Fund Engagement Office including use as a local community meeting place, small engagement events, learning centre, with ancillary office, for a temporary period until 31.3.2026 - Regulation 3 – Granted
11. 7-2021-16746-AU
Listed Building Consent for investigative works to facilitate an understanding of the structural condition of the building - Granted
12. 7-2014-16746-AO
Listed Building Consent for alterations and refurbishment of the upper floors to form 11 flats – Granted
13. 7-2014-16746-AN
Alterations, refurbishment and conversion upper floors to form 11 flats - Granted
14. 7-2013-16746-AM
Listed Building Consent for alterations, refurbishment and conversion of existing offices to form 16 flats and erection of bin stores and cycle parking - Refused
15. 7-2013-16746-AK
Listed Building Consent for refurbishment of upper floor flats, external alterations including erection of external gantry and access stairs and formation of bin and cycle storage, internal alterations to ground, 1st and 2nd floors including removal and installation of staircases and partitions – Granted
16. 7-2013-16746-AJ
Change of use of existing offices to residential in association with refurbishment of upper floor flats, external alterations including erection of external gantry and access stairs and formation of bin and cycle storage, internal alterations to ground, 1st and 2nd floors including removal and installation of staircases and partitions - Granted

Constraints

17. In considering whether to grant planning permission or permission in principle for development which affects a listed building special regard shall be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest - section 66 - Planning (Listed Buildings and Conservation Areas) Act 1990
18. The significance of the building is well documented in Sections 5 and 6 of the applicants Heritage Statement. This includes reference to its - historic importance, architectural design, plan form, shopfronts, windows and doors, decorative plaster and ceilings, timber floors, fixtures and fittings (including skirtings and architraves to windows and doors), fireplaces and chimney breasts, staircases, and its roof.

Public Sector Equalities Duty

19. 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

20. 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.
21. 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

22. Police Architectural Liaison Officer – Advice provided

'I make no objection to this application.

A great deal of effort and time is being put into trying to save the listed building that is indeed a marvellous space.

The arcade has double gates on the main entrances at both ends. With multiple users access control and security will need to be well implemented.

My main concern would be to ensure that the internal compartmentalisation prevents an intruder wandering from one unit to another without having appropriate access control. This would need some form of access control on the lifts as well.

I can foresee a similar problem with the cycle stores. Because they are located on the emergency exit alley away from the active surveillance, there may be opportunities for people to enter the site lawfully and then use the emergency exit to leave, taking a bicycle with them'.

23. Wessex Water:

'Existing Services

There is a 150mm diameter public foul sewer entering the site from Palmerston Road.

The applicant will need to agree protection arrangements for the existing 150mm public foul sewer which crosses the site (standoff details as given above). Any damage to our apparatus by third parties will result in a compensation claim.

All existing apparatus must be accurately located on site and marked on deposited drawings.

A map showing all known Wessex Water Assets within the area of the proposed site is attached at the bottom of this response. Additional maps can be obtained from our website Mapping enquiries (wessexwater.co.uk)

Foul Drainage

Capacity is available to accommodate domestic type foul flows from the proposed redevelopment. It is noted that the applicant has proposed WCs within the basement level. They should be aware that Wessex Water will not accept foul flows from below ground level, all foul flows must be pumped to ground level prior to connection to the public foul sewer network.

It has been assumed that the applicant will be utilising an existing connection to the public foul sewer. Should this not be the case, the applicant should be aware that the point of connection to the public network is by formal application and agreement with Wessex Water.

Please Note: No surface water runoff, land drainage or ground water will be accepted into the foul sewer either directly or indirectly.

Water Infrastructure

Wessex Water is not the incumbent supplier in this area.

For more details and guidance for applying to connect to our networks please see our website:

<https://www.wessexwater.co.uk/services/building-and-developing/building-multiple-properties-or-largedevlopments>

24. Environmental Health (Noise) Officer – The Environmental Health Officer initially raised some concerns in respect of noise, but further plans/ information was submitted, including a noise report and now the Environmental Health Officer supports the scheme, subject to conditions.

Final comments dated 15/07/2024 as following:

'I refer to the Amended Noise Assessment Prepared on behalf of: ECA Architecture & Planning and BCP Council BE 16452 by Build Energy Ltd. (V2 11/7/2024 – Updated Figures and Floor Calculations)

The report makes recommendations in respect to improving the sound insulation between the Food Hall and the first floor through the installation of a metal frame suspended ceiling, with a layer of fireboard which will improve the sound insulation performance of the existing ceiling. Amended calculations and drawings have now.

A summary of the proposed build-up can be seen in Table 8 of the report.

The Impact of the O2 Academy on the proposed use has also been considered.

The proposal seeks to change the use of the entirety of the upper floors to Use Class E, which reduces the sensitivity of these areas with respect to noise from the O2 Academy as this would not be used as residential property.

Furthermore, it is intended to introduce secondary glazing which will increase the sound insulation performance of the external building fabric.

I am therefore satisfied with the proposed works outlined in the Noise Assessment Prepared on behalf of: ECA Architecture & Planning and BCP Council BE 16452 by Build Energy Ltd. Report.

I would therefore request that should you be minded to grant planning approval that a condition be attached outlining that the works shall be carried out in accordance with the ECA Architecture & Planning and BCP Council BE 16452 by Build Energy Ltd. Report. Where the specification for the secondary glazing is specified in Table 5 of the report and the specifications for the sound insulation for the ceiling between the food court and first floor is specified in Table 8 of the report'.

25. Waste Management Officer –

Comments dated 10/11/2023:

'The plans show that a bin storage area has been designated within unit 22. The bins should be collected directly from the bin store, and the collection crews will need a key/fob/code to access the store and secure it afterwards. The waste management plan advises a dropped kerb would be installed to enable the bins to be transferred to and from the collection vehicle. There is no need for the bins to be presented outside of the bin store for collection, and in doing so this would obstruct the footway.

The bin store shows 15 x 1280 litre capacity bins. If a commercial waste collection contract was provided by the Council, the largest bin provision would be a plastic 1100 litre capacity bin. In addition, food waste would be collected via 140 litre two wheeled bins. Anything larger than this for food waste is a health and safety concern with regards to moving and lifting the bin. However, different commercial waste collection providers may have alternative policies in place.

Some further details for the Waste Management Plan (WMP) are required to show that the waste collection needs for the proposed development are met:

Advise the number of containers allocated for refuse and recycling and the proposed frequency of emptying.

Method of internal waste collection from units/offices and how this would be transferred to the bin store.

The bin store should not be accessible for members of the public and the WMP should state what entry controls are in place.

Backup procedures for failed collections for reasons such as hindered access, overflowing bins, contaminated bins and contingencies if the bin store is not large/suitable enough to meet the waste requirements of the site.

Monitoring and cleansing of bin compounds.

Plans to detail with bulky wastes and unusual deposits of wastes.

Locations and sizes of internal bins, particularly for the food court if this is not already shown.

At this stage we understand that food will not be prepared on site. However, if this is to change, then the food waste container allocation within the bin store would need to be altered to reflect that. If this is known at this stage then this should also be shown in the WMP.

Please defer for an amended and more comprehensive Waste Management Plan'.

26. Heritage Officer – No objection:

'Please see report for linked Listed Building Application 7-2023-16746-AY for all Heritage comments relating to the scheme and list of drawings consulted'.

27. Local Highway Authority (LHA) Officer – The LHA Officer initially raised concerns and requested amended plans and additional information pertaining to the layout and management of the cycle parking provision, as well as confirmation on the operational details of the refuse collection, including the need for an external collection point. Final revisions have been agreed by the LHA, subject to a planning condition and that the applicant would enter into an appropriate legal agreement.

Comments dated 05/07/2024:

'Additional information confirms that the onsite cycle parking will be available for staff of the proposed office use thus covering the increased demand arising from this proposal. Moreover, the applicant has agreed to a financial contribution towards visitor cycle parking facilities, secured through an appropriate legal mechanism and provided within the vicinity of the site. Indicative costs have been provided by the council's Sustainable Travel Team, as being £280 per stand (equipment and labour) with 3 stands (6 spaces) being required.

RECOMMENDATION:

The Local Highway Authority has no objection subject to the imposition of the following conditions and that the applicant enter into an appropriate legal agreement'.

Representations

28. Site notices were posted in the vicinity of the site on 4th September 2023 with an expiry date for consultation of 25th September 2023. Following receipt of amended plans and additional information the scheme was readvertised on 24th January 2024 with an expiry date for consultation of 15th February 2024. Press notices were also published for both periods of consultation.

29. 9no. letters objecting the proposed works were received. The grounds for objection are as following:

- The scheme would have an adverse impact upon the existing established independent and unique traders/businesses in the Arcade which provide for local residents/the community
- The scheme would be harmful to a Victorian spirit of the existing building
- The scheme would force 15 existing shops in Arcade to close/ be put out of business
- The high street is full of cafes, bars and fast food shops already
- Boscombe does not need more food places or office spaces as these would not be filled
- An alternative location for a food hub/hall would be TJ Hughs which is empty
- Acknowledge that the Arcade has some empty spaces that need filling
- Concern regarding the provision of external cooking fans on the listed building
- The historical building only needs repair and should not be changed/modified/modernised

1no. letter in support was received:

- Regeneration of the area and sustainable development is needed
- The scheme would be an asset to a local community
- Boost to a local economy
- A positive impact on local employment and would provide opportunities to the younger generations

Key Issues

30. The main consideration for this application is the principle of the proposed change of use and associated impact on the local area character. Also, it is important to assess the impact of the proposed works upon the special interest and significance of the listed building.

31. The main areas of work which relate to the proposed change of use is the provision of lifts, toilets and bin store in ground floor retail units; changes to the internal layout to upper floors.

Policy context

32. Local documents:

Core Strategy (2012)

Policy CS1 – Presumption in Favour of Sustainable Development

Policy CS5 – Promoting a Healthy Community

Policy CS6 – Delivering Sustainable Communities

Policy CS9 – Enhancing District Centres

Policy CS16 – Parking Standards

Policy CS18 – Encouraging Walking and Cycling
Policy CS38 – Minimising Pollution
Policy CS39 – Designated Heritage Assets
Policy CS41 – Quality Design

Boscombe and Pokesdown Neighbourhood Plan (2019)

Policy BAP1 – The scale and density of development
Policy BAP2 – Good Design for the 21st century
Policy BAP3 - Shopfronts
Policy BAP9 – Christchurch Road

District Wide Local Plan (2002)

Policy 5.19 – Core Shopping Areas
Policy 6.3 – Retention of residential accommodation
Policy 6.4 – Loss of residential above shops and commercial premises

Supplementary Planning Documents:

Public Realm Strategy: Guiding Principles – SPD
BCP Parking – SPD
Waste and Recycling Services Planning Guidance Note

Emerging BCP Local Plan

It should be noted that the emerging BCP Local Plan has been published and has now been submitted for examination in June 2024, however at this stage, the emerging Local Plan attracts limited weight, although its evidence base may on occasion have information that could be material.

33. Planning (Listed Buildings and Conservation Areas Act) 1990

Of particular relevance to the determination of this application is:

Section 7 - No person shall execute or cause to be executed any works for the demolition of a listed building or for its alteration or extension in any manner which would affect its character as a building of special architectural or historic interest, unless the works are authorised.

Section 16 (2) - Special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

34. National Planning Policy Framework (2023)

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

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:

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

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

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

- Chapter 2 - Achieving sustainable development
- Chapter 5 - Delivering a sufficient supply of homes
- Chapter 6 - Building a strong and competitive economy
- Chapter 7 – Ensuring the vitality of town centres
- Chapter 8 - Promoting healthy and safe communities
- Chapter 9 – Sustainable transport
- Chapter 11 – Making effective use of land
- Chapter 12 - Achieving well-designed places
- Chapter 14 - Meeting change of climate change
- Chapter 16 - Conserving historic environment

Of particular relevance to the determination of this application is Chapter 16 ‘Conserving and enhancing the historic environment’ including the following:

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:

- d) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- e) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- f) 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:

- c) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- d) 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.'

Planning Assessment

Background and overview

- 35. The application proposals relate to the refurbishment and repair of the Royal Arcade with the aim of restoring the entire building and bringing it back into use as part of the revitalisation project that is currently underway in this part of Boscombe. The importance of this building to the overall project was recognised when funding was secured, as part of the Better Boscombe Regeneration initiative funded by the Department of Levelling Up's Towns Fund Programme.
- 36. However, since the current application was originally submitted, BCP Council have decided not to pursue the Royal Arcade project due to rising costs and a shortfall in funding at the current time. As a result, the available funding for the Royal Arcade is due to be reallocated to other Towns Fund projects (including the masterplan, high street and community centre as well as a package to support the existing tenants of the Royal Arcade). However, the building remains a key part of Boscombe's townscape and the work detailed in the application is an important part of the regeneration and renewal of Boscombe. As a result, securing this planning consent will ensure that permission is already in place for the building's regeneration should the owner wish to pursue the proposals or another Investor or Public Sector Funding Source become available.
- 37. The Design and Access Statement submitted by the applicant refer to wider community engagement including a reference to the Bournemouth Towns Fund Strategic Board and sub-groups, and notes that re-purposing the Arcade 'as a shopping, food and leisure destination on the ground floor with offices and a skills hub on the upper floors, is part of the Vision for the area'.
- 38. The supporting Market Testing document notes that 'Initial market testing for small business occupiers showed strong initial demand across a range of core uses, supporting the emerging direction of the scheme to include food, retail and mixed-use office space' and that 'the proposed scheme could spur regeneration in Boscombe's town centre'.
- 39. It is envisaged that the ground floor units will be occupied by a range of retail uses (to the west and east wing - close to Christchurch Road) as well as food offerings with an associated food court area (to the north and south wing - close to Palmerston Road). The Design and Access Statement notes that there will be a variety of food offerings, delivered by local vendors, with a focus on convenience and diversity' with the food court 'designed to

create a vibrant and inviting atmosphere'. The agent has noted that units 7-22 are intended to be food court units with the remaining as retail.

40. To the upper floors (first, second and third floors) office use is proposed. This will include a mixture of office spaces, innovative incubator units for start-up businesses, meeting rooms, open plan break out spaces, toilets and kitchen areas. It is envisaged that by bringing the upper floors back into use, the footfall through the Arcade will increase, improving the viability of the ground floor units.

Principle

41. The proposed works include a mix of Class E and F units on site under the current Use Class Order. The Use Class Order 2020 was an update to the Use Class Order 1987. The Government introduced the new use classes legislation with the aim to allow more flexibility, and let the free market decide what the available premisses are used for.

Class E – Commercial, Business and Service

In 11 parts, Class E more broadly covers uses previously defined in the revoked Classes A1/2/3, B1, D1(a-b) and 'indoor sport' from D2(e):

- **E(a)** Display or retail sale of goods, other than hot food
- **E(b)** Sale of food and drink for consumption (mostly) on the premises
- **E(c)** Provision of:
 - **E(c)(i)** Financial services,
 - **E(c)(ii)** Professional services (other than health or medical services), or
 - **E(c)(iii)** Other appropriate services in a commercial, business or service locality
- **E(d)** Indoor sport, recreation or fitness (not involving motorised vehicles or firearms or use as a swimming pool or skating rink,)
- **E(e)** Provision of medical or health services (except the use of premises attached to the residence of the consultant or practitioner)
- **E(f)** Creche, day nursery or day centre (not including a residential use)
- **E(g)** Uses which can be carried out in a residential area without detriment to its amenity:
 - **E(g)(i)** Offices to carry out any operational or administrative functions,
 - **E(g)(ii)** Research and development of products or processes
 - **E(g)(iii)** Industrial processes

Class F – Local Community and Learning

In two main parts, Class F covers uses previously defined in the revoked classes D1, 'outdoor sport', 'swimming pools' and 'skating rinks' from D2(e), as well as newly defined local community uses.

- **F1 Learning and non-residential institutions – Use** (not including residential use) defined in 7 parts:
 - **F1(a)** Provision of education
 - **F1(b)** Display of works of art (otherwise than for sale or hire)
 - **F1(c)** Museums
 - **F1(d)** Public libraries or public reading rooms
 - **F1(e)** Public halls or exhibition halls
 - **F1(f)** Public worship or religious instruction (or in connection with such use)
 - **F1(g)** Law courts

F2 Local community – Use as defined in 4 parts:

- **F2(a)** Shops (mostly) selling essential goods, including food, where the shop's premises do not exceed 280 square metres and there is no other such facility within 1000 metres
- **F2(b)** Halls or meeting places for the principal use of the local community
- **F2(c)** Areas or places for outdoor sport or recreation (not involving motorised vehicles or firearms)
- **F2(d)** Indoor or outdoor swimming pools or skating rinks

42. In line with paragraph 123 of the NPPF, planning *'decision should promote an effective use of land in meeting the need for homes and other uses'* with focus on *'previously-developed or 'brownfield' land'*. Furthermore, according to paragraph 124, planning decision should for instance *'encourage multiple benefits from both urban and rural land[...] recognise that some underdeveloped land can perform many functions[...]give substantial weight to the value of using sustainable brownfield land within settlements for...other identified needs[...]promote and support the development of under-utilised land and buildings'*. Also, paragraph 126 identifies that planning decision *'need to reflect changes in the demand for land'*.
43. Paragraph 135 of the NPPF states that *'Planning policies and decisions should ensure that developments:*
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
 - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
 - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
 - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
 - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
 - f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience'.*
44. Policy CS5 of the adopted Core Strategy (2012) promotes a Healthy Community though inclusive, accessible, safe and well-designed development and spaces. Policy CS6 encourages that the Council when working with other partners and developers should ensure that sustainable communities are delivered. This can be achieved by promoting a range and variety of retail, health, cultural and community facilities or infrastructure to meet the day to day needs of the local community. Policy CS9 states that the Council should ensure that the function, vitality and viability of district centres is enhanced.

45. This application seeks to create a designation for social gatherings and retail, featuring a food market hall with creative independent retail on the ground floor and flexible class E and a digital skills hub (Class F) to the upper floors of the Royal Arcade. The existing upper floors have been vacant for over 10 years. It should be also noted that the floors above the ground floor level were described as 'empty' in the Design and Access Statement submitted as part of planning application 7-2013-16746-AJ.
46. Effectively, the proposed works will improve the vitality of the Royal Arcade and would enhance the wider Boscombe Centre by improving the use of the site. The scheme would result in maximising the overall potential of the site through re-introduction back to the market 8no. vacant ground floor units and bringing back to use the current 2,483sq. metres of unsuitable floorspace of the upper floors. There is anticipated increase of the annual visitor footfall, and the proposals will include up to 400sq. metres of community facilities on site.
47. The proposed works would improve the wider regeneration of Boscombe and will be key to using Towns Fund monies to purchase, repair and repurpose of the existing Grade II Listed Royal Arcade. The proposed works will refurbish the existing heritage asset in a sensitive manner, which will be discussed further in the section below. The application site forms an integral part of the Better Boscombe Regeneration initiative founded by the Department of Levelling Up, Housing and Communities Towns Fund Programme with public sector match funding. The proposed works would help to regenerate the historic centre of Boscombe and will provide a boost to a deprived neighbourhood. The proposed change of use is therefore in line with principle of the Levelling Up White Paper, which indicates the need for providing opportunities for boosting economic growth and transforming places nationally.
48. The application site also sits within the boundary of the Boscombe and Pokesdown Neighbourhood Plan (BPNP) 2019. Policy BAP3 of the plan states that there is a presumption in favour of retaining and renovating shopfronts that are original to the building. Policy BAP9 discusses sites set along Christchurch Road where the application site is located. This policy supports a mix of uses, excluding residential at ground floor level, which is in line with the adopted Development Plan Policies. Paragraph 9.7 of the BPNP confirms that people believe that vacant shops in the Royal Arcade have to be used as small cafes and independent restaurants or as an art gallery or exhibition space. 90% of respondents support a mixed high street that consist of shops, food, drinks, leisure and services.
49. Policy 5.19 (Core Shopping Area) states that *'The Local Planning Authority will grant planning permission for A1 Ground Floor Retail uses throughout the Core Shopping Areas. A2 and A3 uses may be permitted provided it can be demonstrated the use will make a positive contribution to the diversification of the core and to its retail character, vitality and viability, and is able to meet the following criteria:*
- i) The use will not constitute a 'Bad Neighbour' to lawful uses or will be incompatible with the operation of existing authorised uses.*
 - ii) The use will not unreasonably the amenity enjoyed by nearby residents by reason of noise or levels of activity particularly late at night.*
 - iii) Adequate servicing facilities are proposed, and in case of extensions and redevelopment parking as set out in appendix 4.*
 - iv) The use will not result in vehicular or pedestrian congestion or create a hazard to road users'.*

50. Policy 6.3 (Retention of Residential Accommodation) advises that *'residential development will be permitted except:*
- i) *In areas specifically allocated for other purposes in the Local Plan;*
 - ii) *Where it would demonstrably harm the character or appearance of an area or the appearance of an area or the amenities enjoyed by local residents;*
 - iii) *On sites where it would otherwise be inappropriate in the light of detailed site considerations'.*
51. Policy 6.4 states that *'the Local Planning Authority will protect against the loss of a lawful residential use in the upper floors above existing shops and other commercial premises'.*
52. Extant uses on site under the current Use Class Order have been listed within paragraph 8 above. This application essentially proposes to retain all existing Class E ancillary storage spaces within the basement level. The existing ground floor level shows predominately units under the Use Class E apart from units 30, 32, 32, and 566 that are noted as Class F uses. It should be noted that units 30-32 benefit from a temporary Class F use consent granted under planning permission 7-2021-16746-AV on 28 July 2022 (a temporary period until 31.3.2026). The proposed works would result in all units being under Class E use. Then, the existing use Class E units would remain under the same class use although 16 residential units on 1st floor, 16 residential units on 2nd floor, and 1no. residential unit on 3rd floor would be converted into use Class E.
53. The proposed mixed use will help to diversify Class E and F uses on site, as well as providing complementary uses within Boscombe District Shopping Centre. No residential use is proposed; hence the proposals would not result in the loss of ground floor retail/commercial floorspace. The upper floors are largely vacant, with many derelict units and historical residential uses. Despite some identified conflict with Policies 6.3 and 6.4, the existing residential units are not habitable in practical terms. As acknowledged already, historically there were residential uses on site to the upper floors; however, those units are now derelict and have not functioned as residential units for many years. Residential uses have not been re-introduced for over 10 years and recent permissions for residential units have lapsed. Furthermore, the proposed E and F class uses would complement and support the continued vitality and viability of the locality as a commercial centre. The NPPF confirms that uses within Classes E and F are suitable within the Core Shopping Areas. There is also identified positive economic and social benefits flowing from a scheme comprising a mixture of uses within Classes E and F. This type of complementary diversification of uses will help to reduce vacancy rates by allowing a wider range of uses without the need for further planning proposals for change of use in the future.
54. The loss of residential use units on site is acknowledged and some conflict with Policies 6.3 and 6.4 is identified. However, it is considered that the wider public benefit in form of revitalising the existing heritage asset, introducing accommodation for small and medium enterprises, as well as a digital skills hub for the local community would on balance outweigh the loss of historical residential use of the upper floors. The regeneration of the Royal Arcade should attract visitors to the town centre facilitating linked trips and enhance the vitality and viability of the centre. Therefore, the proposed works would comply with relevant policies of the Bournemouth District Wide Local Plan (2002), Core Strategy (2012) and the Boscombe and Pokesdown Neighbourhood Plan (2019).
55. It should be also noted that the application pre-dates the Government requirements for statutory Biodiversity Net Gain and therefore there is no requirement for the application to provide the 10%.

Public benefits arising from the scheme

56. The proposed works would provide substantial benefits in form of delivering sustainable development that would contribute economically by providing diversified uses on site and bringing back a partially derelict heritage asset. Environmentally, the proposed works will improve the buildings condition, energy efficiency and introduce sustainable sources of energy by providing PV panels. Social benefits would be in the form of the introduction of a skills and knowledge hub, community focused and accessible use, as well as a new place for social gatherings. This would be in line with the principles set within paragraph 11 of the NPPF.
57. The award of Government funding to help regenerate the Royal Arcade and Boscombe recognises that the scheme would result in significant public benefits. This is also evidenced in the supporting documents which accompany the application and some of the public benefits identified, that could arise from the scheme, include:
- bringing a predominantly vacant building back into active use through its refurbishment;
 - contributing to the regeneration of Boscombe by linking with other Towns Fund projects such as the High Street Refresh and Digital Skills Hub;
 - providing a Digital Skills Hub in the Arcade - giving Boscombe residents and businesses the necessary digital skills, innovation and learning infrastructure required to develop a thriving creative digital ecosystem, in turn helping to drive local economic growth and regeneration;
 - making the area more desirable to visit, live, work and shop;
 - generating income which could be reinvested into ongoing maintenance and repairs for the building;
 - job creation;
 - increasing footfall in the Arcade and to Boscombe as a destination giving visitors new reasons to visit the high street;
 - provide a comfortable working environment for users of the building;
 - meeting the need in this location for start-up businesses in the digital and creative business sector;
 - providing affordable and sustainable commercial work spaces;
 - providing opportunities for small businesses run by local people and to create an area local people are proud of;
 - improved public perception of the area which could attract further investment.

Impact on the local Area Character

58. There have been a number of changes to the Arcade over time including the creation of a new entrance in place of unit 23 to provide pedestrian access to the newer Sovereign Shopping Centre at the rear. Further works were carried out in the 1990s to the upper floors including conversion of parts of the upper floor to form offices above the front entrance area and above the newly created access to the Sovereign Centre. The Royal Arcade is a Grade II Listed building, which comprises 27no. retail units set around a central walkway. Ancillary and mostly vacant accommodation is provided within basement, first, second and third floor. Those floors have historic use as work spaces and residential uses.

59. The proposed works would not alter the existing building's footprint. The proposed works affecting the external envelope of the building would be predominantly limited to reinstating currently blocked up doors and windows at ground floor level. All brickwork would be restored and re-pointed as required. Whereas the existing render would be repaired. The overall process relating to the choice of the external facing materials and agreement of alternations to this listed building went through excessive negotiations between the applicant and the Council's Conservation Officers, which will be further explored later in this report. Overall, the external alterations would be minimum.
60. The Conservation and Design Team supports the Cultural Heart initiative with the redevelopment of an area of the town which is currently under-used and which has great potential. The current use of the basement and ground floor levels is a mix of Class E and ancillary uses, such as storage temporary, Class F and Sui Generis uses. Despite applying for Class E uses on site the applicant should make a note that it is unknown at this stage whether the food operations will provide food mostly for consumption on or off the premises. If the latter and most food purchases will be consumed off the premises then there would be a future need for change of use to a takeaway (Sui Generis). At this stage, it has been confirmed that the proposed works would introduce a concept of a 'pop-up' food courts to allow more flexibility and variety of local services and food choice. As noted already in this report, the current lawful use of the upper floor levels is a combination of historic residential units (Class C3) and office (Class E) uses. The most recent permissions post 2010 for residential use have never been implemented. The proposed works would change the upper floors to Class E and up to 400sq. metres of Class F. The aim of the proposed works is to provide affordable entrepreneurial and a Council-led digital skill hub.
61. Overall, it is considered that the proposed uses would be in keeping with the character of the District Shopping Centre and are not considered to result in any detrimental harm to surrounding uses. For the above reasons, the proposed works would comply with policies CS39 and CS41 which seek to promote good design, maintain, and enhance the quality of the street scene and to provide a design which respects the site, designated heritage assets and the surroundings, as well as Policy 5.19 which relates to Core Shopping Areas, BAP1 in respect of the scale and density of development, BAP2 in respect of the design, BAP3 and BAP 9 while considering the impact on the shopfronts and Christchurch Road respectively.

Impact on the amenities of local residents

62. As noted already in this report, the proposed works would not alter the existing footprint and changes to fenestration would be set to minimum. The proposals would not impact nearby neighbours in terms of loss of privacy, overshadowing, or noise due to the retention of adequate spatial separation. Overall, the proposals will safeguard the residential amenities of neighbouring occupiers and would be comply with CS41 of the Core Strategy.

Areas of work proposed and their impact on the listed building

63. The current Listed Building application ref. 7-2023-16746-AY covers off internal works to the Listed Building hence this report will refer to external works that would potentially result from internal works and the acceptability of the proposed change of use.

External

64. In association with the internal elements of the HVAC system, external heat recovery units are also required. These will be located in the rear alleyways alongside the external wall of the building and positioned to avoid covering existing door and window openings.
65. A further external change relates to the introduction of vents in the Arcade roof. These will extract and expel air via the ductwork/risers which run up through the building. The majority are positioned on the rear roof slopes to reduce their visual impact. Some are located on more prominent roof slopes (dictated by the position of the risers within the building) however, it is considered that these vents will have a limited visual impact, being relatively small in nature and coloured to match the existing roof slates.

Refurbishment and internal repairs

66. The upper floors of the building have been vacant for many years and are in a dilapidated state. Many features have been lost or damaged over time which means that the retention of remaining features of significance is essential.
67. Before the upper floors can be occupied a significant amount of repair and refurbishment work is needed. This is for safety reasons and to ensure the creation of an enticing space for future occupants/users of the building. The Design and Access Statement notes that 'The first and second floors have been crudely modified to create horizontal access (holes knocked through walls) and much of the detailing has gone - many stairs removed or without balustrades, much cornicing and skirting removed'.
68. It is noted that it is not the intention to restore the interior to its original appearance and condition - by reinstating lost features. Instead, the applicant has decided to adopt a more 'honest approach' which will 'preserve and highlight the history of the building'. This approach, as the Design and Access Statement notes, will be to 'retain whatever fabric remains in the interior, even if that is incomplete areas of wallpaper and cornicing. Whatever materials are well adhered and stable will be kept'. It goes on to state that 'This approach extends to skirting boards, dado rails and cornicing – where these are secure they will be retained in situ. Although many fireplace surrounds have been removed those remaining will be reinstated to the open hearths'. The intention is to 'carefully repair existing fabric where it has become damaged and not to reinstate modern remakes of original fabric that has been lost'.
69. The Statement also notes that 'Following a comprehensive evaluation of the internal finishes schedules of work for each areas/units will be identified.' In response to this and the approach of the applicants a condition will be attached requiring the submission of schedules, for the rooms and circulation spaces. This will identify and record the location and condition of original features and the intended approach (ie to retain and repair doors, fireplaces, tiled hearths, skirting, mouldings). It will also deal with scenarios where historic fabric is missing, such as the balustrade to the staircases, to ensure that any salvaged parts are reused or new ones are provided to match the original.
70. Although a greater degree of restoration/reinstatement would be preferable the proposed approach has been justified as existing features/elements will be retained and the restoration proposed will enable the upper floors to be reused. Supporting information from the agent also notes that it 'is neither viable or feasible to undertake a full-scale restoration of the interior features of the listed building ...'. The accompanying CBRE Report also states that 'the scale of repair must be taken into account when considering what is actually realistic and achievable' in view of the costs involved.

Structural works and external repairs

71. The Design and Access Statement submitted by the applicant notes that 'The building is currently in a poor state with movement on the main facade and water ingress in a number of places' and that the cupola is 'in a critical state of repair'. In view of the dilapidated state of the building it is inevitable that some structural work, along with works of repair, will need to be undertaken and the submitted application contains details highlighting what might be required. This includes repointing of brickwork and making good of cracked external render. However, at this stage the precise nature and extent of work needed is unclear as the building has not been fully surveyed. Although initial investigations have taken place not all areas were accessible or open to view. In view of this a condition will be attached to seek further details, to ensure that any works are fully informed, following further investigation.

Highway Considerations

72. The site is located within parking zone A, hence the proposed car-free development is considered to be acceptable. The Local Highway Authority (LHA) initially raised concern regarding the proposed on-site parking provision. Additional information was provided, which confirms that the on-site cycle parking will be available for staff of the proposed office use thus covering the increased demand arising from this proposal. Additionally, a financial contribution towards visitor cycle parking facilities has been agreed by the applicant. This is considered to be appropriate by the Local Highway Authority to mitigate the lack of visitor parking. This would be secured through a S106 agreement and provided within the vicinity of the site. Indicative costs have been provided by the council's Sustainable Travel Team, as being £280 per stand (equipment and labour) with 3 stands (6 spaces) being required. The Council's Legal Department have been instructed to prepare a required legal agreement.
73. Consequently, the proposed works would comply with planning policies CS16, CS18 and CS41 subject to the imposition of the conditions suggested by the Local Highway Authority, as well as finalising a Section 106 Legal Agreement.

Waste Management

74. The agreed details confirm that the waste would be collected from the store directly, which negated the need for bins to be presented on the footway and overcomes concerns initially raised by statutory consultees. The Waste Management can be conditioned and on balance this is considered an acceptable solution.

Planning Balance / Conclusion

75. This application proposes comprehensive refurbishment works of the existing Grade II Royal Arcade. The long-vacant upper floor would be brought back to active use. The ground and upper floors would accommodate a mix of flexible uses within Classes E and F of the use classes order, introducing retail spaces at ground floor, as well as office uses and a community space within the upper floors. The existing Class F uses would be predominately retained.
76. The loss of existing residential units, which are non-habitable in practical terms, has been justified in this report. Some level of conflict with Policies 6.3 and 6.4 is identified. However, it is considered that the wider public benefit in form of revitalising the existing heritage asset, introducing accommodation for small and medium enterprises, as well as a digital

skills hub for the local community would on balance outweigh the loss of historical residential use of the upper floors

77. The proposed works would be in line with strategic policy objectives, including both the Local Plan Core Strategy, as well as the National Planning Policy Framework (NPPF). This includes paragraph 86 of the NPPF, Policy CS9 of the Core Strategy, and saved Policy 6.3 of the Local Plan, which promote supporting the diversification and vitality and viability of the Town Centre as a whole. Careful restoration of the existing listed building would support the long term preservation of the Listed Building. Diversification of the uses on site will enhance and maintain the viability and accessibility of the commercial centre in a core town centre location. The proposed development would improve accessibility to local employment and community facilities, including a skills and knowledge hub. Furthermore, the scheme would provide employment opportunities, as well as will encourage sustainable development.
78. The scheme proposes numerous alterations, predominately internal layout changes. The existing building's envelope would not be altered hence biodiversity would unlikely be affected, neither the scheme would result in increased flood risk. As detailed above and as noted on the application plans, which together result in a significant intervention to the listed building. However, it is acknowledged that these interventions are necessary to address its dilapidated condition and to facilitate the building's refurbishment to enable the building to be brought back into use. This is a clear benefit which will help to preserve the special historic interest and significance of the building which, in turn, will make a positive contribution to the local character and distinctiveness of Boscombe - aligning with Paragraph 203 of the NPPF.
79. As required by Paragraph 206 of the NPPF a clear and convincing justification has been demonstrated for the various areas of work proposed and the scheme as a whole. In addition, revisions have been sought to ensure that the harm arising has been minimised. Within the context of Paragraph 208 of the NPPF it is considered that the proposals would result in a degree of harm which would be less than substantial and moderate in nature. This harm attracts considerable importance and weight however, it is considered that the harm would be outweighed by the public benefits arising from the scheme as a whole.
80. Despite the moderate harm arising it is also considered that the work would not detract from the special interest or significance of the listed building as a whole. It has been demonstrated, through the approaches taken, the retention of historic fabric and the proposed use of quality materials and products (ie Selectaglaze), that the work would be undertaken sympathetically. In addition, the proposals have sought to ensure that the building would become more energy efficient and would have a reduced carbon footprint through the introduction of solar panels, secondary glazing, insulation, and the HVAC system.
81. This investment in the building, which is a heritage asset and as Paragraph 195 of the NPPF notes is an 'irreplaceable resource', will help to ensure that it is preserved for future generations. As a building of national interest its long-term preservation is a clear public benefit.
82. It should be acknowledged that the draft Bournemouth, Christchurch and Poole Local Plan has recently been subject to consultation and is yet examined. At this time, it is considered that the emerging BCP Local Plan carries little weight in the assessment of this application.

83. On the basis of the information submitted with the application, and subject to compliance with the conditions attached to this permission, it is considered that the proposals will be acceptable and that the scheme would be in accordance with the Local Plan, NPPF, Government Guidance and Government Legislation.

Recommendation

84. **GRANT permission for the reasons as set out in this report subject to the following conditions and legal agreement:**

Highways Contribution:

A financial contribution totalling £840.00 to sustainable transport improvements to mitigate the impact of the proposed development, namely the provision of three cycle stands to be delivered within the vicinity of the site to the specification and satisfaction of the Local Planning Authority.

The highways contribution is to be index linked from the date of the decision notice to the payment of the contribution based on the Construction Output Price Indices for new work, produced by the Office for National Statistics.

1 Work to be carried out in accordance with plans as listed

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

- Drawing No 286 3 001 Rev A, Site Location Plan
- Drawing No 286 3 143, Existing First and Second Floor
- Drawing No 286 3 145, Existing Uses
- Drawing No 286 3 141, Existing Site Plan
- Drawing No 286 3 142 Rev A, Existing Basement and Ground Floor Plan
- Drawing No 286 3 144, Existing Third Floor Plan
- Drawing No 286 3 200 Rev A, Existing & Proposed South Elevation
- Drawing No 286 3 201 Rev B, Existing & Proposed North Elevation
- Drawing No 286 3 202 Rev A, Existing South & East Wings Elevation
- Drawing No 286 3 203 Rev C, Proposed South & East Wings Elevation
- Drawing No 286 3 204 Rev A, Existing West Wing Elevation
- Drawing No 286 3 205 Rev A, Proposed West Wing Elevation
- Drawing No 286 3 206 Rev B, Existing & Proposed West Elevation (Palmerston Road)
- Drawing No 286 3 301 Rev A, North Wing South Internal Elevation
- Drawing No 286 3 302, East Wing West Internal Elevation
- Drawing No 286 3 303 Rev A, South Wing North Internal Elevation
- Drawing No 286 3 304, West Wing East Internal Elevation
- Drawing No 286 3 401 Rev A, Existing Section AA
- Drawing No 286 3 402 Rev C, Proposed Section AA
- Drawing No 286 3 403 Rev A, Existing Section BB

- Drawing No 286 3 404 Rev B, Proposed Section B
- Drawing No 286 3 150 Rev C, Proposed Site Plan
- Drawing No 286 3 151 Rev A, Proposed Basement Floor Plan Part A
- Drawing No 286 3 152 Rev A, Proposed Basement Floor Plan Part B
- Drawing No 286 3 153 Rev D, Proposed Ground Floor Plan Part A
- Drawing No 286 3 154 Rev C, Proposed Ground Floor Plan Part B
- Drawing No 286 3 155 Rev C, Proposed First Floor Plan Part A
- Drawing No 286 3 156 Rev C, Proposed First Floor Plan Part B
- Drawing No 286 3 157 Rev C, Proposed Second Floor Plan Part A
- Drawing No 286 3 158 Rev C, Proposed Second Floor Plan Part B
- Drawing No 286 3 159 Rev A, Proposed Third Floor Plan
- Drawing No 286 3 160 Rev B, Proposed Roof Plan
- Drawing No 286 3 161 Rev A, Proposed Use

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

2 Submission of details – general

Notwithstanding the information on the attached approved plans and prior to the commencement of work, as it relates to each of the individual areas of work as noted below, further detail/clarification is required as follows:

- Submission of schedules of work detailing the proposed internal finish/appearance to each of the rooms/units and circulation spaces including staircases. This will identify and record where original elements/features remain (including staircase balustrade, doors, fireplaces, cornice, skirting, picture rail, floorboards, lath and plaster walls and ceilings; architrave) along with the full details relating to the nature and extent of their retention, reuse, repair/making good, refurbishment, reinstatement
- Details of the nature and extent of repairs required to timber windows (including any shopfront windows)
- Details of the nature and extent of external repairs to stonework, render, brickwork and pointing
- Details of the colour (ie RAL no.) and finish (matt/gloss) of all elements/features to be redecorated internally and externally where there is a change to the existing colour
- Details of the nature and extent of repairs to the iron entrance gates
- Details of the nature and extent of insitu roof repairs relating to the replacement of damaged/missing slates to the roof and ridge
- Details, where the slate roof covering is to be removed to install a membrane, which clarify (i) the number of slates which have been salvaged and the amount of new slates required due to shortfall (ii) the method of re-roofing (ie randomly mixing salvaged and new, or using salvaged on most visible roofslopes) taking into account any shortfall required (iii) through the submission of samples of existing, and new, slates that the existing profile, size, colour, finish and fixing match (iv) the type of roof membrane to be installed - ensuring that any product is breathable and does not alter the height or profile of the existing roof
- Details of restoration of lead work to the roof (including flashing, dressings, valleys, capping, parapets, cupola)
- Details clarifying the design, location, size and colour of roof vents
- Details on the condition of existing rooflights and the nature and extent of any repairs/replacements required
- Details of nature and extent of repair/making good required to the external ground floor doors and windows facing the rear alleyways following removal of existing boarding
- Details of the location, size and appearance of external lighting and cameras
- Colour, size and location of the external heat pump units in the alleyway

- Details of the location, material, size and colour of any new external pipework
- Details on the nature and extent of fire upgrades to existing historic timber panelled doors.
- Details of the material and appearance of new timber doors
- Details of new ironmongery required to existing doors (where currently missing) and new doors
- Details of the appearance of new partition walls and risers indicating how they would scribe around skirting, cornice and picture rail
- Large scale plan and elevation details (1:20) showing the abutment of upper floor partition walls (to toilet and staircase enclosures) with window architrave
- Details of the location of internal reco-air units to the ground floor
- Details of the installation, style, appearance and material of all lifts
- Details of the appearance of the shop front fascia (including colour, size, style) to each ground floor unit
- Photos of all the ground floor ceilings (fully recording any cornicing/moulding present) upon removal of existing suspended ceiling and prior to the provision of a new suspended ceiling
- Details of the height of new ground floor suspended ceilings, relative to the existing ceiling height and shop window) where there are currently none present or where there is a change in height from the existing
- Elevation of a typical wall opening where original partitions are to be removed showing the size of opening (including nibs and downstand) relative to features (cornice, picture rail)
- Details (section, plan, elevation) showing capping/covering/enclosure of original staircases clearly showing original staircases retained in situ
- Details (section, plan, elevation) of the new external bin store door (Haviland Road West) showing any changes to the shopwindow

All details shall be submitted to and approved in writing by the Local Planning Authority. Work shall be carried out in accordance with the approved details.

Reason: To safeguard the historic and architectural interest and significance of the listed building in accordance with legislation and policy.

3 Installation of new services

Notwithstanding the information on the attached approved plans and prior to the installation of the HVAC system and internal services (including - internal units, pipes, cables, wires, trunking, trays, risers, lighting, heating, drainage/waste and water) details of their installation (including location/position, fixing, appearance, colour, size, run of pipework through floors/walls/ceiling/attic) relative to existing features along with works of alteration/intervention required to the fabric of the building shall be submitted to and approved in writing by the Local Planning Authority. Work shall be carried out in accordance with the approved details.

Reason: To safeguard the historic and architectural interest and significance of the listed building in accordance with legislation and policy.

4 Removal of redundant services

Unless otherwise agreed in writing with the Local Planning Authority redundant internal and external services (including pipework, cables, wires, trunking, junction boxes, air condition units) and their fixings should be removed. Their removal should be undertaken carefully so as not to damage the fabric of the building. All making good should be to match the original material in all respects (ie colour, profile, material, consistency, appearance).

Reason: To safeguard the historic and architectural interest and significance of the listed building in accordance with legislation and policy.

5 Removal of floorboards

Prior to the lifting of any floorboards they should be carefully labelled and photographed to ensure they are returned to the same location. They should be lifted in an appropriate manner for their size, age and fixing method and safely stored for reuse. Floorboards should be refixed in their original positions with nails.

Reason: To safeguard the historic and architectural interest and significance of the listed building in accordance with legislation and policy.

6 Making good

All making good required (ie when: repairing/reinstating missing stair components including balustrade and newel posts; widening openings; reinstating original walls; installing lifts; installing vents, pipes, wires and other services; plastering of holes/blown lath and plaster walls/ceilings; reinstating timber floorboards; removing redundant elements; repairing windows; replacing broken glass) - shall match the original in all respects (colour, profile, size, material, consistency/mix/type, appearance).

Reason: To safeguard the historic and architectural interest and significance of the listed building in accordance with legislation and policy.

7 Use of Selectaglaze secondary glazing

Unless otherwise agreed in writing by the Local Planning Authority Selectaglaze slimline secondary glazing shall be installed. Prior to its installation large scale details (1:20) showing the approach to each window type (ie sash, casement, curved, arched) shall be submitted noting: the location of the secondary glazing; its fixing; size of individual panes; colour of the secondary glazing frame. These shall be submitted to and approved in writing by the Local Planning Authority. Work shall be carried out in accordance with the approved details.

Reason: To safeguard the historic and architectural interest and significance of the listed building in accordance with legislation and policy.

8 Prior approval of solar panels

Notwithstanding the detail on the attached approved plans, prior to their installation details confirming: the number and location of the panels; the projection of the panels from the roof covering; fixing; colour of supporting framework; colour and finish of panels; any structural intervention required to strengthen the roof; the number of new slates if existing are damaged (to match the existing - type, profile, size, colour, finish, fixing); and, the location, appearance and fixing of associated cabling and equipment (ie inverter, isolator) shall be submitted to and approved in writing by the Local Planning Authority. Work shall be carried out in accordance with the approved details. The solar panels, external cabling and associated internal equipment shall be removed at the end of their useful life. All making good required to match the existing.

Reason: To safeguard the historic and architectural interest and significance of the listed building in accordance with legislation and policy.

9 Salvage and reuse of features

All loose features (including historic timber panel doors, balustrade, skirting, floorboards, fireplaces, floorboards, cornice, architrave) shall be reused and incorporated into this scheme. Where features are surplus to requirements they shall be safely stored on site and remain accessible for future use.

Reason: To safeguard the historic and architectural interest and significance of the listed building in accordance with legislation and policy.

10 Structural Investigations

Prior to the commencement of any structural work to any area of the building full details (including a structural report), noting the nature and extent of necessary works identified following a detailed inspection/survey, and assessment of the structural condition of the building, shall be submitted to and agreed in writing by the Local Planning Authority. Work shall be carried out in accordance with the approved details.

Reason: To safeguard the historic and architectural interest and significance of the listed building in accordance with legislation and policy.

11 Protection of building

Prior to the commencement of work details in relation to the protection of the external façade and internal features while the works are being undertaken, should be submitted to and approved in writing by the Local Planning Authority. The work shall be carried out in accordance with the approved details.

Reason: To safeguard the historic and architectural interest and significance of the listed building in accordance with legislation and policy.

Cycle Parking

Before the proposed change of use of the building is brought into operation, staff cycle parking shall be constructed and arranged as shown on approved plans. The cycle parking shall be externally illuminated to ensure safe and convenient access during day and night. The cycle parking facility shall thereafter be retained, maintained and kept available for its intended purpose at all times.

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

12. Construction Management Plan

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

- 24 hour emergency contact number;
- Hours of operation;
- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);

- Routes for construction traffic;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud being carried onto the highway;
- Measures to protect vulnerable road users (cyclists and pedestrians)
- Any necessary temporary traffic management measures;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

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

13. Noise report

The proposed works shall be carried out in accordance with the ECA Architecture & Planning and BCP Council BE 16452 by Build Energy Ltd. (V2 11/7/2024 – Updated Figures and Floor Calculations) prepared by Build Energy Ltd. Report, where the specification for the secondary glazing is specified in Table 5 of the report and the specifications for the sound insulation for the ceiling between the food court and first floor is specified in Table 8 of the report. The approved noise mitigation measures shall at all times be accorded with.

Reason: In order to safeguard the amenities of future occupiers of this noise sensitive development, in accordance with Policy CS38 of the Bournemouth Local Plan Core Strategy (October 2012).

14. Crime prevention scheme

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

Reason: In the interests of Crime Prevention.

15. Refuse Management Plan

The development hereby permitted shall not be occupied until a Refuse Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include: details of the management company to be set up; the employment of a private contractor to collect the refuse; measures to be taken if no private contractor is available at any time in the future (such as the employment of a person or persons to ensure bins are wheeled to the collection point); and that bins will not be stored in the open or at the

collection point apart from on the day of collection. The refuse management plan shall be carried out in accordance with the approved details, unless otherwise approved in writing by the Local Planning Authority.

The Refuse Management Plan shall be implemented and complied with by the Applicant, or its successor, upon occupation of the development and the Refuse Management Plan shall be permanently retained thereafter. Should the Applicant or its successor prefer to use the larger refuse vehicles, further amendments of Traffic Orders (TRO) on Hinton Road would need to be pursued at the developer's expense and in agreement with the Local Highway Authority (LHA). A plan showing the proposed new TRO shall be submitted to the LHA for approval in writing.

Reason: To ensure that the proposed development includes a long-term management plan for the collection of refuse in the interests of visual and residential amenities, and in the interests of highway safety

Informative Notes

4. No Storage of Materials on Footway/Highway

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

5. Listed Building (alterations)

As alterations are being proposed to a Listed Building, before any of these works are undertaken you must obtain Listed Building Consent. Failure to do so is an offence

6. Building Regulations and Fire Requirements

Informative Note: It is assumed that consideration has been given to the requirements of the Building Control Regulations and Fire Service requirements in respect of the design of the submitted scheme and that the effects of compliance with these are represented by the application drawings. The Applicant is advised that the grant of Planning Permission does not imply that any additional works that may be required to comply with the Building Regulations will be acceptable in relation to this application.

Statement required by National Planning Policy Framework (Approvals)

The Council aims to take a solution focused, positive and proactive approach to development proposals. This includes working with applicants and agents by:

- offering a pre-application advice service, and
- as appropriate, updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this instance: The applicant was provided with pre-application advice. Following the submission of the application, the applicant/agent was updated of the need for amendments and further information to support the application. The applicant/agent responded by submitting amended plans and additional information, which was found to be acceptable, and permission was granted with conditions.

Background Documents:

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

In addition to uploaded information there may be other publicly accessible information that may be accessed on request.

The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.

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Planning Committee

Application Address	44 Minterne Road Christchurch BH23 3LE
Proposal	Demolition of existing garage. Erection of 2 storey side extension, single storey rear extension & creation of 1st floor accommodation
Application Number	8/24/0720/HOU
Applicant	Michal Lydka
Agent	Mr J Isaacs
Ward and Ward Member(s)	Mudeford, Stanpit & West Highcliffe Cllr Lesley Dedman Cllr Paul Hilliard
Report status	Public
Meeting date	20 February 2025
Summary of Recommendation	Refuse for the reason(s) set out below
Reason for Referral to Planning Committee	Applicant is a direct family member (spouse) of an Officer working within the planning section.
Case Officer	Charlotte Haines
Is the proposal EIA development	No

Description of Proposal

1. This application seeks permission for the erection of a two-storey side extension and a single storey side extension following the demolition of the existing detached garage and the enlargement of the roof to create first floor accommodation.
2. The application follows the grant of planning permission for the erection of a single storey rear and side extension following the demolition of the existing detached garage and the enlargement of the roof to create first floor accommodation.
3. Amended plans were submitted by the agent during the course of the application. The main change is the introduction of a half-hipped element to the part of the extension closest to the boundary with the neighbour. The remainder of the

extension would retain a flat roof with the front and rear elevation comprising of vertical slate clad upper walls.

Description of Site and Surroundings

4. The application site lies within a cul de sac within the residential area of Stanpit. The surrounding area is characterised by a mix of two storey houses and bungalows. Minterne Road is characterised by predominantly detached single storey bungalows and chalet bungalows. These bungalows are varied in terms of scale, design, style and massing.
5. The application site consists of a hipped roof bungalow and is typical of the surrounding development in the road. The dwelling is set back in its plot with off-road parking.
6. The application site partly falls within future high risk flood zone 3a (2133).

Relevant Planning History

8/24/0318/HOU	44 Minterne Road Christchurch BH23 3LE	Alterations and remodel of the existing dwelling inclusive of demolition of the existing garage, single storey rear and side extension and creation of first floor accommodation	Granted	30/09/24
8/21/0813/HOU	46 Minterne Road Christchurch BH23 3LE	Single storey rear extension.	Granted	11/11/21
8/13/0344	40 Minterne Road	Create gable ends and insert dormer window to side to create accommodation in the roofspace. Erection of single storey extension to rear	Granted	28/08/13
8/06/0328	44 Minterne Road	Construct pitched roof over existing flat roof extension to rear	Granted	14/08/06
8/03/0075	44 Minterne Road	Erection of single storey pitched roof extension and replacement garage with pitched roof	Granted	25/03/03
8/01/0346	44 Minterne Road	Single-storey rear extension with pitched roof above. Erection of detached garage to rear following demolition of existing.	Granted	31/07/01

Constraints

7. Future Flood Zone 3a (Year 2133)

Public Sector Equalities Duty

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

Other relevant duties

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

Consultations

12. **Christchurch Town Council** – No comments have been received.

Representations

13. 1 objection has been received from the adjacent neighbour in which the following summarised concerns were raised:
- Proximity and height of the proposed building will severely impact the natural light entering their home;
 - Choice of black cladding on the first floor is likely to exacerbate the loss of light as it will absorb sunlight.

Key Issues

14. The key issue(s) involved with this proposal are:
- The impact upon the character of the area
 - The impact on neighbours' living conditions
 - Flood Risk
 - Parking and Highway Safety

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

Policy Context

16. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications must be determined in accordance with the development plan for an area, except where material considerations indicate otherwise. The development plan in this case comprises the Christchurch and East Dorset Local Plan and saved policies of the Christchurch Local Plan 2001.

17. Christchurch and East Dorset Local Plan Part 1 - Core Strategy 2014

KS1	Presumption in favour of sustainable development
KS11	Transport and Development
KS12	Parking Provision
HE2	Design of new development
H12	Residential Infill
ME6	Flood Management, Mitigation and Defence

18. Saved Policies of the Christchurch Local Plan 2001

H12: Residential Infill

19. Draft BCP Local Plan

20. The draft BCP Local Plan was submitted to the Secretary of State on 27 June 2024 for examination. The Local Plan examination is expected to take around 12 months. If approved by the Inspectors, the Local Plan will replace the current Local Plans around the middle of 2025. Due to the stage the Plan has reached, the majority of policies are attracting very limited weight at this time. Although a small number attract a limited weight at this time including the following relevant policy:

Policy BE3: Living conditions

21. This draft policy is broadly in line with the existing relevant policies HE2 of the Christchurch and East Dorset Local Plan Part 1 - Core Strategy 2014 and saved policy H12 Christchurch Local Plan 2001; namely that proposals should be compatible with surrounding uses; not result in an unacceptable impact upon public amenity or the living conditions of current or future occupiers considering overlooking, overshadowing, privacy, noise, levels of sunlight and daylight and whether the development is overbearing or oppressive.

22. Supplementary Planning Documents

Parking Standards SPD 2022

Christchurch Borough-Wide Character Assessment (2003)

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

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 12 – Achieving well designed places

The requirement for good design set out in section 12; paragraph 135 requires that developments should function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Development that is not well designed, especially where it fails to reflect local design policies and government guidance on design should be refused (para 139).

Section 14 - Meeting the challenge of climate change, flooding and coastal change

Paragraph 172 - All plans should apply a sequential, risk-based approach to the location of development – taking into account all sources of flood risk and the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by:

- a) applying the sequential test and then, if necessary, the exception test as set out below;
- b) safeguarding land from development that is required, or likely to be required, for current or future flood management;
- c) using opportunities provided by new development and improvements in green and other infrastructure to reduce the causes and impacts of flooding, (making as much use as possible of natural flood management techniques as part of an integrated approach to flood risk management); and
- d) where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seeking opportunities to relocate development, including housing, to more sustainable locations.

Paragraph 181 advises that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
- b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;

- c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
- d) any residual risk can be safely managed; and
- e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

Paragraph 176 states that applications for some minor development and changes of use (footnote 60) should not be subject to the sequential or exception tests but should still meet the requirements for site-specific flood risk assessments.

Footnote 62 - This includes **householder development**, small non-residential extensions (with a footprint of less than 250m²) and changes of use; except for changes of use to a caravan, camping or chalet site, or to a mobile home or park home site, where the sequential and exception tests should be applied as appropriate.

Planning Assessment

The Impact upon the Character of the Area

- 24. Policy HE2 states that 'the design of a development must be of a high quality, reflecting and enhancing areas of recognised local distinctiveness'. The development must be compatible with or improve its surrounding in its layout; site coverage; architectural style; scale; bulk; height; materials and visual impact.
- 25. The existing property is single storey and is lower in height than the neighbouring properties on either side. Furthermore, the existing bungalow is smaller in size than the other bungalows within the road.
- 26. This application is proposing the enlargement of the existing single storey bungalow to a chalet style bungalow. The design has a symmetrical single gable that runs front to back of the property.
- 27. The original properties within the road typically comprised single storey bungalows with modest hipped roofs and are set back from the highway. However, a number of properties in the vicinity of the site have been given permission to extend up into the roof space or demolish the existing bungalow for a chalet bungalow with accommodation in the roof. Therefore, the design and form of the dwellings within the street scene has changed over recent years resulting in a mixed character of bungalows and more modern looking chalet style bungalows. The addition of a half storey and the proposed gable roof form in terms of design would not be competing visually on the street scene despite appearing more conspicuous.
- 28. There is no set style of property on the road to adhere to. Whilst the form of the new roof would substantially differ from the existing, it would retain a similar roof pitch, and the increased height is not considered significant having regard to the varying heights within the street scene.
- 29. Whilst the proposed dwelling house would adopt a similar gable form to the adjacent property at no.40, as well as a number of other properties in the road; the proposed design, fenestration and materials would result in a more contemporary finish.
- 30. The proposed extensions would result in a dwelling that has a larger footprint and volume than the existing bungalow, with a ridge height of approximately 6.9m, which represents an increase of approximately 1.7m. This would also exceed the ridge

heights of the properties on either side by approximately 0.7m (No.40) and 1.3m (No.46).

31. The proposed ridge height and eaves height of the enlarged bungalow would also only be marginally greater than the previously approved scheme. It was accepted in assessing the previously approved scheme that this would result in a noticeable increase in height, it was not considered that this would lead to an incongruous and overbearing form of development in the street scene given the variation in heights and roof forms along the road and within immediate vicinity of the site. Given the marginal difference, it is considered the same conclusion can be drawn in respect of the current proposal.
32. The proposed and dormer window in the previous scheme was noted to further increase the mass and bulk of the roof however this was only a modest addition. In comparison, the current proposal seeks a two-storey side extension that primarily has a flat roof instead of the dormer window which would substantially increase the mass and bulk of the overall dwelling so that it has the appearance of a larger two storey dwelling. This contrasts significantly with the surrounding development which comprises of a more modest single storey bungalows or chalet bungalows with dormers.
33. In terms of materials, the proposed use of white render to the walls is considered acceptable and is prevalent in the surrounding development. Whilst not commonplace in the road, the use of slate effect tiles for the roof is evidenced on a number of extended roofs of surrounding properties within the surrounding area. The upper cladding of the first-floor level of the two storey extension would comprise of a similar slate tiles to match those on the roof and would be read in relation to this with render to match on the lower walls.
34. The previously approved scheme included a wraparound rear/side extension which would extend up to the side boundaries leaving narrow gaps. Whilst accepted that a number of properties in road have substantially filled the plots, these typically comprise of the pitched roofs of the bungalows with the lower eave's height close to the boundary or the addition of single storey side extensions extend up to the side boundary leaving narrow gaps. In contrast, the proposal would introduce a two-storey extension with an eave's height of approximately 5m up to the boundary.
35. The proposed extension, by reason of its largely flat roof design is also inconsistent with the steep pitched gable roof of the chalet bungalow. Whilst amended plans were submitted which introduces a small half hipped element on the side closest to the boundary with the neighbour, the front and rear elevations would comprise of a vertical slate cladded wall. It is therefore considered that the proposed two storey extension would not be subservient to the enlarged building introducing a bulky incongruous feature that would fail to have an appropriate relationship to its plot and spacing within the road.
36. The single storey extension would extend into the rear to a depth of 4.4m from the rear elevation of the chalet bungalow (the one and half storey element) which would not extend so far to the rear of the plot that it would be out of character in the context of the locality.
37. The proposed first floor alterations to the existing bungalow would not be out of keeping in a varied street scene and would have an acceptable relationship with the adjacent properties. Due to the varying ridge heights within the road, it is not considered that the change in ridge heights would appear out of character within the street scene. However, the proposed two storey extension is not considered to be

compatible to the enlarged dwelling and would result an overly large building on the plot that would fail to relate to existing development within the road.

38. It is considered that the proposed roof alterations to create the first floor and the rear extension would result in a development that is compatible to the character of the site and surrounding area. However, the proposed two storey extension is not considered to be subservient to the dwelling and would fail to respect the character and spacing of properties within the road. Therefore, the proposed two storey extension would not be compatible to the character and form of the existing properties within the road and would adversely affect the visual amenities of the area. The proposal, therefore, is considered to be contrary to policy HE2 and saved policy H12.

Residential Amenity

39. Policy HE2 states that; 'development will be permitted if it compatible with or improves its surroundings in; its relationship to nearby properties including minimising disturbance to amenity'. Saved policy H12 states that residential development should not adversely affect residential amenities by noise or disturbance, or loss of light or privacy.
40. The previously approved scheme had the first-floor development proposed above the existing footprint of the host dwelling which is set away from the boundary with no.46 by approximately 5m. The current scheme also has the first floor development above the existing footprint however it also extends over the proposed single storey side extension. This two-storey extension would result in first-floor development being brought closer to this neighbour. The proposed two storey extension would be approximately 0.6m from the boundary with this neighbour at its closest point and 0.9m at its furthest point.
41. The original plans submitted with the application showed this to have a flat roof. However, amended plans were submitted during the course of the application to modify the roof design of the two-storey extension. This amended design would still incorporate a flat roof however a small, hipped roof element has been introduced adjacent to the boundary with the neighbour. The flat roof has a height of 6.3m and the half-hipped element would slope down to an eaves level measuring approximately 5m in height. The proposed two storey extension extends approximately 7m along the boundary from front to rear and parallel to the side elevation of no.46.
42. It is noted that there are a set of windows on the side elevation of the neighbouring dwelling which serve as the sole windows to habitable rooms (dining room and office). The proposed two storey extension would be approximately 1.5m from these windows and is also located to the southeast of these windows. Therefore, the proposed extension would lead to significant overshadowing which would diminish the levels of light entering these windows of these habitable rooms.
43. Given the close proximity of the proposed two storey extension coupled with the overall height and depth and its location to the southeast, it would lead to a significant loss of outlook and light to the habitable rooms of this neighbouring property.
44. No windows are proposed on the side elevation of the extension and as a result there would be no overlooking. There are windows on the front and rear elevations. This includes a full height window on the rear elevation however this would have oblique views towards the side elevation of the rear extension at No.46 where there is a window. The window would have a Juliette balcony preventing it from becoming an opening onto the flat roof area over the single storey rear extension. This would

avoid any overlooking into neighbouring properties. The front window would overlook the driveway and road beyond with oblique views towards the side elevation of No.46 however there are no window openings forward of the proposed two storey extension and as such the front window would not overlook any habitable rooms of this neighbouring property.

45. Whilst increasing the height and massing of the roof to the host dwelling, which would be a relatively steep pitch, the dwelling is broadly in line with the neighbouring properties on either side. As a result, it is not considered the increased height of the roof over the existing bungalow would result in any significant adverse impacts as a result of loss of light or overbearing impact to this neighbour.
46. Whilst the existing bungalow is perpendicular to the road, the side boundary with the property to the southeast (No.40) extends into the rear at an angle. Consequently, the bungalow has a greater proximity to this boundary as it extends further into the plot. The rear corner of the existing bungalow is approximately 0.7m from this boundary. The neighbouring chalet bungalow at no.40 is also positioned close to the bungalow. Therefore, there is already a close built relationship between the existing dwelling on the site and this neighbouring property.
47. The existing bungalow extends slightly further into the rear than that of No.40 by approximately 0.9m. Therefore, the increased height of the bungalow would project beyond the rear elevation of No.40 where there are rear facing windows and patio doors. The increased eaves height would be approximately 1.3m and the overall height of the roof pitches away from this boundary. Furthermore, the nearest window on the rear elevation of this neighbouring property is set further away from the boundary at a distance of approximately 1.7m. This window also forms part of a wider set of windows and patio doors which serve a living room that face over the neighbours' garden. The proposed first floor extension would not break the 45-degree horizontal or vertical splay and is therefore deemed not to create harmful oppressive impacts to this neighbour.
48. The proposed single storey extension would extend further to the rear and would bring built form of the dwelling closer to the boundary at approximately 0.3m. However, the extension is single storey in height measuring approximately 3.5m with a flat roof. The proposed single storey extension would break the horizontal splay but would not break the vertical splay.
49. Having regard to the above, it is considered that the proposal single storey rear extension would not lead to a significant loss of outlook or light, nor would it have a significant overbearing impact on the neighbouring property at No.40.
50. The proposed rear extension would extend to a similar depth to the rear extension at No.46. The proposed extension would be approximately 0.9m from the boundary and approximately 1.5m from the side elevation of the neighbours' rear extension where a window is present. However, it is noted that an existing garage is positioned this location and within a similar proximity to the boundary. The proposed single storey extension at 3.5m high would be of the same ridge height as the existing garage albeit due to its flat roof design this would be the height across the entire bulk of the extension. Notwithstanding this, it is not considered that the increased height and amount of built form of the proposed rear extension compared to the existing garage would lead to an overbearing impact to the neighbour at No.46 having regard to its single storey scale.

51. The front facing gable would have a large first floor window proposed which will overlook the road and as such would not result in a loss of privacy to any of the neighbouring properties.
52. The side facing rooflights on the southeast would serve a staircase/landing (a non-habitable space) and as secondary openings to the bedrooms 1 and 2. The rooflights would face towards a side facing dormer window at no.40. Had permission been recommended, this would have been subject to a condition for these rooflights to be obscure glazed and non-opening to prevent any overlooking.
53. The side facing rooflight on the northwest elevation would be a secondary opening to bedroom 2. Had permission been recommended, this would have been subject to a condition for these rooflights to be obscure glazed and non-opening to prevent any overlooking.
54. The proposed new rear facing window will serve a bedroom. Whilst this will result in the introduction of a level of overlooking towards the properties to the south west which front onto Stanpit. However, the window-to-window distances would be in excess of 35m and would be acceptable. The significant separation distances involved, it is considered that there would be no harmful overlooking towards these neighbouring properties to the south and they would retain acceptable privacy levels and thereby acceptable living conditions. The proposed new rear facing window would have oblique views towards the neighbouring gardens to the southeast of the properties which front onto Victoria Road, notably no.2. However, the first-floor window would be approximately 25m from the rear elevation of this boundary. Whilst it would be closer to the rear boundary of the property at approximately 15m, any views would be onto the very bottom of this neighbouring garden which itself is less private and already overlooked by surrounding properties.
55. This window is set back from the rear elevation between flank walls and as such would adequately minimise any opportunity for overlooking. Direct views out of this window would be towards the very bottom of the gardens of the adjacent properties on either side. It is noted that this would be a Juliette balcony meaning that there would be no opportunity to step onto a balcony thus avoiding views to either side. It is considered necessary to condition that the window to remain in its recessed position in order to ensure that the flank walls provide the screening that minimises overlooking.
56. Whilst there would be new overlooking of neighbouring gardens from the windows on the rear elevation, it is not considered to be so materially harmful that planning permission should be refused. Due consideration has been given to the reasonable fall-back position regarding Permitted Development (PD) in this regard.
57. The flat roof over the single storey rear extension is in line with the lower edge of the full height window/Juliette balcony. It is considered that the use of the flat roof as a terrace would lead to unacceptable overlooking to neighbouring gardens resulting in loss of privacy and disturbance to the occupiers of these neighbouring properties. Had permission been recommended, this would have been subject to a condition to restrict the flat roof area of the proposed extension from being used as an external balcony, terrace or amenity space without the prior benefit of planning permission.
58. It is therefore considered that proposed extensions to the dwelling would not give rise to an unacceptable level of overlooking to the adjoining properties and as such would not lead to loss of privacy to these neighbours.

59. The enlarged dwelling would retain adequate private amenity space for future occupiers.
60. Notwithstanding the above considerations, it is considered that due to the close proximity and its overall height and bulk, the proposed two storey side extension would have an overbearing impact and lead to a significant loss of light to the neighbour at no.46. This will unacceptably impact on living conditions at this neighbour. The scheme is therefore considered to be contrary to Policy HE2 not being compatible with or improving its surroundings in its relationship to nearby properties including minimising general disturbance to amenity.

Flood Risk

61. Local Plan Policy ME6 states; 'all developments (including redevelopments and extensions which require planning permission) can be permitted within areas at risk of flooding they will be required to incorporate appropriate flood resistance and resilience measures as a means of "future proofing" against the effects of climate change.'
62. Both Policy ME6 and Paragraph 167 NPPF take a sequential approach to new development. This proposal is considered to be 'minor' development in flood risk terms and therefore the Sequential or Exception tests are not applicable to this proposal as set out in paragraph 174 of the NPPF.
63. The application property is located within future flood zone 3a. Therefore, had permission been recommended, this would have been subject to a condition for the floor levels of the extension to be the same as the existing dwelling and flood resistance and resilience measures shall be incorporated as appropriate in accordance with the Environment Agency's Standing Advice. On this basis, it is considered that the proposed development is in accordance with policy ME6.

Parking and Access

64. Policies KS11 and KS12 refer to the design of development to provide safe and permeable layouts and promoting all modes of transport alongside parking provision. This proposal does not change the parking or access for this property.
65. The extensions would result in an increase in the number of bedrooms from 2 to 4 within the dwelling. The site is within Zone B as set out in the Parking SPD and for a four-bedroom property the requirement is for two parking spaces and secure storage for 4 bicycles (1 per bedroom). The dwelling has a driveway and hardstanding to the front which provides ample room for 2 parking spaces. Furthermore, there is a storage area shown on the proposed ground floor plan where there is ample space to provide storage for 4 bicycles.
66. Therefore, it is considered the parking provision is acceptable and accords with Policy KS12.

Other Matters

67. The application is for householder developer and as such is exempt from the Biodiversity Net Gain requirement.

Planning Balance/Conclusion

68. The proposed extensions to the existing dwelling at 44 Minterne Road are considered to be acceptable in principle. In this regard, Planning Permission has already been granted for a similar scheme to create 1st floor accommodation and erect a wraparound single storey flat roof rear and side extension. This current application seeks to create 1st floor accommodation resulting in a chalet bungalow of a similar contemporary design to the previously approved scheme and single storey flat roof rear extension. However, a two-storey side extension is now proposed which would primarily have a flat roof with a small, hipped roof element nearest to the boundary with No.46. It is considered that the scale, mass, bulk and design of the proposed two storey extension would fail to respect the scale or character of the resultant enlarged dwelling and would not appear as a subordinate addition to the dwelling and as such is contrary to policy HE2 of the Christchurch and East Dorset - Local Plan Part 1 (2014).
69. In addition, the proposed two storey flat roof side extension would be sited approximately 1.5m from the side elevation of no. 46 where there are windows serving habitable rooms. The increased height of 6.2m coupled with the depth and proximity of the extension to the neighbour would significantly reduce the levels of light entering these habitable rooms and would also have an overbearing impact on this neighbour. The proposal fails to be compatible with or improves its surroundings in its relationship to nearby properties including minimising general disturbance to amenity. As such the proposal is considered contrary to Policy HE2 of the Christchurch and East Dorset Core Strategy adopted 2014 Policy H12 of the Borough of Christchurch Local Plan and the NPPF.
70. The applicants' agent states that the refusal of this application would be inconsistent with other decisions made on extensions to bungalows in the locality and has drawn attention to 6 examples. However, each proposal is judged on its own merits having regard to the specific characteristics of the site and its relationship to the surrounding area and neighbouring properties. An examination of these examples of Two Storey Side Extensions that the council have granted planning permission for are not comparable to the proposed two storey extension. The proposed two storey extension is located to the immediate south of the neighbour at No.46 and tight to the boundary with this neighbouring property which has windows serving habitable rooms on its side elevation.
71. The application already has a planning permission for a single storey extension which was considered to not result in significant overshadowing and loss of light. However, the addition of a first-floor extension would have this impact. Furthermore, the design of the two-storey extension with the large flat roof would appear as a visually intrusive, incongruous and overbearing form of development which is out of keeping with both the enlarged dwelling and the street scene.
72. The amended plans make a small change to the design however this does not result in any significant change in its external appearance nor the impact on the neighbouring property and therefore, does not address the concerns as outlined in the above assessment.
73. The proposal is therefore contrary to Christchurch Core Strategy and NPPF and the benefit of the development do not outweigh the harm identified above.

Recommendation

Refuse, for the following reasons:

1. It is considered that the proposed two storey flat roof side extension, by reason of its scale, mass, bulk and design is not considered to respect the scale or character of the resultant enlarged dwelling and would not appear as a subordinate addition to the dwelling. Overall, the scheme is a poor design which disregards the prevailing form, appearance and character of the host property and surrounding area. The scheme fails to be compatible with or improve its surroundings in its architectural style, scale, bulk and visual impact. As such the development is contrary to Policy HE2 of the Christchurch and East Dorset Local Plan, Part 1 Core Strategy 2014, saved Policy H12 of the Borough of Christchurch Local Plan 2001 and Section 12 of the National Planning Policy Framework 2024.
2. The proposed two storey flat roof side extension would be sited approximately 1.5m from the side elevation of no. 46 where there are windows serving habitable rooms. The proposed extension would measure 6.2m in height and would have a depth of 7m. This increase in height coupled with the depth and proximity to the neighbour would significantly reduce the levels of light entering these habitable rooms and would also have an overbearing impact on this neighbour. The proposal fails to be compatible with or improves its surroundings in its relationship to nearby properties including minimising general disturbance to amenity. As such the proposal is considered contrary to Policy HE2 of the Christchurch and East Dorset Core Strategy adopted 2014 Policy H12 of the Borough of Christchurch Local Plan and the NPPF.

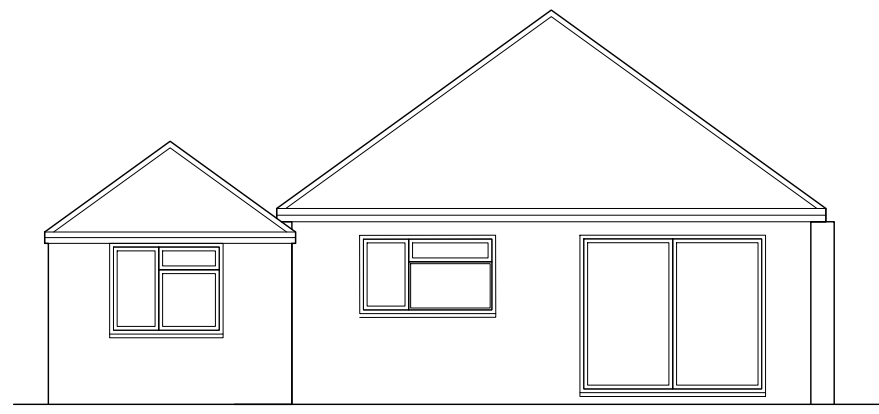
Background Documents:

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

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

Reference to published works is not included

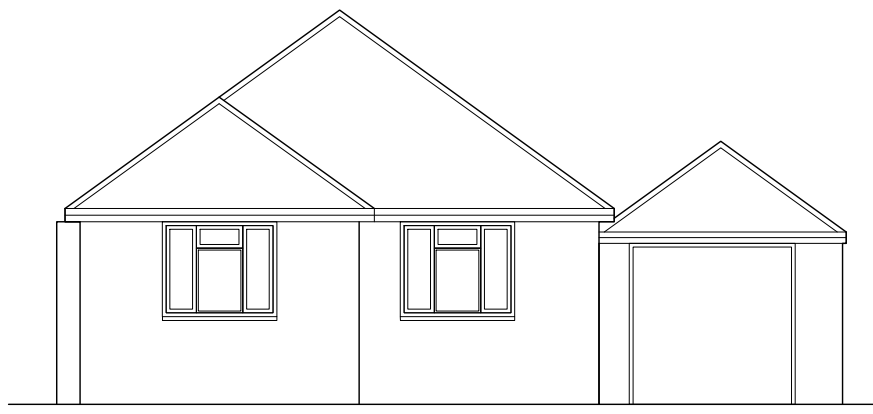
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Existing West Elevation

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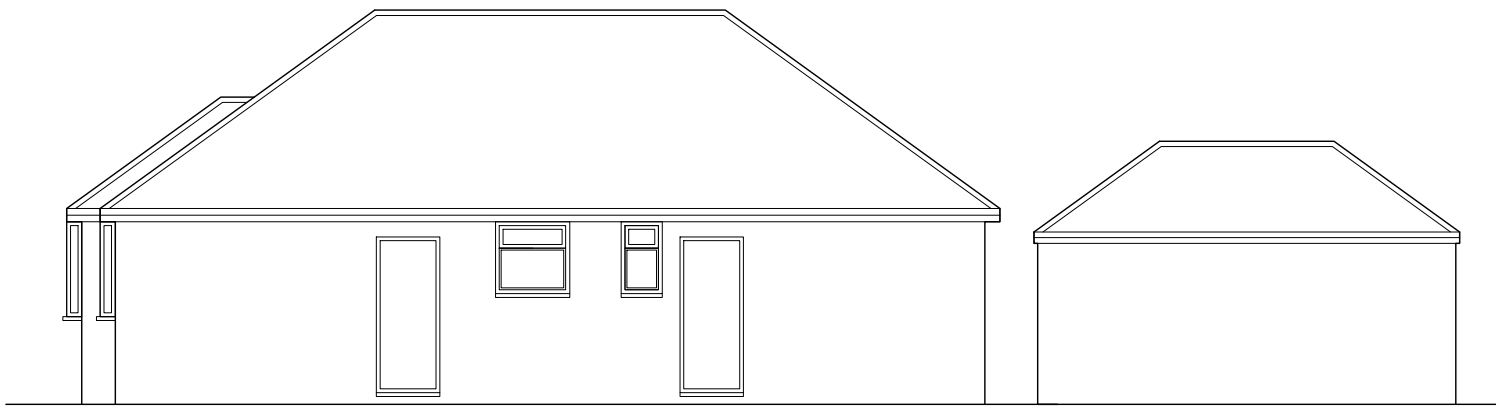
Existing South West (Rear) Elevation



Existing East Elevation

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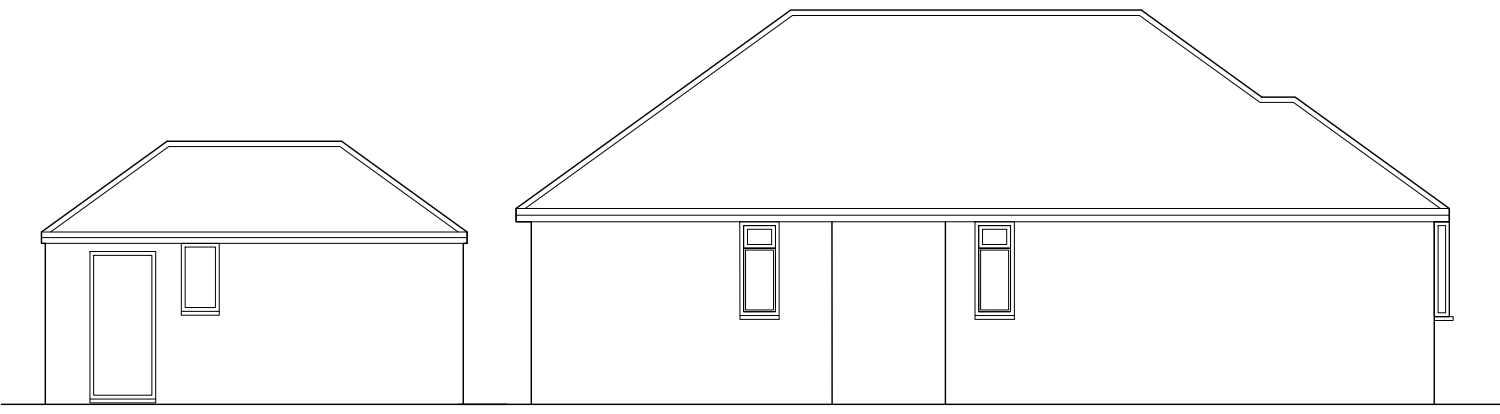
Existing North East (Front) Elevation



Existing North Elevation

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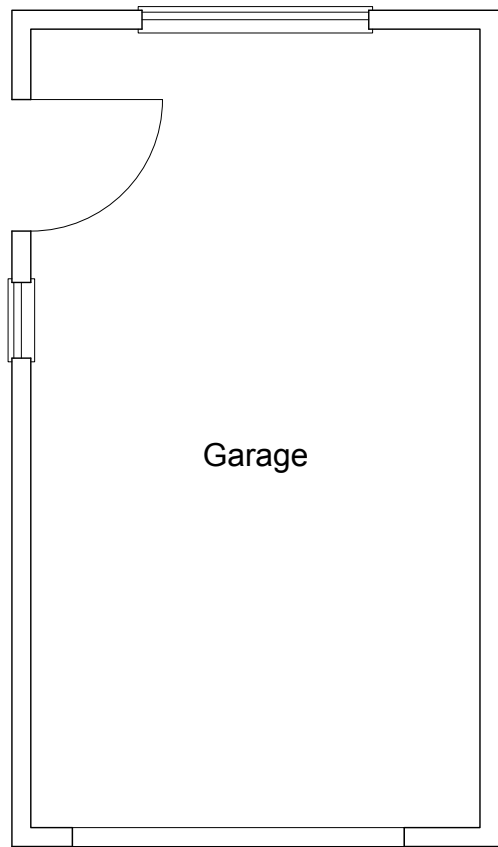
Existing North West (Side) Elevation



Existing South Elevation

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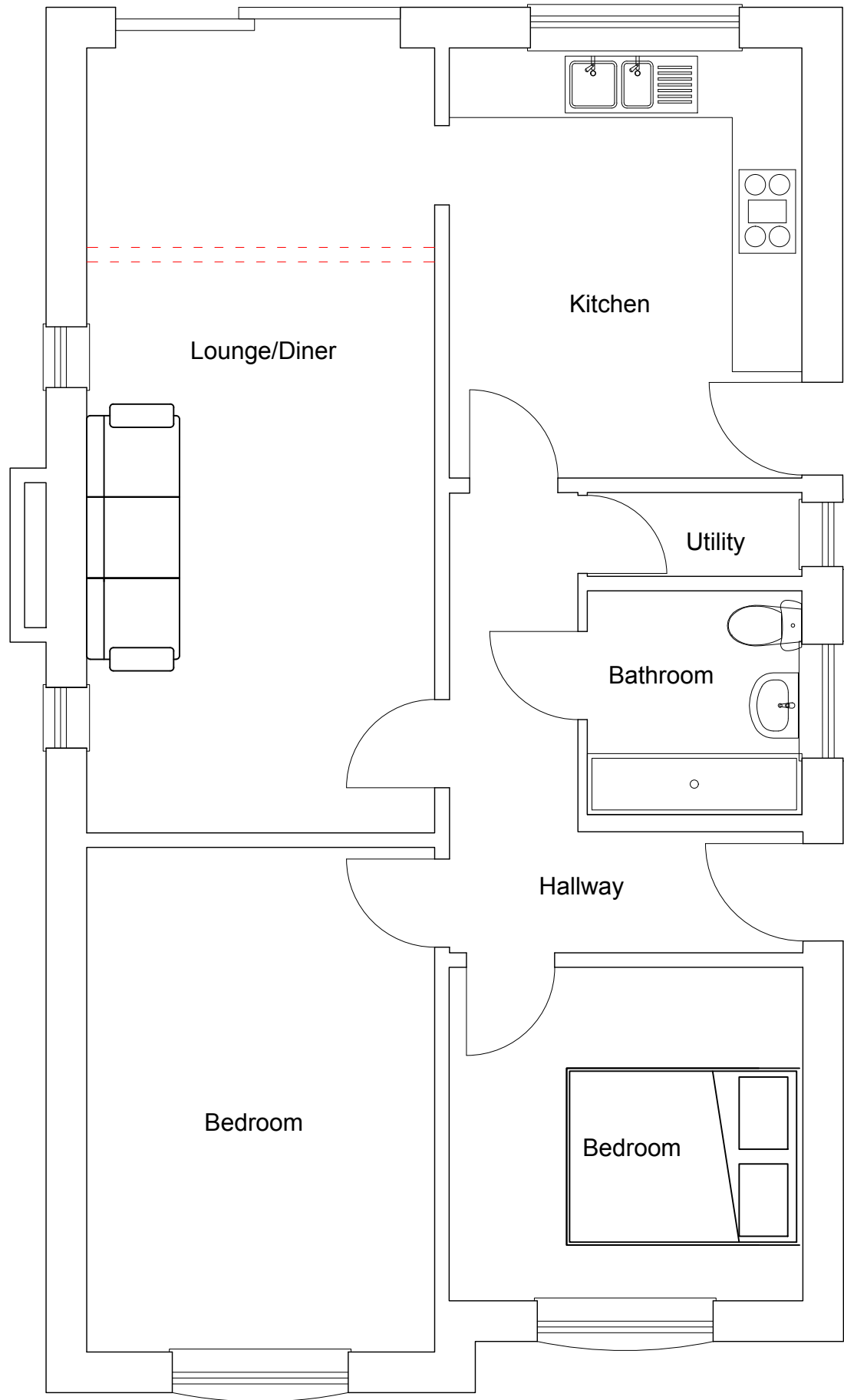
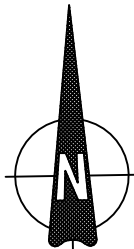
Existing South East (Side) Elevation



Garage



Site Location
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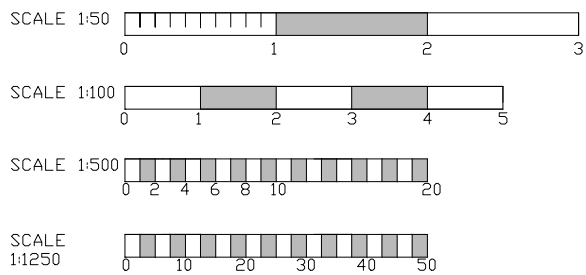


Existing ground floor
Scale 1:50 @ A1



Block Plan
Scale 1:500 @ A1

Scale Legend



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Address : 44 Minterne Road,
Mudford, Dorset BH23 3LE
Project :Extension to ground floor
Title : Existing site and plans

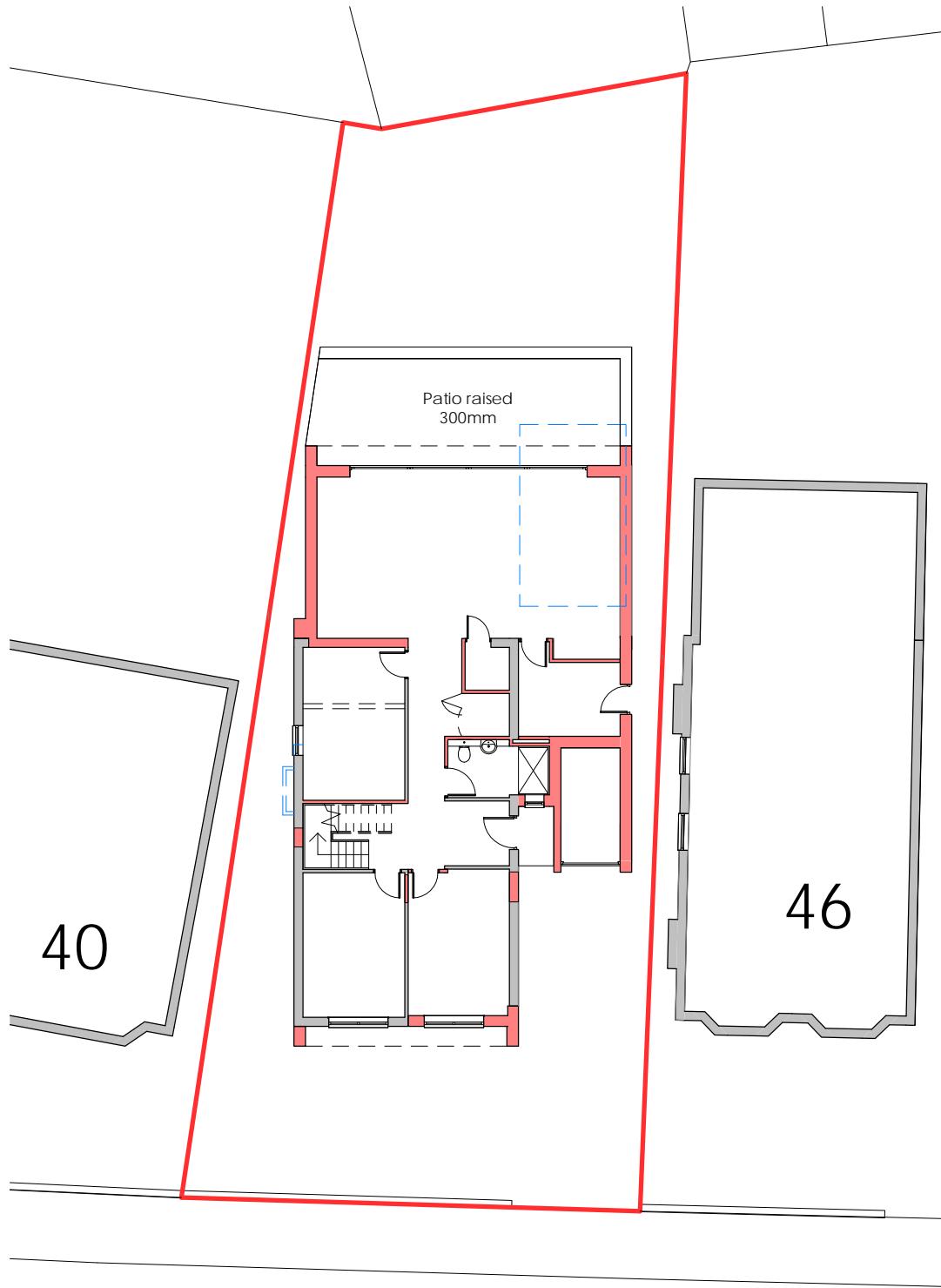
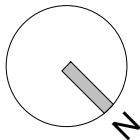
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Drawn By : Matthew Austin / 71DESIGN
Date : 16 / 02 / 2024
Scale : As indicated @ A1

71DESIGN
architectural services

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125



Site Plan
1 : 200



Jeremy Harvey Isaacs Architect

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Rev	Description	Date
	Mr & Mrs Lydka	
	44 Minterne Road	
	Christchurch, BH23 3LE	

Site Plan	01
Project number	207
Date	16/01/2025
Scale:	1 : 200 @ A3

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Rev	Description	Date
A	Side extension revised	29 01 25

Mr & Mrs Lydka
44 Minterne Road
Christchurch, BH23 3LE

Proposed Plans

Project number 207
Date 16/01/2025

Scale: 1 : 100 @ A3

02 A

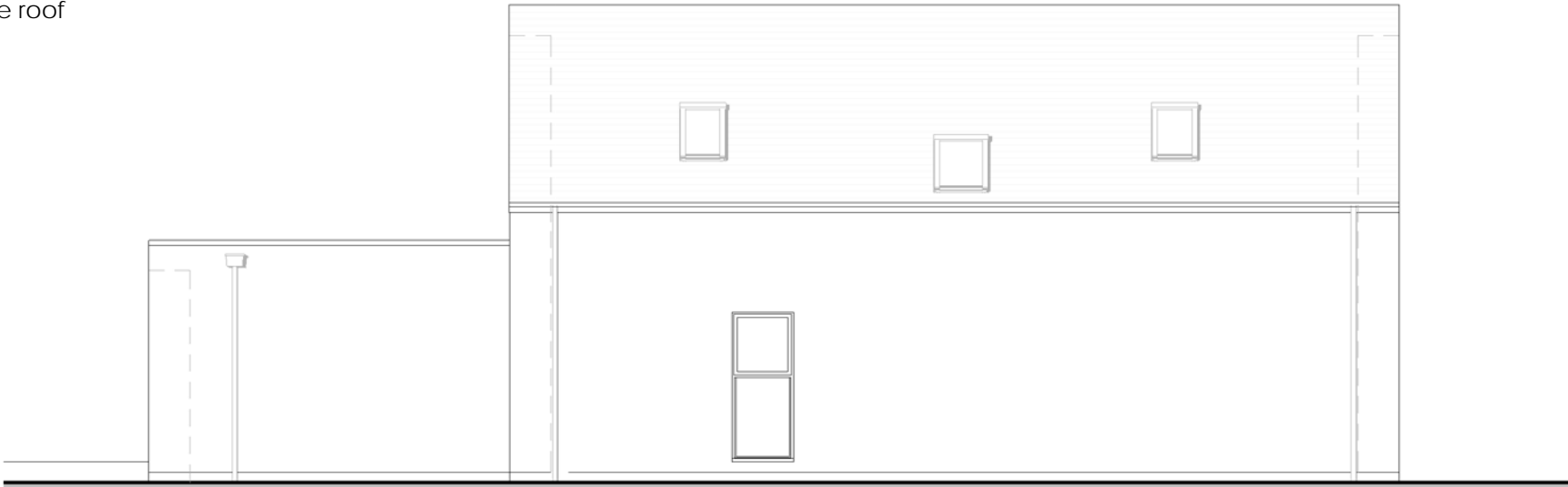
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- Materials:
- ① Vertical slate cladding
 - ② White painted sand & cement render
 - ③ Slate roof

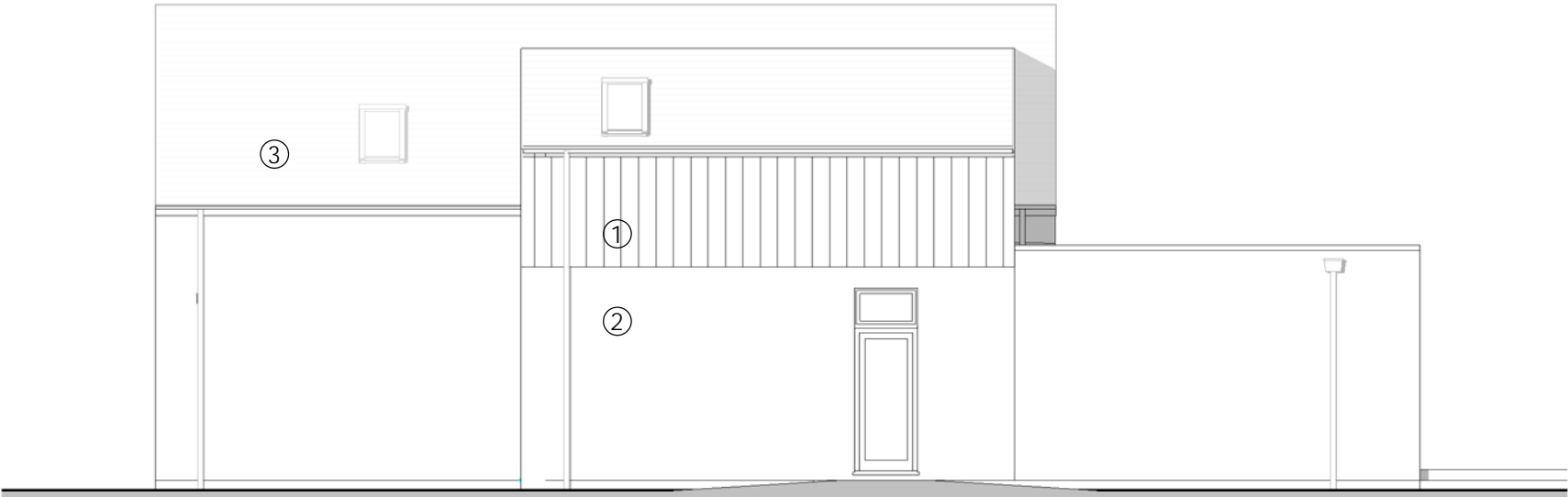


North East Elevation (Front)

Key:
Existing house
Approved application **8/24/0318/HOU**



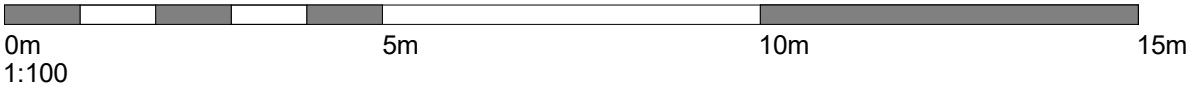
South East Elevation



North West Elevation



South West Elevation (Rear)



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Christchurch, BH23 3LE

Proposed Elevations

03 A

Project number 207
Date 16/01/2025

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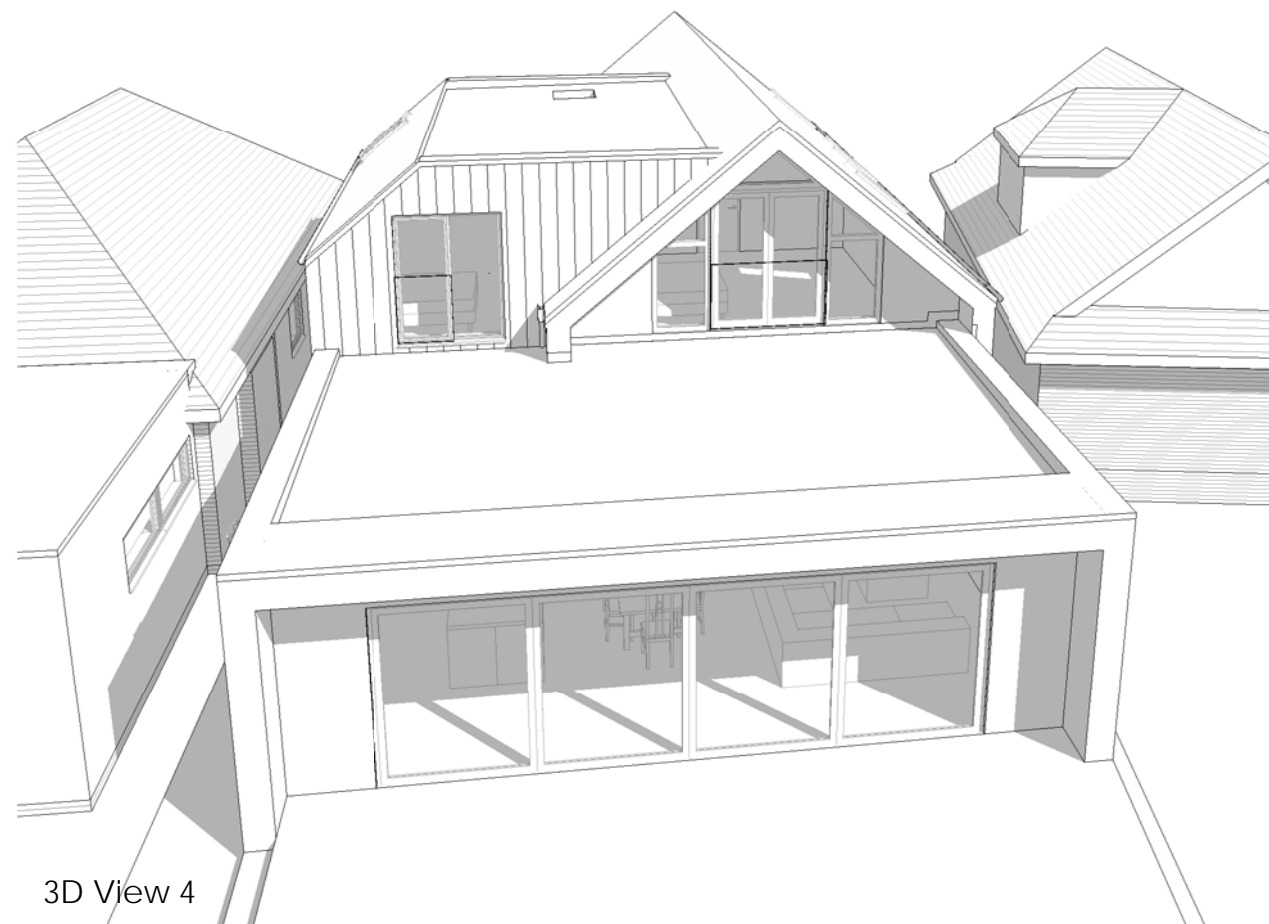
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3D View 1



3D View 2



3D View 4

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Rev	Description	Date
A	Side extension revised	29 01 25

Mr & Mrs Lydka
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Christchurch, BH23 3LE

3D Views

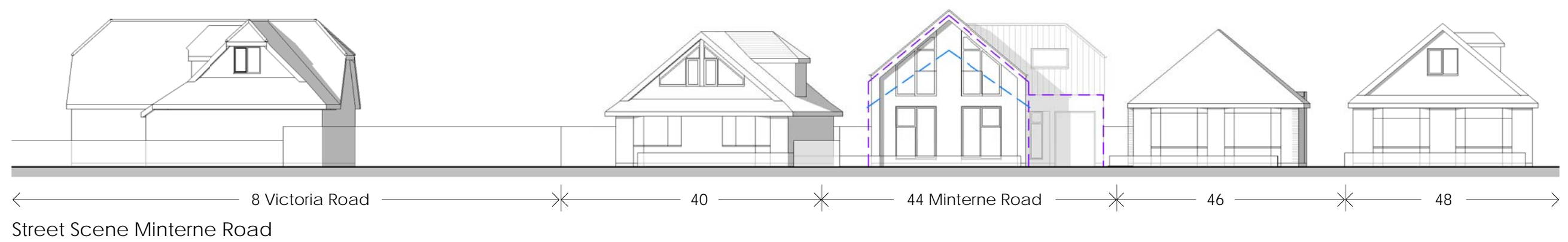
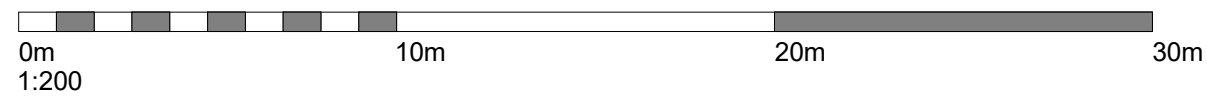
Project number 207
Date 16/01/2025

Scale:



05 A

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Key:

-  Existing house
-  Approved application **8/24/0318/HOU**

133



Nearby planning precedent: 14 Victoria Road - 8/21/0697/FUL - Flat roof side extension (Plans4home)



Nearby planning precedent: 12 Victoria Road - 8/23/0088/FUL - Mansard / flat roof side extension (Dot Architecture Ltd)

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Mr & Mrs Lydka
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Christchurch, BH23 3LE

Street Scene Elevation

06 A

Project number 207
Date 16/01/2025

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