

PLANNING COMMITTEE

Application Address	Former Winter Gardens site, Keystone House and 20, 20a and 20b Exeter Road
Proposal	Demolition of existing buildings & construction of a mixed use scheme comprising 352 residential apartments (use class C3) in buildings between 3 storeys & 15 storeys, between 4124sq.m. and 5284sq.m. of leisure (use class D2), between 1160sq.m. and 1204sq.m. of convenience retail (use class A1), between 854sq.m. and 2058sq.m. of restaurant/cafe (use class A3), 774sq.m. of mixed use restaurant/bar (use class A3/A4), 370sq.m. of offices (use class B1), associated servicing & loading areas, 225 public car parking spaces, 369 private car parking spaces, public open space, public realm enhancements & associated engineering works. Application for Reserved Matters in respect of application 7-2017-1273-AY
Application Number	7-2019-1273-AZ
Applicant	Bournemouth Development Company LLP
Agent	Savills UK Ltd
Date Application Valid	17 April 2019
Decision Due Date	16 July 2019
Extension of Time date (if applicable)	TBC
Ward	Westbourne & West Cliff - Pre May 2019
Report Status	Public
Meeting Date	31 October 2019
Recommendation	Grant in line with the recommendation below

Reason for Referral to Planning Committee	Major development on Council owned land
Case Officer	Charles Raven

Description of Development

1. Consent is sought for the remaining reserved matter (landscaping) in respect of the outline permission granted under reference 7-2017-1273-AY for:

Demolition of existing buildings & construction of a mixed use scheme comprising 352 residential apartments (use class C3) in buildings between 3 storeys & 15 storeys, between 4124sq.m. and 5284sq.m. of leisure (use class D2), between 1160sq.m. and 1204sq.m. of convenience retail (use class A1), between 854sq.m. and 2058sq.m. of restaurant/cafe (use class A3), 774sq.m. of mixed use restaurant/bar (use class A3/A4), 370sq.m. of offices (use class B1), associated servicing & loading areas, 225 public car parking spaces, 369 private car parking spaces, public open space, public realm enhancements & associated engineering works.

2. The applicant has provided the following information:

Landscape Schedule
Planting Schedule
Landscape Master Plan
Landscape General Arrangement
Climber Support System

Key Issues

3. The main considerations involved with this application are:

Impact on character and appearance of the area.
4. These points will be discussed as well as other material considerations at para 20 to 37 below.

Planning Policies

5. **Core Strategy (2012)**

Policy CS 1 – Presumption in favour of sustainable development
Policy CS 2 – Sustainable Homes and Premises
Policy CS 3 – Sustainable Energy and Heat
Policy CS 4 - Surface Water Drainage
Policy CS 6 – Delivering Sustainable Communities
Policy CS 7 – Bournemouth Town Centre
Policy CS 29 – Protecting Tourism and Cultural Facilities
Policy CS 31 – Recreation, Play and Sports

Policy CS 39 – Designated Heritage Assets
Policy CS 41 – Quality Design

6. District Wide Local Plan (2002)

Policy 4.20 - Inclusive Access
Policy 4.24 - Public Art
Policy 4.25 - Landscaping
Policy 7.7 - Winter Gardens

7. Town Centre Area Action Plan (2013)

Policy A31 – Winter Gardens
Policy D3 – Character Areas
Policy D4 - Design Quality
Policy D6 - Public Realm

8. Supplementary Planning Documents:

Bournemouth Town Centre Development Design Guide – SPD (2015)
Bournemouth Public Realm Strategy – SPD (2013)
Residential Development: A Design Guide – PGN (2008)

9. The National Planning Policy Framework (2019)

Paragraph 11 sets out the presumption in favour of sustainable development. Development plan proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent or relevant policies are out-of-date then permission should be granted unless any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF.

Relevant Planning Applications and Appeals:

10. 7-2017-1273-AY - Outline planning application for demolition of existing buildings & construction of a mixed use scheme comprising 352 residential apartments (use class C3) in buildings between 3 storeys & 15 storeys, between 4124sq.m. and 5284sq.m. of leisure (use class D2), between 1160sq.m. and 1204sq.m. of convenience retail (use class A1), between 854sq.m. and 2058sq.m. of restaurant/cafe (use class A3), 774sq.m. of mixed use restaurant/bar (use class A3/A4), 370sq.m. of offices (use class B1), associated servicing & loading areas, 225 public car parking spaces, 369 private car parking spaces, public open space, public realm enhancements & associated engineering works. Proposal affects a public right of way and is a departure from the Development Plan – Granted 28/03/19

Representations

11. Site notices were posted in the vicinity of the site on 01/05/2019 with an expiry date for consultation of 07/06/2019.
12. 24 representations have been received, 22 raising objection; and 2 comments. The relevant planning issues raised comprise the following:

Insufficient details relating to greening, maintenance and watering of private balconies;
Measures to deter skateboarders and anti-social behaviour;
Removal of trees;
Loss of privacy;
Location of play area;
Loss of light;
Impact on wildlife.

13. Increase in traffic; Vehicular access; Pollution from traffic; Impact on property value;

These issues are either not relevant to the current application or not material planning considerations.

Consultations

14. Tree Officer – no objection subject to conditions
15. Urban Design Officer – no objection subject to detailed consideration when discharging conditions

Constraints

16. Tree Preservation Orders

Planning Assessment

Site and Surroundings

17. The application site includes the well known former site of the Winter Gardens concert hall, the artiste's car park at the rear, the Keystone building including several restaurants, the former Winter Gardens booking office that is now Valentino Restaurant and the public car park behind the Keystone site. The former Winter Gardens concert hall has been demolished and that part of the site has been in use as a temporary public car park for some time.
18. The area around the site has been subject to significant changes over recent years with the 13 storey high Hilton Hotel and adjacent Hampton Hotel, Redrow Homes apartments, the BH2 cinema and restaurant complex, an approved extension of the Trouville Hotel, and the approved redevelopment of the Punshon Methodist Church.
19. Outline planning permission for the redevelopment of the site was granted consent in March 2019. The matters considered under that application were siting, scale, appearance and access, with landscaping reserved for subsequent consideration, although detailed landscaping plans were provided at the time. This application seeks confirmation of the principle of the landscaping details of the site only.

Key Issues

Impact on character and appearance of the area

20. The landscaping of this site is particularly important as it provides the setting for the remainder of the development and is included as part of the public realm. A full

landscaping strategy was provided as part of the outline application, although at that time it was only indicative. Nevertheless, it provided a good understanding as to what would be achievable. There are a number of elements to the landscape scheme, which shall be considered in turn. As a point of clarification, given the comments received from neighbouring residents, particularly those on Cranbourne Road, there are no additional trees proposed to be removed over those previously considered under the outline application. The tree coverage on the Cranbourne Road perimeter remains largely unaltered, there is one large tree to be removed as shown in the outline application, and two smaller trees to facilitate the upgraded access point and public realm improvements.

Play Area

21. The play park is an important part of the scheme and should provide a significant public benefit that compliments the leisure uses. The principle of the play area and its location were agreed under the outline application. The landscaping to the northern part of the site together with the proposed play area is considered to be a good feature of the development. This includes the public right of way that must be retained as part of the policy. The indicative plans showed slides and a water feature making use of level changes which have been omitted from the current plans in favour of timber constructed apparatus. While the use of timber equipment would complement the wooded setting, this is now shown in a small, flat, cleared site. It would be much better to make use of topography and planting to design a more natural and unique play area. A water feature is provided further down the site towards and within the piazza and an access from the nearest leisure use to the play area is shown.
22. Having discussed this with the Council's Parks Section, it is too early in the process to finalise the detail of the equipment and its layout, which will be dependant on who has final responsibility for the equipment provision and ongoing maintenance of the area. The applicants, in conjunction with Parks, will need to instruct a specialist play area consultant to work-up the detail of the play equipment and its layout within the areas shown on the submitted plans. Given this, it is appropriate for the play equipment details to be secured through a planning condition.

Piazza

23. The approved masterplan shows a 'leisure terrace' at the top of the steps leading to the piazza providing outdoor seating for the leisure units. It is important for the leisure uses to benefit from external spill out space and without this use the area looks like left over space. The layout allows for future pedestrian desire lines and has been reduced in overall size to ensure it doesn't appear or feel empty and uninviting when not in use for events. It provides opportunities for events and for interaction between outside space and indoor leisure uses.
24. A large number of boomerang shaped benches were shown in the piazza, but their number seemed excessive and blocked pedestrian flows. These have now been reduced and relocated to more appropriate areas. These elements are considered to form the hard landscaping proposals and their final design and finish can be secured by condition.

Street Furniture

25. The bins originally had an unusual design but have since been amended to better reflect those elsewhere in the town centre.
26. The supporting document refers to concrete benches and planters. There are concerns that concrete is likely to become stained as the triangular concrete seating outside BH2 already looks very poor. The concrete bollards and benches also have a very angular design and a clinical, harsh appearance. It would be preferable to see something warmer and more rounded in timber or stone.
27. The originally proposed lampposts on Exeter Road have an odd, angular appearance that would not relate to the rest of the town centre and could become dated. These have now been omitted and the final design can be agreed by condition.
28. A large number of stainless steel handrails are proposed. The BH2 development uses timber handrails which would be better as they create a warmer, less clinical appearance.
29. All of the above issues can be addressed through a relevant hard landscaping condition.

Green Roofs

30. The approved plans show sedum roofs on the three residential cycle stores as well as on the main roof of Block A. The green roofs to the cycle stores were not shown on the originally submitted plans but have since been reintroduced following discussions with officers. The green roofs were considered an important part of the scheme as their purpose is not primarily aesthetic. They reduce runoff, conserve energy, reduce pollution, sequester carbon and provide habitat for wildlife, their re-introduction is welcomed.

Planting

31. Your Arboricultural Officer comments that the shrub palette is generally appropriate. This large development deserves to sit in a varied and interesting landscape which varies in height, foliage, texture and colour, and that sits comfortably within its setting and surroundings.
32. Notwithstanding the level of detail provided, the details relating to the landscape specification, management and maintenance, together with details of the vertical planting, balcony planting, and green roofs can be agreed through appropriate conditions, which is normal practice for schemes of this scale.

Public Art

33. In line with saved Policy 4.24 of the DWLP, the provision of public art on this prominent and highly visual site is considered to be particularly important. The applicants have agreed to provide public art up to a value of £50,000 and whilst they will have the final say, the Council will have an input into the scheme. However, the applicants are advised that the public art need not be one bespoke piece, but it may be more beneficial to integrate art into the fabric of the public facing parts of the buildings as well as the public spaces. It is considered that this approach would add

interest and character to the development. This can be secured by an appropriate condition.

Trees

34. The tree palette for small/medium sized trees is satisfactory, although it could be improved upon. However, there is a distinct lack of long lived large tree species in the proposed landscape scheme. Large trees within landscape would help to offset the scale of the buildings.
35. With global warming there is the opportunity for greater tree species diversity which should help to maintain our tree cover for the future. Details of the tree planting pits have not been submitted, this detail will be of paramount importance to ensure the long-term establishment of the trees given the unnatural environment they are expected to grow in.
36. The cross-sectional drawing for trees along Exeter Road shows small selected standard trees, these are far too small and will be a target for vandalism. The specification for these trees should be semi mature. All of these details can be secured through relevant conditions.

Impact on Residential Amenity

37. There are existing residential properties in Cranborne Road, Tregonwell Road and Exeter Road, many of which face onto the site. As commented above, contrary to the assertions of many of the representations received, the level of tree loss is the same as previously agreed under the outline application, together with a generous replacement tree planting scheme. The impact on the amenities of neighbouring occupiers remains as previously considered acceptable by the Planning Committee.

Summary

38. It is envisaged that the detailed responses within the report will aid the developer in providing acceptable and deliverable solutions to all issues raised when seeking to discharge the relevant conditions.

Planning Balance

39. The principle of the landscaping scheme is considered acceptable and is very similar to the indicative scheme previously seen by the Planning Committee. Given the timescales and phasing involved with a development of this scale, the specific details are left to be considered through the discharge of conditions
40. Therefore, having considered the appropriate development plan policy and other material considerations, including the NPPF, it is considered that subject to compliance with the conditions attached to this permission, the development would be in accordance with the Development Plan, would not materially harm the character or appearance of the area. The Development Plan Policies considered in reaching this recommendation are set out above.

Recommendation

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

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: D2420-L100 Rev14, D2420-L200 Rev04, D2420-L201 Rev04, D2420-L202 Rev04, D2420-L203 Rev04, D2420-L204 Rev03, D2420-L205 Rev02, D2420-L210 Rev01.

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

2. Public Art

Prior to the commencement of any Superstructure works on site, details of a bespoke scheme of public art to be provided on-site, including details of the timescales for its delivery, future maintenance and all costings associated with the installation, shall be submitted to the local planning authority for comment. The scheme of public art shall be limited to value of no less than £50,000 unless otherwise agreed in writing with the Local Planning Authority, and completed on a building by building basis prior to the first occupation of each building and retained and maintained thereafter.

Reason: In accordance with Policy D7 of the Bournemouth Local Plan: Town Centre Area Action Plan (March 2013) and saved Policy 4.24 of the Bournemouth District Wide Local Plan (February 2002).

INFORMATIVE NOTE: The design and finish of the public art should be considered at an early stage and integrated into the built fabric of the development.

3. Play Area

Prior to the commencement of any Superstructure works on site, full details of the play area shall be submitted to and approved in writing by the Local Planning Authority. The details shall include hard and soft landscaping, green walls/climbing plants on the podium, steps and access, seating and play equipment. The details shall include the phasing of when the play area will be constructed and provided and shall be retained and maintained thereafter following its provision. The details shall be implemented as approved.

Reason: In accordance with Policy CS31 of the Bournemouth Local Plan: Core Strategy (October 2012) and Policy D7 of the Bournemouth Local Plan: Town Centre Area Action Plan (March 2013).

4. Soft Landscaping

Prior to the commencement of any Superstructure works on site, full planting plans, schedules of plants include species, size of plants, number of plants, soil specification, mulches, continual maintenance program and phasing details, shall be submitted to and approved in writing by the Local Planning Authority. All approved landscaping shall be implemented in accordance with the approved programme and retained thereafter. Any subsequent variations to the landscaping must be agreed in writing with the Local Planning Authority prior to them being implemented. Approval and implementation of these details may be on a building by building basis.

Reason: To ensure that the proposed development includes a properly designed scheme of landscaping in the interests of visual amenity and to accord with saved Policy 4.25 of the Bournemouth District Wide Local Plan (February 2002) and Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

5. Tree Planting

Prior to the commencement of any Superstructure works on site, full details of proposed tree planting, species, sizes, staking and/or ground anchors, details of the specifically designed linked tree pit systems in the hard landscaped areas including irrigation, construction, soil volumes, type of soil and soil enhancement and phasing details shall be submitted to and approved in writing by the Local Planning Authority. The proposed tree palette should include trees which have the potential to grow into large specimens to maintain and increase the tree cover in this area. All approved tree planting shall be implemented in accordance with the phasing details maintained and retained thereafter. Any subsequent variations to the landscaping must be agreed in writing with the Local Planning Authority prior to them being implemented. Approval and implementation of these details may be on a building by building basis.

Reason: To maintain the visual amenities of the area and in accordance with saved Policy 4.25 of the Bournemouth District Wide Local Plan (February 2002).

6. Green Roofs

Prior to the commencement of any Superstructure works on site, full details of the green roof design, species, size of plants, number of plants together with full details of the balcony planting to include planting containers, irrigation, plant species, size of plants, number of plants, phasing details and continual maintenance program shall be submitted to and approved in writing by the Local Planning Authority. All approved details shall be implemented in accordance with the phasing details and maintained and retained thereafter. Any subsequent variations to the landscaping must be agreed in writing with the Local Planning Authority prior to them being implemented. Approval and implementation of these details may be on a building by building basis.

Reason: In the interests of visual amenity and sustainability and to accord with saved Policy 4.25 of the Bournemouth District Wide Local Plan (February 2002) and Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

7. Hard Landscaping

Prior to the commencement of any Superstructure works on site, full details of hard landscape works, including the agreed areas of the `public realm` and phasing details, shall be submitted to and approved in writing by the Local Planning Authority. Hard landscape details shall include:

- a) Water features;
- b) Lighting;
- c) Bollards;
- d) Seating;
- e) Tree grills;
- f) Other street furniture;
- g) Construction and services details in proximity to trees; and
- h) Proposed finished levels and contours.

The approved hard landscape scheme shall be implemented in full prior to the occupation or use of the development commencing and permanently maintained and retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed development includes a properly designed scheme of landscaping in the interests of visual amenity and to accord with saved Policy 4.25 of the Bournemouth District Wide Local Plan (February 2002) and Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

8. Landscape Maintenance

Prior to the commencement of any Superstructure works on site, a landscape management plan, to include management responsibilities and continual maintenance schedules for all landscape areas within the external public area shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved unless agreed otherwise, in writing with the Local Planning Authority. Approval and implementation of these details may be on a building by building basis.

Reason: To ensure that the proposed development includes a long-term management plan for the landscaped areas in the interests of visual amenity and to accord with saved Policy 4.25 of the Bournemouth District Wide Local Plan (February 2002) and Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

INFORMATIVE NOTE: Definition of superstructure: the above pavement/ podium element of each building.

Background Documents:

Case File – ref 7-2019-1273-AZ

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