



Application Address	Land at Highmoor Farm, Purchase Road, Talbot Village, Poole
Proposal	Conversion of agricultural barn to digital exchange building including alterations to form three doorways.
Application Number	APP/20/00095/F
Applicant	Talbot Village Trust
Agent	Intelligent Land
Date Application Valid	4 February, 2020
Decision Due Time	29 May, 2020
Extension of Time date (if applicable)	29 May, 2020
Ward	Talbot & Branksome Woods
Recommendation	Grant in accordance with the recommendation within the report
Reason for Referral to Planning Committee	This application is brought before committee at the request of Cllr Mrs Rampton because of concerns about the proposal being contrary to Policy PP21 of the Poole Local Plan and concerns about the noise from the proposed scheme in the vicinity of nearby homes
Case officer	Monika Kwiatkowska

Description of Development

1. Planning consent is sought for the conversion of an agricultural barn to a 'digital exchange' building including alterations to form three doorways and a vent.

Key Issues

2. The main considerations involved with this application are:
 - The principle of the development and policy context
 - Impact on the character and appearance of the area
 - Impact on the neighbouring amenity
 - Impact on protected trees nearby
 - Biodiversity considerations
 - Impact on parking and highway safety
 - Sustainability considerations

3. These points will be discussed as well as other material considerations below.

Planning Policies

4. Poole Local Plan (Adopted 2018)
 - PP01 Presumption in Favour of Sustainable Development
 - PP02 Amount and Broad Location of Development
 - PP17 Employment Site Allocations
 - PP21 Talbot Village
 - PP24 Green Infrastructure
 - PP27 Design
 - PP31 Poole's Coast and Countryside
 - PP32 Poole's Nationally, European and Internationally Important Sites
 - PP33 Biodiversity and Geodiversity
 - PP34 Transport Strategy
 - PP35 A Safe, Connected and Accessible Transport Network
 - PP37 Building Sustainable Homes and Businesses
 - PP39 Delivering Poole's Infrastructure
5. Supplementary Planning Documents
 - Parking and Highway Layout in Development SPD (2011)
 - Talbot Village SPD (2015)
 - The Dorset Heathlands Planning Framework 2020-2025 SPD (2025)
 - Nitrogen Reduction in Poole Harbour SPD
 - Poole Harbour Recreation 2019-2024 Supplementary Planning Document (SPD)
6. General Permitted Development Order 2015, Part 3, Class R
7. National Planning Policy Framework (February 2019)

Relevant Planning Applications and Appeals:

8. **Land south of Gillett Road, Talbot Village, Poole, BH12 5BF (Plot R)**

2019: Erection of a two storey building for use as a digital exchange, with associated access road, car park, bin store, cycle store, back-up diesel generator and associated works. **Refused. (APP/19/00870/F)**

Reasons for refusal:

1. The proposals are on land identified by Policy PP21 2(a) of the Poole Local Plan (November 2018) as being reserved for growth to deliver expansion of Bournemouth University and the Arts University on land that is located primarily on, or adjacent to, the existing campuses (Area TV1). The proposals would therefore be contrary to the provisions of Policy PP21 1(b) in that they would potentially prejudice the delivery of the requirements set out in PP21 2(a) to the detriment of the growth and future economic success of the Universities, both of which perform a vital role in the economies of Poole; Bournemouth; and the

wider South East Dorset area. Moreover, the proposals represent a form of development for which express provision is made on land adjacent to the application site, identified as TV2 by Policy PP21 2(b), on which the proposed development could potentially be accommodated without prejudicing the objectives and purpose of Policy PP21 2(a).

2. The proposals do not make any provision for incorporating renewable energy sources to provide a proportion of the proposed development's future energy use. The proposals would therefore make no contribution to tackling climate change contrary to the provisions of Policy PP37 (Building Sustainable Homes and Businesses) of the Poole Local Plan (November 2018).

3. The proposals do not incorporate sustainable drainage solutions for all surface water sources, specifically the proposed building which is proposed to be connected to existing storm water drains. The proposals would therefore add to the risk of flooding from heavy or sustained rainfall, contrary to the provisions of Policy PP38 (Managing Flood Risk) of the Poole Local Plan (November 2018).

Representations

9. Representation letters from the local residents and the Talbot and Branksome Woods Residents Association have been received raising objection to the proposed development and raising the following concerns:

- The proposal fails to deliver the heathland mitigation area, and it is contrary to Policy PP21
- The air and noise pollution arising from the proposed development would be detrimental to the residential dwellings nearby including noise from vehicular movements on the existing gravel hardstanding on site impacting the amenities of the residents of Dulsie Road
- The harmful impact of the development; noise from it; and proposed cabling on protected species and the heathland
- Increased traffic in the vicinity of the site
- Loss of privacy to dwellings on Dulsie Road due to direct overlooking
- The proposal having detrimental impact on the nearby Talbot Woods Conservation Area
- The submitted Ecological Statement being outdated and inaccurate
- the proposal would prejudice the future of the Highmoor Farm
- the proposal would put the adjoining properties at increased risk of fire hazard
- the Design and Access Statement relies on the Talbot Village SPD, which is outdated as it was adopted in 2015
- the proposal would attract further economic growth to Talbot Village being a precursor of the Digital Village
- the location of the proposal is not appropriate as it should be located within any empty commercial units in Lansdowne
- the proposal fails to be innovative and progressive
- the proposed cooling system should be tested on site prior to determination of

the application to allow the assessment of the noise pollution on the neighbouring dwellings

Consultations

10. BCP Highway Authority – supports the proposal
11. Natural England – supports the proposal, subject to conditions securing mitigation and biodiversity enhancement, no heathland mitigation is required
12. BCP Environmental Services – support the proposal, subject to condition securing appropriate maintenance of the proposed generator
13. BCP Biodiversity Officer – supports the proposal, subject to conditions securing mitigation and biodiversity enhancement
14. The Society for Poole – objects, due to insufficient information provided concerning the loss of farming facilities to maintain the priorities at Highmoor Farm. Further concerns regarding protecting public interest and responding to climate change.
15. Councillor Mrs Rampton - objects, due to concerns about the noise impact on nearby residents and lack of provision for heathland mitigation zone - contrary to Policy PP21 2(e)

Constraints

16. The application site lies within 400m of Bourne Valley SSSI, part of which is designated as heathland (Talbot Heath).
17. The trees on the adjoining land are covered by an Area Tree Preservation Order.
18. The site is within the area covered by the policies of the Talbot Village SPD.

Planning assessment

Site and Surroundings

19. The application site comprises a parcel of level land within Highmoor Farm and is currently occupied by a small steel-framed agricultural building. Vehicular access to the site is along the existing Highmoor Farm track.
20. The site is located to the south of Gillett Road and is separated from the adjoining car park associated with Bournemouth University by a line of mature trees. There are houses on Dulsie Road to the east and this boundary of the site is also screened by mature trees and vegetation.
21. The site is within TV2 (Talbot Innovation Quarter) which is allocated for the future Digital Village, as per Policy PP21 allocation.

22. The site is within 400m of the Bourne Valley SSSI, a part of which is designated as heathland (Talbot Heath – TV3).

Key issues

The principle of the development and policy context:

23. The application site is on land identified by the Talbot Village SPD as being available to 'support and strengthen the Universities and deliver a dynamic Digital Village to sustain entrepreneurial businesses, while protecting and enhancing important wildlife habitats, heritage assets and respecting the amenity of the local community'.

24. Proposals for the area fall within three broad character areas: the Talbot Academic Quarter (TV1), the Talbot Innovation Quarter (TV2) and Talbot Heath (TV3), as outlined by Policy PP21 of the Poole Local Plan.

25. Policy PP21 states that (1) all development proposals at Talbot Village must:

Contribute towards mitigation measures to ensure no adverse impact upon European and internationally important site of Talbot Heath

a) be compatible with surrounding uses within the Talbot Village allocation and not prejudice the delivery of the requirements set out in 2 (a) and (b), and

b) be designed to ensure that the residential amenity of nearby residential properties is respected.

26. The application site is located within the area of TV2 which is allocated for the future Digital Village comprising up to 25000sq. m gross floor space to help support the role and function of the universities and comprising of a mix of B1 uses, health care facilities and other university-related uses.

27. The location of the proposed scheme is therefore compatible with the land allocation within Talbot Village, in line with the provisions of PP21 2(b).

28. The proposed scheme, by virtue of its scale and nature and since it would create no employment at the site, would not trigger the requirements of Policy PP21 2(e), which requires the provision of a heathland support area (TV3) for any development falling within provisions of Policy PP21 (b) – (d). This position has been agreed by Natural England. Appropriate and proportionate biodiversity mitigation and enhancement measures are proposed on site and these are addressed elsewhere in this report.

29. The proposed development seeks to site a 'digital exchange' container within the existing farm outbuilding. This is described as comprising an enclosure housing routers and servers storing back up data and would also include provision for ultra-fast broadband for the universities, the proposed Innovation Quarter and other potential users locally, including local residents and BCP Council.

30. Case law suggests (PINS ref: APP/Y0435/X/09/2103771) that equipment for the

storage and handling of data 'may be relatively novel form of storage, but it is nevertheless storage.'

31. Since the change of use of the existing agricultural barn to a Class B8 Use (Storage or a Distribution Centre) as defined by the Town and Country Planning (Use Classes) Order 1987 would potentially constitute permitted development, under Part 3, Class R of the general Permitted Development Order (2015) ('the GPDO'), regard can be had to this as a potential fall-back position.
32. The operational development associated with the proposed use of the building comprises re-cladding and alterations to incorporate access doors and a ventilation grill.

Impact on the character and appearance of the area:

33. The proposed 'digital exchange' equipment would be compact and, due to its siting within an existing building, it would not be visible in the area. As such, it would have no impact on the character and appearance of the area.
34. The proposal would not alter the existing access and parking arrangements on site, preserving the visual amenity of the area.
35. The proposed alterations to the elevations of the barn would be minor; would reflect the existing appearance of the barn; and would preserve the character and appearance of the area.

Impact on neighbouring amenity:

36. The proposals would be more than 35m from the nearest homes on Dulsie Road, would give no rise to any loss of privacy; light; or outlook to any resident. Similarly, vehicular movements associated with the maintenance of the facility would be infrequent and would not cause nuisance to any adjacent resident.
37. The scale and nature of the proposals are such that they would have no impact on either the operational agricultural activities of Highmoor Farm, since the building is not used for agricultural purposes, or the residential amenities of the occupants of the on-site residential caravan.
38. The proposed air vent in the north elevation, which would be orientated away from the nearest homes, would serve a cooling fan. The submitted Noise Impact Assessment has been approved by the Council's Environmental Officer and, subject to a condition (#3) to ensure the appropriate maintenance of the cooling fan and generator equipment (to ensure no increase in noise levels over time), the proposals have been demonstrated as not being harmful to the amenities of nearby residents. The proposal would therefore be in accordance with the provisions of Policies PP21 1(c) and PP27 of the Poole Local Plan.

Impact on protected trees:

39. There are no protected trees close to the barn. The proposals would have no direct

impact on mature trees to the north and east. Whilst utility service runs to serve the proposed use would potentially be close to the root protection areas of these nearby trees, these do not form part of the planning application. The laying of such utility cables by statutory undertakers is development permitted by Part 15 Class B of the GPDO.

Biodiversity considerations:

40. The application site is within 400m of the Bourne Valley SSSI, part of which is designated as heathland (Talbot Heath). The scheme does not propose any employment on site and therefore it would not trigger the requirement of Policy PP21 2(e).
41. BCP Council, as a competent Authority, in accordance with requirements under Regulation 63 of the Conservation of Habitats and Species regulations 2017, Article 6 (3) of the Habitats Directive and having due regard to its duties under Section 40(1) of the NERC Act 2006 to the purposes of conserving biodiversity, has concluded that due to the scale and nature of the proposal an Appropriate Assessment is not required.
42. The proposed scheme is accompanied by the Ecological Appraisal Report, which sets out how a biodiversity net gain can be achieved by hedge and shrub planting and the provision of habitat piles for reptiles amongst other provisions. These enhancement measures have been agreed by the Council's Biodiversity Officer and by Natural England and the proposed biodiversity mitigation and enhancement measures can be secured by condition (#4).
43. In conclusion, the proposal would be compliant with provisions of Policy PP21, PP24 and PP33 of the Poole Local Plan.
44. **Impact on parking and highway safety:**
45. The proposal would not result in any alterations to the existing vehicular or pedestrian access to the site or any changes to the informal off-road parking provision. The proposal would not give rise to significantly increased vehicle movements. Occasional visits would be associated with maintenance and repair and would not give rise to any materially increased highway/pedestrian highway dangers in the vicinity of the site.
46. Development at Talbot Village is expected by Policy PP21 (3), to deliver significant improvement of transport and movement to the area by, where appropriate:
 - providing enhancements to the pedestrian and cycle environment, including supporting delivery of a new strategic north-south cycle route;
 - supporting the provision of enhanced pedestrian crossings on Wallisdown Road; and
 - providing a level of car parking designed to encourage access to the campus by walking, cycling and public transport.
47. The development is not however of a scale that would require it to contribute to any of the highway improvements envisaged by Policy PP21.

48. **Sustainability considerations:**

49. Policy PP37 of the Poole Local Plan identify that proposals for commercial development, where appropriate, must contribute to tackling climate change and they would be required to meet the latest Building Regulations, therefore achieving a high level of energy efficiency and sustainability.
50. The proposal does not include provision for renewable energy on site. Given the small scale of the proposed development and the proportionate approach advocated by Policy PP37, the absence of any on-site renewable energy generation is not inappropriate

Summary

51. The proposal would comply with the provisions of Policy PP21 and would respect the character and appearance of the area and the amenities of neighbouring residents. The proposals would have no direct impact on the nearby trees and would provide adequate biodiversity mitigation and enhancement measures, subject to condition. They would preserve highway and pedestrian safety
52. The small scale of the proposal would not warrant the required provision of the renewable energy sources and contributions to any highway improvements within Talbot Village

RECOMMENDATION

It is recommended that this application be granted subject to the conditions below, which are subject to alterations/additions by the Head of Planning provided any alteration/addition does not go to the core of the decision:

Conditions

1. GN150 (Time Expiry 3 Years (Standard))

2. AA01 (Non standard Condition)

The materials to be used for the external wall and roof shall be similar in colour and texture as the existing outbuilding, as specified in the application form.

Reason -

To ensure a satisfactory visual relationship of the new development and that existing and in accordance with Policy PP27 of the Poole Local Plan (November 2018).

3. AA01 (Non standard Condition)

The cooling fan and the equipment associated with its operation shall at all times be maintained wholly in accordance with the manufacturer's published guidelines to ensure that noise levels at the nearest noise sensitive premises do not exceed a rating level of LAr30dB measured in accordance with BS4142:2014

Reason

To protect the general amenity of the adjoining residential development from harmful noise emissions and in accordance with the provisions of Policy PP2 of the Poole Local Plan (November 2018).

4. AA01 (Non standard Condition)

The biodiversity mitigation and biodiversity enhancement provisions set out in paragraphs 5.1.2 and 5.2 of the 'Ecological Appraisal' (Lindsay Carrington Ecological Services: January 2020) shall be undertaken in accordance with the mitigation requirements set out within the above referenced document.

Any works on site relating to habitat manipulation (if required) shall be undertaken and supervised by a Suitably Qualified Ecologist.

Reason -

To ensure protection of species under the Wildlife and Countryside Act 1981 (as amended), the Badger Protection Act 1992 and in accordance with paragraph 170 of the National Planning Policy Framework, Policy PP33 of the Poole Local Plan and BSI 42020:2013 'Biodiversity - code of practice for planning and development'; to be compliant with National Planning Policy Framework paragraphs 8, 170 and 175 'Planning policies and decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity'; Poole Plan Poole Plan Policies; PP24b 'enrich biodiversity' and PP33 'enhance biodiversity' and BSI 42020:2013 'Biodiversity - code of practice for planning and development'.

5. PL01 (Plans Listing)

Informative Notes

1. IN72 (Working with applicants: Approval)