



Application Address	Plot W (Land east of Bishops Close and south of Gallop Way), Purchase Road, Poole
Proposal	Temporary Use of part of Plot W for contractor car parking for a period of 15 months. Works to erect fencing and lighting
Application Number	APP/19/00949/F
Applicant	Arts University Bournemouth
Agent	Turley
Date Application Valid	23 July, 2019
Decision Due Time	29 May, 2020
Extension of Time date (if applicable)	29 May, 2020
Ward	Talbot & Branksome Woods
Recommendation	Grant with Conditions
Reason for Referral to Planning Committee	This application is brought before committee at the request of Councillor Mrs Rampton because of concerns about the potential impact on and loss of privacy to neighbours; increase in traffic; and highway safety impacts.
Case officer	Monika Kwiatkowska

Description of Development

1. Planning consent is sought for the temporary use of part of 'Plot W' for contractor car parking for a period of 15 months. The proposals also include works to erect fencing and lighting.
2. The proposed parking would be on the existing surfaced roads within the site.

Key Issues

3. The main considerations involved with this application are:
 - Policy context and the principle of the development
 - Impact on the character and appearance of the area;
 - Impact on the residential amenity;
 - Impact on parking provision in the area and the highway safety;
 - Impact on biodiversity issues and ecologically designated sites;
4. These points will be discussed as well as other material considerations below.

Planning Policies

5. Poole Local Plan 2018

PP1	Presumption in Favour of Sustainable Development
PP17	Employment Site Allocations
PP20	Investment in Education
PP21	Talbot Village
PP27	Design
PP32	Poole's Nationally, European and Internationally Important Sites
PP33	Biodiversity and Geodiversity
PP34	Transport Strategy
PP35	A Safe, Connected and Accessible Transport Network
PP36	Safeguarding Strategic Transport Schemes
PP37	Building Sustainable Homes and Businesses
PP38	Managing Flood Risk

6. Supplementary Planning Documents

Parking and Highway Layout in Development SPD (2011)
Talbot Village SPD (2015)
The Dorset Heathlands Planning Framework 2015-2020 SPD (2015)

7. National Planning Policy Framework (2019)

Relevant Planning Applications:

Land south of Wallisdown Road, Talbot Village

8. **2000:** Development of land to provide 450 student units with ancillary facilities and 3500sqm of academic floor space (2.88 hectares), 378 new housing units (11.42 ha) public open space including a buffer strip, pedestrian and cycle links and vehicular access from Boundary Road, Gillett Road, Purchase Road and Cutler Close and Improvement works to heathland (15.64 hectares) including change of use of existing grazing areas (10.7 hectares) for nature conservation purposes, creation of swales/reed beds, installation of fire hydrants and creation of fire access to heath and erection of cat proof fence. To include associated infrastructure and landscaping. (**00/08824/084/P**).
9. The application was called in by ODPM 08/10/2010 and **Refused** 27/02/2012 on the grounds that adverse effects could not be excluded and that the development does not need to be carried out for reasons of overriding public interest. It therefore could not be concluded that the proposal would comply with the Habitat Regulations. Visual impact of cat proof fencing would be excessively intrusive and out of keeping with the purpose it was intended to serve.

Land South of Arts University, Fern Barrow

10. **2018:** Non-material amendment to planning permission **APP/17/01178/R** for minor changes to approved Reserved Matters plans. **Approved.**

11. **2017:** Reserved Matters Application following approval of Outline Planning Permission **APP/16/00454/P** for the approval of access, appearance, landscaping, layout, scale, landscape maintenance, the provision of lighting, street furniture, bollards, etc. and the storage and removal of refuse in connection with the student residential accommodation and entrance pavilion. **Approved.**
12. **2016:** Outline application for extension of University Campus to provide new academic buildings (up to 13,000 sqm), student residential accommodation (up to 300 bedspaces), arrivals pavilion (up to 1,000 sqm), new vehicular access from Gillett Road, car parking (minimum of 220 spaces) and structural landscaping. [Phase 1 of 3 relating to the strategic development of the Arts University with all matters reserved] (**APP/16/00454/P**). **Approved.**

Land South of Gillet Road

13. **November 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 (APP/19/00870/F). **Refused** on the following grounds:

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

14. In addition to letters to neighbouring properties, site notices were posted in the vicinity of the site. Representations have been received which raise the following concerns:

- Increased traffic resulting in/ exacerbating highway safety risks; access difficulties; congestion; dirt; debris and damage to the road. Road network unsuitable for additional traffic proposed and highway verges unsuitable for pedestrian access. Parking should comply with discharged condition for construction parking under the student accommodation application. Ample underused parking already on the campus/ BU's campus or scope nearby. Park and ride should be provided.
- Proposal may affect emergency vehicle and bus access in the area.
- Security of the site, residents and their properties. Potential access by trespassers and fly-tippers. Anti-social behaviour.
- Noise and other disturbance from vehicular movement and activity on the site. Impact on wellbeing, quiet enjoyment of adjoining properties and businesses run from home.
- Pollution from vehicular activity, lighting, generators, spillages and dust.
- Litter.
- Energy consumption.
- Hours of use unreasonable. Discrepancy in hours of operation on application form and statement. Compliance with hours stated questionable.
- Loss of privacy.
- Adverse impact on residential character and natural appearance of the area.
- Adverse impact on biodiversity and habitats, including the SSSI heathland. Flawed and vague biodiversity information. No baseline or species monitoring carried out since 2015 therefore impact of more recent development not taken into account. Follow up ecology report not submitted.
- Loss of/ adverse impact on green/ open space; informal play areas; buffer to heathland; and grazing land.
- Danger the land would not be restored.
- Cumulative impact of developments in the area should be assessed.
- Car park would degrade land.
- Temporary nature of development questionable.
- Site is not vacant as it is in agricultural use. Tenant farmers would lose land.
- Risks of diesel storage tanks exploding and risk of heath fires from smoking
- Proposal contrary to PP20 in terms of encouraging sustainable modes of transport, heathland support area and a contribution towards mitigation measures for European and internationally designated sites.
- Discrimination against residents who have to pay for parking.
- Pressure on services such as healthcare.
- Red line area excessive. What would the rest of the site be used for?

- Site plan incorrect/ unclear as it shows a large tree to the rear of No.10 which doesn't exist, shows fencing instead of earth bank and orange bands either side of the bank.
- Lack of pre-application consultation.
- No public benefit.
- Planning history of site (including refusal by secretary of state) should be taken into account.

Consultations

15. Councillor Rampton – objects, due to the following concerns:

- Noise impact and loss of privacy to neighbours
- Increase in traffic
- Highway safety impacts

16. Natural England - no objection, subject to conditions securing the reptile mitigation plan, including the translocation of species (which should be agreed between the applicant and the Council's Biodiversity Officer) and restrictions to the operation hours of the proposed lighting and angling the lights

17. BCP Biodiversity Officer: supports the proposal, subject to conditions securing the mitigation and the schedule of works and the scheme of lighting

18. BCP Highway Authority: support the proposal, subject to conditions retaining the proposed layout of the parking bays and further details of the hardstanding on site

19. BCP Street Lighting: support the proposal subject to conditions restricting the operation hours of the proposed lighting and angling the lights

20. BCP Environmental Health: support the proposal subject to conditions restricting the operation hours of the proposed lighting and angling the lights

Constraints

21. The site is within a larger employment allocation 'Talbot Innovation Quarter' (TV2 - Policy PP21; E1 – Policy PP17). A proposed cycleway/ footpath is shown on the Policies Map running north/ south through the centre of the site.

22. Land to the north east of the application site is part of Talbot Academic Quarter (TV1).

23. The application site lies within 400m of Bourne Valley SSSI which is also public open space. Land adjoining it is allocated as a heathland support area (TV3).

24. Trees on adjoining land to the north are covered by an Area Tree Preservation Order.

25. The site is within an area covered by the policies of the Talbot Village SPD.

Planning assessment

Site and Surroundings

26. The application site (Plot W) comprises a parcel of land currently used for grazing and accessed from Purchase Road, a residential cul-de-sac. There is currently an earth bund blocking entry to the site. A layout of un-adopted road, footpaths and lamp posts were previously constructed on the site.
27. The site is bounded by further grazing land beyond a chain-link fence to the south; heathland to the south west; two storey dwellings (which back on to the site) to the north-west/ west; a band of trees to the north, beyond which are residential properties and local services; and Highmoor Farm and associated land to the east/ north east.

Key issues

Policy context and principle of the proposed development:

28. The development seeks to provide a contractors' car park, accommodating up to 59 parking spaces, for the period of 15 months, to facilitate the development of the Arts University on the land off Gillett Road (development on (Land South of) Arts University, Fern Barrow, ref: APP/16/00454/P and APP/17/01178/R), also known as Plot Q.
29. The application site is in Talbot Village where the Talbot Village SPD seeks 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'. 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.
30. Policy PP21 of Poole Local Plan, in line with the land allocation of the Talbot Village SPD, sets out provision to provide the opportunity to deliver growth at Talbot Village, including that of the universities.
31. 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;
 - 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
 - be designed to ensure that the residential amenity of nearby residential properties is respected.

32. The application site is located within the area of TV2 (the Innovation Quarter) and covers an area of 12.3ha which has the potential to accommodate up to 25,000sqm of B1 (office, research and development and light industrial), healthcare and other university-related uses to help support the role and function of the universities. The creation of an estimated 1,770 jobs is envisaged. The application site occupies approximately one fifth of this area, which also includes Highmoor Farm and associated grazing land to the south.
33. Land within the TV2 designation forms part of the strategic allocation of 38 hectares of employment land to meet future needs, as laid out by Policy PP17.
34. Land to the north east of the application site is part of Talbot Academic Quarter (TV1), an allocation focused on new academic floorspace and student accommodation.
35. The proposed temporary use of the site is not expressly precluded by the wording of Policy PP21, as long as the overall objectives of the policy are not compromised by any individual application. The use of the land would be in association with the development of the land off Gillett Road (ref: APP/16/00454/P and APP/17/01178/R), to provide new student accommodation, academic buildings and a car park), which is currently being implemented.
36. Due to its temporary nature, the proposed development would not prejudice the creation of the Innovation Quarter within the 15 months period of time requested by the applicant and therefore the proposed use would not be in conflict with Policy PP21 of the Poole Local Plan.
37. The operation of the proposed car park could be controlled by conditions to ensure its use in association with the works at Plot Q and to ensure the application site is restored to its former state upon the expiry of any permission.
38. The proposed scheme, by virtue of its scale, temporary nature and purpose 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).
39. PP36(b) of the Poole Local Plan also refers to a north/ south Talbot campus cycle and footway route which runs through the site.
40. Planning applications have not been submitted for the heathland support area, Innovation Quarter or the pedestrian/ cycle route through the site. Considering the temporary nature of the proposal, it would not prejudice the objectives of PP21. In the interests of delivering these objectives, a temporary planning permission would be merited.
41. Parking would be limited to the existing surfaced roads within the site. These are lawful structures whilst the lawful use of the site is agricultural.

42. The proposal would result in the temporary loss of grazing land associated with Highmoor Farm, however this would amount to only approximately 20% of the holding and the entirety of the farm is included in the Innovation Quarter allocation. Given the longer term redevelopment proposals for the land occupied by the farm and the temporary nature of the proposal, the proposals would be unlikely to materially affect the long term viability of the farm.

Impact on the character and appearance of the area:

43. PP27 states that development should reflect or enhance local patterns of development in terms of landscaping and visual amenity.

44. The site would be opened up and visible from Purchase Road as the earth bund would be removed. The site is visible from open land to the south west and other land associated with Highmoor Farm to the south and east.

45. In terms of its appearance, the site is not a typical agricultural field due to the presence of road and lighting infrastructure and, to an extent, its siting adjoining a built-up urban area.

46. No further hardstanding would be formed. While the introduction of parked vehicles; security fencing and floodlighting would have more visual impact than the existing open field, the temporary nature of the proposal; the adjoining urban environment; and that the wider area is subject to change and allocated for approximately 25,000sqm of development, the proposal would not result in material harm to visual amenity.

Impact on the residential amenity:

47. Policy PP27 states that development will be permitted where it is compatible with surrounding uses and would not result in a harmful impact on amenity for local residents and future occupiers in terms of sunlight, daylight, privacy, noise and whether it would be overbearing/ oppressive. The NPPF states that planning decisions should provide attractive, welcoming and distinctive places to live and visit; create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing users (para.127).

48. The proposed hours for use of the site for parking have, after some initial uncertainty, been confirmed as 7:30am to 6:30pm Monday to Friday.

49. The now proposed start time of 07:30 is reasonable and strikes a balance between residential amenity; allowing contractors to be onsite early; and avoiding peak traffic congestion in the area. These operating hours can be secured by condition (#2).

50. The car park would be gated and this would be securely locked outside of these hours. Vehicular and pedestrian access to and from the site would be via Purchase Road only. The car park would be fenced to provide addition security and the erection of the proposed fence and gate can be secured by conditions

(#4,#5,#8).

51. The area is a relatively quiet residential area with relatively low volumes of traffic. The proposal would result in increased traffic movements in the immediate area, probably concentrated in morning and evening peaks. Contractors would potentially return to their vehicles for breaks and for materials, however this would be during the day and only for limited periods.
52. There may be some perceived loss of privacy however this would not result in material harm given the layout of the adjacent homes; tall boundary fences adjoining the site; shrubs and trees adjoining the highway; separation distances to the parking area; established mutual overlooking; and the limited time contractors would be on and moving to and from the site.
53. There would be four mobile flood lights on the site, each powered by a generator. The lights would be mounted on a telescopic mast which would extend to 5.5m in height however these would be sited approximately 25m from the boundary with neighbouring properties, would be 'super silenced' and could be angled to prevent light pollution to residential properties. This could be secured by condition (#6).
54. Overall, it is considered that the proposed scheme would not result in material harm to neighbouring amenity through loss of privacy, an overbearing appearance, noise or light pollution.

Impact on parking provision in the area and the highway safety:

55. The proposal would create a vehicular access off Purchase Road. On-site turning would be provided. The existing pavement on site would be retained and used as a dedicated pedestrian footway on site.
56. 59 parking spaces would be provided, which would be utilised by contractors currently working on the development off Gillett Road.
57. The car park would be fenced off and closed by a gate and, due to its location at the end of Purchase Road, it would give no rise to additional highway safety dangers or increased congestion adjacent to the site.
58. The Highway Authority supports the scheme subject to conditions, as set out in the recommendation (#7,#8,#9 and #10).
59. Whilst Policy PP21 (3), requires all development at Talbot Village to deliver significant improvement of transport and movement to the area, including, a new strategic north-south cycle route and enhanced pedestrian crossings on Wallisdown Road, the scheme is not of a scale and nature that would trigger such requirements. The Highway Authority supports the scheme without any such mitigation, as a proportionate response to Policy PP21 given the temporary nature of the proposals.

Biodiversity considerations:

60. The proposal was subject to an Appropriate Assessment to establish its impact and required mitigation measures upon the Talbot Heath. Natural England were consulted on the results of the Appropriate Assessment and have advised that the proposal would not give rise to any direct impact on Talbot Heath and therefore no mitigation measures, as set out by Policy PP21 (1) (a), would be required.
61. Notwithstanding that, an Ecology Study has identified the potential for the presence of bats and slow worms on the site. the Reptile Survey and Assessment and Mitigation Strategy Report includes such measures as buffer zones and reptile fencing around the parking areas; translocation of reptiles onto the heathland; installation of lighting in accordance with guidelines; timing of works and habitat management.
62. The proposed mitigation has been agreed by the Council's Biodiversity Officer, and can be secured by condition (#11).
63. Protected trees adjoining the site would not be affected as parking would be restricted to existing hard-surfaced areas and fenced off to restrict the pedestrian movements in the vicinity of the site.
64. A condition (#6) can ensure that the proposed lighting is in accordance with the appropriate standards to be compatible with the potential presence of bats on the site.

Summary

65. The proposal would:

- comply with the provisions of Policy PP21 and due to its temporary nature would not prejudice any development within the land allocation in Talbot Village
- respect the character and appearance of the area.
- provide an acceptable standard of residential amenity for the neighbouring residents, subject to conditions
- preserve highway and pedestrian safety, subject to conditions
- provide off-road parking provision for the construction workers, taking away the pressure from the residential roads nearby
- not result in the increased highway and pedestrian safety dangers on site or in the vicinity of the site
- preserve the protected species in the vicinity of the site and secure biodiversity enhancements by condition.

RECOMMENDATION

It is therefore recommended that this application be **Granted subject to the following Conditions:**

1. AA01 (Non standard Condition)

This permission is limited to the period of 15 months starting from the date of this Decision Notice. Upon the expiry of this period of time, the use of the temporary car park hereby permitted, shall cease to operate. Within a month of the expiry of this permission, the access gate and all forms of enclosure to the car park, flood lights and generators, along with the associated provision of the temporary access and any other paraphernalia associated with the temporary use of the land, shall be removed from the land and the land shall be restored to its previous state.

The Local Planning Authority shall be advised in writing when the reinstatement of the site has been completed so that it can be checked on site.

Reason -

In order to preserve the visual amenities of the area and to support the development of the Digital Village on the TV2 land, on which the temporary car park is situated and in accordance with the provisions of the Talbot Village SPD and Policies PP17, PP20, PP21 and PP27 of the Poole Local Plan.

2. AA01 (Non standard Condition)

Notwithstanding the details included in the submitted Design and Access Statement (dated July 2019), the operational hours of the temporary car park hereby permitted shall be between 07:30am and 6:30pm on Mondays to Fridays inclusive and not at any time on weekends, Bank and other national Public Holidays.

Reason -

In the interest of the amenities of adjoining and nearby residential properties and in accordance with Policy PP27 of the Poole Local Plan (November 2018).

3. AA01 (Non standard Condition)

The temporary car park hereby approved shall only to be used by contractors involved in the construction works being undertaken within Plot Q, as identified on the approved plans, for the 15 month duration of this consent and shall not at any time be used for parking by staff, students, and visitors of Arts University Bournemouth or for the needs of the local residents.

Reason:

In the interest of reducing car travel and promoting more sustainable modes of travel, in accordance with Policy PP35 of Poole Local Plan.

4. AA01 (Non standard Condition)

Prior to the first use of the temporary car park hereby permitted, all forms of enclosure to the car park, including the provision of vehicle barrier and entrance gate, shall be erected on site. These shall remain in place throughout the duration of the use of the development hereby permitted.

Reason:

in accordance with the Poole Local Plan adopted 2018

5. AA01 (Non standard Condition)

The operational management of the temporary car park hereby permitted shall be as specified in the Morgan Sindall Management Statement - Plot W site contractors parking, dated 17/01/20 and revised 27/01/20, received 28/01/20).

Reason -

To protect the amenity and privacy of adjoining residential properties and in accordance with Policy PP27 of the Poole Local Plan (November 2018) .

6. AA01 (Non standard Condition)

Notwithstanding the submitted details (as specified in the MOSA Light specification sheets, received 28/01/20), the temporary car park lighting shall use lights compliant with specification TF IM5.5Y A-4X400, with a colour temperature of 3000K or less, in order to comply with 'Bats and artificial lighting in the UK' by Institution of Lighting Professionals with BCT, Guidance Note 8, 2018, unless otherwise agreed in writing with the Local Planning Authority.

The light towers (together with the generators) shall be erected in the locations specified on the approved site plan (Drg. no: 14_, rev. 05, received 18/03/20) and angled in such a way to avoid glare and light trespass into neighbouring roads, residential properties and Highmoor Farm.

The lights (together with the generators) hereby approved shall be only switched on during the operational hours of the temporary car park (7:30am-6.30pm Monday to Friday and not at weekends, bank or other public holidays) and when the lighting is in operation the measured sound level generated by the lighting equipment at the nearest noise sensitive premises shall not exceed 50dB(a)

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'; in the interests of the safety of all users of the site in accordance with Policy PP35 of the Poole Local Plan (2018); to protect the neighbouring residential development from excessive noise and light pollution and in accordance with Policy PP27 of the Poole Local Plan. (November 2018).

7. HW100 (Parking/Turning Provision)

The access, turning space, barrier at the entrance to the temporary car park, all means of enclosure and vehicle parking shown on the approved plan shall be constructed prior to the first use of the car park hereby permitted, and these shall thereafter be retained and kept available for those purposes at all times, until the development ceases its operation.

Reason -

In the interests of highway safety and in accordance with Policies PP27, PP34, PP35 and PP36 of the Poole Local Plan (November 2018).

8. AA01 (Non standard Condition)

Pedestrian and vehicle access to the car park hereby approved shall be from Purchase Road only, and no other access, whether for vehicles or pedestrians, shall be formed to the site whatsoever, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety in accordance with Policy PP35 of the Poole Local Plan (2018)

9. HW080 (First 4.5 Metres Constructed)

Concurrently with the construction of the development hereby permitted, the first 4.5 metres of the access crossing, measured from the near side edge of the carriageway, shall be laid out, constructed, hardened and surfaced, in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority.

Reason -

In the interests of highway safety and in accordance with Policies PP27, PP34, PP35 and PP36 of the Poole Local Plan (November 2018).

10. AA01 (Non standard Condition)

The works on site shall be undertaken in strict accordance with the Reptile Survey and Assessment and Mitigation Strategy Report (revision 02, prepared by Simon Geary Ecology Services Limited), received 13/03/20 and as outlined within the Ecology Schedule of Works received as Appendix 6 to the aforementioned Report. All works on site relating to habitat manipulation shall be undertaken and supervised by a Suitably Qualified Ecologist.

Reason -

To ensure the protection and rescue of species protected under the Wildlife and Countryside Act 1981(as amended) and in accordance with Policy PP33 of the Poole Local Plan, paragraph 170 of the NPPF and BSI 42020:2013 'Biodiversity - code of practice for planning and development'.

11. PL01 (Plans Listing)

Informative Notes

1. IN72 (Working with applicants: Approval)

2. IN84 (AA passed)

3. IN11 (First 4.5m Access Crossing)

