



Planning Committee

Application Address	81-83 Hankinson Road, Bournemouth, BH9 1HP.
Proposal	Erection of bungalow and formation of parking spaces
Application Number	7-2019-20654-B
Applicant	Mr D Ross
Agent	Harriplan
Date Application Valid	10 December 2019
Decision Due Date	3 February 2020
Extension of Time date (if applicable)	31 st October 2020
Ward	Winton East
Report Status	Public
Meeting Date	15 th October 2020
Recommendation	Grant, in accordance with the recommendation in the report.
Reason for Referral to Planning Committee	<p>This application is brought before committee at the request of Councillor Chris Rigby for the following reasons:</p> <ul style="list-style-type: none">• Congested development• Loss of privacy• Environmental impact/impact on trees and additional hard surfacing <p>The application was deferred at the Planning Committee on 11th June due to (as minuted):</p> <p><i>“For an Arboricultural officer to be present and an up to date parking survey provided.”</i></p>
Case Officer	Colin Tebb

Description of Development

1. Planning consent is sought for 'Erection of bungalow and formation of parking spaces. The Application came before Members in June but was deferred for the reasons set out above. Since the deferral of the application an unprotected (non TPO) group of Laurels within the site has been removed from the eastern side and southern (rear) boundaries, with the rear boundary backing onto Maxwell Road properties.

2. Following deferral of the application in June, the applicants have provided an amended Arborists Plan and Site Block plan showing revised planting and boundary proposals and additional on-site parking space for one extra car. The applicant has again provided the following information:

	Existing	Proposed
Use	Rear garden to No83	New dwelling
Height	N/A	Single storey bungalow
Parking	None	2 spaces

Key Issues

3. The main considerations involved with this application are:
- Impact on character and appearance of the area;
 - Impact on neighbouring residents;
 - Impact upon living conditions;
 - Impact upon Trees;
 - Parking/Traffic/Highway Safety;
4. These points will be discussed as well as other material considerations in Paragraphs 17 to 36 below.

Planning Policies:

5. Applications for planning permission must be considered having regard to the provisions of the Development Plan and any other relevant material considerations. The key document being the Bournemouth Local Plan.
6. Various Development Plan Documents (DPD) make up the Local Plan, the Bournemouth Local Plan: Core Strategy (October 2012) being the overarching document. The CS has superseded the Bournemouth District Wide Local Plan (DWLP) as the strategic policy framework for the Borough although various policies in the DWLP have been retained as 'saved' policies. The Core Strategy covers the period 2006 to 2026.

The Affordable Housing DPD (December 2009) also makes up part of the Local Plan. The National Planning Policy Framework (NPPF), as amended July 2018, sets out the Government's planning policies for England and is a material consideration in planning decisions.

The following Policies are considered relevant to the current application:

Core Strategy

- Policy CS1 – Presumption in Favour of Sustainable Development
- Policy CS4 – Surface Water Flooding
- Policy CS16 – Parking Standards
- Policy CS33 – Heathlands
- Policy CS39 – Designated Heritage Assets
- Policy CS41 – Quality Design

District Wide Local Plan

Policy 4.25 – Landscaping

Policy 6.8 – Infill Residential Development

National Planning Policy Framework

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

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 or specific policies in the NPPF indicate development should be restricted.

Chapter 11. Making effective use of land. Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions (para. 117)

Local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards). (para. 123).

Chapter 12 Achieving well-designed places. The requirement for good design set out in section 12; paragraph 127 requires that development should add to the overall quality of the area. Permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area and the way it functions (para 130).

Para 68 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:

c) support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes;

Other

Dorset Heathlands Planning Framework – SPD

Residential Extensions: A Design Guide For Householders - PGN

Relevant Planning Applications and Appeals:

- 7-2017-9396-A: New bungalow land rear of 85 Hankinson Road. Approved, and currently under construction.
- 7-2011-20654-B: New bungalow, land rear of No81 Hankinson Road. Approved – subsequently built and address is No81A.

Representations:

7. Green Site notices were placed in the vicinity of the site on 1st September 2020, with an expiry date for consultation of 15th September 2020. The application had originally been called in and presented to Planning Committee in June, with 15 representations received at that time, objecting to various aspects, including:
 - *Loss of the green open space and trees, and wildlife in this wildlife corridor;*
 - *A further dwelling here, along with other developments to the rear of Hankinson Road and Maxwell Road, will cause further overlooking of these neighbouring properties;*
 - *The additional driveways and car movements between properties will cause additional noise and disturbance to neighbours;*
 - *There will also be increased pressure for parking on Hankinson Road;*
 - *Impact upon two major trees on an adjacent site;*
8. The Member call-in was particularly concerned regarding the proposed bungalow having a congested impact on its surroundings, direct views into the rear of No51, 53 and 55 Maxwell Road, plus potential loss of trees to create the garden, plus the impact of further hard landscaping upon what is free draining land.
9. Following the re-advertising with green site notices, one further objection has been received stating:

"I wish to object to the proposed development on the grounds of over-crowding, being out of character, loss of habitat for wildlife, increased parking and traffic issues. I also believe that as the proposed development is overlooked by surrounding houses there is a loss of privacy for future residents."
10. These comments are referred to in greater detail below under the impact upon neighbours and the other headings where necessary.

Consultations:

11. Local Highway Authority – previously stated:

"The site is located in parking Zone 3; from the appropriate tables in the SPD both the proposed and donor dwellings have a shortfall of 0.5 spaces, however in this instance, given the existing highway conditions and the existing house has 2 spaces, the shortfall can be safely accommodated on street.

A turning head provision is proposed on site allowing vehicles for both the new and donor dwellings to enter and egress in forward gear, however tandem car parking layout is not ideal but given that the occupiers are in the same building

it is not an issue.”

12. Rather than undertaking an up to date parking survey, as requested by Members, the applicants have provided an additional car parking space on an amended plan submitted on 20th August, which was subsequently re-advertised. Highways have provided the following updated comments:

“The applicant has amended the layout showing 3 car parking spaces to include one visitor car parking space from the previously submitted drawing layout which showed 2 car parking spaces. The on-site car parking provision fully accords with policy CS16 parking standard.”

13. Waste & Recycling - no objection, provided a condition is imposed requiring the presentation point shown on the submitted plans to be installed and utilized.
14. Trees – The application was deferred specifically to enable the Trees Officer to attend a subsequent Planning Committee meeting. In addition, as the Applicants have removed the Laurels which were within the site, they also submitted an amended Arborists report and associated plans, which have been amended to show:
- A. Removal of the Laurel stumps within the site, thereby enabling;
 - B. The planting of a new Beech hedge within the site, along the rear boundary with Maxwell Road, and also;
 - C. The installation of a 2.5m close – boarded fence along the rear boundary with Maxwell Road properties too.
 - D. The retention of a semi – mature Sycamore tree close to the south east corner of the site.
15. The Trees Officer has no objection provided the requirements within the amended Arborists report are implemented, as discussed (and conditioned) below.

Constraints:

16. No site-specific constraints

Site and Surroundings

17. The site is located within the Winton area of Bournemouth. The area is residential in character and contains principally detached two storey dwellinghouses with generally long rear gardens but sometimes limited spacing between. There have been some infill developments of bungalows, notably to the rear of numbers 81, 85 and 97-99 Hankinson Road.

Key Issues:

Impact upon the character and appearance of the area:

15. There have been other similar ‘backland’ dwellings approved to the rear of Hankinson and Maxwell Road, including either side of the application site, with new bungalows approved in 2011 (No.81) and more recently in 2017 (No.85), with the latter currently under construction. So, the material considerations are almost identical to those applications, as this dwelling would also be a single storey bungalow with associated parking and access between dwellings fronting Hankinson Road. The area is residential

in character and contains principally detached two storey dwellinghouses with generally long rear gardens, and in the case of Hankinson Road the level of the gardens dropping down from north to south by almost 6 metres.

16. The current further proposal seeks to erect a similar two bedroom bungalow to the rear of No.83 Hankinson Road, utilising the access road currently used to reach the bungalow to the rear of No.81, (No.81a) so becoming a shared access and turning head serving both existing and the proposed property. This proposed bungalow would have a similar almost L – shape footprint, with its rear wall in line with the existing rear wall of No.81a. The bungalow would measure 2.5 metres to the eaves and 5 metres to the ridge with a hipped roof.
17. The houses in Hankinson Road around and including the proposal site have relatively long rear gardens, which slope down towards the rear gardens of houses fronting Maxwell Road. Given that the proposed bungalow would be sited at a considerably lower level than the houses in Hankinson Road, it is considered that it would not be visually intrusive from either nearby gardens or from the surrounding streets. The separation distance of approximately 15.5 metres between No.83 Hankinson Road and the proposed bungalow is sufficient to ensure that it would not create a cramped relationship and is very similar to other approved infill schemes in the area.
18. In design terms, the proposal would not have a noticeable impact on the visual appearance of the locality or character of the area. The traditional design approach would integrate with others in the area. The proposal retains good spacing to all neighbouring buildings and would therefore not constitute an overdevelopment of the site.
19. Other larger trees are outside of the application site, however a detailed and amended Arboricultural Impact Assessment (AIA) and report has been submitted alongside this application which has been assessed by the Tree officer and found to be acceptable. The Tree Officer is satisfied the proposed development will not impact upon the previously referenced Lime tree outside the site and Sycamore just inside the site. As such, this proposal would not detract from the character and appearance of the area, or conflict with Policy CS41 as such.

Impact on neighbouring residents:

20. The application property is flanked on both sides by neighbouring dwellings at No.81a and now No.85a. A concern has been raised that there will be overlooking of properties in Maxwell Road, however the proposed bungalow itself is single storey and it is recommended that the usual Permitted Development right for roof alterations will be removed as set out in condition 5. The single storey design and imposition of a condition preventing the insertion of dormer window(s) in perpetuity means that it would not be visually intrusive or result in overlooking of properties in Maxwell Road.
21. In addition, since the deferral of the application the applicants have agreed to install a higher 2.5m high close – boarded fence which would reinforce and prevent any issues in terms of overlooking and the inter-relationship between the new bungalow and neighbouring properties in both Maxwell Road and Hankinson Road. Condition 7 secures the new boundary fence.
22. With regards to the specific issue of the distance between the new bungalow and Maxwell Road properties, with a rear garden 7 metres deep and the rear gardens of

Maxwell Road properties being circa 28 metres, then there would be an overall back to back distance of 35 metres. This would far exceed the recommended 21m back to back distance in the Residential Development SPD (between two storey dwellings), and as such the proposal would not conflict with Policy CS41 in this respect either.

Living conditions for future occupants:

23. The proposed bungalow has two bedrooms and an acceptable level of internal space and adequately sized rooms, along with adequate amenity space, with the external space relating well to the main internal room living room, as recommended in the Residential Development SPD. A neighbour has more recently suggested there will be overlooking into the site – dwellings and an adverse impact upon living conditions of the bungalow, however, as discussed, the back to back distance to Maxwell Road exceeds the 21m SPD recommended minimum, whilst the rear of the Hankinson Road properties will face towards the front shared parking area, rather than the private amenity space of the new bungalow. This is also the same relationship as the existing bungalows either site.

Impact on Trees:

24. Following the deferral of the application, a large clump of self-seeded Laurel ‘bushes’ have been removed as these were not protected in any way, in terms of a TPO or other legislation. However, the larger Sycamore, Lime and other trees both within and outside the site will be retained, as set out in the amended AIA and Arboricultural Method Statement (AMS) and associated plan and secured at condition 8 of the recommendation. In summary the mitigation would be;
- ❖ Protective fencing where necessary to the Sycamore and Lime trees;
 - ❖ A no-dig policy or storage within the Root Protection Areas;
 - ❖ A new Beech hedge along the rear – southern boundary with Maxwell Road;
 - ❖ A 2.5 metre high fence to be erected along the rear boundary with Maxwell Road.
25. The Trees Officer is now satisfied that the specifications and requirements set out in the amended Arborists report and associated plans will ensure that the development will not have an adverse impact upon the prominent trees within the local landscape to the rear of Hankinson and Maxwell Road, and as such will not change the verdant nature of the area. The significant tree within the landscape is indeed the mature Lime tree to the South West of, but outside the site, in an adjacent garden serving Maxwell Road, which has been picked up in the detailed AIA.
26. The proposed bungalow is well outside the defined Root Protection Area of this Lime and the Sycamore and although it was decided that the Sycamore was not worthy of a TPO itself, this tree will also be retained and protected in accordance with the measures recommended in the amended AIA and AMS.
27. Finally, new hard and soft landscaping is proposed particularly to the front of the bungalow, which now shows an additional car parking space, as referred to below.

Parking/Traffic/Highway Safety:

28. The application was deferred to enable a car parking survey to be undertaken, although the Local Highway Authority (LHA) had not objected to the development. However, amended plans has been provided in this regard showing an additional third car parking

space, meaning there is now no requirement for any on street parking stemming from this development. As previously set out the LHA did not and still do not have any objection to the development in respect of parking or other highway safety issues. To reiterate the LHA now consider:

“The on-site car parking provision fully accords with policy CS16 parking standard.”

29. The existing access serving the neighbouring bungalow at No81a Hankinson Road would become a shared access, serving the proposed bungalow to the rear of No83a Hankinson Road too. The existing turning head serving No81a will be extended in front of the proposed bungalow, and amended plans now show an increase from two to three car parking spaces, serving the proposed bungalow. The Local Highway Authority have again confirmed they are satisfied the proposed turning head and increased parking will not result in additional or unacceptable increase in levels of on-street parking, or highway safety issues in the area.
30. Bin storage and a presentation point is shown on the plan, although details would be secured by condition 9.

Drainage:

31. Policy CS4 of the Core Strategy requires details of surface water drainage. The site is clearly sloping significantly from north to south, with a number of new hard surfaced areas, however the area is not located in a location liable to Pluvial flooding, and a standard surface water condition (No.10) is recommended. The plans show a soakaway location to the rear garden.

Heathland Mitigation:

32. As 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) which covers the whole of Bournemouth. As such, the determination of any application for an additional dwelling(s) resulting in increased population and domestic animals should be undertaken with regard to the requirements of the Habitat Regulations 1994. It is considered that an appropriate assessment could not clearly demonstrate that there would not be an adverse effect on the integrity of the sites, particularly its effect upon bird and reptile habitats within the SSSI.
33. Therefore, as of 17th January 2007 all applications received for additional residential accommodation within the borough is subject to a financial contribution towards mitigation measures towards the designated sites. A capital contribution is therefore required and a signed legal agreement has been drafted to provide this contribution, and so this application will be subject to the completion, signing and sealing of a S106. The contribution in this instance is £394 plus a £75 admin fee.

Community Infrastructure Levy:

34. The development proposal is liable to a community infrastructure levy charge, and the Applicants will be informed of this figure assuming Planning Permission is granted.

Summary

35. The proposal would:

- Follow the adjacent bungalows constructed either side of the application site, which are also accessed from Hankinson Road;
- Include conditions to prevent the insertion of roof dormers in perpetuity, thereby preventing overlooking of neighbours either side or residents in Maxwell Road.
- As such it also would not result in an over dominant development either;
- The amended Arborists report and plan will ensure appropriate protection measures before, during and after construction, to protect the Lime and Sycamore;
- Include new hedge planting and the installation of a 2.5m high boundary fence to the rear boundary with Maxwell Road, preventing any loss of privacy too;
- Provide 3 car parking spaces now, and turning head, such that the LHA remain satisfied the development will not lead to highway safety or parking issues;
- Provide an acceptable standard of living conditions for future residents;
- would make a contribution towards local housing delivery.

Planning Balance

36. The proposed scheme, as amended, would now deliver additional housing in this sustainable location, corresponding to similar single storey developments on the adjacent sites, so well designed and in keeping with the character of the area. The imposition of relevant conditions would also prevent alterations to the dwelling in order to prevent overlooking, in perpetuity. In addition, the amended Arborist report and plan would safeguard both protected and unprotected trees on and adjacent to the site, whilst new hard and soft landscaping including new fencing would protect neighbours amenities.

37. Having considered the appropriate development plan policy and other material considerations, including the NPPF, it is considered that subject to (A) signing and sealing of a S106 and (B) compliance with the conditions attached to this permission, the development would be in accordance with the Development Plan, would not materially harm the character or appearance of the area or the amenities of neighbouring and proposed occupiers and would be acceptable in terms of traffic safety and convenience. The Development Plan Policies considered in reaching this decision are set out above.

Recommendation

38. **GRANT permission with the following conditions, which are subject to alteration/addition by the Head of Planning Services provided any alteration/addition does not go to the core of the decision and the completion, signing and sealing of a Section 106 agreement.**

Section 106 terms:

Financial contribution towards Heathlands Mitigation Measures - £394 + £75 admin fee

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: 4381/02 (Elevations and Floorplans) and 03 Revision F (Amended Block Plan, received 20th August 2020).

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

2. Access/Turning/ Parking

Prior to the occupation of the development hereby approved, the access and areas for turning, parking including the marking out of spaces shown on the approved plans shall be constructed in accordance with the approved details and permanently retained and kept available for the residents and visitors of the development hereby permitted, at all times.

Reason: In the interests of highway safety and in accordance with Policies CS14 and CS16 of the Bournemouth Local Plan: Core Strategy (October 2012).

3. Prior Approval of Materials (Bricks & Tiles)

Details/samples of the bricks, tiles, including hanging tiles, windows, doors, and other materials to be used on the external surfaces of the proposed development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any superstructure works on site. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory visual relationship between the existing and the new development in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

4. On site working hours (inc demolition) restricted when implementing permission.

All on-site working, including demolition and deliveries to and from the site, associated with the implementation of this planning permission shall only be carried out between the hours of 8 a.m. and 6 p.m. Monday - Friday, 8 a.m. and 1 p.m. Saturday and not at all on Sunday, Public and Bank Holidays unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard the amenities of occupiers of adjoining and nearby properties and in accordance with Policies CS14 and CS38 of the Bournemouth Local Plan: Core Strategy (October 2012).

5. No permitted Development for windows, Dormer Windows

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows shall be installed or dormer windows shall be constructed without the grant of further specific planning permission from the Local Planning Authority.

Reason: To avoid loss of privacy for adjoining properties in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

6. No Permitted Development for Enlargements of the dwelling(s)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 1995 (or any order revoking and re-enacting that Order with or without modification), no enlargements of the dwelling shall be constructed without the

grant of further specific planning permission from the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain control over the development of the site in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

7. Boundary Treatment (Location shown on plan & type on forms)

Prior to the occupation of the development hereby approved fences and walls shall be erected in the positions shown on the approved plans of the type and dimensions specified. The fence(s)/wall(s) shall be thereafter retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity and privacy and in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

8. Implementation of the approved Arboricultural Method Statement

The tree protection measures as detailed in the Arboricultural Method Statement dated 20th August 2020, prepared by KJC Consultancy shall be implemented in full and in accordance with the approved timetable and maintained and supervised until completion of the development.

Reason: To ensure that trees and other vegetation to be retained are not damaged during construction works and to accord with Policy 4.25 of the Bournemouth District Wide Local Plan (February 2002).

9. Provision of bin presentation point

The bin presentation point hereby approved shall be constructed in accordance with the approved details prior to the occupation of the proposed development and shall be retained and maintained for that use thereafter.

Reason: To preserve the visual amenities of the locality in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

10. 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.

11. Informative Note: CIL liable development

INFORMATIVE NOTE: This permission is subject to the Community Infrastructure Levy (CIL) introduced by the Town and Country Planning Act 2008. A CIL Liability Notice has been issued with this planning permission that requires a financial payment on commencement of development. Full details are explained in the notice.