

Planning Committee

Application Address	6 and R/O 8 Cardigan Road
Proposal	Erection of 3 storey building comprising of ground floor professional office (Use Class A2) and 16 flats with bin and cycle stores, formation of car parking spaces
Application Number	7-2019-13085-L
Applicant	St. Gresham Ltd
Agent	Goadsby Planning & Environment
Date Application Valid	14 January 2019
Decision Due Date	14 April 2019
Extension of Time date (if applicable)	12 July 2019
Ward	Winton East
Recommendation	GRANT in accordance with the recommendation details within the report
Reason for Referral to Planning Committee	<p>This application is brought to the Planning Committee at request of (former) Councillor Oakley on the following grounds:</p> <ul style="list-style-type: none"> • Substandard accommodation • Overdevelopment • Unsustainable Development • Contrary to local demand

Description of Development

1. Planning consent is sought for the erection of a three storey building comprising of ground floor professional office (Use Class A2) and 16 flats with bin and cycle stores, external store, and formation of car parking spaces.
2. The application is very similar to an allowed appeal from 2014. That permission has been commenced and is extant. The differences are as shown in the table on the following page:

	Existing approved	Proposed
Ridge height	9.5 metres	9.5 metres
Number of storeys	Three including roof accommodation	Three including roof accommodation
Approximate gross internal floor area of all buildings (including stores)	1033 sqm	979 sqm
A2 use floor space	156 sqm	80.3 sqm
A2 use floor space (including store)	185 sqm	112.5 sqm
Number of residential units	10 flats	16 flats
Parking spaces	12	14

3. Essentially part of the upper floor offices are now proposed to be residential use, with two more parking spaces added. The reduced GIA is mainly due to the introduction of an undercroft parking area to the main building within the same building footprint.

Key Issues

4. The main considerations involved with this application are:
- Principle of the reduced employment use
 - Impact on character and appearance of the area
 - Impact on neighbouring residents
 - Living conditions for future occupants
 - Highway safety, parking and traffic impacts
5. These points will be discussed as well as other material considerations at paragraphs 17 to 42 below.

Planning Policies

6. The following Bournemouth local plan policies are relevant:

Core Strategy (2012)

CS1: NPPF and Sustainable Development
CS4: Surface Water Flooding
CS6: Delivering Sustainable Communities
CS9: Enhancing District Centres
CS16: Parking Standards
CS18: Promoting Cycling and Walking

CS21: Housing Distribution Across Bournemouth
CS31: Recreation, Play and Sports
CS33: Heathland Mitigation
CS38: Noise
CS41: Design Quality

District Wide Local Plan (2002)

Policy 5.20: Secondary Shopping Areas
Policy 6.10: Flats Development

Supplementary Planning Documents/Other:

Dorset Heathlands Planning Framework SPD 2015
Residential Development: A Design Guide – PGN (2008)
Sustainable Urban Drainage Systems (SUDS) - PGN
Bournemouth Parking – SPD

The National Planning Policy Framework (2019)

7. 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. The following chapters and paragraph are relevant to the proposed development.

- Section 5: Delivering a sufficient supply of homes

Paragraph 59:

“To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.”

Paragraph 64:

“Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership”

Paragraph 68:

“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.”

- Section 11: Making effective use of land

Paragraph 117:

“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”.

Paragraph 123:

“Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site”.

- Section 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 (paragraph 130).

Relevant Planning Applications and Appeals:

8. 6 Cardigan Road:

- 2017 - Minor material amendment to vary condition no.2 of 7-2015-13085-J to vary the plans to include altering elevations, amendment to parking spaces, alteration to store at rear and formation of safety rails on roof – Granted (7-2017-13085-K)
- 2015 - Minor material amendment to vary condition no.2 of 7-2014-13085-H (APP/G1250/A/14/2224553) to include alterations to the front garden of number 8 Cardigan Road, alterations to the screening adjacent to the car parking area and internal alterations relocating bin and cycle stores – Granted (7-2015-13085-K)
- 2014 - Erection of a 3 storey building comprising offices (Class A2 and B1(a)) and 10 flats with single storey office store, bin and cycle stores and formation of parking spaces – Refused, Appeal allowed (7-2014-13085-H)
- 2009 - Erection of a 3 storey building comprising ground floor commercial unit and 6 cluster flats (22 study bedrooms in total) with bin and cycle store – Granted (7-2009-13085-F)
- 2008 - Erection of a 2/3 storey building comprising retail shop and 7 flats (23 study rooms) for students with bin and cycle stores and formation of parking spaces – Refused, Appeal dismissed (7-2008-13085-E)
- 2007- Erection of a 3 storey building comprising retail shop and 14 flats with bin and cycle stores and formation of parking spaces – Refused (7-2007-13085-D)

Representations

9. Site notices were posted in the vicinity of the site on 22/01/19 with an expiry date for consultation of 22/02/19.
10. Two representations have been received, two raising objection, and none in support. The issues raised comprise the following:-

Parking concerns

Potential student lets

11. In addition, a Councillor 'Call in' form was received from Ward Councillor at the time (pre-May 2019) Councillor Oakley, under the terms of the Bournemouth Borough Council Scheme of Delegation (pre-April 2019) raising concerns about:

Substandard accommodation

The studio units are small, but have already been allowed on appeal. The additional flats proposed here are better in terms of size

Overdevelopment

The amount of development in terms of the built form is the same as previously approved, and the location adjacent to a District Centre is considered acceptable for residential intensification.

Unsustainable Development

It was not clear what is meant by this, but the applicant has submitted an Energy Statement in line with Policy CS2 of the Core Strategy which includes provision for potential solar water heating panels, SUDS, and other measures which can be provided via condition (see Condition 13).

Contrary to local demand

The site would not be suitable for the provision of housing, so flats are the most appropriate form of development on this mixed use site.

12. Furthermore, the Bournemouth Civic Society have commented in support of the application, stating that the design and scale area acceptable, and that "*the fear of excessive parking demands should be offset by the ease of established bus transport and bicycle provision*".

Consultations

13. Local Highway Authority -

No objection subject to some minor changes to the plans (which have been undertaken).

14. Waste and Recycling –

Bins are too far from the highway and do not meet Council collection requirements; Private collection/waste management plan required.

Constraints

15. Identified 'District Centre' of Winton with Secondary Shopping frontage designation

Planning Assessment

Site and Surroundings

16. The site and locality have the following characteristics:
- Sited within the designated District Centre of Winton.
 - Located on a side road just off the main Wimborne Road core shopping area.
 - Site has a Secondary Shopping frontage designation, but is the last commercial unit on the edge of the shopping area.
 - Existing property is a former post office which closed over 10 years ago.
 - It is a detached single storey retail unit with a wide frontage. It has a recessed hipped roof behind a parapet. It has some interesting details such as the full height windows at regular intervals.
 - There have been some short term retail uses since, but it is currently empty.
 - The site is large and shares an access and car park with the BT telephone exchange building to the rear.
 - Between the application property and Wimborne Road, there is a substantial 2 storey terrace of commercial buildings with residential accommodation above known as 'Post Office Buildings'.
 - To the east of the site, the character changes to predominantly high density suburban residential with modest detached and semi-detached two storey properties dating back from the early 1900's.

Key Issues

Principle of Development

17. The site has planning history which forms a strong material consideration in this case. In 2014, an appeal was allowed for the erection of a three storey building comprising of an A2 commercial use at ground floor, B1 office use at first and second floor and residential units on ground, first and second floors to the rear (comprising of 10 studio units). The application here proposes to remove the first and second floor offices in the front part of the building and replace with a further six residential flats. The application would retain a smaller ground floor A2 use to the western side at the front, with an undercroft parking area added to the eastern side.
18. The retained A2 office unit would still be of a good viable size and would preserve a ground floor commercial use in this District Centre location. The absence of the first floor offices would not prejudice the function of the District Centre. Although the site is suitable for employment uses such as offices, there is not site specific allocation or onus on providing this on the upper floors. Indeed, in 2011, planning permission was approved for a mixed use replacement building on this site with an A1 retail frontage and student use above, and no additional office space.
19. The remainder of the development is essentially as approved, with 10 the studio flats and an external commercial store building (which has already been constructed).

20. Paragraph 11 of the NPPF and Policy CS1 of the Core Strategy place a presumption in favour of sustainable development. Policy CS21 relates to the location of new housing and states that urban intensification will take place in areas that are well served by sustainable modes of travel. The application site is located within an area B – which is a site within 400m of a district centre and would therefore provide additional residential accommodation within a sustainable location.
21. The application site is considered brownfield land and the NPPF places significant weight on the development of such sites in order to meet local authorities housing targets. Furthermore, Bournemouth is unlikely to be able to demonstrate a five year housing land supply and consequently the NPPF advises in paragraph 11 that the policies which are most important for determining the application are therefore out-of-date. This means that the “tilted balance” described in para. 11 of the NPPF has to be applied to the proposals and the weight attached to the adopted policies listed at 8. above is affected as a result. This site does not involve policies in the Framework that protect areas or assets of particular importance which are listed in Footnote 6 on page 6 of the NPPF and includes for example habitats sites/SSSIs, green belt, heritage assets and areas at risk of flooding. Therefore, the application should be approved unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
22. The proposed development would make a valuable contribution to addressing this current lack of housing supply and weight is attached to this in the Planning Balance exercise below.

Impact on character and appearance of the area

23. The height, scale, form and design of the building is very similar to the 2014 approved development, and identical apart from the ground floor. On the ground floor the approved scheme had a single large commercial unit with a symmetrical frontage that appeared as two shop fronts with central entrances. As originally submitted the proposal in this application included a very simple flat front façade with smaller windows and blank areas. The design has been amended during the application process and is ultimately improved from the original weak design. The revised design now includes three large windows with stone headers to match those above at first floor level, and also to reference the style and pattern of windows on the existing building. On the eastern side of the front elevation there are blank/bricked up window openings to add detail and interest where behind there is the side undercroft parking area.
24. The provision of three ground floor parking spaces to the side of the building creates an open void in the side of the building. The originally approved building contained a blank wall on this side. The undercroft parking will be a functional rather than visually attractive addition. However, located on the side off the existing access it will not be visible from most angles, including the front, and would not be a materially harmful alteration to the permitted scheme. It is a form of development that is found elsewhere in the area, such as at Amber Court, 5 Wycliffe Road to the north for example which has flats with parking underneath at ground floor level.
25. There is a further proposed modest change to the single storey outbuilding at the rear of the site behind number 8 Cardigan Road. This is a commercial store associated with the commercial unit, for record storage etc. This element of the scheme has already been

constructed and as built it has been extended forward a little at the front compared to the store approved under the most recent Minor Amendment application in 2017. However, this modest extension is not harmful in design terms and does not affect the character and appearance of the area.

26. Overall it is considered that the application is materially very similar to the early approved and extant scheme, and the proposed changes would not be harmful to the character and appearance of the area.

Impact on neighbouring residents

27. The form and size of the main building remains as originally approved. There will be a net increase of two parking spaces on the site, and the external store is slightly larger and closer to the rear of 8 Cardigan Road. The store will remain single storey and a significant distance from the rear of number 8.
28. The intensity of the residential use will be greater with six additional flats on the site, but these replace a substantial area of office accommodation and the site is just off a busy main road and commercial centre rather than a quiet location. It is therefore considered that the proposed development would not have a detrimental impact on any neighbouring residents. Original conditions relating to high level windows will be re-imposed, as well as those relating to privacy screens to first floor external terraces at the rear (conditions 10 and 11).

Living conditions for future occupants

29. The development is relatively high density, predominantly because of the 10 small studio flats which have already been approved by an appeal Inspector. The additional six flats at first and second floor level in the front part of the building are larger, comprising 4 x 2 bed flats and 2 x 1 bed flats. Minimum space standards have not been adopted in this area. Reference to the national standards in the Government's "*Technical Housing Standards: Nationally Described Space Standard*" (2015) shows that some of the two bedroom units would be below this national threshold of 37m² for 1 bedroom units and 61m² for two bedroom units:

Unit A (2 bed) – 64.5m²

Unit B (1 bed) – 43m²

Unit C (2 bed) – 53.5m²

Unit D (2 bed) – 54.1m²

Unit E (1 bed) – 38.3m²

Unit F (2 bed) – 44.8m²

30. However, it is considered that the two bedroom units are not sufficiently cramped or offer sufficiently poor living conditions to warrant refusal on this aspect, particularly when the Inspector was not concerned about the other 25-30m² studio flats.
31. The two bed units would all have more than one aspect, although first floor windows on the western side serving the bedrooms of Unit 'F' would be quite close to the adjacent flank wall of 10 Post Office Buildings (1.9 m). The adjacent property has a flat roof and it would not adversely impact light to these bedroom windows. Flats would otherwise have an acceptable level of light and outlook via the south facing windows onto the street.

32. The flats would not have access to any external amenity space. There are no adopted amenity space standards in the Bournemouth local plan documents. The Inspector in the 2014 appeal did not consider amenity space to be a critical consideration in this location, stating *“it is not unusual for such residential accommodation without family-sized outdoor amenity space and the outlook that goes with it to be located within or adjacent to district shopping centres where such high density mixed use development is common, and where single occupiers would reap the benefits of such a convenient location”*. Some of the flats proposed are larger than the originally approved studio units, but the site does have access to public open space nearby in the area in the form of Winton Recreation Ground.

Parking/traffic/highway safety

Proposed development

33. The proposed development includes 131m² of A2 offices, 16 flats (10 studio flats, 2x 1 bed flats and 4x 2 bed flats) 14 car parking spaces and a cycle store. The rear store is shown including a bedroom, so it is unclear if this could become additional flat in the future.

Planning History

34. An application for offices and 10 flats was approved at appeal (application: 7-2014-13085-H). Two minor material amendments have also been approved (J) and (K). The principal changes to the previously permitted development are on the ground floor (less A2 office space, replaced with three parking spaces) and on the upper floors where B1 office space is replaced by six flats. One parking space is removed near the rear store, so there is a net increase in two car parking spaces from 12 to 14 spaces.

Access

35. The site is accessed from Cardigan Road, as existing.

Car parking

36. The site is within Zone 2 of the Parking SPD, which estimates the following car parking demand:
- 16 flats (10no with one habitable room, 2no. with 2 habitable rooms and 4no. with 3 habitable rooms): 21 allocated spaces or 13 unallocated spaces (12.2 unrounded)
 - A2 financial/professional offices: $1.31 \times 3.3 \text{ spaces} / 100\text{m}^2 = 5 \text{ spaces}$ (4.3 unrounded)
 - Total: 17 spaces (with residential spaces unallocated)
37. 14 car parking spaces are proposed, with one space allocated to no. 8 Cardigan Road (as previously approved) which results in a shortfall of four spaces. In the ‘H’ application that was permitted at appeal (with fewer flats but an additional B1 use) the car parking shortfall was 13 spaces. With the proposed scheme the car parking shortfall is therefore reduced by 9 spaces (from 13 to 4).
38. In his decision notice on the ‘H’ appeal (11/11/14) the inspector considered that sufficient car parking was proposed due to the sustainable location and that car parking between the two uses could be shared. Conditions attached to the approval included provision of the cycle store and submission of a parking management plan.

39. The Local Highway Authority agrees that spaces numbered 9 to 11 are not suitable for residential use, so these can be allocated to the A2 office space, as proposed. The parking shortfall for the residential element is therefore 3 spaces ($12.2 - 10 = 2.2$ unrounded), as space no.6 is allocated to 8 Cardigan Road, as previously approved. Car parking for the remaining residential use should therefore be unallocated, as proposed. An unallocated car parking condition is therefore applied to the 10 spaces numbered 1-5 and 7-8 and 12-14 (condition no 7). A note has also been added to the plans to state that the spaces are unallocated.

Car parking layout

40. The car parking layout is substandard in several respects, with spaces not meeting the minimum 2.6m x 5m dimensions as set out in the Parking SPD and spaces numbered 9 to 11 are difficult to access. However, this general layout was approved at appeal, so no objection is raised.

Cycle parking provision

The Parking SPD requires the following cycle parking provision:

- A2 offices: 2 secure covered spaces for staff ($1 \times 1.31 = 1.3$ unrounded) plus 0.3 spaces for visitors ($0.2 \times 1.31 = 0.3$); and
- C3 flats: 16 secure covered spaces (1×16) plus 1.6 visitor spaces ($0.1 \times 16 = 1.6$)

41. Three cycle stores are proposed: 10 spaces on the west side of the ground floor of the main building, 6 spaces on the east side and a further 6 spaces in a separate store to the rear, with a total of 22 spaces. This level of provision is acceptable, subject to the addition of two visitor spaces in a public area. There appears to be limited space available to provide these additional spaces on site. The Highway Officer originally requested that the applicant install a single Sheffield stand on the public footway opposite the site, adjacent to the Premier supermarket. However, this is outside of the application site and the applicant has not been willing to undertake this. It is not considered that the lack of this cycle stand would prejudice the development overall.

Cycle parking layout

42. The cycle parking area on the west side of the ground floor is substandard (spaces are 1.8m in length rather than the required 2m, there are no separate doors to the cycle store and the access to the highway is via a double door, rather than a single 1.1m wide door). However, this layout has been previously approved (J application). The cycle parking on the east side of the main building should ideally be accessed by single 1.1m wide doors, as double doors are inconvenient to use and do not accord with the Parking SPD. However, to change to single doors would potentially obstruct the access to the flats so is acceptable in this case.

Heathland Mitigation

43. 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.

44. 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 in this instance is £3,872, plus a £193.60 administration fee. A signed legal agreement is required to secure this contribution.

Affordable Housing

45. All applications proposing residential development in excess of 10 units net will be subject to the Council's adopted affordable housing policy. The affordable housing DPD sets out an approach to achieving contributions towards the delivery of affordable housing in Bournemouth. Policy AH1 contained within DPD requires all residential development to contribute towards meeting the target of 40% affordable housing. When considering residential development the Council will seek a 40% contribution except where it is proven to not be financially viable. The DPD was revised in November 2011 and sets out in greater detail how the DPD will be implemented as well as including an indicative contribution table which applicants can agree to rather than submit viability information.
46. In this case the existing building is vacant and therefore a vacant building credit should be deducted in line with the NPPG.
47. The increase in floor space over the existing original building has been calculated to be approximately 407m². The Council's Indicative Contribution Tables outline a rate per square metre for each size of unit in the table. There are 13 units of the smallest flat category, and 3 units in the 47-67m² category. To calculate the rate a proportionate amount of the increased floor space for each size unit has been taken and multiplied by each rate in the 'Northern District' table – i.e.

13/16 units = 81.25% smaller size units, at the rate of £81.47 per sqm in the table
81.25 percent of 407m² = 330.6875.
330.6875 x £81.47 = £26,941.11

3/16 units = 18.75% larger size units, at the rate of £33.13 per sqm in the table
18.75 percent of 407m² = 76.3125.
76.3125 x £33.13 = £2,528.23

Total affordable housing contribution with Vacant Building Credit =
£29,469.34

48. A signed legal agreement will be required to provide this contribution. The applicant did undertake a viability assessment, but this stated that the development was able to contribute up to £38,857 towards affordable housing. The applicant is still discussing the viability appraisal figures with the DVS so the outcome may change. However, at the present time as the above figure with the vacant building credit added is lower, then that is the relevant sum sought.

Community Infrastructure Levy

49. The application is liable for a Community Infrastructure Levy charge.

Summary

50. It is considered that:
- The application is very similar to previously approved development
 - The switch from office to flats is acceptable
 - The site is in an area appropriate for residential intensification
 - The design of the front elevation is now acceptable
 - Parking provision is considered adequate and there are no highway safety issues
 - No material harm is apparent to neighbouring properties

Planning Balance

51. The proposal provides residential development in a sustainable location, and the additional six flats will contribute towards local housing supply. The site is not allocated for employment use and retains a commercial use on the ground floor. The size of the proposed flats and living conditions are considered acceptable. While it is acknowledged that no external amenity space is provided for the new properties, the Inspector on the original appeal was not concerned about this issue for the original 10 unit scheme.
52. 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 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

53. **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 of a Section 106 agreement with the following terms (In the event that the Section 106 agreement is not satisfactorily concluded within a reasonable timescale the Head of Planning Services may refuse the application):**

Section 106 terms:

- Financial contribution of £3,872, plus a £193.60 administration fee for heathlands mitigation (SAMM)
- Financial contribution of £29,469.34 plus £200 administration fee towards affordable housing

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: 4149:32J, 4149:51D, 4149:52, 4149:53A, 4149:54A, location plan (un-numbered), 1:500 block plan (un-numbered), Proposed cycle store (un-numbered).

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

2. Materials and architectural detailing

The materials to be used on the external surfaces of the proposed development shall be as previously agreed through the conditions submission of 29 August 2017 and subsequent response unless otherwise agreed in writing by the Local Planning Authority. All architectural details shown on the plans including, for the avoidance of doubt, the stone window headers, banding and the blank window recesses on the front elevation shall be implemented in full and retained thereafter.

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

3. 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).

4. Cycle stores to be erected prior to occupation

Before the occupation of any part of the development hereby approved, the cycle stores shall be erected as shown on the approved plans and thereafter retained, maintained and kept available for the occupants and staff of the development at all times.

Reason: To promote alternative modes of transport and in the interests of amenity in accordance with Policies CS18 and CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

5. Refuse Management Plan

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

The refuse management plan shall be carried out in accordance with the approved details, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development includes a long-term management plan for the collection of refuse in the interests of visual and residential amenities, and to accord with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

6. External pipework

Unless shown on the approved elevation drawings any pipe work (with the exception of rainwater down-pipes) shall be internal to the building, unless otherwise agreed in writing by the Local Planning Authority.

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

7. Visibility Splays

Before the development hereby permitted is brought into use and notwithstanding the provisions of the Town and Country (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modifications) the visibility splay(s) shown on the approved plans shall be cleared of all obstructions over 0.6m above the level of the adjoining highway, including the reduction in level of the land if necessary. Nothing over that height shall be permitted to remain, be placed, built, planted or grown on the land so designated.

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

8. Parking

Prior to the occupation of the development hereby approved, the accesses and areas for turning and parking, including the marking out of spaces shown on the approved plan, shall be constructed in accordance with the approved details and retained thereafter.

Parking spaces 1-5, 7-8 and 12-14 inclusive shall be made available for any resident of the development and those persons visiting residents of the development and shall remain unallocated to any specific resident or residence for the lifetime of the development. Parking Space 6 shall be allocated to number 8 Cardigan Road and spaces 9-11 are reserved for the commercial development as shown on the approved plans.

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

9. Shower facilities

A shower together with sufficient changing area and area for the storage of cycling clothes for cyclists using the offices shall be provided and permanently retained in working order adjacent to the toilets in the commercial element of the scheme prior to first occupation of the offices.

Reason: to promote alternative modes of transport and in accordance with CS18 of the Core Strategy.

10. Drainage Hard surfaced areas

Any new or replacement hard surfaced area(s) shall either be made of porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.

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. Skylight windows:

Notwithstanding any indication to the contrary on the approved drawings, the skylight windows in the west-facing mansard roof to studio flat No 8 shall be inserted so that their lower sills are a minimum of 1.7m above the floor level.

Reason: In the interest of safeguarding amenity and in accordance with Policy CS 41 of the Core Strategy.

12. Privacy Screens

The proposed privacy screens to the balconies shown on the approved plans shall be installed before the development hereby approved is first occupied in full or in part and thereafter maintained and retained for that purpose.

Reason: To protect the privacy of occupiers of the adjoining dwelling in accordance with Policy 6.10 of the District Wide Local Plan and Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

13. SUDs maintenance

Drainage works shall be completed in full in accordance with the details as previously agreed through the conditions submission of 29 August 2017 (Harriplan surface water drainage plan and Management Statement, and additional maintenance details in emails 15/09/17 and 04/10/17) unless otherwise agreed in writing by the Local Planning Authority.

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.

14. Renewable Energy

Before the occupation of any part of the development hereby approved a detailed statement outlining the confirmed renewable energy sources and energy reduction measures to be employed in the development to meet the 10% decentralized or renewable energy target in line with the submitted Energy Efficiency Statement shall be submitted to and approved in writing by the Local Planning Authority. The proposed renewable energy sources and energy reduction measures shall be used and installed in line with the approved strategy and retained and maintained thereafter.

Reason: To meet the requirements of Policy CS2 to provide sustainable and energy efficient development.

15. Informative note: Potential Contamination.

INFORMATIVE NOTE: If during site works unforeseen contamination is found to be present then no further development shall be carried out until the developer has consulted the Local Planning Authority. The contamination will need to be assessed and if necessary an appropriate remediation scheme agreed with the Local Planning Authority.

16. Informative Note: No storage of materials on footway/highway

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

17. Informative Note: Highway and Surface Water/Loose Material

INFORMATIVE NOTE: The applicant is advised that in order to avoid contravention of highways legislation, provision shall be made in the design of the access/drive to ensure that no surface water or loose material drains/spills directly from the site onto the highway.

18. Informative note: Contributions

INFORMATIVE NOTE: This application and planning permission is subject to a requirement that capital contributions shall be made towards the mitigation of residential development on internationally protected sites and affordable housing, in accordance with Policy CS33 of the Core Strategy, Dorset Heathlands Planning Framework and the Affordable Housing DPD/SPD

19. Informative Note: CIL

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.

Statement required by National Planning Policy Framework

54. In accordance with paragraphs 186 and 187 of the NPPF the Council takes a positive and proactive approach to development proposals focused on solutions. The Council work with applicants/agents in a positive and proactive manner by:

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

In this instance:

the applicant/agent was updated of any issues after the initial site visit, the applicant/ agent responded by submitting amended plans, which were found to be acceptable and the application was recommended for approval to the planning committee.

Background Documents:

Case File – ref 7-2019-13085-L

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



6-8 Cardigan Road, Winton, Bournemouth



district_borough_unitary_region

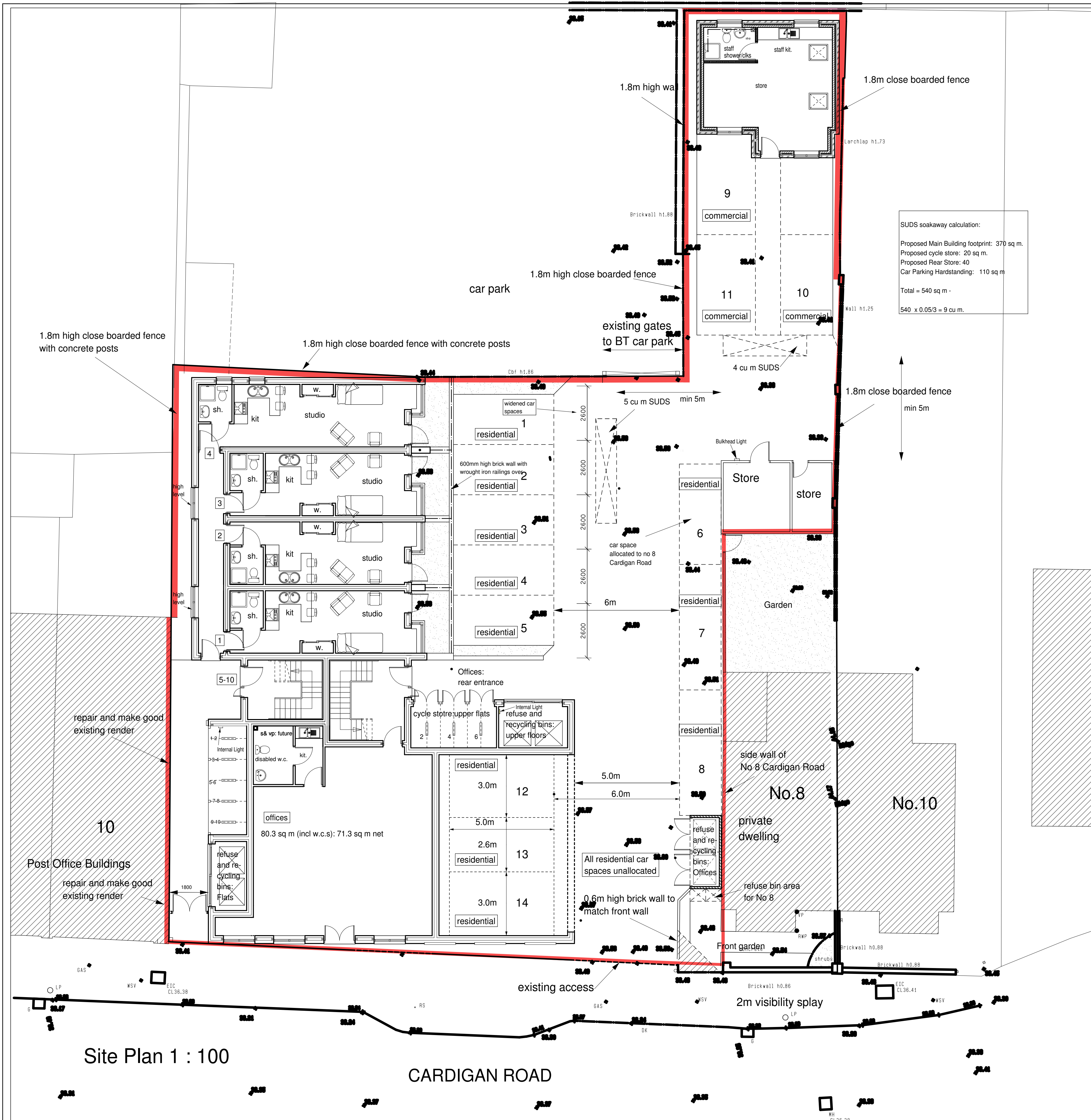
Scale: 1:1000 @ A4

Date: 17 June 2019

Creator: USER NAME

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Site Plan 1 : 100



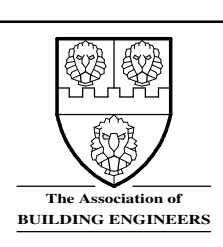
Location Plan 1 : 1250

DRAWN BY:	J.G.H.
DRAWING NO:	4149 : 51D
DATE:	APRIL 2019
SCALE:	1 : 100

NOTE:

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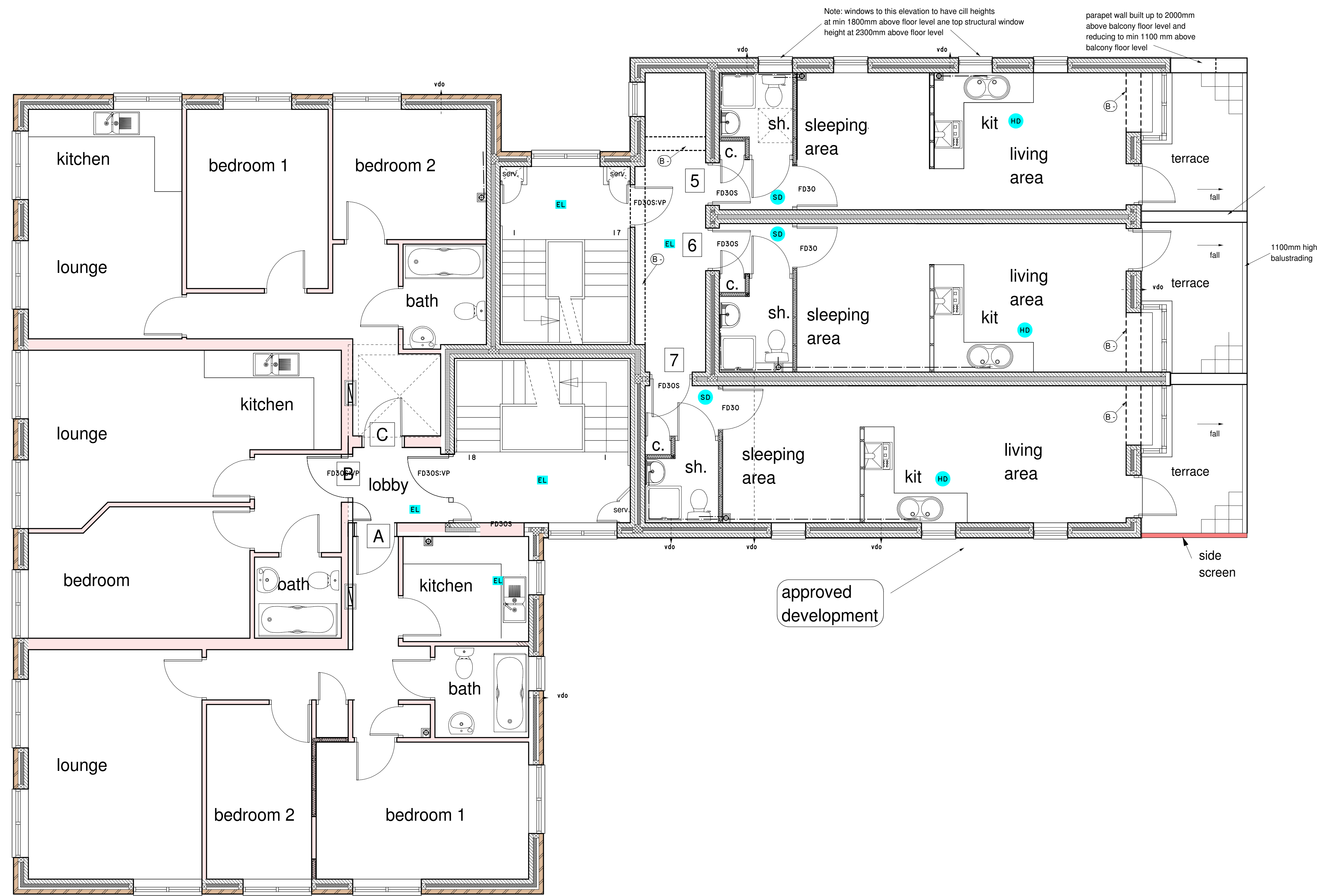
harriplan
CORPORATE BUILDING ENGINEERS
23-25 ABBOTT ROAD, CHARMINSTER
BOURNEMOUTH BH9 1EU. TEL/FAX 01202 549 590
E-Mail: jon@harriplan.com JON HARRISON M.B.Eng.



**PROPOSED DEVELOPMENT AT
6, CARDIGAN ROAD,
WINTON, BOURNEMOUTH FOR
GOADSBY & HARDING HOLDINGS LTD..**

**GROUND FLOOR & SITE PLAN:
16 FLATS**

(Detailed Planning: Sheet 1 of 4)



first floor

PROPOSED DEVELOPMENT AT
6, CARDIGAN ROAD, WINTON,
BOURNEMOUTH FOR
GOADSBY & HARDING
HOLDINGS LTD.

FIRST FLOOR: 16 FLATS
(detailed planning: sheet 2 of 4)

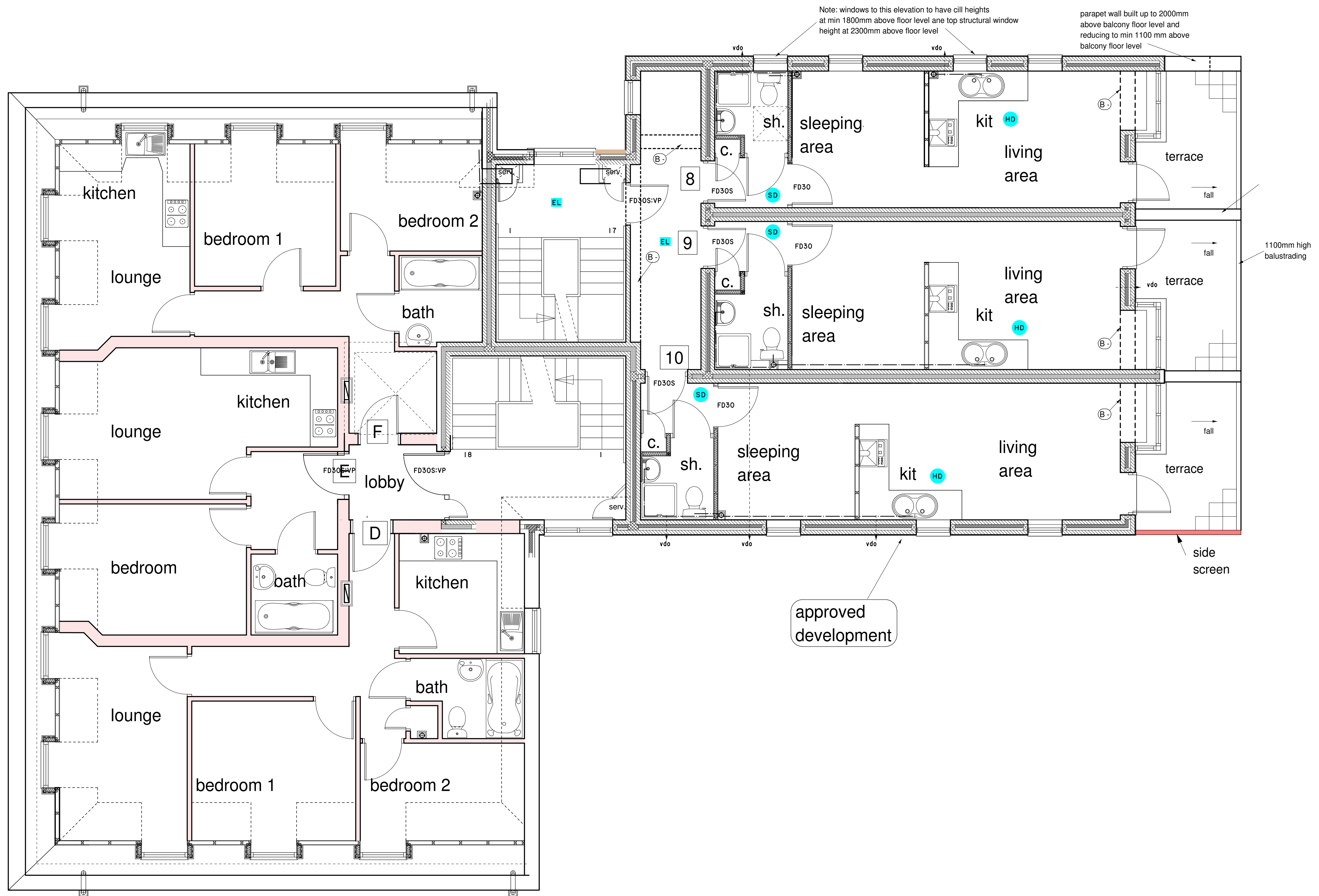
DRAWN BY:	J.G.H.
DRAWING NO:	4149:52
DATE:	AUGUST 2018
SCALE:	1:50

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harriplan
CORPORATE BUILDING ENGINEERS
23-25 ABBOTT ROAD, CHARMINSTER
BOURNEMOUTH BH9 1EU. TEL/FAX 01202 549 590
E-Mail: jon@harriplan.com JON HARRISON M.B.Eng.





second floor

PROPOSED DEVELOPMENT AT
6, CARDIGAN ROAD, WINTON,
BOURNEMOUTH FOR
GOADSBY & HARDING
HOLDINGS LTD.

SECOND FLOOR: 16 FLATS

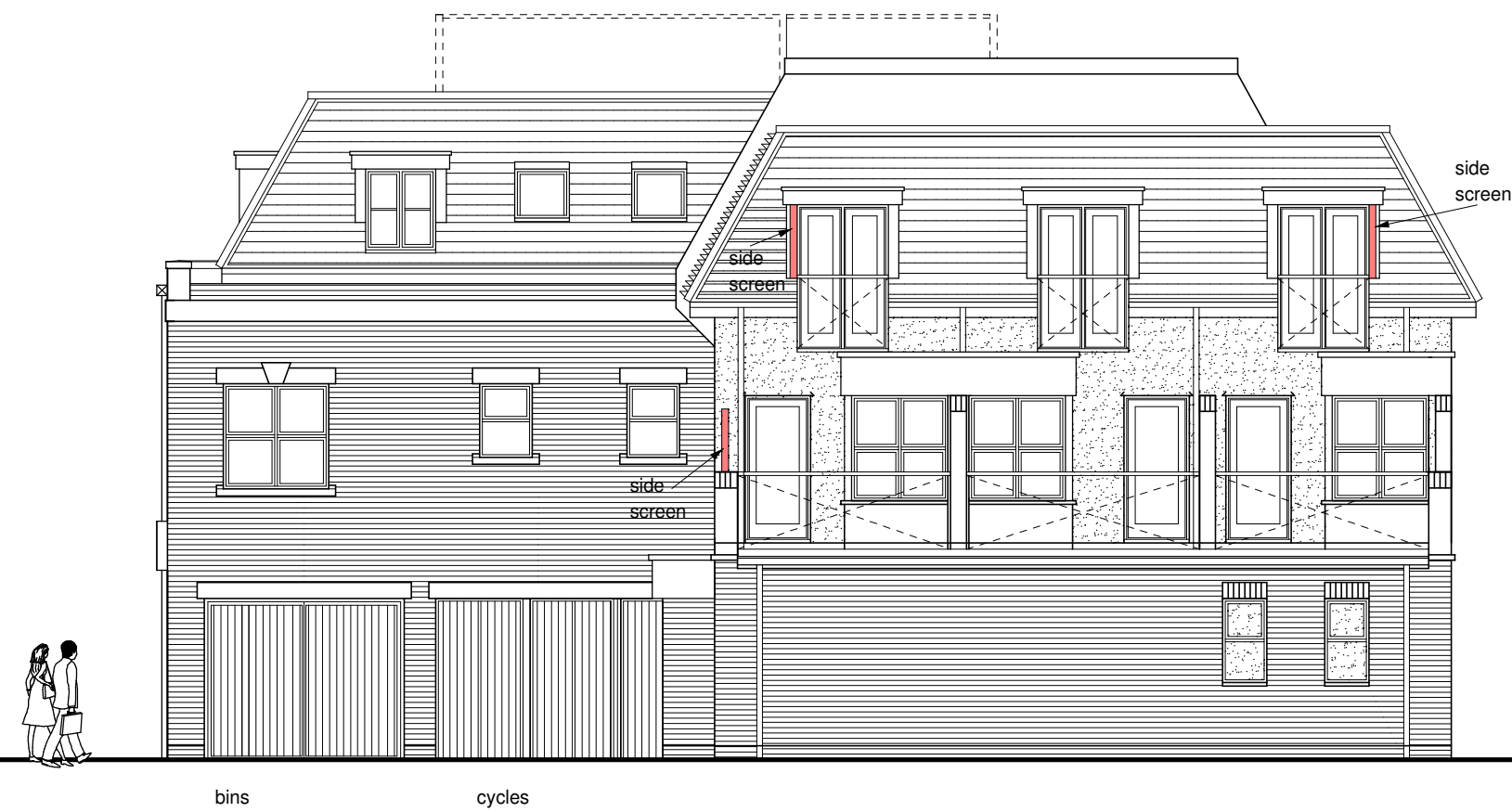
(detailed planning: sheet 3 of 4)

DRAWN BY:	J.G.H.
DRAWING NO:	4149:53A
DATE:	AUGUST 2018
SCALE:	1:50

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harriplan
CORPORATE BUILDING ENGINEERS
23-25 ABBOTT ROAD, CHARMINSTER
BOURNEMOUTH BH9 1EU. TEL/FAX 01202 549 590
E-Mail: jon@harriplan.com
JON HARRISON M.B.Eng.





rear elevation



front elevation



side elevation

PROPOSED DEVELOPMENT AT
6, CARDIGAN ROAD,
WINTON, BOURNEMOUTH.

ELEVATIONS

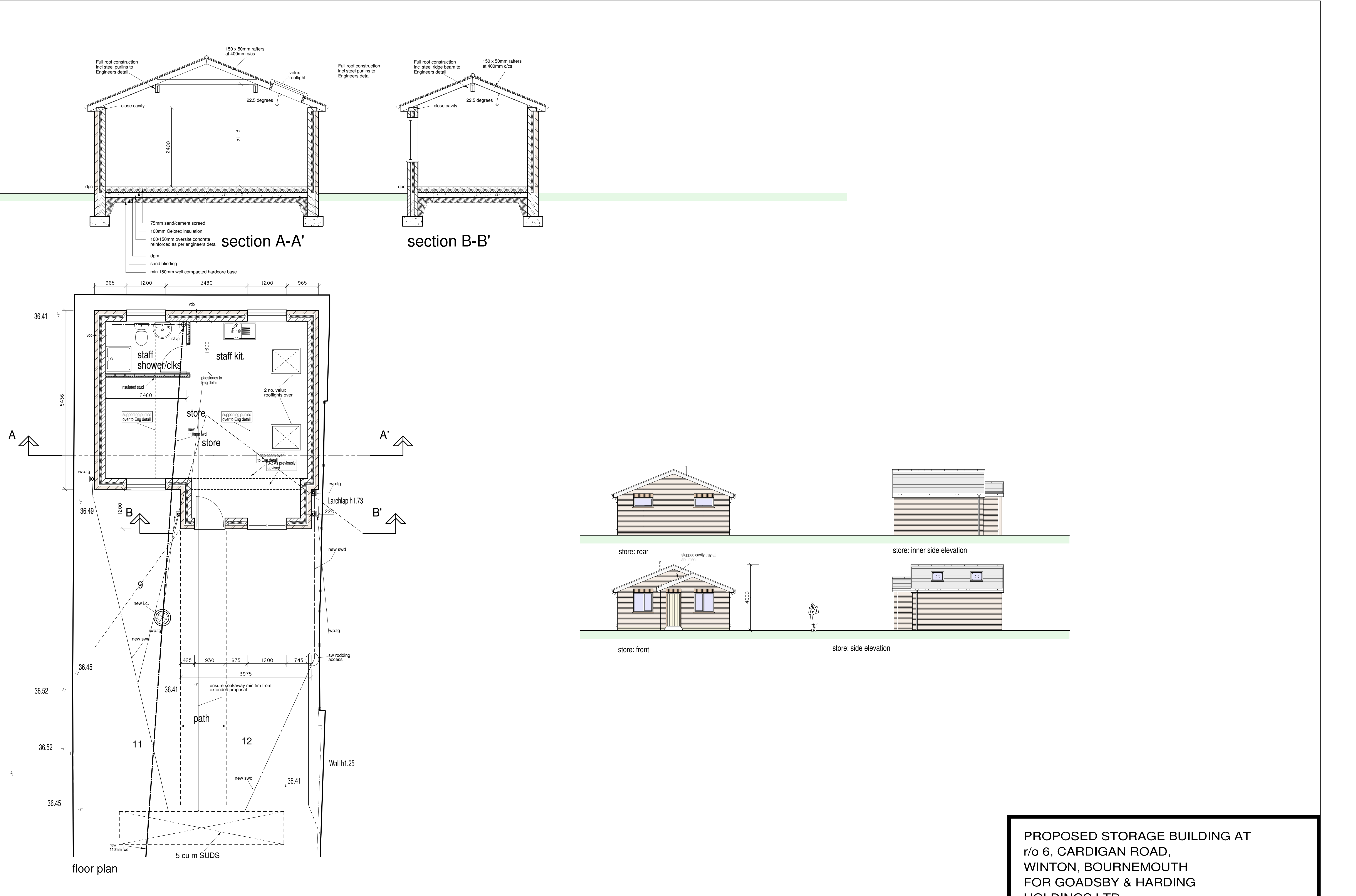
(detailed planning: sheet 4 of 4)

DRAWN BY:	J.G.H.
DRAWING NO:	4149:54A
DATE:	APRIL 2019
SCALE:	1:100

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harriplan	
CORPORATE BUILDING ENGINEERS	
23-25 ABBOTT ROAD, CHARMINSTER	
BOURNEMOUTH BH9 1EU. TEL/FAX 01202 549 590	
E-Mail: jon@harriplan.com	JON HARRISON M.B.Eng.





DRAWN BY:	J.G.H.
DRAWING NO:	4149:32J
DATE:	APRIL 2019
SCALE:	1:50 & 1:100

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h a r r i p l a n

CHARTERED BUILDING ENGINEERS
25 ABBOTT ROAD, CHARMINSTER
BOURNEMOUTH BH9 1EU. TEL/FAX 01202 549 590

E-Mail: jon@harriplan.com

JON HARRISON M.C.A.B.E.



PROPOSED STORAGE BUILDING AT
r/o 6, CARDIGAN ROAD,
WINTON, BOURNEMOUTH
FOR GOADSBY & HARDING
HOLDINGS LTD..

(Working Drawing)

Appeal Decision

Site visit made on 11 November 2014

by Nick Fagan BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 25 November 2014

Appeal Ref: APP/G1250/A/14/2224553

6-8 Cardigan Road, Bournemouth, Dorset BH9 1BH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Goadsby & Harding (Holdings) Ltd against the decision of Bournemouth Borough Council.
 - The application Ref 7-2014-13085-H, dated 1 May 2014, was refused by notice dated 6 August 2014.
 - The development proposed is the demolition of 6 Cardigan Road and redevelopment of the site with three storey high offices (Class A2 on ground floor and Class B1[a] on the upper floors); 10 studio apartments to the rear, with ancillary vehicle and cycle parking and storage for the commercial use, including the severance of the garden to 8 Cardigan Road.
-

Decision

1. The appeal is allowed and planning permission is granted for the demolition of 6 Cardigan Road and redevelopment of the site with three storey high offices (Class A2 on ground floor and Class B1[a] on the upper floors); 10 studio apartments to the rear, with ancillary vehicle and cycle parking and storage for the commercial use, including the severance of the garden to 8 Cardigan Road at 6-8 Cardigan Road, Bournemouth, Dorset BH9 1BH in accordance with the terms of the application, Ref 7-2014-13085-H, dated 1 May 2014, subject to the conditions set out in the Schedule at the end of this decision.

Procedural Matter

2. A planning obligation under S106 of the Act was submitted by Unilateral Undertaking (UU) during the course of the appeal. I deal with this matter below.

Main Issues

3. The main issues in this case are:
 - (a) the effect of the proposal on the character and appearance of the area;
 - (b) on the living conditions of future and existing occupiers with regard to outlook, noise and overlooking;
 - (c) on highway safety;
 - (d) and whether it provides adequate financial contributions via a S106 obligation to open space/recreation facilities and heath land mitigation in accordance with local policies.

Reasons

Character and Appearance

4. The eastern part of Cardigan Road is residential but its western part, west of its junction with Waterloo Road, has commercial uses on the ground floors. This part of the road has more in common with Wimborne Road than with the eastern residential part of Cardigan Road and essentially forms part of Winton's district shopping centre.
5. No 6 is the former Post Office incorporating the former Sorting Office to its rear and clearly forms part of the commercial western part of the road. In contrast No 8 opposite the junction with Waterloo Road is the first residential property, east of which the character of the road changes to residential. However, the side garden of No 8 abuts the access road to No 6, which also gives access to the BT telephone exchange building behind it to the north. As such No 8 is in a transition zone between the commercial and residential parts of Cardigan Road.
6. The proposal would truncate No 8's garden. First, it would sever its side garden and create three parking spaces and space for refuse and recycling bins. The Council is concerned this would extend the commercial element of the scheme harmful to No 8's residential character. However, most of this side garden area, especially to the side and front of the house itself, is already hard surfaced and abuts the access to the rear of No 6. So the parking of vehicles, even those associated with the commercial use proposed at No 6, would not seriously alter the site's character in visual terms. No changes, besides internal refurbishment, would occur to No 8, and it would therefore still continue to signal the start of the residential part of the road, along with its semi-detached pair at No 10.
7. Secondly, the rear part of No 8's garden would be severed and given over along its northern boundary to a single-storey building to be used for document storage for the appellant's business, in front of which would be four tandem parking spaces arranged two by two. At the back of the retained garden for No 8 would be a single-storey brick-built cycle store for the 10 residential studio units.
8. The Council raise no issues concerning the size of the retained rear garden for the two authorised flats at No 8 and I consider it would be large enough to provide adequate external space for day to day needs of residents. The cycle store would only be 2.2m high, little higher than boundary treatments in the area, and this would not therefore be out of character. The severance of the rear of the back garden would not be seen from the road and would have minimal impact on the character and appearance of the area, especially because there already exists two outbuildings at the back of this garden, albeit for domestic use.
9. I now turn to the impact of the new building on the street scene. The current building is marginally lower than the adjacent Post Office Buildings whereas the proposed block would be about 1.7m higher. However, whilst the existing structure is attached to its neighbour the new office part of the building would be separated from it by a gap of 1.8m. This would not only allow separate access to the residential element of the new block but would also allow a visual break between it and Post Office Buildings. This would more than compensate

for its increase in height. The generous current gap between Nos 6 and 8 would be retained.

10. Furthermore and notwithstanding the comments of the Inspector in the 2008/09 appeal¹, the new block would be perceived in the street scene of this part of Cardigan Road along with the relatively recently completed four storey buildings on the other side of the road, which turn the corner into Waterloo Road directly opposite.
11. The new detached building would present a symmetrical elevation to the street. This is in contrast to the previously approved scheme in 2009, admittedly now time-expired. That scheme, whilst it was slightly lower and its mansard roof set back further from the front parapet of the building, was asymmetrical, unlike Post Office Buildings, and I consider the current proposal to be an improvement on that design because of its balanced symmetrical front elevation. Whilst the mansard roof would be only marginally inset from the new building's front and side walls and there would be six dormer windows above seven first floor windows on its front elevation, I consider the symmetrical design of the new block's fenestration facing the road would be appropriate within its context and therefore acceptable. The width of the first floor windows and the gaps between them would be similar to those on the new buildings opposite.
12. The Council considers the location of the proposed shop fronts next to each other would appear rather odd, but I can see no objection to this because they would match the symmetry of the rest of the building's front elevation and there are a number of differently designed shop fronts in this part of the road.
13. It also argues that the building's side and rear elevations would be cluttered with a miss-match of different window designs and sizes as well as with dormers, terraces and balconies. There would undoubtedly be a mixture of styles in the side and rear fenestration of the building, as well as terraces and small balconies to the flats in the roof space. But this mixture would not be unacceptable and at odds with the fenestration on the rear of other nearby buildings and would be seen only in its rear context rather than from the street front.
14. For the above reasons I conclude that the proposal would not significantly harm the character and appearance of the area. It would therefore comply with Bournemouth Local Plan: Core Strategy (CS) Policies CS6, CS21, CS41 and Bournemouth District Wide Local Plan (LP) 'saved' Policy 6.10, which together require development to complement the character and appearance of an area and be well designed. For the same reasons it would meet the stipulation for good design set out in the National Planning Policy Framework (NPPF).

Living Conditions

15. The sole outlook of the proposed four ground floor studio flats would be towards parking spaces 1-5. However, there would be small frontage amenity areas to these units and there is no reason why the residential occupiers, including those in the ground floor flats, could not use these spaces themselves in the evening and nighttimes. The studios are likely to be occupied by students or others whose occupation of them would generally be likely to be

¹ APP/G1250/A/08/2092324

short term and relatively transitory. It is also not unusual for such residential accommodation without family-sized outdoor amenity space and the outlook that goes with it to be located within or adjacent to district shopping centres where such high density mixed use development is common, and where single occupiers would reap the benefits of such a convenient location.

16. The Council argues that the proposed cycle store, bins and parking spaces right on the boundary of No 8's retained rear garden would bring additional noise to its residential occupiers. Whilst there may be some additional noise from the use of these facilities it is unlikely to be significantly above the noise levels generated by vehicles already using the access between Nos 6 and 8, or previously using it when No 6 was in use. One of the parking spaces would be reserved for No 8 itself, and there are no windows in the facing main side wall of No 8.
17. There are no windows in the side elevation of No 10 Post Office Buildings but the Council considers the windows of the studio flat in the proposed west facing mansard could obliquely overlook the rear facing window of the first floor flat in this adjacent building. Whilst I am not certain the submitted drawings show the sills of these windows being only approximately 1.4m from the floor level, as claimed by the Council, I consider they could be conditioned to be a minimum of 1.7m from the floor level without any injustice to the appellant. Any actual or perceived overlooking could thereby be adequately prevented.
18. For these reasons I conclude that there would be no serious harm to the living conditions of future and existing occupiers with regard to outlook, noise and actual or perceived overlooking. The proposal would therefore comply with CS Policies CS6, CS21 and CS41, with LP Policy 6.10, which together require new development to respect residents' amenity. It would also meet the requirement of section 3.7.6 of the Council's adopted document *Residential Development: A Design Guide*, to ensure that there would be a suitable relationship between cycle and bin storage, parking areas and surrounding buildings.

Highway Safety

19. The Council considers there is an insufficient number of car parking spaces proposed and no cycle parking spaces for the commercial element contrary to both current parking standards in the LP and future ones in the emerging *Parking Supplementary Planning Document*. 12 vehicle spaces are proposed but a minimum of 23 are required according to the Council together with 6 cycle spaces for the offices.
20. I disagree that this level of vehicle spaces are required for two reasons. First, because the site is located in a relatively sustainable inner city location well served by local buses that run frequently. Secondly, because the commercial and residential uses proposed could share the proposed spaces, as is commonly done in such mixed use developments. This is because they will mainly be used by the offices during the working day, when the occupiers of the flats are likely to be working or studying elsewhere, whilst at night they are likely to be used by the residents when the offices would be closed. I consider such an arrangement could be successfully managed subject to a condition, and I notice the Council has suggested such a condition.

21. The Council also consider proposed parking spaces 6-8 are substandard, spaces 7-8 in terms of their width and space 6 in terms of both its width and length. However the dimensions of these spaces are not so small as to prevent them successfully operating, because there would be a sufficient gap between these and the other nearby spaces to allow an adequate manoeuvring area. It also considers the tandem layout of spaces 9-12 to be impractical because vehicles parked in spaces 11 and 12 would block in the vehicles parked in spaces 9 and 10.
22. Whilst this is not ideal it is not uncommon for private office parking areas in such inner city locations and it is not beyond the wherewithal of the workers in this office to arrange for those who need to use their vehicles during the working day to park in spaces 11 and 12, rather than in spaces 9 and 10. In terms of the residential parking requirement, only 5 or 6 spaces would be required so there would be no need for such tandem parking on these spaces at night.
23. Whilst I accept that this area is heavily parked I noticed that there were available spaces in Leslie Road car park and that local roads are subject to controlled parking. Poor or illegal parking can be adequately controlled through the parking regulations and the proposal is not so deficient in parking spaces that it would be likely to give rise to serious additional congestion harmful to highway safety in the vicinity. This could be reinforced by imposing a condition requiring cycle parking to be made available for the offices as well as the residential element of the scheme. This could be incorporated within the document storage building or elsewhere on the site. The expectation in such a sustainable location well served by public transport would be that many office staff would use the bus, or cycle or walk to work. The latter would be helped by a shower being provided in the offices, and this too could be conditioned accordingly.
24. I therefore conclude, for the above reasons, and with the conditions as indicated, that the proposal could and would have sufficient off-street vehicle and cycle parking, that it would not seriously exacerbate parking stress in the area and would not therefore be harmful to highway safety.
25. It would therefore comply with CS Policies CS16 and CS18 in the round because, although the proposal does not strictly comply with the Council's parking standards (which appear to be minimum rather than maximum standards), these policies seek to encourage a modal shift from the private car to walking, cycling and public transport and the scheme is capable of complying with this objective.

Contributions

26. The signed UU dated 29 October 2014 obliges the appellant or its successors in title to pay the nature conservation contribution of £9,520 (plus £190.40 administrative fee) and the open space contribution of £3,193.20 prior to commencement of development.
27. The requirement for open space contributions is set out in LP Policy 7.21 and more particularly in the Council's adopted *Open Space & Recreation Supplementary Planning Guidance*, which justifies how the figure is calculated. The nature conservation contribution required to mitigate the effects of residential development on the nearby designated south east Dorset Heaths is

set out in CS Policy CS33 and more particularly in the *Dorset Heathlands Planning Framework 2012-2014 Supplementary Planning Document* adopted by all the affected Dorset Councils including Bournemouth. Although I notice this document was planned to run to 31 March 2014, because the Development Plan Document due to replace it has not been finalised I understand that its provisions still apply.

28. I am satisfied that these contributions are reasonably required in accordance with development plan policy and that they meet the three legal tests for such obligations as set out in paragraph 122 of the *Community Infrastructure Levy Regulations 2010*. I am also satisfied that the obligation as set out in the submitted UU would deliver them.

Conditions

29. The Council have put forward a list of 9 conditions. I consider all of these to be necessary, subject to minor amendment to comply with Planning Practice Guidance. The only exception is its suggested Condition 8 relating to access, parking and turning, which is unnecessary because the proposed ground floor layout already shows this. I also consider three additional conditions are necessary. The first one should specify the approved drawings in the interests of good planning and for the avoidance of doubt. The second must clarify that the roof windows in the west facing mansard shall have their sills a minimum of 1.7m from the ground in order to avoid actual or perceived overlooking of the rear window of 10 Post Office Buildings, as set out above. And the third that a shower should be provided as part of the fit out of the commercial part of the development in order to encourage office employees to cycle to work, also as set out above.
30. A condition is necessary requiring samples of external materials in order that the scheme harmonises with the appearance of the area. A working hours condition is necessary in this dense urban location to prevent harm to neighbours living conditions during construction. Details of boundary treatments are required to ensure neighbours' privacy is protected. The proposed residential cycle store needs to be available prior to first occupation of the flats to promote alternative means of transport to the private car. A condition reserving details of external pipe work is necessary in order that such pipe work does not harm the character or appearance of the area.
31. Adequate pedestrian visibility splays must be secured for exiting vehicles in the interests of highway safety. As set out above, the Council need to be assured that a parking management plan will be in force to ensure a smooth transition between the shared car parking arrangements for both business and residential uses. A condition is also required to secure the provision of a secure cycle parking store for 6 cycles for the commercial use in order to also promote alternative means of transport to the private car for workers in the offices. Therefore, in total, 12 conditions are required, including the standard commencement condition.

Conclusion

32. For the reasons given above I conclude that the appeal should be allowed, subject to the conditions in the Schedule below.

Nick Fagan, INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved drawings: 1:1250 Location Plan, 1:500 Block Plan, Nos 4149:11, 12, 13, 14, & 15.
- 3) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 4) Demolition or construction works shall not take place outside 0800 hours to 1800 hours Mondays to Fridays and 0800 hours to 1300 hours on Saturdays nor at any time on Sundays or Bank Holidays.
- 5) No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, height, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in full before the building is occupied. Development shall be carried out in accordance with the approved details and permanently retained.
- 6) Before the occupation of any of the residential flats the cycle store shall be erected as shown on the approved drawings and thereafter maintained and kept available for the occupants of the flats at all times.
- 7) Prior to commencement of work on site a scheme for external pipe work and flues shall be submitted to and approved by the local planning authority. Works shall be carried out strictly in accordance with the approved scheme and unless shown on the approved elevation drawing any pipe work (with the exception of rainwater down pipes) shall be internal to the building.
- 8) Before the development is brought into use the visibility splays shown on the approved drawings shall be cleared of all obstructions over 0.6m above the level of the adjoining highway, including the reduction in level of the land if necessary. Nothing over that height shall be permitted to remain, be placed, built, planted or grown on the land so designated.
- 9) The development shall not be occupied until a Parking Management Plan has been submitted to and approved by the local planning authority. The plan shall include: details of the operational times on both weekdays and weekends for each land use and measures to be taken to ensure the smooth transition between shared car parking arrangements for both business use and residential use. The approved Parking Management Plan shall be implemented and complied with by the Appellant, or its successors in title, upon occupation of the development and retained in operation thereafter.
- 10) Before development commences the detailed design of a secure covered walk-in cycle store for at least 6 cycles for the commercial element of the scheme shall be submitted to and approved in writing by the local planning authority. The cycle store should be lockable and keys made available to all cyclists who work in the office part of the development.

Sheffield stands should be arranged within the store, spaced at 1m centres, and 0.55m should be allowed between the store walls and the adjacent edges of the Sheffield stands, to enable at least 6 cycles to be stored. The cycle store shall be in an accessible location and have internal and external illumination and adequate lighting shall be provided along the route to it. Works shall be carried out in accordance with the agreed details and completed prior to occupation of the office development. The cycle store and associated lighting shall thereafter be retained and kept available for the commercial occupants of the development.

- 11) A shower together with sufficient changing area and area for the storage of cycling clothes for cyclists using the offices shall be provided and permanently retained in working order adjacent to the toilets in the commercial element of the scheme prior to first occupation of the offices.
- 12) Notwithstanding any indication to the contrary on the approved drawings, the skylight windows in the west-facing mansard roof to studio flat No 8 shall be inserted so that their lower sills are a minimum of 1.7m above the floor level.

End