

Planning Committee

Application Address	Richmond Gardens Multi-storey Car Park, Richmond Gardens, Bournemouth, BH1 1JE
Proposal	Erection of a mixed-use residential development comprising four blocks (211 flats) on the north and east side of existing car park, ranging in height up to 12 storeys (plus lower ground levels) and a flexible Class A1/A3/Sui Generis (mixed A1/A3 Coffee Shop) unit at ground level. Realignment works to existing service access road from Richmond Gardens, cycle parking, disabled parking, associated refuse/recycling storage, public realm improvement works and landscaping (inc. removal/works to existing trees). Alterations to existing public car park including alteration to existing vehicular access to car park and addition of cladding to the eastern elevation
Application Number	7-2019-1179-BG
Applicant	Summix RGB Developments Ltd. and Sheet Anchor
Agent	Pegasus Group
Date Application Valid	17 December 2019
Decision Due Date	16 March 2020
Extension of Time date (if applicable)	09 April 2021
Ward	Bournemouth Central
Report Status	Public
Meeting Date	18 March 2021
Recommendation	GRANT, in accordance with the details in the recommendation
Reason for Referral to Planning Committee	Major development
Case Officer	TH

Description of Development

1. Planning consent is sought for the erection of a mixed-use residential development comprising four blocks (211 flats) on the north and east side of existing car park, ranging in height up to 12 storeys (plus lower ground levels) and a flexible Class A1/A3/Sui Generis (mixed A1/A3 Coffee Shop) unit at ground level. Realignment works to existing service access road from Richmond Gardens, cycle parking, disabled parking, associated

refuse/recycling storage, public realm improvement works and landscaping (inc. removal/works to existing trees). Alterations to existing public car park including alteration to existing vehicular access to car park and addition of cladding to the eastern elevation.

2. The applicant has provided the following information:

- Existing and proposed plans including site plans, floor plans, elevations, site sections and landscaping detail.

3. The following statements and additional supporting information have also been provided:

- Planning Statement
- Design and Access Statement
- Statement of Community Involvement
- Accommodation Schedule
- Townscape and Visual Impact Assessment
- Tree Report and Method Statement (with Protection Plan)
- Ecological Assessment
- Habitats Assessment
- Economic Benefits Statement
- Energy and Sustainability Statement
- Heritage Statement
- Transport Assessment
- Draft Travel Plan
- External Lighting Statement
- Wind Microclimate Statement
- Air Quality Assessment
- Car park Ventilation Statement
- Geo-Engineering Statement
- Contaminated Land Assessment and Ground Investigation Report
- Drainage Strategy
- Daylight and Sunlight Assessment
- Noise Impact Assessment
- Utilities Statement
- Thermal Comfort Report
- Waste Management Plan
- Financial Viability Assessment

4. The application follows a recently allowed appeal for a similar development of student accommodation, the broad differences of which are outlined below:

	Extant allowed development	Proposed
Residential units	625 student bedrooms in 70 cluster flats and 170 single occupancy units	211 flats (total 312 bedrooms)
Commercial floor space	153m ² (A1/A2/A3)	145m ² (A1/A3)
Car parking spaces	6 spaces (4 disabled, 2 staff)	1 disabled parking bay
Number of blocks	3	4
Maximum storey height	15	12

Key Issues

5. The main considerations involved with this application are:
 - The principle of development
 - Impact on character and appearance of the area
 - Impact on heritage assets
 - Impact on trees and landscaping
 - Impact on neighbouring residents
 - Living conditions for future occupants
 - Safety/security
 - Parking/traffic/highway safety
 - Energy and sustainable construction
 - Ecology
 - Contaminated Land
 - Drainage/flooding
6. These points will be discussed as well as other material considerations at paragraphs 28 to 136 below.

Planning Policies

7. Core Strategy (2012)

Policy CS1 – Presumption in Favour of Sustainable Development
Policy CS2 – Sustainable Homes and Premises
Policy CS3 – Sustainable Energy and Heat
Policy CS4 – Surface Water Flooding
Policy CS6 – Delivering Sustainable Communities
Policy CS7 – Bournemouth Town Centre
Policy CS14 – Transport Infrastructure
Policy CS15 – Green Travel Plan and Transport Assessments
Policy CS16 – Parking Standards
Policy CS18 – Increasing Opportunities for Cycling and Walking
Policy CS21 – Housing Distribution Across Bournemouth
Policy CS23 – Encouraging Lifetime Home Standards
Policy CS31 – Recreation, Play and Sports
Policy CS32 – International Sites
Policy CS33 – Heathlands
Policy CS38 – Minimising Pollution
Policy CS39 – Designated Heritage Assets
Policy CS41 – Quality Design

8. District Wide Local Plan (2002)

Policy 4.20 – Inclusive Access
Policy 4.24 – Public Art
Policy 4.25 – Landscaping
Policy 5.26 – Retail Uses Outside the Designated Areas
Policy 6.10 – Flats Development
Policy 8.22 – Proposals Affecting Car Parking Spaces
Policy 8.39 – Improvements to Access for Mobility Impaired Persons
Policy 8.40 – Disabled car parking

9. **Town Centre Area Action Plan (2013)**

Policy A19 – Site Specific Policy

Development will be permitted for a mixed use scheme that primarily comprises of residential accommodation. Proposals must:

- *Provide in the region of 150 residential units*
- *Provide a 969 space public car park*
- *Ensure the car park has a positive appearance*
- *Provide a strong active front to Richmond Gardens*
- *Retain trees and surrounding vegetation*
- *Respect the setting of the Old Christchurch Road Conservation Area*
- *Ensure any supporting uses provided meet the objectives of the area in relation to the Spatial Strategy*

Other relevant policies:

Policy D2 – Combined Heat and Power

Policy D3 – Character Areas

Policy D4 – Design Quality

Policy D5 – Tall Buildings

Policy D7 – Public Realm

Policy T2 – Walking and Cycling

Policy T3 – Priority Areas for Walking and Cycling Improvements

Policy T7 – Parking Strategy

Policy T8 – Public Parking Locations

Policy U1 – Mixed Uses

Policy U2 – Housing

10. **Supplementary Planning Documents:**

Affordable Housing - SPD

Dorset Heathlands Planning Framework – SPD

Public Realm Strategy: Guiding Principles - SPD

Residential Development: A Design Guide - PGN

Sustainable Urban Drainage Systems (SUDS) - PGN

Bournemouth Parking - SPD

Bournemouth Town Centre Development Design Guide SPD

11. **The National Planning Policy Framework (2019)**

Paragraph 11 sets out the presumption in favour of sustainable development. Plans and policies should apply a presumption in favour of sustainable development. For decision taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
12. The Council is unable to demonstrate a five year housing supply, meaning that the ‘tilted balance’ of Paragraph 11 may apply to this proposal. The site is not located within a conservation area, green belt or other area of special protection outlined in footnote 6 to Paragraph 11, so development should be granted unless “any adverse impacts of doing so would significantly and demonstrably outweigh the benefits”. The report will outline the merits of the case and part of the assessment is whether the tilted balance should be disapplied.
13. The following chapters of the NPPF are relevant to this proposal:
 - Chapter 2 – Achieving sustainable development
 - Chapter 5 – Delivering a sufficient supply of homes
 - Chapter 7 – Ensuring the vitality of town centres
 - Chapter 8 – Promoting healthy and safe communities
 - Chapter 9 – Promoting sustainable transport
 - Chapter 12 – Achieving well-designed places
 - Chapter 16 – Conserving and enhancing the historic environment

The Equalities Act 2010

14. The public sector Equality Duty (PSED) under s.149 of the Equalities Act requires “*public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different groups*”. The Council uphold these values very strongly and apply them in consideration of such matters.
15. The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered and may be balanced against other relevant factors. It is considered that the Council has had due regard to the PSED in the determination of this application.

Relevant Planning Applications and Appeals:

16. The property was originally built as a 7 storey public car park including a 2 floor supermarket on the lower levels in 1981. Part of the car park/retail element is sited underground as the development was dug into the side of Richmond Hill. The complex has been through several refurbishments including the construction of an atrium in 1999, giving natural light to the arcade. There are retail uses including a supermarket, and a new gym on the first floor.
17. Significant planning history is as follows:
 - 2010 - Erection of a mixed use development comprising an 8 storey hotel (173 bedrooms), a 7 storey office block (1201sq.m of B1 use), a 5/8/11 storey residential

blocks totalling 120 flats (including 17 affordable units) with underground car parking and an additional deck to top of existing car park – Granted (ref. 7-2009-1179-AP)

- 2013 - Erection of a mixed use development comprising an 8 storey hotel (173 bedrooms), a 7 storey office block (1201sq.m of B1 use), a 5/8/11 storey residential blocks totalling 120 flats (including 17 affordable units) with underground car parking and an additional deck to top of existing car park (Time Extension) – Granted (ref. 7-2013-1179-AW)
- 2018 - EIA screening opinion for the erection of a mixed-use development comprising up to 18 storeys of purpose built student accommodation (up to 750 bedrooms); alongside retail / commercial floorspace (up to 200sqm) with associated vehicular access, disabled car parking, public realm and landscaping works, cycle parking, refuse storage and works to existing trees – EIA not required (7-2018-1179-BD)
- 2018 - Erection of a mixed-use development ranging in height between 8-15 storeys, comprising purpose-built student accommodation (Sui Generis) (625 bedrooms), alongside flexible Class A1/A2/A3/Coffee Shop unit (Sui Generis) (totalling 175sqm GIA), with realignment works to existing access road, private car/cycle parking, associated refuse/recycling storage, public realm improvement works and new landscaping (inc. removal/works to existing trees). Works to existing public car park, including installation of ventilation screening, with associated landscaping – Refused (planning committee), Appeal allowed February 2020.

18. The above recent consent for student accommodation forms a strong material consideration in this case and the Inspector's decision is referred to in this report where relevant. This consent also represents a realistic fallback option for the applicant.

Representations

19. Site notices were posted in the vicinity of the site on 19/12/2019 with an expiry date for consultation of 31/01/20. Following the receipt of amended plans, including the removal of the car park deck, an additional period of publicity was undertaken between 29/09/2020 and 20/10/2020.
20. A total of 10 representations have been received, 2 raising objection; 3 in support and 4 with other comments. The issues raised comprise the following:-

Development too tall/large/bulky

Noise and disturbance

Design lacks elegance

Loss of trees

Should have more renewable energy sources such as Solar PV

Parking Spaces and cycle storage should have electric charging points

Area needs development to create a stronger community

21. In addition, comments have been received from the Bournemouth Civic Society. These are generally supportive of the proposal, stating it is an improvement on the appeal scheme though a little tall, and recommending some minor design improvements.

Consultations

22. The following consultation responses have been received:

Highways – Objection based on failure to provide 94 public parking spaces. Proposal is acceptable on other highway grounds.

Trees/Landscaping – Concerns over scale of tree loss, concerns about shading to proposed replacement street tree planting, supportive of green walls and green roofs.

Urban Design – No objections overall. Scale acceptable, some improvements shown over the student scheme such as the removal of the building oversailing the car park entrance. Design could go further with local influence and articulation. Blocky and disjointed Blocks B and C could be improved particularly in rear views. Windows still a bit repetitive/rigid patterns. Landscaping and public realm positive, some concerns with security and with single aspect flats.

Waste and Recycling – No Objection now a draft Waste Management Plan has been provided and private collection identified.

Tourism – No objection subject to car park remaining open during construction process

Flood Management – no comments

Environmental Health (contamination) – No objections subject to further review/verification reports

Environmental Health (air quality/ventilation/noise) – No objections, subject to conditions

Constraints

23. The site is subject to the following constraints:

- Town Centre AAP Area and site specific designation
- Tree Preservation Order (657/2002)
- Borders Old Christchurch Road Conservation Area

Planning Assessment

Site and Surroundings

24. The development site is the area of land around the existing Richmond Gardens multi storey car park. The existing building has a shopping centre on the lower two floors, accessed via a link through from Old Christchurch Road and there are five levels of car park above. It sits in the centre of a large site with under-utilised land around the edges, filled with mature trees and vegetation on three sides. The Old Christchurch Road Conservation Area lies to the south. The site is within the town centre and is allocated for development under Policy A19 of the Bournemouth Town Centre Area Action Plan.

Summary of proposal

25. Full planning consent is sought principally for a development of residential flats along the northern side of the car park, fronting Richmond Gardens. The development is split into four 'blocks':

- Block A1 is located to the western side and sits adjacent to the existing car park entrance. This will be 10-12 storeys in height.
- Block A2 is a central block, which will be 8-10 storeys in height
- Block B is located on the eastern side of the site on a corner where there is an existing access road to a car park and loading area associated with the shopping centre. From Richmond Gardens it will be 12 storeys in height, though levels drop to the rear with an additional floor.
- Block C is located behind Block B to the eastern side of the existing car park. The land on the site slopes down further to the south so this block is set at a lower level, with 8-10 storeys, but 2 floors lower than Block B and 3 floors lower than Blocks A1 and A2 with land levels taken into account. There is a small internal car park on the ground level.

26. There will be a total of 211 flats across these four blocks, comprised of the following layouts:

		<u>Percentage</u>
Total Studio	28	13.27%
Total 1b	69	32.70%
Total 2b	101	47.87%
Total 3b	13	6.16%

27. The application proposes works to the existing public car park, as well as ventilation works and landscaping. The application originally proposed a new deck to the top of the existing multi-storey car park, but this has now been removed from the plans following the adoption of the new BCP Parking SPD. A small flexible Class A1/A3/Coffee Shop unit (Sui Generis) (145sqm GIA) is proposed on the ground floor of Block A1, as well as realignment works to the existing access road to the shopping centre on the eastern side of the site, associated refuse/recycling storage, public realm improvement works and new landscaping (inc. removal/works to existing trees).

Key Issues

Principle of development

28. Policy A19 of the Town Centre Area Action Plan (TCAAP) allocates the Richmond Gardens site for a mixed-use scheme that "primarily comprises of residential accommodation". There are previous consents on the site, including an expired planning permission dating from 2009 for 120 flats including 17 affordable units, as well as a hotel and B1 office space, and consent granted on appeal for a 625 bedroom student accommodation (Sui Generis) scheme in February 2020. This proposal is for a scheme that primarily comprises 211 residential flats, with an additional minor commercial element.

29. Policy U2 of the TCAAP permits residential accommodation in the town centre. Development should contribute towards a mix of unit sizes, provide some external amenity space and should provide acceptable living conditions particularly in terms of noise and disturbance. Policy CS21 of the Core Strategy clearly states that the town centre is the focus for additional residential intensification.
30. Policy CS7 of the Core Strategy also states that the Bournemouth town centre excluding the Lansdowne Employment Area will be the most appropriate location for high density residential accommodation, tourism accommodation and student accommodation or mixed-use development consisting of these uses.
31. The applicant states that the accommodation tenure is 'build to rent', which means that it will be for the rental market and managed as a whole rather than individual flats being sold and owned. There is no specific tenure requirement in the site specific or more general residential policies of the Local Plan.
32. A small commercial unit is provided on the ground floor to Richmond Gardens. This is considered acceptable in this town centre location, subject to conditions over the use and any extraction or plant equipment if used as a café.
33. As per paragraphs 11 and 12, the Council is unable to demonstrate a 5 year housing land supply, so the 'tilted balance' of paragraph 11 of the NPPF applies, meaning that the development should be approved unless the adverse effects of doing so would significantly and demonstrably outweigh the benefits. The development would make a significant contribution towards local housing supply in a sustainable location on an under-used site.

Impact on character and appearance of the area

34. The proposal is for a major development that will significantly change the appearance of the area and the wider skyline of the conurbation. The development comprises of four main blocks which wrap around the northern and eastern sides of the car park. The main issues relate to:
 - the height and scale of the development and the visual impact of the proposals,
 - the overall massing and impact in the immediate locality including change to the appearance (for example tree loss),
 - the impact on the Old Christchurch Road Conservation Area,
 - detailed design considerations,
 - intensity of use

Height/scale/massing - general

35. Policy D3 identifies character areas and the proposal falls within the Richmond Hill character area. Policy D3 requires development proposals to respect and take opportunities to improve the existing character of the town centre area. Policy D4 sets out criteria for the design quality of development proposals. The Town Centre Development Design Guide SPD has also been adopted since the 2013 approval which is also relevant in terms of design and materials for this strategically important town centre site.
36. The site is located within one of two areas in the town centre which are considered suitable for the development of 'tall buildings', and Policy D5 of the TCAAP sets out the criteria for the design of any tall buildings. They are defined as buildings being substantially taller than their neighbours, and/or significantly changing the skyline, and/or is taller than six

commercial storeys or equivalent. Policy D5 requires a tall building statement with any application for a tall building which would examine all views and impacts of the proposals.

37. All four blocks of the proposed development would be considered tall buildings under this definition. The proposed buildings will have a significant impact on long views from various vantage points in the town centre. As this part of the town centre is a high point it will dominate certain other high viewpoints and glimpses will be available from many other town centre locations.
38. The most significant locations and longer views where the proposed buildings would be visible would be from:
- Wessex Way heading westbound approaching Richmond Hill,
 - Wimborne Road approaching Richmond Hill,
 - Horseshoe Common
 - Wessex Way from County Gates
39. The development would also be visible from many other locations around the town centre and Richmond Hill area.
40. The applicant has provided a number of plans and sections which illustrate the overall height of the previously approved student accommodation development for comparison purposes. In looking at the massing of the proposed scheme, that is the three-dimensional form of the buildings across the site including the height, bulk and footprint, it is useful to make comparisons to the previously approved schemes as they form a significant material consideration here. There are strong similarities in some areas and differences in others.
41. The proposal here is materially very similar in scale to the student accommodation scheme allowed on appeal in February 2020 in particular. Plan numbers (415)1918-GWP-XX-00-DR-A-(PA)-026, 27 and 28 illustrate the scale and massing differences between the scheme allowed on appeal and the development proposals here. In summary Block A1 is now around two storeys taller, and narrower (no longer spanning over the car park entrance), Block A2 is materially very similar in height and mass, Block B is around two to three storeys lower, and Block C is again materially very similar. Blocks B and C were previously one single block stepping down, but they are now two distinct blocks linked only by a raised courtyard area.
42. In terms of the scale and massing therefore the proposals here are materially very similar to the recent appeal scheme. The main differences are the breaking up of Blocks B and C into two, the lower height of Block B, and the raised height of Block A, though this is now a smaller block which does not span over the car park entrance.
43. The Inspector's opinion of the student accommodation scheme was that:
- "It would undoubtedly form a series of large and tall buildings and would occupy much of the site's Richmond Gardens frontage. However, its height, scale and massing would vary and would be articulated by the separation of the different blocks, a mixed palette of materials, building heights and design treatments. This would take account of features present within the site's context and would provide a number of separate buildings along Richmond Gardens which would not be overbearing or dominant in an area which is already home to tall buildings.*

From further distant views such as driving down the hill eastwards on the single carriageway section of the Wessex Way from the County Gates roundabout it would appear as part of a distant cluster of tall buildings and would not appear harmful. Likewise, from the Wessex Way just north of Richmond Hill the proposed development would appear taller than other buildings adjacent, but would be seen in the context of other large buildings such as the 8 storey Marshall Point circular office block, 7-10 storey Nationwide building, and the 13 storey Richmond Gate residential block, where it would not appear harmful”.

44. The material similarity in terms of scale means that there is not enough difference to justify taking a different view in the case of the buildings proposed here. The emphasis of mass is moved slightly from Block B to Block A, which is now the tallest part of the scheme, but there is justification for this as it is more aligned with the other tall buildings in the area such as Marshall Point opposite and the Richmond Gate development on the other side of Richmond Hill, and is also the part of the site furthest from the Old Christchurch Road Conservation Area. Overall, it is considered that the scale and mass to Richmond Gardens is acceptable in principle and would not conflict with relevant policies including D4 and D5 of the Town Centre AAP, and CS41 of the Core Strategy.

Height/scale/massing – conservation area views/heritage issues

45. The site is close to but not within the Old Christchurch Road Conservation Area. The existing car park is tucked away behind the Victorian terraced buildings in Old Christchurch Road, though it is partially visible from the lower parts of Old Christchurch Road and from further east in Old Christchurch Road looking towards the conservation area from the Horseshoe Common area.
46. One of the most significant views of the site is from Old Christchurch Road in the area of Horseshoe Common, where Blocks B and C would appear taller than the foreground development in Old Christchurch Road, and where there were concerns with the previous scheme. However, it was an impact that was considered acceptable by the appeal Inspector on the previous scheme, as well as the South West Design Review Panel. Block C has a very similar location and height to the previously approved development. The siting is adjusted a little and it is a more angular block than the earlier curved building.
47. In considering this issue on the student accommodation scheme, the Inspector stated:

Given that the buildings in the foreground are lower in storey height and topographically, Block C would inevitably alter the view from Horseshoe Common and Old Christchurch Road and would obscure existing views of Marshall Point, the Nationwide building and Richmond Gate. Given its additional height, it would appear more dominant in this view than the existing buildings on site. However, as the Old Christchurch Road Conservation Area (OCRCA) is varied in nature and it is already possible to view tall buildings from this viewpoint, I find that the effect would be limited and that it would not harm the OCRCA’s significance. As such, the proposed development would comply with TCAAP Policy D5 in respect of tall buildings and TCAAP Policy A19 in terms of respecting the OCRCA’s setting.

48. The South West Design Review Panel also commented on the original scheme that:

“The impact on the conservation area to the south is a factor, but for the Panel not an overriding one... Old Christchurch Road, in our view, is informal and robust enough to cope with larger buildings behind - it is not a terrace of regular and perfect geometry that could easily be marred. Moreover, Bournemouth is a large town and it is not unreasonable for its centre to develop with increasingly tall buildings”.

49. The scale of the proposed buildings here is comparable, with Block B being lower in overall height than previously proposed, with a gap now between the two buildings, and Block C also being of similar scale. It is of different design and orientation, with a more angular form, but the combination of a reduced bulk and, articulation and materials mean in this case it is considered that it would not be more harmful than the previously approved development.
50. In terms of listed buildings, 83-101 Old Christchurch Road is a Victorian terrace which lies to the south of the application site. As per the previous proposals on this site it is not considered that the development would affect the setting of these buildings. Their primary significance is the front elevation to Old Christchurch Road, views of which would not be altered by the proposed development. Therefore, while the buildings will be taller than Old Christchurch Road development in the foreground, they would not have a materially harmful impact on the setting of the conservation area, or on listed buildings here. The cluster of listed buildings around the lower section of Richmond Hill, such as Granville Chambers, the Echo building and the Norfolk Royale Hotel would not be viewed in the context of the proposed development, which is to the top of the hill and screened by other adjacent buildings.
51. Overall, the proposal would not be in conflict with relevant policies, including Policy 4.4 and 6.10 of the Bournemouth District Wide Local Plan, Policies CS21 and CS41 of the Bournemouth Local Plan: Core Strategy and A19, D4 and D5 of the Bournemouth Town Centre Area Action Plan. The proposal would also satisfy the relevant provisions of the NPPF, including sections 12 and 16.

Detailed design and materials

52. The approved student accommodation development presented a similar scale of development to Richmond Gardens. The building in the location of Block A1 to the western end spanned over the car park entrance in the approved scheme. Reducing the width of this block would resolve the design constraint of the wide span of the opening over the car park entrance. It would mean that there would be less of a landmark corner feature on the north west side of the side, but overall the benefits of stepping it back are that a more conventional building design is possible on the lower level while still allowing the improvements to the public realm to the front of the car park entrance and a sufficiently landmark design. It also retains a link into the site for future development if the car park were to ever be redeveloped in the future. The previous scheme retained the six car park entrance and exit lanes, but they are reduced to four in this application, which allows for public realm and highway safety improvements. The building turns the corner with an attractive curved feature, and the side has additional windows so would be sufficiently well articulated.
53. The constraints of the site mean that the requirement to set the building back a sufficient distance from Richmond Gardens to the north to provide landscaping and public realm improvements, as well as maintaining sufficient space to the car park to the south for ventilation, leads to a relatively narrow building, but in this case the articulation of Blocks A1 and A2 would disguise this quite well.
54. The buildings employ a curved form, particularly in the case of Blocks A1 and A2, which reduces a little for Block B and then Block C is more angular. The curved form combined with the brickwork material will provide an aesthetically pleasing form with a mix of traditional Art Deco and Streamline Moderne influences, traditional materials and modern elements. The architect has employed a design form and features which can be found

elsewhere in Bournemouth to provide a level of local distinctiveness. They could perhaps have gone a little further for example in taking the cues from 1-31 St Peters Road (former Maples department store), which is cited as an influence/precedent, but overall it is considered that the overall concept with the curves and materials is of sufficiently high quality.

55. The proposed blocks have variations in materials to give the appearance of distinct and separate buildings. For example Block A1 uses mostly buff brick while A2 uses a mid red brick, and B uses a darker red brick, while all maintaining a similar curved form and fenestration pattern to maintain their identity as a group of buildings. All blocks use brickwork as the main material which is positive because it will form a more durable material that will ensure a high-quality appearance over a longer period of time than using render or cladding as the principal material for example. There are still areas of cladding and it will be important in any case to require samples of materials prior to constructing the buildings to ensure that high quality materials are used.
56. It is considered that the proposed blocks have sufficient variation to break up the mass and bulk, with a smaller palette of materials than the student accommodation development, but a simpler and more elegant form
57. The elevations of the blocks are articulated through deep window reveals to give depth to the façade. Large buildings and regular floor plans can lead to a relatively regimented pattern of windows. It is managed here through variations to the windows, balcony balustrading sections and areas of sawtooth brickwork detail to add interest and diversity to the elevations.
58. Block C is more angular than the other blocks, and together with the rear of Block B will appear blockier and less elegant than the buildings/elevations that front Richmond Gardens. There was originally a reduction in detailing towards the south and east side of the proposals, and together with the absence of curves this part of the proposal seems to have been treated as the rear of the site. Areas of blank elevation were originally visible in these views, especially on Block C. This has been improved a little through the application process with the addition of fenestration improvements (additional windows), although the adjustments are minor overall. The square edges remain on this part of the proposal, which detracts from the overall appearance a little, though it would only be visible from the Horseshoe common viewpoint discussed earlier. In that context it will be more distant views of a pair of buildings stepping up away from the Conservation Area.
59. All blocks have balconies of some kind. There are few balconies on the northern elevations of Blocks A1, A2 and B to Richmond Gardens, except for some inset balconies to Block A1 which form a design feature between the building's curved sections. The southern rear and eastern side elevations have a mix of externally projecting cantilever balconies and inset balconies to add design interest. The projection of the balconies has been reduced a little during the application process to prevent an unbalanced appearance but now do not detract from the overall design.
60. There are acoustic screening louvres to screen the plant for the air source heat pumps at the top of each building. These are likely to be visible from some perspectives, so the appearance has been reconsidered during the application process with the provision of evergreen climbing plants to the screens to provide some greenery and soften the appearance. It is considered that this is an acceptable approach subject to the provision of maintenance information to ensure that the planting is watered and maintained in an exposed position on top of the building.

61. There are also a number of roof garden areas proposed. These would generally have a limited visibility obscured behind a parapet, though the small trees and landscaping may be partially visible, which would add some visual interest to the buildings.
62. The private service road around to the east heads to the shopping centre loading and servicing area. It would be moved slightly further to the east to the same location as the approved student accommodation scheme. This section is not adopted highway. Access to the shopping centre loading area would be retained, and most of the servicing aspects such as cycle storage, electricity substation, water tanks and other plant, as well as disabled parking, would be located around this side of the building at the lower level. This is considered acceptable as although at ground floor level it will present a limited active frontage, this side of the building is not in a prominent public location. Although there are no ground floor windows here, windows and balconies are provided on the upper floors in any case, which will provide natural surveillance and active uses.
63. Overall the detailed design of the proposed buildings would satisfy the relevant provisions of the NPPF and local policies including D4, CS41 and the Town Centre Development Design Guide.

Public realm

64. Richmond Gardens presently provides a poor quality public realm which is not pedestrian or cyclist friendly, has limited active frontage and overgrown landscaping. The proposals will provide more definition to the street scene here with high quality landscaping and surfaces to benefit users of the development and others who visit the area. Landscaping is considered in more detail in the relevant section of the report below

Intensity of use

65. The occupation of the site with 211 flats will alter the level of activity in the area, which is presently mainly daytime office-based activity and quieter at night. However, this is a town centre location which is appropriate for such intensification and it will not have a detrimental impact on the town centre in this regard.

Overall comparison

66. Overall, the proposed development will lead to a significant change to the character of Richmond Gardens, though change is not necessarily negative. The change will be comparable to both the 2009 approved scheme, and particularly the student accommodation development recently allowed on appeal, in terms of the scale of development, massing, the spread of buildings across the frontage, and the building line of development. It will provide the opportunity to improve the townscape and public realm in Richmond Gardens, which is presently poor and uninviting. The existing car park is set back from the street and has a poor appearance, and pedestrian and cycle routes are poor. The proposed development is materially very similar to the consented student accommodation scheme and would not be harmful to the character and appearance of the area. The proposal would therefore accord with the relevant provisions of the NPPF and local policies including Policy 4.4 and 6.10 of the Bournemouth District Wide Local Plan, Policies CS21 and CS41 of the Bournemouth Local Plan: Core Strategy and A19, D4 and D5 of the Bournemouth Town Centre Area Action Plan.

Impact on Trees and Landscaping

Removal of existing trees

67. The Richmond Gardens car park has extensive planting of trees and shrubs to the western, northern and eastern sides of the site. The western side planting wraps around the south west corner of the building, opposite the head of Verulam Place. The southern side which has a pedestrian access from old Christchurch Road has been previously landscaped and planted but this is now has a drab and poorly maintained appearance. The trees are a mix of species and age classes and although some have been planted, many appear to be self-set.
68. Little or no maintenance or management of the planting is evident and the condition of less than half of the tree stock can be considered to be good. A TPO was made in 2002 and is in need of revision. It covers a selection of the trees around the site, but when it was made it was recognised that many of the trees did not warrant TPO protection. A full tree survey and arboricultural report is submitted with the application. Detailed tree planting and landscape proposals are also submitted. The tree survey and report identify 81 individual trees. There is just one high quality (A grade) tree, 35 (B grade) of moderate value, 42 (C grade) of low quality and 3 (U grade) that are very poor and should be removed. Several groups of smaller trees have also been identified where it is not possible to separate them as individuals, of which only one are deemed to be B grade and provide some amenity value. Despite the low quality of a significant proportion of the tree stock, they do in any case serve as valuable screening to an eyesore of a building.
69. A characteristic of the planting is that it is mostly within quite narrow strips or within raised or contained or beds. This has meant that the footprints of the proposed buildings leave little scope to retain any existing screen planting. The height of the buildings also means that any landscaping only has a visual impact on the lower levels. The buildings occupy the available depth of the narrow land around the car park with a limited amount of tree retention possible. The arboricultural report states that 40 trees will be removed plus 12 smaller groups of trees and shrubs. Of the trees to be removed 17 are B grade trees and the remainder are C or U category. If the principle of the development is to be accepted then it is inevitable that the extent of tree loss that has been identified has also to be accepted.
70. The principal of the loss of the trees was previously accepted when the 2009 development was approved by the Planning Committee, and then more recently in terms of the student accommodation development which was allowed on appeal. There are very similar levels of tree loss in all three of these development proposals. The 2009 scheme included development to the south west corner of the site adjacent to Verulam Place, which this proposal does not, and therefore it avoids any tree loss on that side of the site. The 2009 approval also did manage to retain a small number of trees on Richmond Gardens to the front of where Block C is located in this proposal. That has not proven possible here because of the site levels with trees in raised planters in this location. However, like the student accommodation scheme the development in this proposal does not extend as far eastwards and span over the access road so more trees are instead retained on the far north eastern corner of the site, to the east of the re-aligned service road.
71. In considering the issue of tree loss the Inspector stated:

“Beyond their screening function for the car park, a number of the trees are in poor condition... The proposed landscaping would physically and visually integrate the proposed

development with its surroundings. The site would retain sufficient tree cover to accord with the BTCDDG's requirements and the proposed development would not be harmful to the area's character and appearance in this regard. Furthermore, I consider that it would meet the requirements of Policy 4.25 of the Bournemouth District Wide Local Plan 2002 (LP) for planting and landscaping. In respect of TCAAP Policy A19, the proposed development would retain some trees and landscaping and would also introduce replacement landscaping and trees. Given the site's constrained nature, I consider on balance that this policy requirement is met".

72. The main difference to the approved student accommodation scheme is that the mature Maritime Pine which was retained in its planter to the front of the Richmond Gardens car park entrance is now proposed to be removed. This facilitates the narrowing of the car park entrance from 6 lanes to 4 so it has other townscape benefits. In this proposal there are more trees instead retained to the edge of the site to the west of the car park entrance. As stated, the overall loss here is comparable to previously approved developments.

Proposed landscaping

73. Replacement planting to Richmond Gardens is proposed with 9 large street trees (Scots Pine), plus a large London Plane tree to the north west corner to replace the Maritime Pine, and an additional 8 smaller street trees, as well as 4 trees to the raised courtyard area. The building line is stepped back sufficiently to allow the street trees sufficient space. The space will be fairly heavily shaded being north of the proposed buildings making it a challenging place to establish and maintain healthy plants. The constraints of the space therefore mean that many of the trees will not be large or tall mature specimens. However, it is considered that the proposal would provide a good quality public realm along Richmond Gardens and a similar level of tree cover to the approved student accommodation scheme.
74. The northern side of the car park is to be landscaped with a 'vertical garden system', that is a green wall to the façade with planting to soften its appearance. This will soften the backdrop to the proposed buildings along Richmond Gardens, improve the visual aspect for occupants of rooms at the rear of the building and improve the appearance of the car park. Indicative planting proposals have been provided to supplement the tree planting along the Richmond Gardens frontage.
75. The overall landscaping strategy splits the areas around the car park into several zones. The area to the front of Block B will be more formally landscaped with a variety of terraced planters due to the different levels of the site here, which will create a multi-level planting arrangement. The area on the south west side of the site adjacent to the pedestrian footpath known as Dalkeith Lane will be maintained generally as existing but managed more actively to create more of a wildflower meadow character and wildlife corridor. There will be enhanced lighting which will improve the security of this area.
76. The courtyard garden is positive and adds good amenity space to the occupants of the development, as do the roof garden areas, although the landscaping in these areas would not be prominently visible from public areas.
77. A Landscape and Tree Officer has inspected the proposed tree planting plans. There remains an objection that purely from a landscape and trees perspective the tree loss is significant in terms of number, and the available planting space for the replacement trees on Richmond Gardens is limited, so trees may not reach their full potential, although space appears sufficient for typical street tree planting. However, the previous approvals for development on the site have to be taken into account in determining the proposals here,

and the level of tree loss and quality of the replacement landscaping are very similar. The loss of trees is compensated by the benefit of using this underutilised site. This is also reflected by the current TCAAP policy which permits development on the site. It would not be possible to viably develop the site without notable tree loss, and the site constraints of a narrow site mean that the proposed building cannot be pushed back any further or made any narrower to retain or improve the tree provision on the north side of the site.

78. The applicant has submitted a sufficient level of detail, including tree pit design, details of the 'vertical garden system' to be installed on the side of the car park, and the wild flower meadow, and the details are considered positive.
79. The trees along the south of Richmond Gardens and Dalkeith Lane are more important as they are visible across the town centre from the south, and many of these are to be retained and supplemented with additional planting. If consent is to be granted the landscape management programme for the vegetation that is to be retained can be conditioned to ensure that it is brought up to a good standard for the benefit of the site and wider landscape. Overall, it is considered that in respect of trees and landscaping issues the proposals would accord with the relevant provisions of the NPPF and Policy 4.25 of the Bournemouth District Wide Local Plan.

Impact on neighbouring residents

80. The site is surrounded by a number of other buildings of various scale, some of which are in commercial office use, and there are also residential uses.

Marshall Point and other office buildings adjacent on Richmond Hill and Dean Park Crescent

81. The submitted Daylight and Sunlight report indicates that there would be some impact to some windows of these adjacent office blocks in terms of 'vertical sky component' due to the visibly taller building, but all buildings remain acceptable in terms of daylight according to BRE guidelines. There do not appear to be any residential properties in Dean Park Crescent.
82. The proposed buildings will throw a significant shadow towards the Marshall Point office building, which is located to the north of the application site, and at certain times of the day and year lower parts of the building will be in shadow. The long and high elevations of the proposed development will also dominate the outlook from the southerly windows of this building. However, this is a round office building with other outlooks, and the minimum separation of around 22 metres would be acceptable. The relationship would be comparable in terms of height and mass to the previous schemes, which were considered acceptable in this regard.
83. The other adjacent office blocks to the north of the development site will again experience some loss of outlook and light but overall it is not considered that amenity of the occupants of these office/commercial uses will be compromised to an extent that planning permission ought to be refused.

Mount Heatherbank

84. This block of 18 flats is located to the west side of the car park in Richmond Gardens. The rear corner of Block A1 would be around 42 metres from the closest corner of this neighbouring building, which is a significant increase over the approved student accommodation development due to no longer spanning the building over the car park entrance lanes. There would not be any impact in terms of overshadowing or loss of light.

85. The site would remain well screened by mature trees along the side boundary of the car park and the proposed development would not have a harmful visual impact. There will also be potential benefits from opening up the overgrown space opposite the front of this block of flats, and to provide better surveillance and lighting along Dalkeith Lane.

10 Richmond Gardens

86. There is a single residential dwelling in Richmond Gardens, known as number 10. It was built as a 'caretaker's flat' in the 1960s, and it contains accommodation at first floor level with parking underneath. It is surrounded by taller office development to the north and east, so has always existed in a slightly unusual situation. It has first floor windows facing south to the application site and would be located to the north west of proposed Block B at a minimum separation distance of approximately 24 metres. This neighbouring property was not considered a significant constraint at the time of the previously approved application, and the impact was considered acceptable. The applicants have produced an updated Daylight and Sunlight Assessment which includes an assessment of the impact on this property.

87. The report concludes that the scale and height of the proposed development will lead to some impact to this property in terms of daylight and sunlight to the south facing windows. However, this property will retain sufficient light and sunlight levels overall to not be materially harmful. Furthermore, the height of the development in the area of Block B is lower than the approved student development so would have a lesser impact than the other scheme. The proposal will have no impact on sunlight during morning hours and at times of the year when the sun is high in the sky.

88. There will be increased activity on and around the site, but overall this is acceptable for an urban setting and the proposal here is lower in terms of height and intensity of use than the student accommodation development.

89. The level of harm in this case to the one property is not considered to create a material conflict with relevant policies, including CS41 and D4 overall. The NPPF states that Local Authorities should make efficient use of land, particularly where there is an anticipated shortage of land for meeting identified housing needs. It says that "*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*". Taking this into account, and the precedent or fall-back position of the earlier approvals on the site, it is not considered that a minor impact to this single residential property would justify refusal of the proposed development here.

Old Christchurch Road properties

90. The rear of Block C will be between 28-32 metres from the rear elevation of properties in Old Christchurch Road, which contain a mix of commercial and residential properties on the upper levels. The separation distance is slightly lower than the approved student accommodation scheme, and includes a number of additional external balconies on the south elevation. The overall height of the buildings is comparable. It is considered that the separation distance is sufficient in this town centre location to protect privacy, and this is enhanced with the mature tree screen that currently exists between these properties.

91. The location of the proposed building to north of the existing properties will mean that there are no shading issues to properties in Old Christchurch Road. Given the town centre location it is considered that the level of amenity for residents here is acceptable.

Verulam Place

92. Verulam Place is located to the south east side of the car park site. The proposed development is a sufficient distance away and with a strong degree of tree screening to not have any impact to occupants of properties here.

Richmond Gate

93. This block of flats is a landmark building at the top of Richmond Hill on the opposite side of the road to the application site. This building is a minimum of over 70 metres from the closest corner of proposed Block A1 on the western side of the site. Flats in Richmond Gate are generally arranged on this side with south or south east facing views. The proposed development will be visible to the east but will not affect their main southerly views. In addition, the distance is sufficient to mean that the proposed development would not be overbearing or visually intrusive to occupants of this block.
94. Residential properties do not have a right to a view and given the town centre location and the spacing it is not considered that there would be a loss of residential amenity in this case.
95. It is noted that there were no issues of residential amenity to any properties arising in the Inspector's decision on the student accommodation scheme, either in terms of loss of light or outlook, or noise and disturbance from an increased intensity of use of the site. Overall it is considered that the impact on neighbouring properties would not be materially harmful and the proposal in this respect would accord with the provisions of the NPPF and relevant local policies including CS21 and CS41 of the Bournemouth Core Strategy, 6.10 of the District Wide Local Plan, and D4 of the Town Centre AAP.

Living conditions for future occupants

96. The site is an area of land around the existing car park. In terms of the constraints and resultant environment living conditions need to be carefully considered. The development includes 211 flats with a mix of studio, 1, 2 and 3 bed units as noted at paragraph 26. Policy U2 of the TCAAP seeks a mixture of unit sizes in residential developments. It would have been beneficial to see more of a balance of sizes with more 3 bed homes to support the aims of this policy, but overall there are a good number of 2 bedroom units. The proposed flats are designed to meet the minimum space standards of the Government's '*Technical Housing Standards – Nationally Described Space Standard*' (March 2015). The Council does not have locally adopted space standards, but to fall some way below these standards would indicate that there is an insufficient level of space and poor living standards but that is not considered to be the case here.
97. There are a number of single aspect flats, including some that are only north facing, but overall it is considered that they have an acceptable level of light and outlook. Some flats have access to balconies for amenity space, and there are additional communal roof gardens and a ground floor courtyard between Blocks B and C.
98. A ventilation report has been provided to demonstrate that there would be sufficient ventilation to the car park. An air quality assessment also indicates that the residents of the development would have acceptable air quality despite proximity to the car park and other road traffic.
99. The gap to the car park has been increased as far as possible. There will be a separation distance of approximately 6 metres from the south facing windows of Blocks A1 and A2 to the car park. This is a little low, but only affects a small proportion of units which are on

levels 1 and 2 of the development. The flats on these levels are accessed by an open walkway on the southern side, which provides some more defensible space but also limits light and outlook to a degree at the rear, with perhaps the weakest units in terms of amenity being the studio units on Level 1 of Blocks A1 and A2. However, these are studio units with a dual outlook to the front and rear, and in the overall mix of units it is not considered that there would be a conflict with relevant policies including U2, D4, 6.10 and CS41, and living conditions to these blocks are considered acceptable overall. The appearance of the car park is also to be enhanced with landscaping, and the car park is not overly tall on the northern side of the site so there will be sufficient light to rooms here.

100. To the eastern side Blocks B and C are also close to the side of the car park and its eastern ramp in places. Block B is approximately 4.3 metres from the side and Block C 6.6m to 7.1m. There are habitable rooms facing at this close distance, but flats are not single aspect so also benefit from another outlook.
101. Due to the residential nature of the development in an area subject to potentially high noise levels (from the car park, the Wessex Way and noise/plant associated with the shopping centre for example), the Environmental Health Officer recommends the use of various planning conditions to ensure the bedrooms and living rooms within the development achieve the British Standard for acoustic attenuation. In addition, conditions are recommended to control the noise levels of any plant/ machinery associated with the development, to safeguard future occupants of the development and nearby existing residents.
102. The main area of concern is the shopping centre delivery area which also has plant equipment associated with the shopping centre, which is to remain in place. There is also noise from a nearby bar (Slug and Lettuce), the existing car park and the Wessex Way. The applicant's Noise Impact Assessment has looked at all potential sources of noise and has made recommendations in terms of glazing type and ventilation that will mean acceptable noise levels for occupants of the development. Overall it is considered that living conditions for occupants would be acceptable and the proposal would therefore accord with the relevant provisions of the NPPF and local policies including CS21 and CS41 of the Bournemouth Core Strategy, 6.10 of the District Wide Local Plan, and D4 of the Town Centre AAP.

Safety/security

103. The area around Richmond Gardens and Dalkeith Lane is not currently perceived as a safe and secure place. There is a lack of natural surveillance to many places including the Dalkeith Lane footpath and the private service road to the shopping centre. This is worse at night as the office uses around the site are vacated and lighting is poor. The proposed development would therefore offer opportunities to improve the safety and security of the area through increased use of the site and natural surveillance from the many windows around the site. Improved lighting, landscaping, and CCTV around the site will also assist in improving safety, including a financial contribution of £60,000 towards adding a number of new CCTV cameras around the site in public locations to the Council's CCTV network.
104. Changes to the shopping centre loading area will make it more secure and gated, and lower risk to pedestrians in this location. Adding footpaths to the south side of Richmond Gardens and a cycle path will improve pedestrian safety around the site and across the car park entrance. The proposed development is therefore positive in terms of safety and security and accords with the relevant provisions of the NPPF and local policies.

Parking/Traffic/Highway Safety

105. The Local Highway Authority (LHA) have assessed the proposals in terms of all aspects of highway and parking considerations.

Policy considerations – public parking provision

106. TCAAP Policy A19 (bullet point 2) states: *‘Proposals must: provide a 969-space public car park.’* The existing car park currently provides 875 public spaces. The number of spaces has reduced over time (from 935 spaces) because of various improvements e.g. the provision of disabled parking bays, creation of central walkways etc. Theoretically, an additional 94 spaces are now required to meet the policy requirement of 969 spaces. However, the applicant considers that 935 spaces is the baseline figure (para. 7.27 of the Planning Statement) so 34 spaces would be required under this scenario. Given that Figure 4.5 of the TCAAP states that the car park has 935 spaces, the LHA agrees that 935 spaces should be considered as the baseline figure.
107. No additional public car parking is proposed here, which is a concern of the LHA based on the policy requirement, and leading to a sustained objection. However, this is the same situation as the previous student accommodation scheme, where the Inspector considered that *“As the car park is rarely full and the additional 34 spaces would comprise less than a percent of overall town centre provision, it appears unlikely that there would be any harm to public car parking provision if 34 additional spaces were not provided.* Therefore, in light of the Inspector’s determination that it is only a small additional provision that would not be materially significant to parking in the town centre overall, it is not considered reasonable to sustain an objection to this element, although it represents a departure from the adopted TCAAP policies (T8 and A19). Following the adoption of the new BCP Parking SPD (2021) there is no longer a requirement for private parking associated with the development, so the situation is now comparable with the approved student scheme in this regard.

Car Parking

108. The parking requirements of the proposal are now subject to the recently adopted BCP Parking Standards SPD. The 142m² of flexible retail uses would have a requirement of zero on site provision with an expectation to use public car parking. The 211 flats would also be expected to provide zero parking spaces according to Table 9 C3 flats of the Parking Standards SPD. The application proposes no private parking except for one disabled space adjacent to the service road which has been retained. This is reduced from the 7 previously provided, in order to accommodate the required level of cycle storage. Appendix A of the Parking Standards SPD requires 5% disabled parking provision, with a minimum of one space. The Highway Officer has confirmed that the development is therefore acceptable in this regard.
109. In terms of the Equality Act it is not considered that the proposed development on this site would impact or discriminate upon any persons in protected groups. Access to the public car park will remain as existing. The proposed development itself is designed to be accessible, with lifts and ramps, and easy access. Only one disabled parking space is to be provided, but this is in line with the requirements of the adopted Parking SPD (2021), which has also been subject to an EQIA screening exercise prior to adoption. A full EQIA was not required, which was confirmed by the Policy and Performance team.
110. Surrounding streets are restricted with no waiting/no loading so are not legally usable for disabled drivers to park, but there is a very large public car park adjacent to the

development with a new lift access. Disabled drivers are also only a small subset of those with a mobility impairment and far greater numbers of people with disabilities make use of public transport or cycling as a means of getting around.

111. For developments of more than 50 units the LPA's Parking Standards SPD expects the provision of 'at least' two on site car club bays open to public usage. The applicant is to provide financial contributions to offsite provision of three car club vehicles in the proximity of Richmond Hill, which is considered an acceptable solution on this site.
112. The Parking Standards SPD has a requirement that loading and servicing is adequately provided for in new developments. Thereby catering for any operational parking demand generated on site. The proposal makes use of the service access road leading to the existing service entrance for the Richmond Gardens Shopping Centre and the shopping centre's service area. This is considered acceptable by the LHA subject to the use of an appropriately worded condition. The proposed development therefore accords with the provisions of Policy CS16 and the Parking Standards SPD (2021).

Access

113. Access is proposed from Richmond Gardens, with a realigned service road. The applicant has confirmed that all parking spaces along the private service road and within the service yard will be removed. The LHA consider this acceptable and necessary.

Access to multi-storey car park

114. The applicant proposes to reduce the number of car park entry and exit lanes from 6 to 4. The applicant has revised the proposed car park access, which is acceptable from a highways and transport perspective. The applicant will need to seek separate permission from the Council as leaseholder of the car park.

Richmond Gardens public car park ventilation

115. The submitted car park ventilation report indicates that the proposed development will not have an adverse effect on the existing car park ventilation because the proposed blocks are set a sufficient distance from the car park to not have an impact.

Proposed Richmond Gardens shared use path.

116. The applicant proposes a 3.5m wide segregated cycle and footpath path along the south side of Richmond Gardens, which is welcomed. A shared use path continues westwards to Richmond Hill (linking to a new shared crossing on Richmond Hill) and the segregated paths also continue north eastwards to Dean Park Crescent. These elements are to be provided through a S278 agreement.

Richmond Gardens footway

117. A new pedestrian footpath is provided to the north of Blocks A2 and B, which is a minimum of 2 metres in width, meeting highway requirements. The land is to be dedicated to the Council through a legal agreement and is shown clearly marked in colour on a separate plan.

Lighting/CCTV

118. New and improved lighting & CCTV on pedestrian routes surrounding the site, including Dalkeith Lane, will be required to support additional pedestrian trips. CCTV will be secured through a financial contribution to add to the Council's centralised CCTV network, and a lighting plan can be conditioned.

Cycle parking provision and layout

119. The cycle provision has been improved during the application process, to reflect the requirements of the new Parking Standards SPD. 338 resident spaces and 24 visitor spaces are shown. Within the 338 resident spaces 16 of these have been designed as oversized spaces representing a 4.7% provision, this is just shy of the 5% required by the Parking Standards SPD. The very minor shortfall would not represent a material conflict with relevant policies overall. Additional changes to the internal access to the cycle stores, including the removal of stairs and doorway widening to 1.2m have improved the usability of the cycle stores. This is welcomed. The proposal in this regard accords with the provisions of the Parking Standards SPD and Policy CS18.

Travel Plan

120. Given this is a full application, the *Good Practice Guidelines: Delivering Travel Plans through the Planning Process* (DfT: 2009) advises that a full travel plan should be submitted for the residential part of the development (211 units). The commercial unit (142sqm) is below a reasonable threshold for a travel plan. A draft travel plan has been provided and a will form the basis of a full travel plan to be submitted (condition 12).

Planning Obligations

121. To make the proposal acceptable in highway terms the proposal would require contributions in the form of:

- A Contribution to car club spaces to be delivered on Richmond Hill, to mitigate in part the shortfall in parking in part. The Car Club operator in Bournemouth, Co Wheels, has advised that the cost per vehicle is £9,360pa. Three years would be £28,080 per vehicle. Three vehicles would be a total of £84,240.
- Proportional increase in pedestrian trips on Old Christchurch Road: the applicant has calculated that there will be a 1.1% increase in pedestrian trips on Old Christchurch Road. The Council is proposing further enhancements to the public realm in this area, costed at £1.2m which will promote walking. A proportional contribution to these works equates to £13,200.

Highway works

122. The applicant also agrees to undertake a series of highway mitigation works under section 278 of the Highway Act 1980. These works are primarily focused on pedestrian and cycles facilities to accommodate additional trips generated by the development. The highway works agreement will need to be entered into prior to construction of level 1 of the building as set out in the approved plans, and will include:

- Pedestrian/cycle crossing on Richmond Hill;
- A raised light segregated cycle track contraflow at least 2m wide on Richmond Gardens and Dean Park Crescent from Richmond Hill to the three arm Dean Park Crescent junction adjacent to the A338 off slip, to enable eastbound cycling;
- A raised 2m wide footway on Richmond Gardens and Dean Park Crescent from Richmond Hill to the three arm Dean Park Crescent junction adjacent to the A338 off slip;
- Alterations to street lighting as necessary;
- Alterations to highway drainage as necessary; and
- Alterations to road marking and road signage as necessary.

Plus the following highway works and dedication of land:

- The widening and resurfacing of the footway on Richmond Gardens to 2m and dedicated as public highway.
- The resurfacing of Dalkeith Lane, with adequate street lighting and CCTV coverage along its length;
- Dedication by the Owner of the private land shown in pink on drawing number 73554-CUR-00-XX-DR-TP-06003 Rev P1, including Richmond Gardens and Dalkeith Lane widening, immediately upon Commencement of Development as publicly maintained highway;
- a zebra crossing on Dean Park Crescent; and
- improvements to pedestrian environment at Richmond Hill roundabout, including CCTV improved lighting and mirrors at corners.

123. The highway works shall be completed to the satisfaction of the Local Highway Authority prior to the Occupation of the Development. Overall it is considered that the proposed highway impacts are considered acceptable, subject to the above mitigation, and would accord with the relevant provisions of the NPPF and local policies including CS16 and CS18. There is a public parking shortfall, but this is weighed up in the overall balance of the proposals.

Energy and sustainable construction

124. Policies CS2 and CS3 of the Core Strategy require developments to be sustainable and to embrace the use of renewable/low carbon energy generations. The Applicant has provided an energy statement stating that the development construction will exceed Building Regulation requirements, mainly through the use of highly efficient air source heat pumps (ASHP) to all buildings. The ASHP would provide all domestic and commercial heating and hot water, which means that a significant 92% of the total energy demand of the whole development would come from decentralised and low carbon sources, and a 37.7% reduction in CO2 emissions.

125. The Energy Statement suggests that PV Panels are possible on roof areas, though no detail has been provided for these. The applicant states that they will be explored at a later date, but the other measures will in any case meet the requirements of policy CS2. A condition has been added to ensure that the requirements are met (condition 16).

Ecology/biodiversity

126. The perimeter of the car park site where development is proposed is heavily treed, and many of these would be removed to facilitate development. A comprehensive ecological appraisal and protected species assessment have been provided as part of the application. The report concludes that the site is poor in floristic diversity with no rare plants recorded and only four common species of bird observed. No old or in-use birds' nests were found, and no other rare or protected species discovered, including bats. The site was concluded to be of low wildlife interest.

127. Landscaping proposals include tree planting and roof garden areas, but do not completely replace the amount of vegetation cover previously seen on the site. However, consistent with Natural England advice, the applicant is willing to provide a contribution towards local biodiversity initiatives at the rate of £50 per flat (211 flats x £50 = £10,550), as well as provide swift bricks built into the structure of the development. The proposal would accord with the relevant provisions of the NPPF in this respect.

Contaminated Land

128. The applicants have submitted a Contaminated Land Risk Assessment. The history of the site (detached residential housing with gardens pre-1980, asphalt car parking area since that date) indicates it has a very low contamination potential.
129. Detailed reports have been submitted including ground gas monitoring (Phase 2 Ground Investigation). Low gas concentrations were found, but further monitoring is required in some parts of the site where there were access constraints, with a further condition in the same manner as the student accommodation development.

Drainage/Flooding

130. The submitted Drainage Report suggests that the surface water network around the site detains to the north where it most likely discharges into the existing public surface water sewer in the north western corner of the site. The site is constrained by the development proposed which means that soakaways would be difficult. The applicant is proposing to dispose of surface water runoff from the proposed development to the existing public surface water sewer. This is subject to Wessex Water's agreement and will require some degree of attenuation and flow control. More detail can be provided by condition, and even if there is limited space for soakaways on site there are other sustainable drainage measures that could potentially be employed (attenuation tanks, green roofs).
131. The site is not in an area that is known to be at risk from surface water flooding in extreme rainfall events and is not close to an existing water course, so no Flood Risk Assessment is required. The proposal is acceptable in terms of Policy CS4.

Heathland Mitigation

132. 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. 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.
133. Following a European Court ruling relating to the need or otherwise for appropriate assessments, Natural England require an appropriate assessment to be undertaken for all new residential schemes proposing a net gain of units. As such following advice from ecological consultants and Natural England a standard Appropriate Assessment proforma has been developed. The proforma concludes that in order to mitigate the likely impacts of the additional residential units provided by major development schemes such as this one where there are greater than 50 units provided, a Suitable Alternative Natural Greenspace (SANG) will be required as well as the required financial contribution towards Strategic Access Management and Monitoring (SAMM) measures towards the designated sites. As such it is proposed that should the application be granted, a suitably worded condition is applied requiring the provision of a SANG. It is stressed that such an approach is now required for all residential schemes of a certain scale and a strategic SANG will be required to accommodate the associated impacts. The Parks Section have confirmed an ambition to provide the required SANG at Hicks Farm in the Stour Valley which is a key area identified in the adopted Heathlands SPD and Local Plan to provide for improved access. An earlier

application was refused by the planning committee, but a revised application has now been submitted. Condition 26 has been added to secure the required SANG mitigation either in the form of Hicks Farm or an alternative suitable site.

134. A capital contribution is required for the SAMM contribution, which in this instance is £269 x 211 = £56,759, plus a £1,000 administration fee. A signed legal agreement is required to secure this contribution.

Affordable Housing

135. 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.
136. In this case the applicants submitted a viability assessment which has been assessed by the Council's independent verifier, the District Valuation Service. The report concludes that the proposed development is not viable to make an Affordable Housing contribution in this case. The proposal does not therefore provide a benefit in this regard.

Community Infrastructure Levy

137. The proposed development is not liable for a CIL charge, as residential development in the town centre area is exempt in the charging schedule.

Summary

138. It is considered that:
- A proposed residential led scheme is acceptable in principle on this site and in keeping with the site-specific policy
 - The proposed development would not be harmful to the character and appearance of the area.
 - The proposed development would not have a materially harmful impact on the living conditions of neighbouring residents.
 - Living conditions for future occupants will be acceptable
 - The proposal does not raise any parking, traffic or highway safety concerns.

Planning Balance

139. In terms of the overall planning balance, it is recognised that there are some minor impacts in terms of the change to the character of Richmond Gardens, significant tree loss, and a lack of additional public parking provision, which conflicts with Policy A19. The proposal also would not make a contribution towards affordable housing. However, the principle of these various aspects has already been considered broadly acceptable in the previous

consents on the site, and the recent Inspector's decision in particular forms a significant material consideration in these matters.

140. A fresh approach has been taken with the design, which has some limitations in terms of the articulation of some elements, but overall, it is considered that it would provide a sufficiently high-quality scheme and would accord with relevant development plan policies. Living conditions are considered acceptable overall, with the provision of some private and communal amenity space for future occupants. There are also significant benefits in terms of making use of an under-utilised and difficult to develop site, improving the activity, vitality, and viability of the town centre, making contributions towards highway improvement schemes, and improved safety and security in the area.
141. Highway and parking matters have been assessed in detail in respect of the relevant policies including the recently adopted Parking Standards SPD, and are considered acceptable overall with some planning gain in terms of highway and public realm improvements.
142. The proposal provides residential development in a highly sustainable town centre location, and the 211 flats will contribute significantly towards local housing supply. The Council is not currently in a position to demonstrate a 5-year housing supply in the Bournemouth area. This means that Paragraph 11 of the NPPF applies. This confirms that permission should be granted unless applying the guidance in the Framework provides a clear reason for refusing the development proposed. In this regard, in consideration of the 'tilted balance' of NPPF Paragraph 11(d), the proposed adverse effects of granting permission are not considered to 'significantly and demonstrably' outweigh the benefits.
143. 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 generally be in accordance with the Development Plan as a whole, 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

144. **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:**

Section 106 terms

Heathland Mitigation measures (SAMM): £56,759 (plus £1,000 administration fee)
Proportional contribution to public realm improvements in Old Christchurch Road: £13,200
CCTV contribution £60,000
Local biodiversity contribution £10,550
Car club contribution £84,240

A S278 Agreement should be entered into for the highway and public realm works to be implemented by the applicant (outlined in paragraph 122), and these works shall be completed prior to occupation of any part of the development.

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:

(415)1918-GWP-XX-00-DR-A-(PA)-001 Rev. P04
(415)1918-GWP-XX-00-DR-A-(PA)-002 Rev. P04
(415)1918-GWP-XX-00-DR-A-(PA)-003 Rev. P05
(415)1918-GWP-XX-00-DR-A-(PA)-004 Rev. P04
(415)1918-GWP-XX-00-DR-A-(PA)-005 Rev. P04
(415)1918-GWP-XX-00-DR-A-(PA)-006 Rev. P02
(415)1918-GWP-XX-00-DR-A-(PA)-007 Rev. P02
(415)1918-GWP-XX-00-DR-A-(PA)-009 Rev. P05
(415)1918-GWP-XX-00-DR-A-(PA)-010 Rev. P07
(415)1918-GWP-XX-00-DR-A-(PA)-011 Rev. P07
(415)1918-GWP-XX-00-DR-A-(PA)-012 Rev. P09
(415)1918-GWP-XX-00-DR-A-(PA)-013 Rev. P12
(415)1918-GWP-XX-00-DR-A-(PA)-014 Rev. P06
(415)1918-GWP-XX-00-DR-A-(PA)-015 Rev. P08
(415)1918-GWP-XX-00-DR-A-(PA)-016 Rev. P10
(415)1918-GWP-XX-00-DR-A-(PA)-017 Rev. P07
(415)1918-GWP-XX-00-DR-A-(PA)-018 Rev. P06
(415)1918-GWP-XX-00-DR-A-(PA)-019 Rev. P06
(415)1918-GWP-XX-00-DR-A-(PA)-020 Rev. P08
(415)1918-GWP-XX-00-DR-A-(PA)-021 Rev. P06
(415)1918-GWP-XX-00-DR-A-(PA)-022 Rev. P08
(415)1918-GWP-XX-00-DR-A-(PA)-023 Rev. P06
(415)1918-GWP-XX-00-DR-A-(PA)-024 Rev. P05
(415)1918-GWP-XX-00-DR-A-(PA)-025 Rev. P07
(415)1918-GWP-XX-00-DR-A-(PA)-026 Rev. P06
(415)1918-GWP-XX-00-DR-A-(PA)-027 Rev. P06
(415)1918-GWP-XX-00-DR-A-(PA)-028 Rev. P06
(415)1918-GWP-XX-00-DR-A-(PA)-040 Rev. P09
(415)1918-GWP-XX-00-DR-A-(PA)-041 Rev. P10
(415)1918-GWP-XX-00-DR-A-(PA)-042 Rev. P06
(415)1918-GWP-XX-00-DR-A-(PA)-043 Rev. P04
(415)1918-GWP-XX-00-DR-A-(PA)-044 Rev. P07
(415)1918-GWP-XX-00-DR-A-(PA)-045 Rev. P06
(415)1918-GWP-XX-00-DR-A-(PA)-046 Rev. P06
(415)1918-GWP-XX-00-DR-A-(PA)-047 Rev. P06
(415)1918-GWP-XX-00-DR-A-(PA)-048 Rev. P06
(415)1918-GWP-XX-00-DR-A-(PA)-049 Rev. P06
(415)1918-GWP-XX-00-DR-A-(PA)-050 Rev. P06
(415)1918-GWP-XX-00-DR-A-(PA)-051 Rev. P06
(415)1918-GWP-XX-00-DR-A-(PA)-052 Rev. P06
(415)1918-GWP-XX-00-DR-A-(PA)-053 Rev. P06
(415)1918-GWP-XX-00-DR-A-(PA)-054 Rev. P05
(415)1918-GWP-XX-00-DR-A-(PA)-055 Rev. P05
(415)1918-GWP-XX-00-DR-A-(PA)-060 Rev. P06
(415)1918-GWP-XX-00-DR-A-(PA)-061 Rev. P05
(415)1918-GWP-XX-00-DR-A-(PA)-062 Rev. P05
(415)1918-GWP-XX-00-DR-A-(PA)-063 Rev. P05

(415)1918-GWP-XX-00-DR-A-(PA)-064 Rev. P01
(415)1918-GWP-XX-00-DR-A-(PA)-065 Rev. P01
(415)1918-GWP-XX-00-DR-A-(PA)-066 Rev. P03
(415)1918-GWP-XX-00-DR-A-(PA)-070 Rev. P08
(415)1918-GWP-XX-00-DR-A-(PA)-071 Rev. P08
(415)1918-GWP-XX-00-DR-A-(PA)-072 Rev. P09
(415)1918-GWP-XX-00-DR-A-(PA)-073 Rev. P07
(415)1918-GWP-XX-00-DR-A-(PA)-074 Rev. P07
(415)1918-GWP-XX-00-DR-A-(PA)-075 Rev. P07
(415)1918-GWP-XX-00-DR-A-(PA)-076 Rev. P08
(415)1918-GWP-XX-00-DR-A-(PA)-077 Rev. P07
(415)1918-GWP-XX-00-DR-A-(PA)-078 Rev. P07
(415)1918-GWP-XX-00-DR-A-(PA)-079 Rev. P07
(415)1918-GWP-XX-00-DR-A-(PA)-080 Rev. P07
(415)1918-GWP-XX-00-DR-A-(PA)-081 Rev. P07
(415)1918-GWP-XX-00-DR-A-(PA)-082 Rev. P07
(415)1918-GWP-XX-00-DR-A-(PA)-083 Rev. P07
(415)1918-GWP-XX-00-DR-A-(PA)-084 Rev. P07
(415)1918-GWP-XX-00-DR-A-(PA)-085 Rev. P04
(415)1918-GWP-XX-00-DR-A-(PA)-086 Rev. P05
(415)1918-GWP-XX-00-DR-A-(PA)-087 Rev. P05
(415)1918-GWP-XX-00-DR-A-(PA)-090 Rev. P08
(415)1918-GWP-XX-00-DR-A-(PA)-091 Rev. P07
(415)1918-GWP-XX-00-DR-A-(PA)-092 Rev. P08
(415)1918-GWP-XX-00-DR-A-(PA)-093 Rev. P06
(415)1918-GWP-XX-00-DR-A-(PA)-094 Rev. P02
(415)1918-GWP-XX-00-DR-A-(PA)-095 Rev. P05
(415)1918-GWP-XX-00-DR-A-(PA)-096 Rev. P01
(415)1918-GWP-XX-00-DR-A-(PA)-097 Rev. P01
(415)1918-GWP-XX-00-DR-A-(PA)-098 Rev. P06
(415)1918-GWP-XX-00-DR-A-(PA)-099 Rev. P01
(415)1918-GWP-XX-00-DR-A-(PA)-100 Rev. P04
(415)1918-GWP-XX-00-DR-A-(PA)-101 Rev. P05
(415)1918-GWP-XX-00-DR-A-(PA)-102 Rev. P05
(415)1918-GWP-XX-00-DR-A-(PA)-103 Rev. P04
(415)1918-GWP-XX-00-DR-A-(PA)-104 Rev. P03
(415)1918-GWP-XX-00-DR-A-(PA)-105 Rev. P01
(415)1918-GWP-XX-00-DR-A-(PA)-106 Rev. P02
(415)1918-GWP-XX-00-DR-A-(PA)-107 Rev. P01
(415)1918-GWP-XX-00-DR-A-(PA)-108 Rev. P01
(415)1918-GWP-XX-00-DR-A-(PA)-109 Rev. P01
(415)1918-GWP-XX-00-DR-A-(PA)-110 Rev. P04
P19-0659 02_B
P19-0659 03_D
P19-0659 04_F
P19-0659 05_F
P19-0659 06_A
P19-0659 07_B
P19-0659 08_A
P19-0659 09_A
P19-0659 10
P19-0659 11
P19-0659 12_A

P19-0659 13_A

P19-0659 14

P19-0659 15

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

2. Phasing of development to be agreed

No development shall take place until a scheme for the phasing of the development to be carried out in successive stages, has been submitted to and approved in writing by the Local Planning Authority (LPA). The development shall be carried out in accordance with the approved phasing scheme, and each stage shall be substantially completed before the next stage of the development is commenced unless previously agreed in writing with the LPA. The scheme shall ensure that no site clearance is undertaken unless it can be demonstrated to the LPA that it is essential to allow the detailed construction to progress and that adequate site screening and hoardings are in place and this has been agreed with the LPA.

Reason: To secure the proper development of the site and in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

3. On site working hours limited 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 0800 and 1800 Monday - Friday, 0800 and 1300 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. Construction management plan

No site clearance or development shall commence until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Construction Method Statement should include the following measures:

- a) parking arrangements for operatives and construction vehicles working on-site;
- b) arrangements for safe access to the site for deliveries, loading and unloading of plant and materials and wheel cleansing of vehicles prior to egress from the site onto the public highway;
- c) noise reduction measures (including times of piling operations);
- d) details and siting of equipment, machinery and surplus materials on the site;
- e) development timetable including any road or car park closure times or necessary periods of longer working hours.

The approved Construction Method Statement shall be implemented and adhered to throughout the construction phase of the development.

Reason: To safeguard the amenities of occupiers of adjoining and nearby properties and in the interest of highway safety in accordance with Policies CS38, CS41 and CS14 of the Bournemouth Local Plan: Core Strategy (October 2012).

5. SUDs

No development shall take place until a scheme for the whole site providing for the disposal of surface water run-off and incorporating sustainable urban drainage systems

(SUDS), has been 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 in accordance with the phasing strategy. 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 sections, to illustrate the construction method and materials to be used for the hard surfacing (sample materials and literature demonstrating permeability may be required);
- d) Implementation of alternative sustainable drainage initiatives.

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.

6. Contaminated Land

No development shall take place until a remediation scheme has been submitted to and approved in writing by the Local Planning Authority. The remediation scheme shall include:

- a) A 'desk study' report documenting the site history;
- b) A site investigation report documenting the ground conditions of the site and incorporating a 'conceptual model' of all potential pollutant linkages, detailing the identified sources, pathways and receptors and basis of risk assessment;
- c) A detailed scheme for remedial works and measures to be taken to avoid risk from contaminants/or gases when the site is developed (if appropriate);
- d) A detailed phasing scheme for the development and remedial works, which shall be in accordance with the phasing scheme for development under condition 2.

Any variation of the scheme shall be agreed in writing by the Local Planning Authority in advance of works being undertaken. The development shall not be occupied until any previously approved remediation scheme have been carried out and a validation report confirming completion of these works for the relevant phase of development has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development is carried out safely in the public interest and in accordance with best practice and with Policy 3.20 of the Bournemouth District Wide Local Plan (February 2002).

7. Samples of materials

Prior to the commencement of any superstructure works on site, details and samples of the materials to be used in the development; including the render, cladding, brickwork, balcony finishes, glazing, window/doors, window reveal detail, and the detailed design of these components and any other materials or architectural detailing to be used in the development shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To maintain the character and appearance of the building and 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).

8. Scheme for external pipework

Prior to the commencement of any superstructure works on site, a scheme for external pipe work and flues shall be submitted to and approved in writing by the Local Planning Authority. Works shall be carried out strictly in accordance with the approved scheme and unless shown on the approved elevation drawings any pipe work (with the exception of rainwater down-pipes) shall be internal to the buildings.

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).

9. Hard Landscaping

Within six months of the date of commencement of the development, or such other time period as might otherwise be agreed in writing by the Local Planning Authority, full details of hard landscape works shall be submitted to and approved in writing by the Local Planning Authority. Hard landscape details shall follow the design principles set out in the approved drawings and shall include:

- a) Lighting;
- b) Bollards;
- c) Seating;
- d) Tree grills;
- e) Other street furniture;
- f) construction and services details in proximity to trees;
- g) proposed finished levels and contours;
- h) boundary treatments;
- i) surfacing materials; and
- j) a timetable for implementation.

The approved hard landscape scheme shall be implemented in full prior to any occupation of the development commencing and retained thereafter.

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

10. Soft Landscaping

Within six months of the date of commencement of the development, or such other time period as might otherwise be agreed in writing by the Local Planning Authority, full details of soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. Soft landscaping details shall follow the design principles set out in the approved drawings and shall include:

- a) Planting plans;
- b) Existing trees, hedges and shrubs to be retained;
- c) Written specifications (including cultivation and other operations associated with plant and grass establishment);
- d) Schedules of plants noting species, plant sizes and proposed numbers/densities;
- e) Programme of implementation; and
- f) Maintenance plan for a minimum period of 5 years.

The approved soft landscape scheme shall be implemented in full, including all tree planting, within the first planting season after the first date of any occupation/use of the development commencing and retained thereafter.

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

11. Biodiversity enhancements

Within six months of the commencement of the development, details of biodiversity enhancements to include approximately 40 swift bricks built into the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to the first occupation of any of the residential units hereby approved, and retained thereafter.

Reason: To mitigate for the loss of trees and biodiversity habitat on the site, in accordance with policies CS35 and CS41 of the Bournemouth Local Plan: Core Strategy (2012).

12. Travel Plan

Prior to any occupation of the development hereby permitted, a detailed Travel Plan which accords with current best practice and guidance existing at the time of submission shall be submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan and obligations therein shall be implemented and complied with upon occupation of the development and at all times thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and promoting sustainable modes of transport, in accordance with Policy CS15 of the Bournemouth Local Plan: Core Strategy (October 2012).

13. Cycle Store

Before the occupation of any part of the development hereby approved, 24 visitor cycle parking spaces and a cycle store(s) for 338 cycles (including 16 oversized spaces), which must include 1200mm (min) wide access doors, and step free access to the public highway, shall be erected as shown on the approved plans and thereafter be retained, maintained and kept available for the occupants and visitors of the development at all times.

Reason: To promote the cycling mode of transport and in accordance with Policy CS18 of the Bournemouth Local Plan Core Strategy (October 2012) and BCP Parking Standards SPD (January 2021).

14. Provision of a Servicing and Refuse Management Plan:

Prior to first occupation of any of the residential units hereby approved, a Servicing and Refuse Management Plan (SRMP) shall be submitted to and approved in writing by the Local Planning Authority. The SRMP shall include:

- a) details of how banksmen will be employed to ensure public safety when servicing vehicles are reversing;
- b) details of the type and size of vehicles used;
- c) details of the management company to be set up;
- d) the employment of a private contractor to collect the refuse;
- e) 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

f) that bins will not be stored in the open or at the collection point apart from on the day of collection. The SRMP shall be carried out in accordance with the approved details prior to the occupation of the development and complied with at all times thereafter.

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

15. Use of the service road

No vehicular parking shall be permitted on or adjacent to the private service road.

Reason: In the interest of safety and to accord with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

16. Sustainable energy

The development shall be carried out in accordance with the sustainability and energy measures set out in the Energy Statement prepared by GWPS dated 25/11/19 (ref. (415)1921-SB-GR-RichmondGarden_Rev03) prior to the first residential occupation of the development and retained and maintained thereafter. Within six months of first occupation of any of the development, written confirmation that the implemented measures set out in the Energy Statement achieve the minimum standards of Policy CS2, and/or details of any additional measures required, shall be submitted to and approved in writing by the Local Planning Authority. Any additional measures shall be implemented within a further six months of approval and residential occupation levels shall not exceed 80% until the additional measures have been implemented.

Reason: In the interests of encouraging the provision of sustainable homes, premises and the provision of renewable and low carbon energy sources and infrastructure in accordance with the aims of Policies CS2 & CS3 of the Core Strategy (2012).

17. Noise specifications

No building or use hereby permitted shall be occupied or the use commenced until the development has been completed in accordance with the recommendations of 24-Acoustics Technical Report: R6848-2 Rev 2 Date: 25th November 2019, including in particular:

- (a) the recommended glazing types and ventilation specifications for habitable rooms described in Table 5 of the 24-Acoustics Technical Report: R6848-2 Rev 2 Date: 25th November 2019 and associated Zones in Figure 4;
- (b) the external wall constructions to apartments shall be designed and specified to achieve the minimum sound insulation performance described in Table 6 of the 24-Acoustics Technical Report: R6848-2 Rev 2 Date: 25th November 2019, and shall be constructed to accord with such design and specification;
- (c) the glazing configurations shall be provided as outlined in paragraph 5.9; and
- (d) the required sound insulation performance for each ventilation type shall be provided as described in Table 8 of the 24-Acoustics Technical Report: R6848-2 Rev 2 Date: 25th November 2019.

Following completion of construction and prior to occupation of any of the residential units of the development hereby permitted, a noise assessment shall be carried out and submitted to and approved in writing by the Local Planning Authority. The noise assessment, together with any additional mitigation measures shall demonstrate that the noise criteria for the various noise sources outlined in paragraph 3.25 of the report are

met to all areas of the development and no part of the development shall be occupied until the noise criteria outlined in paragraph 3.25 have been met.

Reason: The implementation of the development without meeting the above specifications is likely to result in an unacceptable scheme which would be detrimental to the amenities of residents occupying the proposed properties.

18. Tree Protection

The tree protection measures as detailed in the arboricultural method statement dated 25 November 2019 (Ref 17093-AA4-PB and associated plans TS17-114L\1 Rev P, P19-0659_02B and P19-0659_03D) prepared by Barrell Tree 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).

19. 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 development.

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.

20. Hours of use – commercial unit

The flexible Class A1/A3 commercial unit measuring 145sqm on the ground floor of Block A hereby permitted shall only be open to customers between 0700 and 2300.

Reason: To safeguard the amenities of occupiers of adjoining and nearby properties and in accordance with Policies CS38 and CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

21. Hot food limitation – commercial unit

Any food served within a Class A3 use of the ground floor commercial unit shall be limited to that which does not require primary cooking on the premises, unless a detailed scheme for extraction including specification for odour control and noise mitigation has been first submitted to and approved in writing by the Local Planning Authority, and then implemented on site.

Reason: Due to the absence of detail in relation to the proposed extraction equipment and to safeguard the interests of occupiers of adjoining and nearby residential properties in accordance with Policies CS38 and CS41 of the Bournemouth Local Plan: Core Strategy.

22. No additional louvres or grills

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), there shall be no louvres, grills or canopies installed to windows or the façade of the buildings except as shown on the approved plans.

Reason: To maintain the character and appearance of the building and 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).

23. No pedestrian access to service yard area

The door to the rear (southern side) of Block C on level B3 between the substation and cycle store shall be used for maintenance and emergency access only and not for general use by occupants as an access to/from the development.

Reason: In the interests of security and highway safety.

24. Security gate to car park

A secure gate operated system shall be implemented at the access to the car park beneath the residential block C prior to the first occupation of Blocks B or C, in accordance with design details to be first submitted to and approved in writing by the Local Planning Authority. The secure gate shall be retained and maintained thereafter.

Reason: In the interests of security and safety and in particular to provide secure cycle storage in accordance with Policy 8.37 of the Bournemouth District Wide Local Plan

25. Provision of a SANG

No part of the development hereby approved shall be commenced until there has been submitted to and approved in writing by the local planning authority a Protected Habitats Mitigation Scheme. The Protected Habitats Mitigation Scheme shall only be acceptable if it in particular includes the following:

- (i) Details of all mitigation measures including a timetable for delivery proposed for the purposes of preventing the development hereby permitted from adversely affecting the integrity of any European Site alone or in combination;
- (ii) Evidence sufficient to clearly demonstrate to a level where no reasonable scientific doubt remains as at the time of approval of the Protected Habitats Mitigation Scheme that as a result of the proposed mitigation measures the development hereby permitted will not adversely affect the integrity of any European Site;
- (iii) to such extent as the mitigation measures seek to rely in whole or part upon the proposed SANG at Hicks Farm (“the Hicks Farm SANG”), then provisions that no part of the development hereby permitted is first occupied until:
 - a. the Hicks Farm SANG has been granted planning permission for a change of use to a SANG;
 - b. that the public at large have been given general access to the Hicks Farm SANG; and
 - c. arrangements are in place to secure that the Hicks Farm SANG (or any SANG that may at any time replace it) will be maintained and managed as a SANG for the lifetime of the development hereby permitted;

- (iv) in the event of any proposed mitigation measures including the provision of a SANG [other than the Hicks Farm SANG] then provisions that no part of the development hereby permitted is first occupied until:
- a. the SANG meets all the requirements of the most up-to-date version of the Site Quality Checklist currently set out in Appendix D of The Dorset Heathlands Planning Framework 2020-2025 and any associated guidance;
 - b. the SANG is available and freely accessible for use by all the residents of the development hereby permitted; and
 - c. arrangements are in place to secure the maintenance and management of the SANG as a SANG for the lifetime of the development hereby permitted; and
- (v) arrangements to ensure:
- a. consultation with Natural England on all aspects of the proposed mitigation measures prior to any approval of the Protected Habitats Mitigation Scheme; and
 - b. in the event of any concerns being raised by Natural England regarding any part of the proposed mitigation measures that these are brought to the express attention of the Local Planning Authority prior to any approval of the Protected Habitats Mitigation Scheme.

No part of the residential element of the development hereby permitted shall be occupied until the Protected Habitats Mitigation Scheme has been implemented in accordance with its requirements and the Protected Habitats Mitigation Scheme shall thereafter at all times be complied with in accordance within its requirements.

Reason: In order to mitigate the impacts of the development on the Dorset Heathlands international designations in accordance with Policy CS33 of the Bournemouth Local Plan: Core Strategy (October 2012).

Statement required by National Planning Policy Framework

145. In accordance with paragraph 38 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 was provided with pre-application advice,
the applicant/agent was updated of any issues after the initial site visit,
the applicant was provided the opportunity to submit amendments to the scheme/ address issues.

Background Documents:

Case File – ref 7-2019-1179-BG

NB A selection of relevant plans are included with this report below. For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.
Background Documents

