



# Planning Committee

Application Address	16-20a Belle Vue Road Southbourne Bournemouth BH6 3DP
Proposal	Demolition of four existing bungalows and erection of two blocks of flats and three bungalows (a total of 25 units), modification of existing vehicular access and formation of parking spaces
Application Number	7-2021-20591-C
Applicant	Hurst & Hurst Estates Ltd
Agent	Chapman Lily Planning Ltd
Date Application Valid	26 February 2021
Decision Due Date	27 May 2021
Extension of Time date (if applicable)	8 October 2021
Ward	West Southbourne
Report Status	Public
Meeting Date	23 September 2021
<b>Recommendation</b>	<b>GRANT, in accordance with the details in the recommendation</b>
Reason for Referral to Planning Committee	20+ objections received, contrary to officer recommendation
Case Officer	Tom Hubbard

## Description of Development

1. Full planning consent is sought for the demolition of four existing bungalows and erection of two blocks of flats and three bungalows (a total of 25 units), modification of existing vehicular access and formation of parking spaces.
2. The application follows previous proposals which have been dismissed at appeal and form a material consideration in this case.

## **Key Issues**

3. The main considerations involved with this application are:
  - Principle of the proposed development including loss of family dwellinghouses
  - Impact on the character and appearance of the area
  - Heritage considerations
  - Impact on neighbouring residents
  - Living conditions for future occupants
  - Impact on trees
  - Parking/traffic/highway safety considerations
  - Ecology/biodiversity
  - Drainage
  - Cliff stability
  - Sustainable energy
  - Affordable Housing
4. These points will be discussed as well as other material considerations at paragraphs 26 to 109 below.

## **Planning Policies**

### **5. Core Strategy (2012)**

Policy CS2 – Sustainable Homes and Premises  
Policy CS3 – Sustainable Energy and Heat  
Policy CS4 – Surface Water Flooding  
Policy CS6 – Delivering Sustainable Communities  
Policy CS16 – Parking Standards  
Policy CS18 – Increasing Opportunities for Cycling and Walking  
Policy CS19 – Protecting Small Family Dwelling Houses  
Policy CS21 – Housing Distribution Across Bournemouth  
Policy CS23 – Encouraging Lifetime Homes Standards  
Policy CS33 – Heathland  
Policy CS39 – Designated Heritage Assets  
Policy CS41 – Quality Design

### **6. District Wide Local Plan (2002)**

Policy 3.25 – Land Stability  
Policy 6.8 – Infill residential development  
Policy 6.10 – Flats development  
Policy 8.2 – District Distributor Roads

### **7. Supplementary Planning Documents:**

Dorset Heathlands Planning Framework SPD 2020  
Residential Development: A Design Guide – PGN (2008)  
Sustainable Urban Drainage Systems (SUDS) - PGN  
BCP Parking Standards – SPD  
Waste and Recycling planning guidance note

## 8. The National Planning Policy Framework (2021)

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.
9. The Council is unable to demonstrate a five year housing supply, meaning that the 'tilted balance' of Paragraph 11 may apply to this proposal.
10. 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 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

### **Relevant Planning Applications and Appeals:**

- 11. 2018 - Demolition of the existing buildings and erection of 40 sheltered flats (age restricted to 60 years and over), electric buggy/cycle store and refuse bin store and formation of associated access and car parking spaces – Refused, November 2018 (7-2018-20591-A)
- 12. 2019 - Demolition of the existing buildings and erection of 38 sheltered flats (age restricted to 60 years and over), electric buggy/cycle store and refuse bin store and formation of associated access and car parking spaces – Refused 29 August 2019 (7-2019-20591-B)
- 13. Both of the above applications were subject of a linked appeal (Ref. APP/G1250/W/19/3225225 and 3237444), both were dismissed, mainly on reasons of residential amenity and loss of family dwellinghouses. The appeal decisions form a significant material planning consideration for any future development of this site so will be discussed in relation to these proposals in the report where relevant. The two schemes dismissed at appeal were very similar so are not generally considered separately in this context.

### **Representations**

- 14. Site notices were posted in the vicinity of the site on 11/03/2021 with an expiry date for consultation of 09/04/2021.

15. 89 representations have been received, 85 raising objection from 70 addresses; and 4 in support. The issues raised include the following:-

*Loss of family houses/Contrary to Policy CS19*  
*Excessive scale/bulk/mass of the proposed flats*  
*Development out of character in the street scene/dominating development*  
*Overdevelopment of the site*  
*Impact on privacy (flats)*  
*Impact on privacy (backland bungalows)*  
*Noise and disturbance*  
*Fumes and light pollution*  
*Impact on wildlife (including bats)*  
*Impact on trees*  
*Loss of outlook*  
*Flats not needed*  
*Drainage/infrastructure issues in the area*  
*Land stability*  
*Insufficient parking*  
*Highway safety concerns – intensification, main road location and recent accident*  
*Impact on clifftop SSSI*  
*Loss of view of the Seafield Water Tower*  
*Loss of perfectly good family houses/should be retained*  
*Poor standard of living conditions for future occupants*  
*Shouldn't develop gardens over brownfield sites*  
*Separation distances inadequate*  
*Bin store location impact (since moved)*

16. A response has been received from the Bournemouth Civic Society, raising the following points: Scope for some form of development on the site, but the size of the two flat blocks remains excessive and not enough family residences with private garden spaces.

## **Consultations**

17. **Highways** – Objection due to one parking space shortfall and substandard access to cycle storage sheds for the dwellings at the rear of the site. Proposal will require mitigation for the increased number of trips to the site. Other elements are acceptable including access and parking layout, and cycle storage for the flats
18. **Trees** - no objections to the proposals, subject to a condition requiring compliance with the submitted arboricultural method statement and conditions for a tree planting scheme, a soft landscaping scheme and a soft landscaping maintenance scheme.
19. **Urban Design** – No overall objection. There is scope to increase densities in this location, comfortable with the proposed height. The provision of two buildings rather than one on the frontage is welcomed, which would relate better to the character of the area than previous proposals. Development is tight to the boundaries (this has since been amended on the plan to overcome these original concerns). Block B is forward of number 22 Belle Vue Road. Building entrances would be better on the street frontage for legibility and a more active frontage. Green areas around the flats provide an opportunity for extensive planting to soften the visual impact. Parking and access should not be at the expense of a pedestrian friendly environment.

20. Waste and Recycling – Underground bin storage looks feasible, subject to removing overhead telegraph wires obstruction. Storage and collection would need to meet Council collection parameters including highway standard surfacing at the front of the site. Would need a condition to assess in more detail.
21. Regulation (contamination) – A Phase 1 Desk Study was submitted with the previous scheme. A contaminated land condition will be required in respect of Phase 2 investigation.
22. Fire Service – Standing advice. Development should meet Building Regulations requirements (Document B)

### **Constraints**

23. Partially within a former tip site buffer zone (Seafield Road).

### **Public Sector Equalities Duty**

24. In accordance with section 149 Equality Act 2010, in considering this proposal due regard has been had to the need to —
  - eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

### **Planning Assessment**

#### **Site and Surroundings**

25. The site is located within the Southbourne Area. Belle Vue Road is a busy 'District Distributor' Road through the area, located just north of the seafront road. This particular part of Belle Vue Road on the northern side is characterised by relatively modest detached bungalows and houses, though there is more of a mix in the wider area with detached houses and more modern blocks of flats, notably on the southern side and further to the east where there are large blocks including the Sunrise retirement complex at 42 Belle Vue Road.

#### **Key Issues**

##### **Principle of development**

26. Both paragraph 14 of the NPPF, and CS1 of the Core Strategy place a presumption in favour of sustainable development. The site is considered acceptable for residential intensification, as acknowledged by Policy CS21 of the Core Strategy because it is on an identified key transport route. It is also just over 400m from a District Centre. The development would make a significant contribution towards local housing supply in a sustainable location on an under-used site.
27. Policy CS19 requires the retention of small family dwellinghouses. For the purpose of this policy a small family dwellinghouse is a house or bungalow with a gross external floor space of less than 140m<sup>2</sup>. It was established at the time of the previous applications that

only 16 Belle Vue Road has an original floor area of over 140m<sup>2</sup>. The other three bungalows that form part of this application site are under 140m<sup>2</sup> as originally built. Policy CS19 indicates that it is important to retain the stock of small family dwellings in the Borough as they are declining. It was predicted that by 2014 there would be more flats than dwellings and latest figures show that in the Borough there are now more flats than dwellings.

28. This was a reason for refusal in the previous proposals for sheltered flats. The Inspector stated in the appeal decision that *"the proposals would result in a clear conflict with CS Policy CS19... I, therefore, find that harm would result to the availability of family housing in the area and by extension the housing mix overall"*, though concluding in the overall balance that this had slightly reduced weight against the need for more housing overall.
29. In this case the overall site area has been reduced slightly since the earlier applications, with the removal of number 14 Belle Vue Road. Four bungalows would now be demolished, of which 3 would therefore be classed as 'small family dwellinghouses' under the criteria of Policy CS19. The difference to the previous applications on the site is that the three family sized dwellings demolished would now be replaced at the rear of the site with new three bed bungalows of a size under 140sqm, so there would be no net loss in this regard. The new bungalows would be reasonable family size dwellings. They would have smaller gardens than the existing properties, but those as existing are uncommonly large (34 to 50 metres long). Amenity space does not form part of the policy test in this respect and the living conditions of future occupants are considered in more detail in the relevant section below. However, in terms of Policy CS19 there is no deemed to be any conflict with the provision of three replacement dwellings.
30. Policy CS20 of the Core Strategy states that there is a presumption in favour of the redevelopment of sites for small family dwellinghouses (those with a gross external floor space of less than 140m<sup>2</sup>) where the site is capable and suitable for accommodating small family houses. It is considered that the mix of development proposed in this location is acceptable in principle, taking account of the character of the area, which contains other blocks of flats and has key transport route status.
31. As previously stated, the recent appeal decision forms a very strong material consideration. The proposal in the two applications considered at the appeal were for a slightly different use (sheltered accommodation for elderly persons rather than open market housing), and the site was slightly larger, but many of the considerations are relevant, including the family dwellinghouse issue above, as well as the mass and bulk of replacement buildings on the site with the resultant potential impacts on the character and appearance of the area and neighbouring residents. These issues are considered below.

#### Impact on character and appearance of the area

32. There are two main elements to the proposals: a pair of flat blocks to the front of the site, and three infill bungalows to the rear of the site.

##### *Flat blocks*

33. At the front of the site two blocks of flats are proposed, with 11 flats in each building. The recent appeal schemes proposed a single large block spreading across the site, a wider site than that proposed here with the inclusion of number 14 Belle Vue Road. The building also had a T shaped form extending deep into the site and was four storeys in height.

34. The Inspector considered that this single large building would not be harmful to the character and appearance of the area overall, as Belle Vue Road has a mixed character including other large buildings along its length and on the opposite side of the road. It was considered by the Inspector that looking just at the immediate context of bungalows and two storey buildings on the immediate small section of the northern side of Belle Vue Road was not appropriate, and that the wider context of Belle Vue Road needed to be considered, where more of a mix of building scales and heights is evident.
35. In this case, the site is not as large as before and two separate blocks on the frontage are proposed. These are also one storey lower at 3 storeys in height. It is considered that breaking the development at the front of the site into two smaller blocks and lowering the height would actually better reflect the character of the area and provide a less abrupt transition in the street scene than the earlier schemes.
36. Each of the two proposed blocks has a mirrored design. The design takes a traditional approach, which is considered acceptable, and would fit with the mixed character of the area, which includes original villas like number 22 Belle Vue Road which contribute positively to the character and appearance of the area. The outer side of each block has a lower ridge and a more two storey appearance, which again helps to step down the development and integrate it well with the adjacent buildings and street scene. There is a good degree of architectural detailing for a high-quality appearance. The flat blocks will be mostly brick built with canted bay windows, and features such as decorative barge boards and ridge tiles. The two buildings are clearly read as a pair, but there are slight differences between the two blocks which would add interest, such as the central dormer design, and the provision of full gables and mock tudor design detailing to Block B on the eastern side.
37. The front building line is set well back from the road which will help to maintain the open character of this part of the road and provide plenty of opportunity for mature landscaping and potential tree planting to the front as shown on the proposed site plan. The development does step forward of its neighbours but this is likely to be inevitable, particularly in the case of number 22 Belle Vue Road which is already sited some way further back than the existing chalet bungalow at 20a.
38. On this issue the Inspector stated "*The forward projection would be particularly noticeable in the elevations alongside No.22. However... given the articulation of these elevations they would not be dominating, unwelcoming or particularly harmful to the street scene*". The proposal here would be closer to 22 Belle Vue Road than the appeal schemes, but the conclusion of the Inspector suggests that they considered the street scene can accommodate a bulkier building than the existing bungalows here, providing that the flank elevation is well articulated rather than a blank wall. There are windows on the side elevations, which was considered sufficient by the Inspector to ensure that they "*would not be dominating, unwelcoming or particularly harmful to the street scene*".
39. The width of the flat blocks and the gaps to the boundary have been adjusted during the application process. Originally 2.5 metres on the western side and 2.3 metres on the eastern side at the front, this has now been increased to 4.3 metres and 3.8 metres respectively. The gap between the two blocks is 4.1 metres. It is considered that the spacing between the buildings and neighbouring development is sufficient not to appear cramped and congested in the street scene and the overall bulk of these building would integrate in the street in an acceptable manner.
40. A single central vehicle access is proposed, with pedestrian access paths to the edges of the site. Areas of parking are proposed at the front of the site and to the rear of the flat

blocks. A total of 29 spaces are proposed, compared to 33 spaces on the previous schemes. Frontage parking was not considered harmful by the Inspector in those development. In this case it is formed of two rows of parking adjacent to the single central access, set back sufficiently to enable some landscaping to the front boundary and is considered acceptable in this form. Parking within the site itself was also previously deemed acceptable so no concern in principle is raised in this respect.

#### *Rear infill development*

41. The proposal differs from the recent appeal schemes in proposing three detached dwellings at the rear of the site. Backland development is not particularly evident in the immediate area. However, it is a large site and it is considered that some intensification can be accommodated. The separation distance to the flats at the front would be around 17-19 metres, which would not appear particularly cramped or congested, and the spacing between the properties is fairly typical. Separation to the houses to the rear in Newstead Road is around 24-28 metres overall, with around 6 to 9 metres to the rear boundaries of the site and gaps of 2.3 to 4.2 metres to the side boundaries and good spacing between properties.
42. The proposed dwellings are single storey bungalows of traditional design with mostly hipped roofs apart from feature gables to the subservient front elements. This is considered an acceptable approach in this location. The distance from the road and the scale and height of these properties means that they would only be glimpsed in gaps between buildings but would not be prominent features in the area. They would be subservient to the main flat blocks at the front of the site and would not detract from the character and appearance of the area.

#### *Overall impact on the character of the area*

43. Overall, it is considered that there is sufficient space on the site to accommodate the proposed development without it appearing cramped or congested or overly bulky. The proposed flats at the front of the site have a lesser impact on the character and appearance of the area than the recent appeal schemes which were in any case judged by the Inspector to be acceptable in this respect. The rear bungalows were not part of the earlier schemes but it is considered that there is sufficient space on the site to accommodate these. There is a notable amount of parking proposed on the site, but not significantly more than earlier schemes, and there is space on the site for a high-quality landscaping scheme, particularly to the front of the site. The design and scale of the buildings is considered acceptable.
44. It is therefore considered that the proposed development would not be harmful to the character and appearance of the area and would accord with the aims of relevant policies including 6.8, and 6.10 of the Bournemouth District Wide Local Plan (2002), and policies CS21 and CS41 of the Bournemouth Local Plan: Core Strategy (2012).

#### Heritage considerations

45. The site is not located within a conservation area. Local residents consider that neighbouring properties should have some heritage status, particularly numbers 12 and 22 Belle Vue Road. These are considered to be good quality original late Victorian buildings, but they do not have any formal heritage designation and are not locally listed. There may be a case for them to be considered undesignated heritage assets, but in this case the proposed development would not result in the loss or alteration of these buildings and the overall impact on their setting is considered to be minimal, with no overall harm created. This is reflected by the Inspector's decision on the earlier proposals where it was considered that: *"these villas would not become cramped within the street. As such, the*



*proposals would respect the traditional buildings, as required by the RDG and they would still provide a tangible link to the early development of the area. Therefore, even if I were to regard these villas as non-designated heritage assets, there would not be any demonstrable harm to their individual significance”.*

46. The top of the Grade II listed Seafield Water Tower is visible across the rooftops of the existing dwellings from part of Grange Road. The proposed development is likely to obscure this view of the top of the tower.
47. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Listed Buildings Act) states that *“in considering whether to grant planning permission for development which affects a Listed Building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”.*
48. Paragraph 199 of the NPPF states that *“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance”.* Paragraph 202 states that *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use”.*
49. The listing description for the Seafield Road Water Tower states: *“Entirely of bright red brick, dominating the Southbourne skyline. Built for Bournemouth and District Water Co, circa 1875. Plinth with roll moulding. Narrow round-arched slits placed randomly on all sides. Machicolated cornice and battlements. Corbelled corner tourelles with conical spirelets roofed apparently by metal sheeting. Roof of tower hipped and tiled. Situated in Seafield Pleasure Gardens”.* It is a prominent local landmark.
50. The issue of the impact on the loss of the partial view of the tower was considered by the Inspector on the (taller) appeal schemes, where it was concluded that *“the views of the tower through the site are limited and at some distance. I, therefore, find that the loss of such views would, at most, result in a low level of less than substantial harm to the significance of the tower. Whilst great weight should be applied to any harm to the significance of a designated heritage asset, given the shortfall in housing, the contribution to housing supply and the other benefits associated with older people’s accommodation would clearly outweigh the harm. The effects on designated heritage assets would, therefore, be neutral in the planning balance”.*
51. It is considered that the proposed development would have a similar impact in this regard. There would be a small amount of harm, less than substantial in relation to the NPPF paragraph 202 and Policy CS39. The harm would be minor and is weighed against the benefits of the proposal in the conclusion of the report.

#### Impact on neighbouring residents

52. The site has multiple adjoining properties. The appeal schemes were dismissed primarily due to a harmful impact on neighbouring properties. This was mainly due to overlooking concerns from adjacent balconies, windows and the deep 3 storey rear wing of the earlier buildings that was proposed. The impact on adjacent properties is considered individually below.

*14 Belle Vue Road*

53. This property is located to the west of the development site. It was originally included in the site area for the sheltered housing schemes but does not form part of the development site now.
54. This neighbouring property is an L shaped bungalow with roof accommodation and side windows facing the application site. Proposed flat block A would be located to the side of this bungalow. It would not extend beyond the rear elevation. There is a balcony proposed to the rear first floor flat (Flat 6), but this is proposed to have a side screen on the western side to prevent overlooking across to the neighbouring garden.
55. Block A will be located 4.3 to 4.7 metres from the side boundary. It is not considered that the building would be overbearing at this distance, scale and siting to the side.
56. There are side windows proposed at first floor level and in the roof of Block A. These have been amended during the application process. Two dormer windows in the roof have been altered to roof lights, and a first floor side facing window has been amended to be an oriel style window with an angled view towards the road only. A single dormer window remains which serves a bathroom and a condition has been added (condition 15), requiring this to be obscure glazed and fixed shut unless the opening parts are more than 1.7 metres above the floor level. It is considered that this will limit the effects of overlooking to side windows of this adjacent property, and the impact of the proposed development would not be materially harmful in this respect.
57. Towards the rear of the site one of the three bungalows is located adjacent to the side boundary of this property. This is located a minimum of 2.2 metres from the side boundary. It is also towards the rear of the plot of the neighbouring property and is a single storey development. It is not considered that this would be visually intrusive or overbearing.
58. There is also a side access pathway and some parking located close to the boundary with number 14 Belle Vue Road. There are two spaces close to the boundary here, with parking spread out across the application site rather than condensed on one site. Having regard to the acceptability of the appeal schemes in this respect, it is not considered that it would be materially harmful in the context of this proposal.

*22 Belle Vue Road*

59. This two storey property is set further back in the plot than the adjoining development to the west. There is an existing chalet bungalow situated on the boundary line with this property, which has a relatively tall roof and existing dormer window to the side facing the front garden of number 22. Proposed Block B would be taller than the existing chalet bungalow at number 20, but would be located further from the boundary so the overall impact is similar. The proposed building would be a little deeper into the plot but with an acceptable distance from the boundary (3.17 metres at the closest point).
60. Number 22 Belle Vue Road has many side windows at ground, first floor and roof level facing west over the application site. The proposed block of flats would not directly block any of these as they are mainly located to the rear section of the building. Rear facing windows of Block B will be a little closer to these side windows than the existing chalet bungalow, so may be a little more imposing, but they are still located at a near 90 degree angle so overlooking would not be direct. A rear first floor balcony has been removed from the plans during the application process. Therefore, while there may be a degree of mutual

overlooking this is at a very oblique angle and with the neighbouring windows overlooking the application site it would be unreasonable to preclude any development here.

*Properties in Newstead Road*

61. This includes numbers 11-17 Newstead Road, which face the application site at the rear (to the north). Number 15 Newstead Road has a large rear garden which wraps around the rear of 11 and 13 Newstead Road and forms the main boundary with the application site at the northern end.
62. The three proposed dwellings at the rear of the site are single storey bungalows with hipped roofs and no roof accommodation. The proposed bungalows are located approximately 6.5 to 9 metres from the rear boundary. The height of the proposed dwellings is 2.45 metres to the eaves, with a maximum ridge height of 5.75 metres. It is considered that this height in combination with the distance from the boundary is sufficient to ensure that the dwellings would not appear overbearing from adjacent properties and gardens.
63. The Inspector was concerned about the impact of first and second floor kitchen windows in the rear wing of the proposed building in the one of the appeal schemes, despite on paper a satisfactory separation distance between the actual buildings of over 21 metres, stating:
- “The aforementioned (first and second floor) kitchen windows proposed in Appeal A would be only 5.5m from the boundary of the ‘allotment’. Whilst this part of the garden may not be currently used for siting out, it is nevertheless relatively private garden space. The proximity of the kitchen windows in the appeal A scheme would significantly harm the privacy of this garden area.”*
64. In this case, while there is development located at a similar distance, the lack of first floor windows ensures that the proposals are now acceptable in this regard, as the site is otherwise relatively flat. A condition has been added to remove permitted development rights for roof windows to these properties (condition 17). The overall separation distance between the proposed bungalows and Newstead Road properties is between approximately 24 and 28m, which is acceptable in terms of separation not to be overbearing or congested.

*Other general impacts*

65. The impact of parking was considered at the recent appeal, and not considered harmful due in part to the proposed use as sheltered flats at that time with a likely lower frequency of vehicle movements and mainly during daytime hours. General residential use may have a different pattern, but the main access in this case is now located centrally away from neighbouring properties, compared to directly adjacent to number 22 Belle Vue Road in the previous schemes. Some parking spaces are located close to the boundary on each side, but this forms a much smaller amount of the overall provision, and once again the principle of siting a significant amount of parking close to the boundary was not previously considered a concern.
66. The intensity of use will increase over the existing situation, but at around 70 dwellings per hectare is not considered to be overly intensive, and both higher and lower density figures can be found in the immediate area of Belle Vue Road. The proposed development would not therefore be out of keeping in this regard or have a negative impact on neighbouring properties.

*Overall impact on neighbouring residents*

67. Overall it is considered that there would not be a detrimental impact on the living conditions of neighbouring residents, and the proposal would accord with the aims of relevant policies

including 6.8, and 6.10 of the Bournemouth District Wide Local Plan (2002), and policies CS21 and CS41 of the Bournemouth Local Plan: Core Strategy (2012).

### Living conditions for future occupants

#### *Flat blocks*

68. The flats in the proposed development are mostly two bedroom units, with two x three bedroom flats. The proposed units are all of a good size, and above the minimum stipulated in the Government's 'Technical Housing Standards – Nationally Described Space Standard' (2015). Flats will mostly be dual aspect with reasonable outlook. There are few private balconies proposed and limited amenity space, but the site is close to the clifftop and beach where public open space is plentiful so this is not considered a detrimental aspect. The separation between the two blocks is slightly low at a minimum of 4.1 metres, but the only facing windows are windows to second bedrooms, and these are offset from each other so they do not directly line up. The proposed development therefore meets the required standard of amenity in the relevant policies, including CS41.

#### *Bungalows*

69. The three bungalows are three bedroom units. These properties have an acceptable level of space and outlook. The separation distance at the rear is over 21 metres to the back of properties in Newstead Road so the rear of the bungalows and their garden areas will have an acceptable level of privacy. There will be some level of noise at the front from the communal parking area, but this is no different to a road frontage location, and there are landscaped areas to the front of these bungalows which provides some defensible space.
70. Overall it is considered that the standard of living conditions for future occupants of the development is acceptable, and in accordance with the aims of the relevant policies, including 6.8, and 6.10 of the Bournemouth District Wide Local Plan (2002), and policies CS21 and CS41 of the Bournemouth Local Plan: Core Strategy (2012).

### Impact on trees

71. The trees on the site and adjacent sites are not presently covered by Tree Preservation Orders. An Arboricultural Impact Assessment and Method Statement has been submitted. It shows a number of trees on the site to be felled (5 individual trees and 8 identified groups of smaller trees). The arboricultural officer is satisfied that the impact on trees as set out in the applicants arboricultural statement is acceptable, and objection to the loss of these trees was not raised in previous applications.
72. There is a good quality and visual group of trees on the site frontage that are to be retained and suitably protected. The trees to be lost are numerous, but they are small in size and have limited importance. They do not have high visual amenity values and would not warrant protection with a new tree preservation order.
73. There will be scope for a significant new soft landscaping scheme that includes replacement tree planting details to improve visual amenity values for the future, particularly to the front of the site. The proposed development therefore accord with the aims of the relevant policies, including 4.25 and CS41.

### Parking/traffic/highway safety considerations

74. Since the previous applications on the site, the old Bournemouth Parking SPD has been replaced by the BCP Parking Standards SPD (2021). The approach set out in the new

Parking SPD uses a revised zonal methodology to that of the previous SPD (4 zones in place of 3) in line with Paragraph 105 of the NPPF. The cycle requirements have been updated in line with latest government guidance (Local Transport Note 1/20) strengthening the importance of good design for high quality cycle storage facilities. An electric vehicle charging infrastructure (EVCHI) requirement is specified clarifying the expected type and number of charging facilities. The proposed development has been assessed in detail by the Council's highway team.

#### Access

75. Vehicular, pedestrian and cycle access is proposed from Belle Vue Road, a classified road (B3059) and District Distributor Road. The aims of Saved Policy 8.2 of the Bournemouth District Wide Local Plan (2002) seek to limit access onto District Distributor Roads and where existing, the opportunity will be taken to close vehicular frontage access when development takes place and alternative means of access can be obtained.
76. In this case, the proposed single, centrally located vehicular access is considered an improvement upon the existing five separate vehicular accesses onto an existing District Distributor Road in terms of highway safety. It is acknowledged that the proposed development will result in an intensification in use of the site however, the widening of an existing vehicular crossover and associated access to circa 6m provides sufficient width for two vehicles to pass simultaneously thereby ensuring no obstruction to the free-flow of traffic along Belle Vue Road.
77. The proposed access is also of sufficient width to incorporate 2m x 2m pedestrian inter-visibility splays either side of a vehicle egressing the site although the footway at Belle Vue Road is located circa 7m away. Furthermore, owing to the depth of highway verge, adequate visibility can be achieved between drivers egressing the site and passing drivers in vehicles along Belle Vue Road both to the east and west. The Highway Officer considers that a reduction of four vehicular accesses coupled with a proposed vehicular access arrangement enabling all vehicles to exit the site in forward gear with satisfactory visibility mitigates any harm caused by an intensification in use. Those vehicular crossovers made redundant by this proposal must be reinstated with full height kerbs at the applicant's cost.
78. The Council have been made aware of the concerns of local residents who have relayed information pertaining to local traffic conditions and a fatal road collision that occurred along Belle Vue Road in May of this year. Key concerns include the intensification of a vehicular access on a bend and the increase in traffic along Belle Vue Road.
79. The aforementioned road collision occurred along Belle Vue Road circa 180m to the east of the location of the vehicular access associated with this development. Whilst traffic flows and speeds would be similar, junction positioning and geometry are site specific. In this instance, the proposed vehicular access is situated on a significant expanse of highway verge on the apex of the bend offering good visibility between drivers egressing the site and passing drivers in vehicles along Belle Vue Road. In accordance with Section 5.9 of the BCP Parking Standards SPD (2021) the required Stopping Sight Distance (SSD) of 43m will be achieved to the east and west of the access thereby complying with current highway safety design standards for a 30mph road network. It should also be noted that the required SSD can be achieved using the most stringent of 'X' distances (2.4m) which on lightly trafficked roads, those categorised as having less than 2000 vehicle movements per day, can be reduced to 2m.
80. Traffic counts submitted by a local resident indicated average daily vehicle movements of over 2000 per (midweek) and over 1200 (weekend) although no methodological information

has been supplied as to how this survey was conducted. Daily traffic flows of around 2000 movements are not considered to be significant and are less than what might be expected for a classified 'B' road. For context, traffic studies were undertaken to investigate the relationship between traffic flow and road safety for streets with direct frontages to inform national guidance within the Department for Transport publication '*Manual for Streets*' (2007). Subsequent findings recommended that the limit for providing direct access onto roads with a 30-mph speed restriction is at least 10,000 vehicles per day.

81. In summary, the access arrangements for this proposal accord with current highway design standards and remove any requirement for vehicles to reverse onto the classified road network which has sufficient capacity to accommodate vehicular trips generated by the proposed development.
82. In addition to the above, the width of 4.1 metres between the buildings is acceptable in principle given that there is sufficient space at either end of this section of the access for vehicles to wait and subsequently pass one another. The access is straight with good visibility and a reduced width will encourage one-way vehicular movements at any one time which in turn provides additional width for pedestrians to utilise this shared use access.
83. The shared use access through the site accommodating vehicular movements to/from 20 parking spaces within the rear parking area in conjunction with pedestrian movements to/from the main entrances to the block of flats, is considered acceptable at the width proposed.
84. There are also two pedestrian accesses, one to each side of the site. The width of these is considered acceptable to comply with minimum standards for pedestrian and cycle access.
85. The submitted site plan confirms that the existing telegraph pole fronting the site will need to be relocated so as not to obstruct vehicular access to the site. The applicant will have to contact BT to initiate the procedure of relocating the telegraph pole. All costs associated with the changes to the footway are to be borne by the applicant.

#### *Car Parking*

86. For the proposal to satisfy Policy CS16 of the Bournemouth Local Plan: Core Strategy (2012), car parking provision including the layout and design should be in accordance with the BCP Parking Standards SPD (2021). The proposed development is located within parking zone D and is therefore considered to generate the following car parking requirement, to which *Table 9 – C3: Flats* and *Table 10 – C3: Houses* refer:
  - 20 x 3-habitable room flats at 1 space/unit = 20 spaces
  - 2 x 4-habitable room flats at 2 spaces/unit = 4 spaces
  - 3 x 5-habitable room houses at 2 spaces/unit = 6 spaces
  - **Total = 30 spaces**
87. This application proposes 29 no. car parking spaces comprising of 23 no. spaces for the flatted development and 6 no. spaces (2 per unit) for the houses. Furthermore, 13 no. electric vehicle charging bays and 1 no. disabled parking space is proposed. All car parking spaces and turning areas comply with the requirements of section 3.3 of the Parking SPD. 13 of the 24 spaces proposed for the flatted development are to be installed with active electric charging provision, whilst all 6 spaces allocated to the dwelling houses will have active charge points. All remaining spaces within the site will be equipped for passive charging provision thereby satisfying the requirements of section 3.6 of the Parking SPD.

88. The issue leading to a highway objection is that the provision of 29 car parking spaces is a one space shortfall for the flats, and that the provision fails to comply with the minimum standard for new development as outlined within the Parking SPD, therefore displacing parking on-street.
89. Displaced parking is not supported by the Council's highway team particularly on areas of the highway network already subject to parking stress. In this instance, surrounding roads such as Grange Road and Marine Road, south of Belle Vue Road within the vicinity of the site, do offer unrestricted on-street parking, but due to the location close to the coast competition for parking has been observed, particularly outside of the winter months.

#### *Cycle Parking*

90. Cycle parking is a key element of any new development as it can significantly encourage cycling, as required by Policy CS18 of the Bournemouth Local Plan: Core Strategy (2012) and Section 9 – Promoting Sustainable Transport of the NPPF (2019). The provision of cycle parking and its security are essential for supporting the development of cycling as a practical transport choice. A lack of appropriate cycle parking facilities is often cited as a barrier to cycle ownership and use and could be a constraint on the future growth of cycling.
91. For the proposal to satisfy Policy CS18 of the Bournemouth Local Plan: Core Strategy (2012), cycle parking provision including the layout and design should be in accordance with the BCP Parking Standards SPD (2021). The proposed development is considered to generate the following cycle parking requirement, to which *Table 9 – C3: Flats* and *Table 10 – C3: Houses* refer:
- 20 x 2 bed flats @ 1 space/bed = 40 spaces
  - 2 x 3 bed flats @ 1 space/bed = 6 spaces
  - 3 x 3 bed houses @ 1 space/bed = 9 spaces
  - 25 units @ 0.1 space/unit = 2.5 spaces
  - **Total = 58 spaces (46 for flats, 9 for houses, 3 for visitors)**
92. This application proposes 48 cycle spaces for the residents of the 25 no. flats within secure, covered integral cycle stores, with four external spaces for visitors of the development. This level of provision is adequate for that element of the proposal. The integral stores are considered to meet the requirements of section 3.3 of the Parking SPD, including internal dimensions and accessibility.
93. In addition, individual cycle stores, each with four spaces, have been provided within the rear amenity space of each dwellinghouse. The provision for the houses, and the overall provision of 64 spaces meets the requirements of the Parking Standards SPD.
94. Notwithstanding the above, the other concern of the Highway Officer in addition to the car parking shortfall is that the access to the cycle parking provision for each of the dwellinghouses is substandard. They consider that parked vehicles to the side of each dwelling would obstruct direct, external access from the cycle sheds to the centralised access and turning area within the site. The width between the dwellings is the standard 2.6 metre parking space plus an extra 500mm each side due to the adjacent walls. The Parking Standards SPD would then require an extra 1.5m to each access for cycle access, but given that most vehicles are less than 2 metres in width, the overall width of 3.6 metres is on balance considered sufficient width for individual house occupants to also move their cycles through.

95. A path laid to hardstanding is required between the access/turning area and the cycle stores to ensure convenient access can be achieved at any time of the year. This is not shown on the plan but can be provided as part of the landscaping plan (condition 5).

*Transport Statement*

96. In addition to the above and to address concerns raised by the Council, the applicant has commissioned ADL Traffic & Highways Engineering Limited to undertake a Transport Statement (TS) to which the Council's highways team has the following comments:
- *Table 3D* of the TS estimates that the proposed development will result in a net increase in daily vehicle trips of 44 no. two-way trips thus equating to one vehicle entering or exiting the site every 15 minutes during the AM peak hour, and every ten minutes during the PM peak hour. The daily 'in' and 'out' trip rates per house (2.300 & 2.384) and per flat (1.055 & 1.162) are less than the LHA anticipated.
  - The TS states that the proposed development has a car parking requirement of 25 no. spaces based on 2011 Census data pertaining to car ownership levels for three-bedroom flats and houses in West Southbourne and that the proposed parking provision of 29 no. spaces therefore adheres to BCP's standards. Given the parking arrangements shown on submitted plans (2 x allocated spaces for houses and unallocated for flats), Table 9 – C3: *Flats* and Table 10 – C3: *Houses* of the BCP Parking Standards SPD 2021 (Parking SPD) indicate 30 no. spaces are required for the proposed development which therefore results in a minor shortfall of on-site car parking provision. It should be noted that the parking requirements outlined within the Parking Standards SPD uses that same Census data albeit using a wider average for different zones. Furthermore, the Parking SPD accounts for visitor parking demand within its unallocated approach however, the car ownership figures alone (as presented by the applicant) do not.
  - Despite inferring that the 'sustainable' location of the site offers good access to local amenities by foot, cycle and public transport, the TS has failed to assess the impact of these users upon existing sustainable transport infrastructure. The intensification of the site from 4 units to 25 units is considered to generate a significant increase in multi-modal trips to/from the site including pedestrian, cycle and public transport trips that will require mitigation works to improve transport infrastructure to safely accommodate and promote said trips.
97. The Council have identified a site-specific requirement necessary to make the development acceptable in planning terms. Previous schemes proposed a new pedestrian island and bus shelter improvements. This application will also be subject to a financial contribution of £20,000 to improve transport infrastructure, and to safely accommodate and promote sustainable travel modes. In this instance, a new bus shelter and Real Time Information display should be provided at the bus stop adjacent to no. 25 Belle Vue Road opposite the site. Buses stopping at this location provide westbound services to the local centres of Southbourne, Pokesdown and Boscombe and Bournemouth town centre beyond. There is an existing bus stop but no shelter or real time bus information. The provision of this would assist in promoting other modes of transport, mitigating for the increased number of trips. It would also provide additional benefit in overcoming the parking and cycle storage inadequacies.

*Servicing/refuse collection*

98. The application proposes an underground refuse storage solution. This would overcome previous concerns about bin store locations close to neighbouring properties or the visual



impact of large bin stores on the property frontage. The site appears to be a feasible one for underground waste collection provided that there are no overhead obstructions (the telegraph pole is to be moved), and that the access way is provided to an adoptable standard. The full detail can be secured by condition (condition 10).

#### *Conclusion*

99. The Highways team seek to ensure that development should, through its scale, density, layout and siting, be designed to provide a high standard of amenity to meet day to day requirements of future occupants and contribute positively to the appearance and safety of the public realm. It is deemed that in this instance, the proposed development generally meets a satisfactory standard of design and quality, but there are slight policy conflicts in terms of the parking shortfall and access to the cycle stores associated with the houses, contrary to Policies CS16 and CS41 of the Core Strategy.

#### Ecology/biodiversity

100. A new ecological survey has been undertaken for this application, dated February 2021, including a detailed bat survey. No evidence of bats was recorded in any of the buildings/roof spaces on site. No other protected species were found on the site. It contains some trees and vegetation and some potential for bird nesting. The report contains a number of proposed ecological enhancements such as bat tubes and bee bricks, which have been included in a condition (condition 12). These recommendations also include landscaping elements such as fruit trees to provide foraging opportunities for wildlife as well as British grown plant species.

#### Drainage

101. The Council's SUDS policy is relevant to applications for residential development and sets out an approach to achieving sustainable drainage. The application states the use of 'SuDS' and the drawings suggest the use of a soakaway, however this property is within the coastal soakaway restriction zone. This doesn't rule out all 'SuDS', but does restrict the use of point infiltration systems inclusive of soakaways and it appears possible that the soakaways can be located at the rear of the site which is outside of the 200m zone. This matter can be dealt with by condition should the matter proceed.

#### Cliff stability

102. The site lies at a distance of around 220-240 metres from the cliff edge, which is beyond the 200 metre distance references by Policy 3.25 of the District Wide Local Plan. Due to the distance from the cliff and intervening buildings it is unlikely that there would be any additional loading on the cliff.

#### Sustainable energy

103. 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 a small statement which does not go into significant detail in this respect. It states that "*the generation of energy needs for the proposed dwellings can be achieved through the use of a combination of heat pump, photovoltaic technology and solar panel technology*". A condition is required to outline the final design in this respect and meet the requirements of the relevant policies (condition 11).

## Contaminated Land

104. Part of the rear of the site is within the buffer area of a former tip site. A Phase 1 Desk Study dated November 2017 was submitted with previous planning applications. The report was reviewed by Hydrock who are the Council's advisers in contaminated land and provided the following comments in July 2018:-

*“Hydrock can confirm that the desk study report produced by Soils Limited for the site is sufficiently comprehensive and detailed, and is compliant with current guidance. The report identifies all plausible source-pathway-receptor linkages, and Hydrock agrees with the findings and conclusions of the report (Section 7), and with the requirement to undertake a Phase 2 intrusive ground investigation and associated works (Section 8).*

*In conclusion, the report is considered to be suitable for use and can be used to discharge any contaminated land planning condition or part-condition relating to the production of a Phase 1 desk study for the proposed development”.*

105. A standard contaminated land condition has therefore been applied to the recommendation (condition 18). A Phase 2 investigation will be required, together with remediation measures if deemed necessary as well as final verification for review and approval in due course.

## Affordable Housing

106. 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.
107. 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.

## Heathland Mitigation

108. 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. An appropriate assessment has been undertaken which concludes that the proposed development would be acceptable with suitable mitigation.
109. Therefore, all applications received for additional residential accommodation within the borough are subject to a financial contribution towards mitigation measures towards the designated sites. A capital contribution is therefore required and in this instance is £5,524,

plus a £275.20 administration fee. This includes a credit for the existing dwellings on the site. A signed legal agreement will be been drafted to provide this contribution

### **Community Infrastructure Levy**

110. The proposed development would be liable for a CIL charge, based on the net increase of floor area.

### **Summary**

111. It is considered that:

- The proposed development, as amended, would not be harmful to the character and appearance of the area
- There is a degree of harm to the listed Seafield Water Tower, but this is at the low end of less than substantial harm.
- There would not have a materially harmful impact on neighbouring residents.
- The proposal provides an acceptable standard of living conditions for future occupants.
- There are no significant tree impacts and scope for improved landscaping on the site.
- There are no traffic or highway safety implications of the proposed development in principle, though there are some minor deficiencies in terms of the parking and cycle provision.
- Other issues including drainage, biodiversity, and sustainable energy are acceptable in principle or can be dealt with via condition.
- The impact on the European heathland sites can be mitigated via a financial contribution.

### **Planning Balance**

112. The recent appeal decision on the site forms a strong material consideration in this case, particularly in terms of the scale and mass of the blocks of flats on the frontage and the impact on neighbouring residents. The smaller main buildings now proposed overcomes the Inspector's concerns in terms of the impact on neighbouring occupants, and the proposed bungalows at the rear now re-provide the small family dwellings lost at the front of the site.

113. In this case the proposal provides residential development in a sustainable location on a key transport route, and the net increase of 21 units will make a positive contribution towards local housing supply.

114. There are some identified policy conflicts. This firstly relates to the parking provision where there is a one space parking shortfall, and a slightly substandard access arrangement to the cycle storage sheds associated with the three houses to the rear. This can be considered offset to a degree by the planning gain offered by the transport contribution, which will be used to fund improved bus stop facilities to make this mode more attractive. The parking deficiencies also need to be weighed against the benefits of the proposal in the overall balance. There is also a conflict with Policy CS39 where a small degree of harm has been identified to the loss of the view of the top of the Grade II listed Seafield Water Tower, but as concluded by the Inspector in the recent appeal, the loss of this distant and partial view does not override the benefits of the proposal in relation to Paragraph 202 of the NPPF.

115. 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 NPPF Paragraph 11(d) i), the identified harm to the heritage asset is not of significance that *“would provide a clear reason for refusing the development proposed”*, and therefore as per paragraph 11 (d) ii) the proposed adverse effects of granting permission are not considered to ‘significantly and demonstrably’ outweigh the benefits.
116. 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 when read 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. The Development Plan Policies considered in reaching this recommendation are set out above.

### **Recommendation**

117. **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**

Financial contribution of £5,524 plus £275.20 administration fee towards heathland mitigation (SAMM)

Financial contribution of £20,000 towards new bus shelter and real time bus passenger information display on Belle Vue Road (westbound side)

#### **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:

9358/100 Rev. G  
9358/101 Rev. D  
9358/102 Rev. D  
9358/103 Rev. C  
9358/104 Rev. C  
9358/105  
9358/106  
9358/107  
9358/108 Rev. E  
9358/109 Rev. E  
9358/110 Rev. A

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

**2. On site working hours restricted when implementing permission**

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

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

**3. Samples of materials and architectural detailing**

Details/samples of the bricks, tiles, windows, balustrading, canopies and any other materials and architectural detailing to be used on the external surfaces of the proposed development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any superstructure works on site. Development shall be carried out in accordance with the approved details in full including all decorative elements illustrated.

**Reason:** To ensure a satisfactory visual relationship between the existing and the new development in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012) and Policy 4.4 of the Bournemouth District Wide Local Plan (2002).

**4. Scheme for external pipework**

Prior to the installation of any external pipe work and/or flues to the building(s), a scheme for external pipe work and flues shall be submitted to and approved in writing by the Council. 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 building.

**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).

**5. Landscaping**

Within three 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 landscaping works shall be submitted to the Local Planning Authority.

Landscaping details shall include:

- a) Proposed finished levels and contours
- b) Surfacing materials
- c) Boundary treatments
- d) lighting
- e) Planting plans
- f) Written specifications (including cultivation and other operations associated with plant and grass establishment)
- g) Schedules of plants noting species, plant sizes and proposed numbers/densities, including tree planting to frontage area
- h) Programme of implementation; and
- i) Maintenance plan for a minimum period of 5 years.

No part of the development hereby permitted shall be occupied until the full details of the landscaping works have been approved by the Local Planning Authority and the

approved landscaping works shall be implemented in full, including all tree planting, within the first planting season following the date of first 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).

**6. Access and parking including electric charging points**

The car parking layout and provisions, including all spaces, visibility splays and EV charging points shall be constructed and laid out in accordance with the agreed details and completed prior to occupation of the development hereby approved and shall thereafter be retained, maintained, and kept available for the occupants of the development at all times.

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

**7. Closure of redundant accesses**

All existing and previously existing access(es) to the site shall be closed, and the footway and verge reinstated to the specification and satisfaction of the Local Planning Authority prior to occupation of any part of the development.

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

**8. Cycle Store**

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

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

**9. Provision of Refuse Bin store**

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

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

**10. Servicing and Refuse Management Plan**

The development hereby permitted shall not be occupied until a Servicing and Refuse Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include: details of servicing vehicle access; details of the management company to be set up; the provision of underground bin storage which meets the Council's collection criteria or the employment of a private contractor to collect the refuse; measures to be taken if no private contractor is available at any time in the future. The servicing and refuse management plan shall

be carried out in accordance with the approved details, unless otherwise approved in writing by the Local Planning Authority.

**Reason:** To ensure that the proposed development includes a long-term management plan for servicing and the collection of refuse and recycling in the interests of highway safety and residential amenity.

**11. Sustainable energy**

Prior to occupation of any part of the development hereby approved an energy statement shall be submitted to and approved in writing by the Local Planning Authority. The energy statement shall outline the final energy reduction strategy including renewable sources and sustainability measures to meet the requirements of Policy CS2 in terms of a minimum of 10% of the energy to be used in the development to come from decentralised and renewable or low carbon sources. The approved energy strategy shall be implemented as approved prior to first occupation of the development and retained thereafter.

**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 Policy CS2 of the Core Strategy (2012).

**12. Biodiversity enhancements**

The development shall be carried out in accordance with the ecological enhancements outlined in Section 5: Ecological Mitigation and Enhancement Strategy of the submitted Ecological Assessment dated 3 February 2021 in full prior to the first occupation of any of the residential units hereby approved, and retained thereafter.

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

**13. Surface Water Drainage (SUDs Implementation)**

Prior to the commencement of any substructure works on site, unless otherwise agreed in writing by the Local Planning Authority, a scheme for the whole site providing for the disposal of surface water run-off and incorporating sustainable urban drainage systems (SUDS), shall be submitted to the Local Planning Authority. The drainage works shall be approved in writing and completed in accordance with the approved details prior to occupation of the development or in accordance with a timetable to be agreed in writing by the Local Planning Authority. The scheme shall include the following as appropriate:

- a) A scaled plan indicating the extent, position and type of all proposed hard surfacing (e.g. drives, parking areas, paths, patios) and roofed areas.
- b) Details of the method of disposal for all areas including means of treatment or interception for potentially polluted run off.
- c) Scaled drawings including cross section, to illustrate the construction method and materials to be used for the hard surfacing (sample materials and literature demonstrating permeability may be required).

**Reason:** To provide satisfactory drainage for the development in accordance with Policy CS4 of the Bournemouth Local Plan: Core Strategy (October 2012) and in order to achieve the objectives set out in the Local Planning Authority's Planning Guidance Note on Sustainable Urban Drainage Systems.

**14. Implementation of the approved Arboricultural Method Statement**

The tree protection measures as detailed in the arboricultural method statement dated 16/02/2021 (ref. GH2103) and prepared by Gwydion's 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).

**15. Windows on western side to be obscure glazed**

The proposed window(s) in the west side elevation of the building serving the en suite bathroom to bed 1 of Flat 10 in Block A shall be glazed with obscure glass to a level equivalent to Pilkington Level 3 or above (or the nearest equivalent standard) and fixed shut unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. The windows shall be permanently retained as such unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To protect the amenity and privacy of adjoining properties and in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

**16. Privacy screen to balcony of Flat 6**

The privacy screens to the balcony serving Flat 6 of Block A as specified on the approved plans shall be installed prior to occupation of the development and remain in situ in perpetuity 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 CS21 and CS41 of the Bournemouth Local Plan: Core Strategy (October 2012)."

**17. No Permitted Development Rights for Windows, Dormer Windows**

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

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

**18. Contaminated land**

Before the commencement of the development the applicant or their successors in title shall submit for the written approval of the Local Planning Authority (LPA):

1. 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.
2. a detailed scheme of all remedial works and measures to be taken to avoid risk from contaminants/or gases when the site is developed.



3. a detailed phasing scheme and timetable for the development and all remedial works.

The approved remediation scheme shall be fully implemented in accordance with the approved timetable before the development hereby permitted is first occupied. Any variation of the scheme shall be agreed in writing by the LPA in advance of works being undertaken.

On completion of the works the applicant or their successors in title shall provide written confirmation to the LPA that all works were completed in accordance with the agreed details.

**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).

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

#### **Background Documents:**

#### **Case File – ref 7-2021-20591-C**

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