



Planning Committee

Application Address	96 Lowther Road, Bournemouth, BH8 8NS
Proposal	Outline submission for the demolition of the existing building and the erection of a block of 9 flats with cycle and bin stores
Application Number	7-2021-23976-C
Applicant	Messrs De Kment and Daly
Agent	Pure Town Planning
Date Application Valid	19 March 2021
Decision Due Date	13 May 2021
Extension of Time date (if applicable)	TBA
Ward	East Cliff & Springbourne
Report Status	Public
Meeting Date	23 September 2021
Recommendation	Grant in line with the recommendation below
Reason for Referral to Planning Committee	More than 20 letters of objection received; Call in by Councillor Rocco for: Out of character Overdevelopment Amenities of future occupants Loss of a small dwellinghouse
Case Officer	Charles Raven

Description of Development

1. Outline planning consent is sought for the demolition of the existing building and the erection of a block of 9 flats with cycle and bin store.
2. The applicant has confirmed that the matters to be considered are the access, appearance, layout, and scale of the development, with landscaping reserved for subsequent consideration.

3. The applicant has provided the following information.

	Existing	Proposed	Previously allowed
Use	5 bed dwelling	9 flats	10 flats
Parking	Informal	3 spaces	3 spaces
Height to eaves	5.75m	5.6m	5.6m
Height to ridge	8.4m	9.1m	9.1m
Depth at first floor	9.4m	13m to 18.8m	13m to 18.8m
Width	11.7m	11.15m	11.15m

4. During the consideration of the application, a number of amendments were made to the scheme. The main change was a reduction in the scale of built form so the proposed footprint is now identical to the scheme for 10 flats which was allowed on appeal (Appendix 1). The only material difference to the allowed scheme is a reduction in the number of units to 9, the provision of a lean-to roof with two rooflights over the single storey rear extension, and the loss of one rooflight on the west facing flank elevation.
5. The Planning Inspectorates decision to allow the application for 10 flats refused under reference 1-2009-23976-A is a material consideration in the determination of this application and whilst the consent has since lapsed, it should be afforded some weight. This is reinforced through the local plan policies used in the assessment and decision making of the allowed appeal having been saved. Whilst since the appeal decision, the Bournemouth Local Plan: Core Strategy has been adopted, and the National Planning Policy Framework published, the relevant policies and guidance therein reinforce the thrust of the saved local plan policies under which the previous application and appeal were assessed.

Key Issues

6. The main considerations involved with this application are:

- Impact on character and appearance of the area
- Impact on the setting of the adjacent conservation area
- Impact on residential amenity
- Impact on trees
- Impact on highway safety and parking
- Impact on heathlands

7. These points will be discussed as well as other material considerations at para 21 to 44 below.

Planning Policies

8. **Bournemouth Local Plan: Core Strategy (2012)**

- Policy CS2 – Sustainable Homes and Premises
- Policy CS4 – Surface Water Flooding

Policy CS16 – Parking Standards
Policy CS17 – Encouraging Greener Vehicle Technologies
Policy CS18 – Increasing Opportunities for Cycling and Walking
Policy CS21 – Housing Distribution Across Bournemouth
Policy CS33 – Heathlands
Policy CS39 – Designated Heritage Assets
Policy CS41 – Quality Design

9. **Bournemouth District Wide Local Plan (2002)**

Policy 4.25 - Landscaping
Policy 6.10 – Flats Development

10. **Supplementary Planning Documents:**

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

11. **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.

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 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 12 – Achieving well-designed places
- Chapter 16 – Conserving and enhancing the historic environment

Relevant Planning Applications and Appeals:

14. 7-2018-23976-B - Outline submission for the demolition of the existing building and the erection of a block of 9 flats with cycle and bin stores – Withdrawn
15. 7-2009-23976-A - Erection of a 3 storey block of 10 flats with bin and cycle store and formation of 3 parking spaces – Refused but Allowed on Appeal (Appendix 1)
16. 7-2008-23976 - Erection of a 3 storey block of 10 flats, bin & cycle stores & 3 car parking spaces – Refused and Dismissed on Appeal

Representations

17. Site notices were posted in the vicinity of the site on 14/04/2021 with an expiry date for consultation of 10/05/2021.
18. 41 representations have been received from separate households, 39 raising objection; 2 in support; and an objection from the Bournemouth Civic Society and call in from Councillor Rocco.

The issues raised comprise the following:-

Loss of privacy
Increased noise
Loss of wildlife/habitat
Increased anti social behaviour
Out of character
Loss of family house
Loss of light
Lack of parking
Loss of outlook
Overdevelopment
Highway safety
Proximity to pedestrian alley
Noise and disturbance during construction

Impact on property price is not a material planning consideration.

Consultations

19. Arboricultural Officer – No objection subject to conditions
Highways Officer – No objections
Waste and Recycling Officer – No objection subject to conditions

Constraints

20. The site backs on to the Portchester Road Conservation Area Tree Preservation Orders on adjacent site at 94 Lowther Road

Planning Assessment

Site and Surroundings

21. The application property is a sizeable two storey to eaves detached house, situated on the south side of Lowther Road in a late Victorian/Edwardian suburb. The site is considered to be in a sustainable location, not far from shops and other facilities and bus routes leading into Bournemouth town centre. There are many similar properties along the road, some in use as single residences and others which have been divided into flats. There are also plots where houses have been replaced by newer buildings, including blocks of flats, some of which have been allowed on appeal. There is a pedestrian alley linking Lowther Road with Milton road between Nos.92 and 94 Lowther Road. There are a number of mature trees within the area, including a large Holm Oak to the front of the site, and other mature trees on the adjacent site protected by preservation orders. The site backs on to the Portchester Road Conservation Area.

Key Issues

Impact on character and appearance of the area

22. For clarification, the existing property is not considered to be a small family dwellinghouse, therefore, there are not any adopted policies that preclude the loss of the dwelling. For the purposes of Policy CS19, a small family dwelling is a house or bungalow with an original gross external floorspace of less than 140m². The existing property has a floor area of approximately 200m².
23. As stated, the principle of the loss of the building and its replacement with a two storey block of 10 flats was established by the Planning Inspectorate in allowing the appeal previously refused planning permission. Whilst the subsequent reserved matters were not applied for and the permission has now lapsed, the decision made is a material planning consideration which should be attributed significant weight.
24. The current application is almost identical to the previously allowed scheme. There would not be any discernible difference from the street scene when comparing the two schemes. The Inspector found the height, width, scale and appearance of the building to be appropriate for the setting. The proposed replacement building, when viewed from the front, would be comparable to the existing building, albeit slightly reduced in width and height to eaves, with a marginally higher ridge. The design is a pastiche with good detailing, the specific materials would be agreed as part of a condition to ensure a high quality finish.

25. As stated in paragraph 3, having now received amendments, the depth of the proposed building would be the same as that previously allowed. Officers were not content to agree to support a development which was materially larger than the previous scheme. The applicant therefore submitted revised plans which reduced the extent of the ground floor extension so it matched the previous scheme, and removed an uncharacteristic first floor dormer window from the rear elevation. The rear footprint is staggered so the longest elevation is on the side facing no.98 Lowther Road, as this has the widest separation distance at approximately 3.5m and is also set further back into its plot. The proposed building would not extend any further to either side than the existing building on site. The Inspector found the depth of the proposed building and its relationship to the neighbours acceptable. There is no policy justification why a contrary view should be taken now. It is acknowledged that the building is set forward of the existing building, with just the forward bay extending past No.94. The siting of the proposed building is identical to the previously allowed scheme.
26. The proposed street scene demonstrates that the scale and appearance of the proposed development would not appear out of place or uncharacteristic. The principle of flats on this site and within the wider area is well established. The development is essentially the same as previously allowed on appeal. The main policy considerations in relation to character, appearance and scale have not changed, therefore significant weight must be attributed to the appeal decision. There are not any material planning issues which would counter the assessment and decision of the Inspectorate.
27. It should be noted that the adjacent Portchester Road Conservation Area was designated in 1993 so is afforded the same protection today as it had in 2009 when the previous scheme was allowed on appeal. Given the above, it is considered that the proposed development would not have an adverse impact on the character and appearance of area or the setting of the conservation area. The proposed development would therefore accord with the aims of the relevant policies, including saved Policy 6.10 of the Local Plan, Policies CS21, CS39, CS41 of the Core Strategy, and the NPPF.

Impact on residential amenity

28. The Inspector was satisfied that the impact of the previous development on the occupiers of neighbouring properties was acceptable. The only external change is the addition of a pitched roof over the single storey rear extension, however, this is unlikely to result in any demonstrable harm to the amenities of the adjacent neighbour. Other changes relate to the use of first floor windows on the flank elevations. On the east elevation, a previous bathroom window would now serve a bedroom, whilst on the west, a bathroom window would now serve a kitchen area and a bedroom window would now serve a bathroom. No new windows are proposed so the impact has previously been considered acceptable, subject to the use of obscure glazing where appropriate. As stated above, one roof light for the west facing flank elevation has been removed. There have not been any other changes in circumstances or to neighbouring properties, and the policy assessment is the same as used

by the Inspector, there is therefore no reasonable justification to counter the assessment of the Inspectorate.

29. All proposed units meet or exceed the minimum floor areas as identified in the nationally described space standard. Two of the ground floor units would have access to their own private amenity areas. The remainder of the outside space is generous and would provide adequate communal amenity areas for the rest of the development. In allowing the previous appeal, the Inspector commented "*Gardens in this part of Lowther Road on the southern side are comparatively long, and there would be sufficient space at the rear of the application B block to provide a generous communal amenity area for future occupants, as well as enclosed private spaces for 2 flats and a store for 10 bicycles as proposed*".
30. Overall, the impact on neighbouring residents is not considered to be demonstrably harmful and the proposals therefore accord with the aims of the relevant policies in this regard, including CS21, CS41 and 6.10.

Impact on trees and landscaping

31. Your Arboricultural Officer has assessed the submitted information. Their main concern is the potential impact to the mature Holm Oak tree to the front and how this is to be protected during all phases of development, with particular regard to the demolition of the existing building. The proposed new build does fall into the root protection area of this tree by a small degree and no special precautions for this area are detailed in the submission. A previous application scheme for this site showed these details and the tree protective fencing so the impact has previously been agreed. Your Arboricultural Officer confirms that this can be secured by an appropriate condition (6).
32. The proposed soakaways and their runs will need to be located outside of the root protection areas of this tree, which they are currently within. The arboricultural report suggests that this can be a conditional requirement of an approval if to be issued. Your Officer is content with this approach.
33. It is noted that the cell web parking is to be installed prior to construction commencing which will aid with tree root protection. The crown of the tree will also need to be protected during construction works and protective fencing is likely to be required.
34. The detailed matters of the landscaping for the scheme and any replacement planting would be assessed at the time of the reserved matter and a condition is not required in that respect. Your Officer does not have objections in regard to other aspects of this scheme and raise no objections to the tree removals and pruning involved. The scheme is considered compliant with saved Policies 4.25 and 6.10, as well as Policy CS41 and the NPPF in this regard.

Impact on highway safety and parking

35. Your Highways Officer has assessed the proposals and provided the following comments:

Access onto the site will remain as per the existing access, albeit widened to allow safe access and sufficient visibility splays.

The proposals involve demolition of the existing building and the erection of a building comprising 9 no. flats arranged as 3 x 2 bed (3 habitable rooms) flats and 6 x 1 bed (2 habitable rooms) flats with 3 car parking spaces each with EV point, enlarged vehicle access/dropped kerb and secure and sheltered cycle store at the rear of the site for 12 cycles.

BCP Council adopted the new Parking Standards Supplementary Planning Document (SPD) on 5 January 2021, which came into immediate effect. The SPD takes a new zonal approach to parking standards under which the site falls within Zone B.

For flats in zone B the benchmark parking standards are outlined in the SPD Table 9 C3: Flats, the car parking benchmark is a zero-car parking for flats with 3 or less habitable rooms, the proposal involves all 9 flats with 3 or 2 habitable rooms, each with zero car parking benchmark requirement, however the applicant is proposing 3 car parking spaces in the front forecourt.

The development has provided an overprovision of 3 spaces contrary to the LPA's Parking Standards SPD. The Highway Authority has no issue with this over provision subject to their compliance with the SPD's dimension requirements and the provision of Electric Vehicle Charging Infrastructure.

36. Your Highways Officer has not raised any objections to the development.

Waste and Recycling

37. Whilst not ideal, the Inspector did not find any issue with siting the bin store to the side of the plot in front of the building. There would not be a lot of space for landscaping to mitigate its presence as its size has had to be increased due to current servicing requirements. Having received amendments, the store is compliant and qualifies for the Councils waste collection service. However, if Members were concerned about the impact of the store on the appearance of the area, there is sufficient space to the rear of the building to relocate the bin store, which would then require a private collection, and can be secured by condition.

Heathland mitigation

38. The site is within 5km of a designated Dorset Heathlands SPA (Special Protection Area) and Ramsar Site, and part of the Dorset Heaths candidate SAC (Special Area of Conservation) which covers the whole of Bournemouth. As such, the determination of any application for an additional dwelling(s)

resulting in increased population and domestic animals should be undertaken with regard to the requirements of the Habitat Regulations 1994. An appropriate assessment has been undertaken which concludes that the proposed development would be acceptable with suitable mitigation.

39. Therefore, as of 17th January 2007 all applications received for additional residential accommodation within the borough is subject to a financial contribution towards SAMM mitigation measures towards the designated sites. A capital contribution is therefore required and in this instance is £2,042, plus a £102 administration fee. A signed legal agreement would be required to secure this contribution.

Community Infrastructure Levy

40. The development is liable for payment of the community infrastructure levy.

Affordable Housing

41. All applications proposing residential development in excess of 10 units net will be subject to the Council's adopted affordable housing policy. In this instance, the requirement to provide affordable housing has not been triggered given the number of units net proposed.

Summary

42. It is considered that:
- The proposed development is essentially the same as a scheme previously allowed by the Planning Inspectorate;
 - The development would not have an adverse impact on the character and appearance of the area;
 - The development would not have any harmful impact on the setting of the adjacent conservation area;
 - The proposed development would not be harmful to the living conditions of neighbouring residents.
 - Living conditions for future occupants are considered acceptable.
 - There are no parking, traffic or highway safety implications.
 - The impact on trees is considered acceptable, subject to conditions.

Planning Balance

43. No harm has been identified, so the tilted balance of paragraph 11 of the NPPF applies. In this case the proposal would provide a modest contribution towards housing need in the area, and the associated benefits. The NPPF indicates that permission should be granted unless the adverse affects of doing so significantly and demonstrably outweigh the benefits.
44. 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 recommendation, the

development would be in accordance with the Development Plan considered 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 recommendation are set out above.

Recommendation

45. **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 (SAMM): £2,042 plus £102 admin

Standard Conditions

a) Before any development is commenced details of “reserved matters” (that is any matters in respect of which details have not been given in the application and which concern the layout, scale or appearance of the building(s) to which this permission and the application relates, or to the means of access to the building(s)/site or the landscaping of the site) shall be submitted to the Local Planning Authority for their subsequent approval.

Reason: This condition is required to be imposed by the provisions of Article 3 (1) of the Town and Country Planning (General Development Procedure) Order 1995.

b) Application for approval of any “reserved matter” must be made not later than the expiration of three years beginning with the date of this permission.

Reason: This condition is required to be imposed by Section 92 of the Town and Country Planning Act 1990.

c) The development to which this permission relates must be begun not later than whichever is the later of the following dates:-

- i) the expiration of three years from the date of grant of outline planning permission, or
- ii) the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: This condition is required to be imposed by Section 92 of the Town and Country Planning Act 1990.

and to the following 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: J.55.2017.01A Location Plan Only, J.55.2017.03L, J.55.2017.04D, J.55.2017.05D.

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

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

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

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

3. Method statement to be submitted to include operatives' car parking, noise reduction measures, storage of materials

No site clearance or development work shall commence until there has been submitted to and approved in writing by the Local Planning Authority a Method Statement that includes the following measures:

- a) parking arrangements for operatives and construction vehicles working on-site;
- b) noise reduction measures [including times of piling operations]; and the
- c) details and siting of equipment, machinery and surplus materials on the site.

The parking arrangements for operatives and construction vehicles shall be implemented prior to development commencing and the development shall be carried out in accordance with the approved details.

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).

4. Surface Water Drainage (SUDS Implementation)

Before the commencement of development, a scheme for the whole site providing for the disposal of surface water run-off and incorporating sustainable urban drainage systems (SUDS), shall be submitted to and approved in writing by the Local Planning Authority. The drainage works shall be completed in accordance with the approved details 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.

5. Prior Approval of Materials

Details of the materials to be used on the external surfaces of the proposed development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any superstructure works on site. Development shall be carried out in accordance with the approved details.

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

6. Tree Protection

No site clearance or development work shall commence until there have been submitted to and approved in writing by the Local Planning Authority an arboricultural method statement and detailed drawings showing:

- (a) the specification and position of fencing and other measures such as temporary surfacing, for the protection of the roots and crown spread of trees, groups of trees and other vegetation to be retained on and adjoining the site. Protective fencing should accord with the recommendations of BS 5837:2012. Trees in relation to design, demolition and construction. Recommendations.
- (b) the programme for the erection and maintenance of protective fencing and the installation of any other protective measures; such programme will include details of supervision by an arboriculturist;
- (c) details of any proposed alterations in existing ground levels and of the position of any proposed excavation and constructional details of any drainage, hard surfacing, foundations, walls and similar works within the protected area;
- (d) details of contractors compounds and areas for storage; and
- (e) schedule of proposed tree works.

The development shall only be implemented in accordance with the approved arboricultural method statement and in that respect all protective fencing and other measures identified in the approved scheme shall in particular be maintained during the course of construction unless the approved arboricultural method statement expressly provides otherwise.

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).

7. Boundary /Subdivision Treatment (Location & Type to be approved)

Within 3 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, details of boundary treatment and/or subdivision shall be submitted to and approved in writing by the Local Planning Authority. Details shall include a plan showing: the positions, height, design, and materials. The approved boundary treatment scheme shall be implemented in full prior to occupation or use of the development commencing and permanently retained and maintained.

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

8. Windows in W Elevation to be Glazed with Obscure Glass

The proposed first floor windows serving the bathroom and kitchen area in the west facing flank elevation of the building shall be glazed with obscure glass to a level equivalent to Pilkington Level 3 or above (or the nearest equivalent standard) and shall be permanently retained as.

Reason: To prevent undue overlooking of the adjoining residential property and in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

9. Obscure glazing of lower part of window

The first floor windows in the east and west facing flank elevations serving bedrooms, with the exception of the upper panes, shall be glazed with obscure glass to a level equivalent to Pilkington Level 3 or above (or the nearest equivalent standard) and fixed shut and shall be permanently retained as such.

Reason: To prevent undue overlooking of the adjoining residential property and in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

10. 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).

11. Cycle store to be erected prior to occupation

Before the occupation of any part of the development hereby approved, the cycle store shall be erected 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).

12. 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).

13. Access/Turning/ Parking

Prior to the occupation of the development hereby approved the car parking access, layout, pedestrian inter-visibility splays and turning areas shall be laid out and constructed in accordance with the approved plans 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).

14. Electric Vehicle Charging Points

The Electric Vehicle Charging Points and associated infrastructure details forming part of the planning application submission and indicated on the approved plans shall be implemented and brought into operation prior to the occupation of the residential unit hereby approved. Thereafter the Electric Vehicle Charging Points shall be permanently retained available for use at all times.

Reason: In the interests of highway safety and in accordance with Policies CS17 and CS41 of the Bournemouth Local Plan Core Strategy (October 2012).

INFORMATIVE NOTE: The applicant is advised that the development is liable for a payment in respect of heathland mitigation measures secured by an Agreement under Section 106 of the Town and Country Planning Act 1990 in compliance with Policy CS33, as well as the adopted Dorset Heathlands Planning Framework SPD

INFORMATIVE NOTE: The superstructure is the above ground level element of the building.

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

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

INFORMATIVE NOTE: The applicant needs to be aware that the Community Infrastructure Levy (CIL) will be applied to development on this site. The amount of levy due will be calculated at the time the reserved matters application is submitted. Further information about CIL can be found at www.bournemouth.gov.uk/cil

Background Documents:

Case File – ref 7-2021-23976-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.

Appendix 1 – 96 Lowther Road: Appeal Decision APP/G1250/A/09/2108362