

Planning Committee



Application Address	908 Castle Lane East, Bournemouth, BH7 6SN
Proposal	Outline submission for demolition of existing buildings and the erection of a block of 10 flats with parking, bin and cycle stores.
Application Number	7-2021-3914-C
Applicant	Edgewater Acquisitions Ltd
Agent	Anders Roberts & Associates
Ward and Ward Member(s)	Littledown & Iford Councillor L. Williams Councillor B. Dove
Report status	Public Report
Meeting date	16 February 2023
Summary of Recommendation	Grant in accordance with the details set out below
Reason for Referral to Planning Committee	Councillor Williams requested call-in' No. of objections exceeds 20.
Case Officer	Franc Genley

Description of Proposal

- 1 Outline planning permission is sought to demolish the existing 2 storey house and detached rear garage/outbuilding and erect in its place a single block of 10 flats set principally over 3 floors, with one flat with the roof level (4th floor). The Outline proposal seeks to reserve matters relating to Landscaping; but Access, Appearance, Layout and Scale all form part of this submission.
- 2 A new access would be provided to the rear off Holdenhurst Avenue, serving a 10-space surface-level car park with detached bike store for 20no. bikes. The existing access would be deleted, with kerb and footpath reinstated. Bins would be stored at ground floor within the footprint of the building, serviced from the north western end of the building, and to residents from the south western elevation. No basement level is

proposed, but ground will be excavated to lower the new building between 0.4m (adj to Holdenhurst Ave) and 0.7m (adj to no.910 boundary where the ground is higher).

- 3 The proposal would provide a modern ridged roofed building, sited to respect the building line along this block-face of Castle Lane East. The proposed building would step down from 3-storeys to 2-storeys in height adjacent to no.910 Castle Lane East (aka 'Riverwood House'). The Castle Lane East frontage would step forward in three square bay projections of approximately 0.5m deep, with 1m deep balconies sited on the upper floors of these bays and patios at ground floor. No balconies are proposed to the rear or side elevations. The elevations would be broken up with the bays, recesses and balconies finished in different external materials. Full height glazing will feature in some openings to the front, rear and Holdenhurst Avenue elevations, but not to the elevation facing no.910 which only has a single window to bedroom no.2 over two floors and within the roof.
- 4 The table below sets out some comparators between existing and proposed.

	Existing	Proposed
Site area	0.08 ha	0.08 ha
Depth adj to no.910		
Existing 908	9.06m	-
Excluding balcony	-	11.8m
Including balcony	-	12.65m
Width on Castle Lane East		
Excluding / Including side extension	10.3 / 15.1m	-
Excluding / Including balcony	-	21.2m / 22.7m
Width on Holdenhurst Ave		
Excluding / Including extensions	7.9m / 9.5m	-
Excluding / Including balcony	-	12.5m / 13.1m
Garage to rear (side depth)	5.6m	-
No of storeys above ground	2	3 + roof level
Height from existing ground to ridge		
Existing 908	7.8m	-
Existing 910	10.1m	-
Proposal adj to no.910	-	9m (9.7m*)
Proposal adj to Holdenhurst Ave	-	11.4m (11.8m*)
Distance from 910 elevations		
To existing 2-storey house	6.33m	
To existing 1-storey extension	1.70m	
To side elevation of proposal		2.3m
Car parking spaces	2 garage + 5/6 surface spaces	10
Cycle Parking spaces	0	20

* between 0.4m and 0.7m to excavated, ground level rises towards no.910

- 6 There would be 3no. flats per floor and 1no flat within the roof space above this, totalling 10 new units. The ground floor would host 1no. two-bed and 2no. one-bed units; the first and second floors would both host 3no two-bed units (part of one of the units would sit in roof space at 2nd floor level); and the roof space above the main building (at 3rd floor level) would host 1no. two-bed unit. In all cases except the 3rd floor roof space flat, the balconies would only be accessed directly off living room spaces. In

the case of the 3rd floor roof space flat, the master bedroom would also have access to the central bay balcony. Balconies are appropriately 1.2m deep and 4.4m wide. With regard for the National Minimum Internal Space Standards.

- 1 flat (unit 1) would exceed the standards by 0.4sqm
 - 6 flats (units 2,3,4,6,7, 9) would exceed the standards by 1sqm - 2sqm
 - 2 flats (units 5 & 8) would exceed the standards by 3sqm - 4 sqm
 - 1 flat (unit 10, the roofspace flat) would exceed the standards by 10.9sqm
- 7 The existing vehicular access to/from Castle Lane East is not much used, but would be deleted by this proposal. The existing pedestrian access route to the corner of the site, would remain to serve the main pedestrian frontage door. The front forecourt area would be returned to soft landscaping, to be regulated via the submission of reserved matters if this outline is approved. Residents would also be able to access the building from the rear car park, which would host 10 vehicle spaces, 5 of which would be EV Charge ready, and a secure store for 20 cycles. The 10 space car park would replace the expanse of hard surfaced pavers that currently cover the rear of the site.
- 8 The processing and assessment of the proposal was paused in spring last year to permit a bat survey to be undertaken, what was submitted and sent to the DWT when it was returned. When originally submitted the development was larger, contained 12no. flats over 2 and 3 floors within a much larger footprint building, with undercroft car parking for 12no. cars. Amendments were received reducing the footprint of the proposal to the one now presented. Many improvements were made to access, servicing, tree protection, interface distances, rear building line, private amenity space (balconies) and dedication of frontage land for community highway improvements. The design was changed from a traditional pastiche style to a more modern design with additional accommodation in the roof, but the plans were subject to additional publicity.
- 9 The proposal represents a net increase of 9 dwellings on the site, falling below the 10 unit threshold that Policy AH1 requires affordable housing provision of contributions to be made. The proposal is supported by a viability appraisal which concludes the provision of affordable housing would be 'unviable'. No affordable housing contribution is offered with this proposal and the matter is discussed later in this report.

Description of Site and Surroundings

- 10 The site is located on the south side of Castle Lane East and comprises a low ridged 2-storey detached house dating from the 1950s but extended unsympathetically since that time. The building is elevated above road level, with land rising to the rear of the site and to the west. Land levels at no.910 are +0.3m higher than the Holdenhurst Avenue end of the application site. And land to the rear of the site at 101 Holdenhurst Ave also rises approximately +0.6m compared with the kerbside site levels on Castle Lane East.
- 11 Surrounding houses are finished in brick, slate and render, yet the existing no. 908 comprises hung tiles, squat frontage dormer, wooden and stonework cladding and stone clad walling to the site. Whilst there is a pronounced stonework chimney, the house resembles a clumsily extended bungalow from Castle Lane East (despite being a 2-storey dwelling at the rear). The awkward side extension and squat frontage dormer further erode any positive contributions the dwelling may have made from its originating 1950s era had it not been so uncomfortably altered. The use of stonework, brickwork, hung tile and timber cladding afflict the property with a discordant feel, out of harmony with local character and at visual odds with neighbouring houses. The house does not make the best use of the site, with expanses of surfaced car parking and large double garage to the rear dominating vistas into the site from Holdenhurst Avenue.

Relevant Planning History

- 12 There are no planning applications relevant to the determination of this application for redevelopment of the site.

7-2002-7258: Erection of a (2-3 car) Garage – Approved 19.07.2002

- 13 The 1939 Ordnance Survey map for the area (updated in 1947) shows the plot vacant. An annotation that '3 bronze age beakers were found in 1933' is noted alongside nos. 910, 912, and 914.

Constraints

- 14 Bats have been filmed exiting the building at eaves level. Potentially roosting. Bats are a legally protected species.
- 15 There are 3 no. trees of importance impacted on by the proposal. None of them are on site, but root protection areas do expand into the site.

Public Sector Equalities Duty

- 16 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.

Other relevant duties

- 17 In accordance with section 40 Natural Environment and Rural Communities Act 2006, in considering this application, regard has been had, so far as is consistent with the proper exercise of this function, to the purpose of conserving biodiversity.
- 18 For the purposes of this application, in accordance with section 2 Self-build and Custom Housebuilding Act 2015, regard has been had to the register that the Council maintains of individuals and associations of individuals who are seeking to acquire serviced plots in the Council's area for their own self-build and custom housebuilding.
- 19 For the purposes of this application, in accordance with section 17 Crime and Disorder Act 1998, due regard has been had to, including the need to do all that can reasonably be done to prevent, (a) crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment); (b) the misuse of drugs, alcohol and other substances in its area; and (c) re-offending in its area.
- 20 For the purposes of this application in accordance with regulation 9(3) of the Conservation of Habitats and Species Regulations 2017 (as amended) ("the Habitat Regulations) regard has been had to the relevant Directives (as defined in the Habitats Regulations) in so far as they may be affected by the determination.

Consultations

21 The following statutory parties were consulted on the proposals. Expanded details of their responses are included within the assessment part of the report. Summaries:

- a) **Highway Officer:** *No objections subject to conditions and s106;*
- b) **Waste & Recycling Officer:** *No objections subject to conditions;*
- c) **Environmental Health (Noise):** *No objections subject to conditions;*
- d) **Environmental Health (Contamination):** *No objections subject to condition*
- e) **Lead Local Flood Authority (LLFA):** *Objection to lack of SUDs detail.*
- f) **Wessex Water:** *No objection, Standing advice given.*
- g) **Tree Officer:** *Objections overcome, subject to conditions;*
- h) **Dorset & Wilts Fire & Rescue:** *No Objections, comments will be provided to Building Control when an application for Building Regs is submitted;*
- i) **Ecology Officer:** *No objections, subject to conditions;*
- j) **Dorset Wildlife Trust:** *Objections overcome, conditions suggested;*

Representations

22 Three site notices were erected outside the site on 24.06.2021 with an original consultation expiry date of 16.07.21. A press notice was published on 16.06.2021 in the local Daily Echo. After two rounds of consultation, the second following amendments, a total of 50 objections have been received from 40 properties.

Response to Initial proposal (as submitted)

23 43 responses received, all of whom objected. 1no. representation states it was from the Holdenhurst Avenue Residents Association and another 3no. were from staff at St. Peter's School (none of whom were the headteacher, and all of whom omitted job titles in their responses).

Summary of the 43 objections:

- *Decision should be called in to committee, too much impact for decision to rest with one person.*
- *Excessive depth to rear/side will impact negatively on amenity at no.910 to west;*
- *Excessive and dimensions will cause shadowing of neighbouring houses/gardens;*
- *Would be overdevelopment of this site, contrary to Policy CS21;*
- *Design is unimaginative and out of character, no purpose built flat-blocks locally;*
- *Although cleverly disguised, proposal is three storeys high, and occupants of top floors able to look into back gardens on Holdenhurst Ave and Castle Ln E;*
- *Plot is too small for the overall development;*
- *Proposal is an overtly large and unsightly structure, two detached houses would be a much more acceptable proposal;*
- *Will add an extra 10-20 cars at an already busy junction with poor visibility;*
- *12 parking spaces are insufficient, would cause overspill onto surrounding streets;*
- *Cars already speed through, overspill parking will occur on verges, narrowing the road, blighting the area and making crossing harder;*
- *Additional traffic will cause safety problems for school opposite and for local residents;*
- *Traffic queues will leave parents and children stuck in traffic and late for school/work;*
- *Proposal should only be allowed if junction improvements are included;*
- *Construction will cause months of noise, dust and traffic gridlock, adding to the above concerns;*
- *Additional traffic will raise airborne pollution, harming life expectancy;*
- *Will overload existing 'crumbling' drainage, sewerage water and gas networks;*

- *Overdevelopment such as this is forcing owner occupiers families out of the area*
- *Flats are very small and would not be attractive to professional couples;*
- *Flats risk being bought as rental investments by absent landlords;*
- *Proposal does not provide 'forever' homes' like the existing stock, small flats attract transient people with no attachment to the area, who may be less considerate to their neighbours and the area in general;*
- *Density is too high - Neighbours would go from having 1 neighbour to 12 neighbouring flats, with 24+ people living there;*
- *Bins proposed on boundary with 910, presenting odour, vermin and noise concerns;*
- *12 bins on street, awaiting collection/return could make the pavement impassable for 24 hours each week;*
- *Construction of flats would be detrimental to mental health*
- *Approval would set a precedent for other houses and plots to be redeveloped, breaking up the neighbourhood;*
- *No policy defined 'District shopping centre' within the 400m claimed by the applicant;*
- *Removal of trees will remove a privacy barrier between a large development and the quiet and secluded rear gardens of 910 though to 914 and beyond;*
- *Removal of trees will destroy local wildlife habitat for birds, squirrels insects etc;*
- *Eaves of 908 (the site) comprise a roosting location for a large number of bats, a protected species (a video file has been provided);*
- *Additional height/turret/clock tower on the corner is unnecessary on design grounds and will overshadow road, causing highway risks;*
- *Staff at St Peter's school raise serious pedestrian safety concerns to any additional vehicles near school entrance;*
- *School staff also note that the playing field is used as a landing site for hospital helicopters when the helipad is not available;*
- *local press has shamefully cast ill judgement on the proposal with a biased and unbalanced article lacking consideration of local residents and ecosystems. Objector questions whether applicant was involved in writing article and ask that such articles do not impact on the decision;*
- *Criticism that site notices were originally late going up and asking for additional time.*

24 Bournemouth Civic Society objected to the original proposal, as follows:

- Would have a much larger built footprint than current detached house;
- Comprises a substantial structure in late c19th Arts and Crafts style, though featuring a complex hipped roof and turret;
- Frontage fenestration would be symmetrically positioned;
- remaining elevations simpler/more modern versions of the main elevation;
- Society accepts proposal is quite an accomplished design but also generally agree with the majority of objections that the block is inappropriate within the neighbourhood;
- Large dimensions and three storeys would have a detrimental effect on established two storey townscape character of the area;
- Scale of development would cause a loss of privacy and light to neighbours;
- Flats with transient occupants would harm and undermine the local social demographic and character;
- Increased traffic at this junction would increase risk to residents and children attending the local school; and
- A smaller proposal with simpler and less overpowering design and a maximum of 6 flats should be permitted instead.

Following amendments the Society made no further comments.

Response to Amended proposal

- 25 When the scheme was reduced in size from 12 to 10 units, and the layout and building exterior redesigned, new site notices were erected on site on 16.12.2021, allowing comments until 31.01.2022. 7 additional objections were received taking the total to 50, with 24 of the original objectors submitting updated comments reiterating their earlier objections, some making the following additional points:

- *Despite units dropping from 12 to 10, the no of floors appears to have gone up from 3 to 4;*
- *Building height, balconies and flats would still overlook surrounding properties and public highway;*
- *Removal of ridiculous 'clock tower' makes virtually no difference to proposal's overbearing nature;*
- *Reduction in 1 bed units/increase in 2 bed units will cause more traffic problems;*
- *Change to the look of the flats even further out of keeping with other local houses;*
- *Concrete finish will harm visual amenity of neighbourhood and impact on school;*
- *Civic Society's comments not taken on board;*
- *Where will visitors and residents with more than one car park, the highway?;*
- *Potential for nuisance from a further 10 properties will further harm all neighbours;*
- *Some acceptance of a flatted redevelopment, but numbers should be much lower; around 6 units or less;*
- *No traffic report submitted to justify entrance serving 10 households at this corner;*
- *No updated bat survey information provided;*
- *Revised plans remain an overdevelopment;*
- *Number of bins on public highway will attract vermin and block pedestrian access, undermining safety near school;*
- *Objections to delegated powers being used to determine the proposal; and*
- *Comparisons with 904, 906 and measurements etc are misleading;*

- 26 Councillor Williams called-in the amended proposal to committee in March 2022, in a letter which raised cited the number of local objections to the proposal on grounds relating to increased in vehicular movements and general overdevelopment.

Small further amendment

- 27 In January 2023, two small amendments were made to plans, a) introducing a pedestrian door to the rear elevation at ground floor, obscured by parking. The door would serve the bin store and would be set off... b) a new path between the parking spaces and the rear elevation, affording a direct route to the door. Prior to this change future residents would have had to walk through the car park and repeatedly operate the mechanical roller shutter, with more associated noise and disturbance than a traditional door. The pathway and door would be largely obscured by the car parking. No re-consultation on these two changes took place, as they were comparatively considered to reduce likely noise impact on neighbours/future residents, and relocate the pedestrian route to the bin store out of the car park, and set it behind cars. However, the revised plans have been public on the website since the 24.01.2023.

This summary is correct as of 06.02.2023. Any additional comments received prior to committee will be presented in an addendum report.

Key Issue(s)

- 28 The key issues involved with this proposal are:

- Principle of the proposed development
- Impact on character and appearance of the area
- Residential Amenity – Neighbouring Residents
- Residential Amenity – Future Residents
- Highway Safety, Capacity & Flow

These issues will be considered along with other relevant points below.

Policy Context

29 Local documents:

a) Core Strategy (2012)

- CS1: NPPF – Presumption in Favour of Sustainable Development
- CS2: Sustainable Homes and Premises
- CS3: Sustainable Energy and Heat
- CS4: Surface Water Flooding
- CS5: Promoting a Healthy Community
- CS6: Delivering Sustainable Communities
- CS16: Parking Standards
- CS17: Encouraging Greener Vehicle Technologies
- CS18: Increasing Opportunities for Cycling and Walking
- CS19: Protecting Small Family Dwellinghouses
- CS20: Encouraging Small Family Dwellinghouses
- CS21: Housing Distribution Across Bournemouth
- CS31: Recreation, Play and Sports
- CS33: Heathland
- CS41: Design Quality

b) District Wide Local Plan (2002)

- 4.25: Landscaping
- 6.10: Flatted Development

c) 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

30 **National Planning Policy Framework (“NPPF” / “Framework”)**

The National Planning Policy Framework (NPPF) sets out the Government’s planning policies for England and is a material consideration in planning decisions. Many sections are relevant to this proposal, the most pertinent are summarised below.

- 31 Section 2 – Achieving Sustainable Development. At the heart of the NPPF is the presumption in favour of sustainable development, reiterated in Bournemouth Core Strategy Policy CS1. NPPF paragraph 11 applies this presumption to decision making where the local plan classed as out of date. Footnote 8 of paragraph 11 classifies a local plan as out of date if the local planning authority is (i) unable to demonstrate a five-year supply of deliverable housing sites or (ii) where the Housing Delivery Test (HDT) result is less than 75% of the housing requirement over the previous three years.

- 32 The 5-year housing supply and HDT results continue to be applied to each local plan area separately until replaced by a BCP wide Local Plan. In the Bournemouth area there is a 2.3 year housing land supply with a 20% buffer (a shortfall of 4,862 homes) and a 2021 HDT result of 67%. The local plan is thus considered as out of date as the local planning authority is unable to demonstrate a five-year supply of homes and under the HDT test threshold of 75%. The presumption in favour of sustainable development thus applies and the benefit of providing additional new homes must be considered.
- 33 Other relevant sections
- Section 8 - Promoting Safe and Healthy Communities
 - Section 9 - Promoting Sustainable Transport
 - Section 11 - Making Effective Use of Land
 - Section 12 - Achieving Well-Designed Places.
 - Section 14 – Climate Change & Flood Risk
 - Section 15 - Conserving & Enhancing the Natural Environment.

Planning Assessment

Principle of the proposed development

Loss of Existing Family Dwellinghouse

- 34 The site is within the Urban area of Bournemouth. Policy CS19 seeks to retain Small family dwellinghouses where the original gross external floorspace comprises less than 140sqm. The house, excluding the side extension and low eaves parts of the roof not housing the original dormer would comprise approx. 143sqm, and meaning policy CS19 does not apply.
- 35 Policy CS20 sets a presumption in favour for the redevelopment of sites for small family dwelling houses as opposed to other forms of accommodation where a) the site is capable and suitable for them and b) the resulting development would not be out of character. The surrounding area is comprised of large detached houses with floor areas in excess of 140sqm. Smaller terraced or even detached properties and plot arrangement would be hard to accommodate on this corner site, with further dropped kerbs necessary for off street parking unlikely to be supported by Highways. The site is suitable for redevelopment for two larger houses that match the proportions of neighbouring dwellings or, subject to appropriate design and massing, a single building reflecting proportions similar to two large houses.

Housing Distribution

- 36 Core Strategy Policy CS21 seeks to ensure a balanced distribution of residential development across Bournemouth, and ensure that the best use is made of appropriate sites if and when they become available for redevelopment. This proposal would offer a more sustainable use of this large plot corner than the existing house. Policy CS21 states that urban intensification will be permitted in areas well served by sustainable modes of travel. The site would sit on a Key Transport Route, identified in the Core Strategy, which is served by 9no. high frequency bus routes, 2no school routes, and with a demarcated cycle lane on the roadway. This would satisfy the qualifying requirements for 'Area C' of Policy CS21, which is defined as land being 'within 400m of a key transport route'. Thus the relevant policy against which the proposal must be assessed is CS21, *not* CS22.
- 37 Policy CS21 states that proposals for residential development within Area C will be expected to:
- reflect the housing size demands of the Borough as identified in the SHMA;

- be of good design;
- contribute positively to the character and function of the neighbourhood;
- maintain and enhance the quality of the street scene;
- respect residents' amenities; and
- ensure a positive contribution to achieving a sustainable community.

38 The creation of 10 self-contained flats would diversify the existing stock and offer 80% of the total as two-bed units, with units exceeding the minimum internal space standards. This would satisfy part of point 1 which seeks to provide homes with at least 2no. bedrooms, rather than just 1no. bedroom. Every unit would also have either a balcony or private patio amenity space, supplemented by ready access to the parkland opposite the site. Design and appearance are considered in 'Impact on Character' below, which concludes the visual impact to be acceptable, subject to conditions to secure high quality materials; satisfying points 2, 3 and 4. The position, scale and proportions of the building are such that privacy and overshadowing impacts have been designed out or can be addressed by way of condition (see 'Residential Amenity (Neighbours)' below), satisfying point 5. The flats would benefit the local community by making better use of the large plot to deliver 10 homes in an accessible and sustainable location, near local schools, bus routes, cycle lane, recreation space and local shops, aiding the local economy. From a policy perspective the principle of the proposed development meets the threshold and all aims of Policy CS21, and thus holds considerable merit.

39 Some of the previous policies from the 2002 District Wide Local Plan were saved after the adoption of the Core Strategy in 2012. Policy 6.10 was one of the saved policies. It is now 20 years old and although relevant, its aims have generally been replicated and superseded by Core Strategy policies which have served the LPA's decision making and appeal defences over the last 10 years. In this case, Policy 6.10 supplements Policy CS21 as it specifically refers to flats, rather than just 'urban intensification'. Policy 6.10 states:

"Flats will be permitted in the built up area provided the development:

- i) respects or enhances the character and appearance of the area particularly as regards materials, landscaping, scale and massing of development; retains, enhances or creates urban spaces, views or landmarks and other townscape features which make a material contribution to the character of the area;*
- ii) respects or enhances the character or appearance of open spaces either publicly or privately owned which contribute to the character and appearance of the area;*
- iii) Takes account of important trees, ridge lines and other landscape features; and*
- iv) Respects the living conditions of the occupiers of buildings in the vicinity."*

40 With regards to the first part of point i) and the relevant 'Character' assessment (later section of this report), it is considered the proposal comprises sufficient design solution and, setbacks, articulation and height controls so as to diminish its visual impact and proportions to a structure similar in scale to two large dwellings placed side by side. Subject to robust material and landscaping conditions, the development would respect the character and appearance of the locality and satisfy the first part of i). With regards to the second part of point i) the bland, discordant 1950s dwelling does not make a positive contribution to the character of the area and its loss would not harm the surrounding townscape. With reference to other parts of this report, the proposal readily satisfies points ii), iii) and iv) of 6.10.

Density

41 Policy CS41 seeks to ensure that density should, amongst other criteria aimed at securing the best possible development of a site, respect the site and surrounding areas. Local density currently equates to 25-30 dwellings per hectare (dph), though the

more recent estates to the north west of the site off Sevenoaks Drive rises to around 45dph. The proposal would comprise 114dph. Whilst this is higher than adjoining densities, the external appearance of the development is such that there is no demonstrable or obviously identifiable harm that would result from the development, despite its higher than adjacent residential density.

- 42 Returning to the distinction between Policies CS21 and CS22. CS22 states that development outside the preferred housing areas (A B or C) will only be permitted where (amongst other criteria) “scale, appearance and density of proposal is in keeping with surrounding area”. The site falls within Area C, so it is Policy CS21 that applies and this does not explicitly require density or scale to match the locality, relying instead on broader criteria expressed in bullet points 2,3, and 4 of paragraph 36 above.
- 43 The road is characterised by large detached properties set in plots of a reasonable size. This corner unit, comprises a smaller house set on a larger plot. Across the borough it is not unusual for corner / bend location plot redevelopment to rise higher than its neighbours, or have a bigger footprint. Approx 100m to the east, at the opposite end of same block as the application site, the corner plot (no.922 Castle Lane East) has undergone a 2-storey side extension, larger than host dwelling, with an incongruent flat roof section. In the same direction, 400m from the site no.964 Castle Lane East (opposite the 2 storey Castle Parade / A35 roundabout) sits a 3 storey 1940s 3-storey flat roofed block of flats.
- 44 Examples of similar redevelopment do exist outside the locality, 2.3km away at the junction of Stour Road and Barrack Road. Here the design of the building to accommodate the top floor flat into the roof space results in a form that has no discernible harm on neighbouring amenity (see below), general street scene (see below), and would respect the site and surrounding areas through its use of sloped roofs and angles which give the impression of ridge roofs used throughout the area. To make the best use of the sustainable urban site for housing provision and having regard for the significantly set-back front building line (which prevents a ground floor footprint forward of this), has resulted in this development proposing residential accommodation within the roof space at 2nd and 3rd floor levels to achieve the quantum of flats the site is demonstrably capable of hosting.
- 45 The potential for the site to host a given number of dwellings is subject to the assessments of impact on neighbouring amenity, privacy, outlook and sunlight / daylight / shadowing made later in this report. With reference to the Character and Amenity assessments below, the proposed density would satisfy the density aims of policy CS41 by securing the best possible development of the site, whilst respecting the character of the surrounding area. Taking this further, Section 11 of the NPPF sets out that *“planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.”* The aim of the policy is to encourage development that *“makes as much use as possible of previously-developed or ‘brownfield’ land”*, which this site seeks to do.

Heritage & Design Considerations

- 46 The building set for demolition is of no heritage quality, dating from the post WWII building boom and extended in such an unsympathetic way so as to already be out of visual-kilter with the adjacent run of detached 1920s-30s houses to the east. Its loss would be of no great consequence. The proposed building would offer replacement visual interest for this corner site, with an angled bay on the corner sufficient to address the articulation between two roads. As discussed later in this report, it is the

view of planning officers that the proposal has sufficient regard for both the scale and height of the existing houses to warrant approval in view of design policies.

- 47 The principle of the proposal is thus of a compatible redevelopment, responding to the constraints of the site. A significant factor in this conclusion is that the proposal would add townscape interest to the otherwise uninteresting corner junction. This is discussed later in the report. However, with regards to the principle of this proposal; because the development would deliver new flatted housing in a sustainable location and manner it would satisfy the aims of Core Strategy Policy CS21 and saved District Wide Local Plan Policy 6.10. The principle of the proposed residential development would be acceptable, subject to compliance on the design detail and site-specific impacts assessed below.

Impact on Character and Appearance of the Area

- 48 Core Strategy Policy CS6 requires good design principles for new buildings, regard for how spaces are treated, and enhancement of features that contribute to an area's character and local distinctiveness. Policy CS21 requires good design and for proposals to enhance the quality of the street scene. Part i) of saved policy 6.10 and Core Strategy Policy CS41 are similar and relates to securing good design.

Character

- 49 Across the borough a regeneration of the local housing stock continues apace, with examples of large detached and pairs of houses on suitable sites being demolished to make way for flatted redevelopments existing elsewhere. Given the character of the locality is predominated by houses from the interwar period, there is no design/character objection on policy grounds to the loss of the altered 1950s dwelling. Suitable sites tend to have at least two street frontages and sufficient space to achieve satisfactory interface distances, densities, parking and amenity requirements. The site faces two roadways and the proportions of the site lend themselves to a redevelopment that would deliver a higher number of dwellings on this sustainably located site.
- 50 The changes to the Prior Approval system in 2020 effectively permit the addition of up to two more floors on dwellings such as this without the need for a full planning application. The justification for the changes to the relevant parts of the General Permitted Development Order that permit these works revolves around making better use of previously developed urban land and maximising the number of housing units a site is capable of taking. Outside of Conservation Areas, two additional storeys, and the impacts associated with this were considered a reasonable burden for the adjacent community to bear. Whilst a prior approval has not been applied for on this property an application remains a possibility. A Prior Approval scheme has to replicate the design and appearance of the existing building, which could, if pursued, result in what is already an awkwardly extended incongruent building undergoing a supersizing of these factors on this corner. This should be a material consideration, though apportioned very little weight at this stage given that no such proposals have been submitted.

Height

- 51 The development would reference the two-storey height of no. 910 next for a width of 5.6m, albeit with a lower roof than present at 910. It would be hipped, facing 910's side elevation and housing flat unit no.9. The proposed building would then step up to a traditional 2nd floor, with a further flat (unit 10) housed within the roof space over at 3rd floor level. With reference to the height differences across the site and adjacent plots

set out in paragraph 10 above, it is proposed to excavate and lower the ground floor of the building here by between 0.4m (relative to Castle Ln E), and 0.7m (relative to no.910).

Visual Appearance

- 52 Parts of the upper floor roofs would be flat, but are designed to give the impression of being ridged from street level. No more than two elevations are visible in any one view and the sloped roofs will give the impression of ridged roofs when observed from street level. The projecting gables over the bays help distract the eye and interrupt the quantum of roof faces proposed. As a result the flat roofed sections would have no visual dominance or discernible harm on the general street scene.
- 53 The 3no. bay projections and main frontage recesses, together with the balcony projections on the bays would also add articulation, shadow lines and interest to the primary elevation (on Castle Lane East). Whilst the balconies would sit approximately 1.2m forward of the bays to which they are attached they are cantilevered and not supported by pillar frames, ensuring a lightweight appearance that does not dominate the elevation. The design treatments, staggers and set ins will assist in breaking up the visual impact of the longer front elevation, diminishing the perceived scale of the building. Viewed from the parkland and woodland opposite, the building would appear against a backdrop of suburban buildings. The view would be interrupted by the busy 3-5 lane A3060 roadway, signage, lighting and infrastructure associated with the cycle lane and bus stops so as to not stand out when viewed through woodland and foliage.
- 54 The side and rear faces of the building would be simpler in their design, reflecting the less complicated architecture typically found on secondary and tertiary elevations. The indicative palette of materials are considered distinct enough to establish a contemporary identity for the building so that while it shares the form and scale of an extended 1920s house, it does not simply recreate a pastiche of that era. The replacement also offers sufficient interest and articulation to comprise a significant improvement over the uninspiring and awkwardly extended existing dwelling. With reference to the interface distances set out the table of paragraph 4 (and the neighbour amenity impact assessment that follows this section) the building would be set in sufficiently from the boundary with no. 910 so as to not undermine the pattern of gaps between the larger and extended detached dwellings along this block face.
- 55 The elevations each work well in their respective directions and settings. The scale, form and layout of the proposed structure thus established, it would be for the elevational treatments and exterior design to secure and enhance the building's relationship with the street scene. Whilst the drawings are indicative of a stylistic and contemporary building, the *excellence* of the final building as constructed will hinge on the use of high-quality palette of finish materials. Applying suitable conditions to secure their future approval and delivery ensures the scheme is capable of satisfying the relevant adopted policy.
- 56 On balance, although the design is contemporary, making use of metal, glazing and grey brick material that differ from the exteriors of local housing stock that dates from the 1920s and 1950s; the design, scale and appearance are not so dissimilar from local vernacular to raise significant concerns. The building exudes a residential identity, with domestic components such as balconies, bays, patios, landscaping, and a comparable 2-storey height adjacent to the closest dwelling at no.910, rising a further storey on the prominent corner. The principle of the scale is accepted on this corner gateway location on a busy main road. The proposal would maintain and enhance the quality of the street scene, satisfying policies CS21, CS41 and saved policy 6.10. An assessment of the proposal against policies designed to safeguard neighbouring amenity follows in the 'Residential Amenity' section.

Landscaping (a Reserved Matter)

- 57 With regards to the manner in which the new building will be visually linked to the street, details of hard and soft landscaping and exact means of enclosure are reserved for future determination as a Reserved Matter. Sufficient space is shown around the site exterior to facilitate the addition of planting to supplement trees and shrubs that are marked for retention /protection. Details of hard and soft landscaping can be sufficiently controlled by an augmented Reserved Matters condition to enable a conclusion that relevant adopted policies area capable of being satisfied.
- 58 For these reasons, the proposal would accord with design and street scene elements of Core Strategy Policies CS6, CS21 and CS41. It is considered that the proposed scale, form and general appearance of the proposed development would be acceptable, subject to compliance with the amenity, highway and other impacts that remain to be assessed.

Residential Amenity – Neighbouring Residents

- 59 Plans helpfully show the proposed footprint and silhouette relative to that of the existing house, the adjoining houses and the now deleted 12-flat scheme originally submitted. The impact of the amended proposal on existing neighbouring amenity has been considered in relation to the nearest properties as follows:

910 Castle Lane East,

- 60 Although the proposals would result in a two storey building facing the boundary with 910, as opposed to a single storey element, the built form would be moved back by approximately 0.7m further from the boundary, This would double the set-in to 1.4m and increasing the gap between the built forms on each site. The upper floors of the proposal would not have a negative impact on amenity enjoyed within no. 910 as there are no main habitable room windows in its flank (see next paragraph) and the proposal would not step significantly forward or behind either the front or rear building line of 910 to cause any overshadowing, loss of sunlight/daylight or visual blight.
- 61 The two windows in the side elevation facing the side elevation of 910 each light a bedroom within the end units. A rooflight above these windows would also light a bedroom. The first-floor side window in 910 facing the site is obscure-glazed and lights a bathroom. Two other first floor windows light the front bedroom, octagonal and narrow. They appear to be secondary windows, finished in stained glass and not used for outlook. There would be at least 1.4m to the boundary line, allowing the windows to open without overhang. There would be no justification for applying obscured glazing or fixed closed conditions given the lack of impact on amenity at no 910.
- 62 The rear elevation windows lighting the new flats, set closest to the boundary with 910 would be positioned at least 3.1m from the boundary with a partial view of the garden area next door. Although this arrangement is typical of adjacent suburban properties, and a similar arrangement would likely be permitted if a first floor were to be proposed above the single storey extension to 908, the development does propose floor to ceiling windows in this position. Although 2no. trees are to be planted along the boundary and would limit some of the two-way views from the garden into the new bedrooms and vice versa, to offset any remaining privacy concerns the first and second floor bedroom windows closest to 910 should have their lower half obscure glazed by condition. The provision of trees will be required by reserved matters, and together this is considered sufficient to address the limited impacts that would otherwise persist.

63 Whilst the balconies would extend approximately 1.2m forward of the bays to which they are attached they would not cause the frontage of the building to have any discernible impact on shadowing, daylight or sunlight received by the main frontage windows within the adjacent no.910. Similarly, although the closest balconies have no privacy screens to their eastern ends, users on them would only overlook its forecourt. This area is entirely surfaced and laid out for the parking and turning of vehicles, with an in/out operation via two dropped kerbs. No.910 itself has a frontage balcony, but this is set behind the line of its gable projection so will not be overlooked. The proposed balconies are not deep enough to afford a view into the existing habitable rooms and no privacy screens are considered necessary.

64 Subject to the above conditions, the proposed relationship with no.910 is considered acceptable in the contexts of neighbouring amenity, privacy and daylight impacts, satisfying policies CS21, CS41 and 6.10.

906 Castle Lane East

65 This building comprises a semi-detached house set across the other side of Holdenhurst Avenue to the northwest. With regards to first floor side windows to no.906 to the northwest, there would be in excess of 28m from the closest part of the proposed corner balconies to that elevation and no concerns regarding inter-elevation privacy are raised. A garden shed in the side garden of 906 prohibits any line of sight into the ground floor window of the side extension at 906 from any windows or balconies within the proposal. Neither the scale or height of the proposal, nor the position of any windows or balconies raise any concerns in terms of privacy impact on the amenity enjoyed by occupants of no 906.

66 The proposal would therefore respect the amenities of neighbouring residents within no.906 as required by policies CS21, CS41 and 6.10.

101 Holdenhurst Avenue

67 At their closest point, the rear windows of the proposed flats would face the side elevation of no.101 at a distance of 23.6m, and over 31m apart at their furthest. There are no primary habitable room windows in this elevation and the view is interrupted by large evergreen trees along the boundary. Combined with the established trees and lack of windows the interface distances are such that no harmful overlooking or impacts on privacy to occupants within no. 101 would ensue.

68 The proposal would therefore respect the amenities of neighbouring residents within no.101 as required by policies CS21, CS41 and 6.10.

94 Holdenhurst Avenue

69 The frontage of no.94 Holdenhurst Avenue sits over 37m away from the closest proposed windows to the rear of the proposal and 41m away from the proposed corner balconies. The interface distances are such that no privacy impacts would be experienced by either property.

70 The proposal would respect the amenities of neighbouring residents within no.94 as required by policies CS21, CS41 and 6.10.

Other neighbouring dwellings

71 All other neighbouring properties are sited at an appreciable distance from the proposal. On this basis, it is not considered that any significant adverse impact in residential amenity would be caused.

Noise

- 72 The Environmental Health (Noise) Officer considers that noise from the demolition and construction works on this site is likely to be intrusive or disruptive to local residents. To offset this a construction management plan should be required by way of condition. The construction management plan should outline the start and finish times; provide an indication of noisy works that are likely to be audible beyond the site boundary; and outline a community consultation strategy which includes how and when local residents will be kept informed during the development. A noise survey will be required to inform the CEMP (and may necessitate the need for soundproof glazing to the frontage windows of the proposal).
- 73 The development would have a greater intensity of use than the existing single dwelling, including greater use of an existing rear access and parking area, but it is located on a busy main road/junction rather than a quiet residential location meaning the impact of additional comings and goings would not have a noticeable impact. Overall, it is considered that the combination of the building height, interface distances, window /balcony positions and set-ins from adjacent plots would result in development that does not oppress or be overbearing to those neighbouring units, having an acceptable level of impact on privacy, outlook, daylight, sunlight and satisfying with policies CS21, CS41 and 6.10.

Residential Amenity – Future Residents

Location

- 74 The site sits within 400m of shops and local services on Castle Parade and 200m of the Tesco Extra supermarket so that it would be well situated for foot journeys to those commercial places. A primary and secondary school sit within 50m and 700m walking distance of the site. There are 8 scheduled bus services serving stops along Castle Lane East. A marked cycle route also runs along this road. Aside from school services two bus routes also run along Holdenhurst Avenue, making the site a very sustainable location for future residents.

Dwelling Mix

- 75 Policy CS21 of the Core strategy seeks that new development reflects the housing size demands of the Borough as identified in the SHMA. The scheme would deliver 8no. 2-bed units (80%) and 2no. 1-bed units (20%) in an area predominated by larger detached dwellings. The provision of a low number of smaller dwellings would assist in diversifying the housing stock to meet local needs, which is in part what the SHMA seeks to achieve. Smaller housing would enable single persons, couples and smaller families to live, work and study locally, and reduce the need for private vehicular trips and pollution.
- 76 The proposal would diversify the existing stagnant mix of housing types consistent with the needs of the urban community where people who work in local schools, businesses and services can live locally and reduce their need to travel. The development would make the best use of previously developed land and assist in delivering local housing targets in a sustainable manner and location, according with the aims of the NPPF.

Internal Space

- 77 All units satisfy and exceed the minimum prescribed space standards as set out by the Governments Technical Housing Standards 2015. The units would provide a very good standard of amenity for future residents, welcomed by the LPA.

Outlook/Privacy

- 78 Beneficial to future occupants, all units would comprise twin-aspect apartments, with windows looking northeast and southwest. The units on Holdenhurst Avenue would

benefit from additional glazing facing northwest. As set out in earlier paragraphs, there are no privacy conflicts between windows in existing dwellings and those proposed other than to occupant modesty within the rear bedroom to unit 9, which can be seen from the rear garden of no.910. A condition to obscure glaze the lower half of the bedroom window in perpetuity has already been proposed to address this. Subject to this condition, this aspect would satisfy the aims of Policy CS41.

- 79 With regards for the bedroom windows facing the flank wall of no.910, these would not be overlooked by any clear windows or habitable rooms in that property and the insertion of any new windows to that house would necessitate a full planning application, where the impact on privacy within the new units would be considered

Amenity Space

- 80 Each upper floor unit is to have a frontage balcony, with the three ground floor flats having a semi enclosed patio. Balconies/patios are of a practical size and position, sufficiently set apart to avoid inter-unit and inter-site privacy issues. Space exists for seating and/or clothes drying. The proposed communal amenity spaces to the Castle Lane East frontage have been reduced as a result of the dedication of land for highways improvements. However, the site sits directly opposite the woods and meadows that flank the River Stour to the north and east. Adequate alternative amenity provision thus exists nearby to overcome any on-site amenity shortfall. Subject to conditions to secure delivery of the balconies and patios, this aspect would satisfy the aims of Policy CS41.

Noise

- 81 The Environmental Health (Noise) Officer considers that noise from the adjacent roads has the capacity to be intrusive or disruptive to future residents within the block. To offset this, the noise survey already required in response to construction noise in an earlier paragraph of this report should also be sufficiently robust to establish whether soundproof glazing to specific windows within the proposal is required. A linked condition requiring identification and implementation of appropriate mitigation is capable of addressing this matter to ensure compliance with Policy CS41.

Refuse/Recycling

- 82 Bin stores would be provided at ground level below and adjacent to flats within the block. Resident access to the bin store has been improved during the lifetime of the proposal. Bins will be emptied by service agreement using the external roller door, but details of this will need to be secured through a waste management plan condition. In order to ensure future residents are not subjected to excessive noise from the bin store operation, sufficient mitigations should be proposed in response to the acoustic report on the existing noise climate at the site. Subject to conditions, this aspect would satisfy the aims of Policy CS41.

Highway Safety, Capacity & Flow

- 83 Core Strategy Policy CS6 seeks to deliver sustainable communities. Policy CS16 sets out parking standards, as amended by the recently approved BCP Parking Standards SPD (Jan 2021). Policy CS17 encourages greener vehicle technologies and Policy CS18 advocates support for development that increases opportunities for cycling and walking. In Jan 2021 the LPA adopted the BCP Parking Standards SPD (Parking SPD) which reflect paragraph 105 of the NPPF. It is against this guidance that the proposal has been assessed. The cycle requirements have been updated in line with latest government guidance (Local Transport Note 1/20) which strengthen the importance of good design for high quality cycle storage facilities.

- 84 The application site comprises a detached house located on the corner of Holdenhurst Avenue and Castle Lane East (A3060). Vehicles entering Castle Lane East from Holdenhurst Avenue are permitted to turn left (westbound) only, whilst this junction also facilitates vehicle movements turning into Holdenhurst Avenue from Castle Lane East. The section of Castle Lane East fronting the site comprises of a single carriageway limited to 30mph, with footways and street lighting either side. A speed camera is located circa 100m to the east.
- 85 Castle Lane East is a County Distributor Road with a primary function to link major areas of activity, towns and commercial centres with one another and with the Primary Route Network. This strategic route links Bournemouth and Christchurch whilst also providing direct access to the Wessex Fields Business Centre and Bournemouth Hospital sites. In addition, it links to the A338 dual carriageway and the wider County network via the A31 near Ringwood.
- 86 The Local Highway Authority (LHA) has considered the amended proposal and raise no highways objections subject to the applicant entering into a legal agreement and the imposition of conditions to address matters raised in the assessment below.

Access

- 87 Resulting from revisions to the Highway Code in 2022, a new hierarchy of consideration is emerging requiring a pedestrian-first assessment, with vehicular aspects considered at the end. This is to help achieve a sea-change in the way developments are accessed, how the highway operates, and help prioritise more sustainable methods of travel.

Pedestrian & Cycle Access

- 88 A dedicated surfaced footpath route for pedestrians from the public highway to the main door is proposed on the corner of the plot. A secondary entrance to the building is proposed from the rear, accessing onto the car park. Authorised movement through the building is welcomed, as is the rear entrance to the internal stairwell. Similarly positive is that residents will be able to drop off their waste via the rear entrance and footpath to the bin stores to the side of the flatted block. No lift is proposed but the 3no. ground floor units offer a mix of 1 and 2 bed units with level access.
- 89 The secure single storey cycle store is to be sited in an accessible position within easy unhindered reach of the rear door to the flats, alongside vehicles and therefore in a convenient location as required by the SPD. The store and car park would be overlooked by the flats, enhancing its natural surveillance and security of the site in general. Unlike the segregated front access the rear pedestrian route across car park to cycle store would be shared with vehicles and require the demarcation of surfaces to make obvious the shared nature of the route. A condition can control this along with a lighting scheme to ensure the area adjacent to door entrances remain safe at night.
- 90 The current arrangements are a significant improvement on the original submission which featured no front entrance door or through route; poorly located bin stores; and an awkward, rear access door with no natural surveillance through a now deleted undercroft parking area.

Vehicular Access

- 91 The site has two existing vehicle accesses. The vehicle crossover (dropped kerb) at Castle Lane East provides access to a narrow driveway without a turning area whilst the crossover at Holdenhurst Avenue leads to a gated entrance and a rear parking and turning area beyond. This proposal seeks to utilise the existing Holdenhurst Avenue access only thus resulting in the Castle Lane East access becoming redundant and subsequently re-instated with full height kerb. The removal of an existing access from

the County Distributor network represents a significant improvement in highway terms, particularly as the existing access also requires reversing manoeuvres to/from the public highway and should be conditioned. This proposal complies with Saved Policy 8.1 of the Bournemouth District Wide Local Plan (2002) which seeks to enhance traffic safety on County Distributor Roads by limiting direct access.

- 92 The proposed development will result in an intensification of the existing access from Holdenhurst Avenue in proximity to its junction with Castle Lane East. Notwithstanding, the existing parking area at the rear of the site is large and can accommodate multiple vehicles thus the volume of vehicle movements associated with parking for 10 cars is not considered to result in a significant impact on the operation of the local highway network nor the safety of its users. Indeed, the provision of adequate driver/pedestrian inter-visibility splays and the removal of the gated entrance represents an improvement upon existing site conditions.

Servicing

- 93 The collection of waste from Holdenhurst Avenue, as per the existing arrangement, is acceptable to both Highways and the Waste Collection Authority (WCA). Both consider that private collection of waste within the site is appropriate within this location and would result in minimal disruption to the operation of the local highway network. The volume of waste associated with this development would have a minimal impact upon stop duration and is not considered to result in material harm to the operation of the local highway network.
- 94 The bin store must hold 4 x 1100L (size guide) bins and provide a shelf for food waste bins to be stored on. The store is capable of holding 3no. of the above bins, but a fourth would limit internal access between them or require the bin store to extend outwards into the root protection area of street trees. Following combined discussions with the Tree, Highway and Planning Case Officers, the WCA Officer is satisfied with the applicant's proposal to operate private collections from the site, and request that a higher frequency of attendance by collection staff (weekly rather than fortnightly) be a requirement of any waste management plan condition. Although the site has a gradient and camber, the area where the path is proposed does not exceed 1:12 and is acceptable as a route to the collection point in the car park. Bins can be stored on the pathway on collection day as the route only functions as a servicing route for the bin store. Details of the pathway will need to factor in impact on tree roots and this is addressed later in this report. The proposed refuse store is within the fabric of the building, serviced via a shutter door and path to the northwest (Holdenhurst Ave side), and accessible to residents via a traditional door on the south western (rear) elevation connected safely by a pathway to the rear entrance. Soundproofing will be necessary to the walls and windows of the adjacent unit 1, and unit above.
- 95 The Waste & Recycling Officer is satisfied with the revised proposals, subject to the submission, approval and instatement of the aforementioned Waste Management Plan prior to first occupation, will provide adequate control. However, the WCA also recommends that a separate bulky goods storage space is provided to prevent the blocking of bins with large items which need to be disposed of when residents vacate or move in. Space exists to the side of the bin service shutter where this could be positioned, and the matter can be sufficiently addressed during the discharge of the Reserved Matters submission for hard and soft landscaping.

Cycle Parking

- 96 For the proposal to satisfy Policy CS18 of the Bournemouth Local Plan: Core Strategy 2012 (Core Strategy), cycle parking provision including the layout and design should be in accordance with the Parking SPD.

- 97 The proposed 18-bed development generates a cycle parking requirement of 20 spaces comprising of 18 resident spaces and 2 visitor spaces. The proposed cycle store shows parking for 20 cycles in an arrangement compliant with Section 3.3 - *Cycles* of the Parking SPD thereby satisfying the residential parking requirement.
- 98 Notwithstanding, an external cycle stand is required for visitors to the flats who will not have access to the secure cycle store. There is sufficient space within the curtilage of the site for one cycle stand to be accommodated therefore these details can be secured via a condition.

Vehicular Parking

- 99 For the proposal to satisfy Policy CS16 of the Bournemouth Local Plan: Core Strategy 2012 (Core Strategy), car parking provision including the layout and design should be in accordance with the BCP Parking Standards SPD 2021 (Parking SPD).
- 100 The proposed development comprising of 2 x 2-habitable room flats and 8 x 3-habitable room flats generates a parking requirement of 10 spaces in this zone D location, Table 9 - C3: *Flats* refers. The Site Plan in drawing no. 9449/100 Rev E shows parking for 10 cars, including two accessible spaces in an arrangement compliant with Section 3.2 – *Cars* of the Parking SPD. Conditions should be applied to secure the delivery of these.
- 101 The installation of ‘active’ charging points for 5 of the 10 parking spaces satisfies Table 3.6 of the Parking SPD in relation to the provision of electric vehicle charging infrastructure. The remaining 5 spaces will require ‘passive’ installation for future adaptation, details of which can be conditioned.

Highway Improvements

- 102 As part of the Department for Transport (DfT) initiative known as the Transforming Cities Fund (TCF), BCP council has an ongoing programme of works to improve sustainable transport infrastructure within the conurbation. Consequently, the council has designed highway improvements schemes along the Castle Lane East Transport Corridor as part of the and as such, the application site will be impacted. Proposed works include alterations to the carriageway and cycle lane design, a widened shared use path to the north and the installation of a pedestrian crossing fronting the site.
- 103 Additional land is required to facilitate the above works and to prioritise the safety of highway users, specifically pedestrians and cyclists. This would enable the existing cycle lane to be increased in width whilst the southern footway would be widened to reduce potential conflict between users of the path and users of the crossing that are waiting at the tactile paving area which, on existing highway land alone, would represent a ‘pinch point’. Following a request by the Highways Authority the applicant incorporated changes to the application site and has agreed to dedicate a strip of land 2m in width as publicly maintained highway by way of a s106 agreement along the Castle Lane East frontage to enable the delivery of the envisaged highways improvements.

Construction Phase

- 104 Some objectors raised concerns about schoolchildren/pedestrian safety during the construction period. The Highways Officers have not raised any issues and the matter can be adequately addressed through the application of conditions governing the Construction Environment Management Plan and construction traffic attending the site.

Highways Conclusion

- 105 The highway and vehicular impacts of the proposal would be acceptable, having regard for paragraph 105 of the NPPF. Subject to the conditions to address points and

secure delivery of facilities, the proposed access and egress arrangements for vehicles, cycles and pedestrians, and general servicing would satisfy the highway user safety and the sustainable development aims of Core Strategy Policies CS6, CS16, CS17, CS18 and the BCP Parking Standards SPD (Jan 2021).

Landscaping and Trees

- 106 There are three trees of importance in connection with this application. Two of them are Lime trees (G1, on arb plans) located on the public highway adjacent to the Holdenhurst Avenue entrance and a Monterey pine within the plot of 101 Holdenhurst Avenue. Underground bin storage and directly linking the bin stores via a dedicated gated path to the highway were considered on this site, but the root protection areas of the above trees would have been impacted. This would have led to losses and was not progressed.
- 107 The Trees & Landscaping Team (T&L Team) has assessed the revised proposals for this site along with the revised arboricultural information. Tree losses resulting from the redevelopment at this site would be limited. Those that are to be removed are considered to be of low value and the T&L Team raise no objections to their loss, subject to robust conditions to secure the delivery of the proposed replacement trees. Delivery of suitable replacements will limit any short term harm to visual amenities. To ensure sufficient replacement planting, details can be secured by way of an augmented Reserved Matters condition on hard and soft landscaping, or a separate condition for a soft landscaping scheme that includes replacement tree planting details and a 5 year maintenance plan.
- 108 The tree protection detailed for the construction period is suitable for retained trees to be enforced by way of a condition to ensure compliance with the submitted arboricultural method statement and tree protection plan. There are addressable concerns regarding root protection areas near the bin service footpath / parts of the parking area and additional information will be required prior to commencement. The condition will therefore need to secure the submission, approval and implementation of the information specified within Section 4 (Specific Construction Technique Appraisal) of the arboricultural report.
- 109 Subject to these conditions the proposal would satisfy Policy 4.25 of the Bournemouth District Wide Local Plan and Policy CS41 of the Core Strategy.

Land Contamination

- 110 According to Council records, the property falls within 50m of the Sheepwash Recreation Ground Tipped Site. Given the age of the property it was likely developed before accurate registers of contaminated land were kept and there may be potential contamination issues both below ground and related to materials such as asbestos within the existing building. The Environmental Health Regulation Team (Contamination) have requested the application of a phased land contamination condition compliant with the Land Contamination Risk Management (LCRM) regulations. Subject to the application of such a condition requiring the further submission, the scheme is capable of satisfying related planning policies and NPPF requirements.

Flood Risk and Drainage

- 111 The site is located within current day Flood Zone 1 and has a very low risk (less than 0.1% annual probability) of surface water flooding. The land is previously developed with a domestic drainage system connected to the sewer network.
- 112 To prevent flooding and provide satisfactory drainage in accordance with National Planning Policy Framework paragraph 163, 165 and 170 and Policy CS4 of the Bournemouth Local Plan: Core Strategy (October 2012) a surface water drainage strategy is normally required. This is to ensure the satisfactory management of local flood risk, surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and that the SuDS proposed operates as designed for the lifetime of the development. Illustrative drainage features are shown on the Indicative Drainage Plan drawing accompanying this outline application. The Lead Local Flood Authority (LLFA) consider this contains insufficient detail and object to the current level of information. They express a preference that this issue be resolved during the consideration of the application.
- 113 However, across BCP borough, on sites larger than this, the matter has been successfully regulated and resolved through the application of pre-commencement conditions, particularly in the case of outline planning applications. The Applicant has demonstrated that sufficient capacity exists within the site area, clear of the proposed building's footprint to provide an underground storage tank with timed release capable of meeting capacity requirements, should unrestricted regular drainage to the local network not be feasible. At this stage in this specific situation, it would be unreasonable for the LPA to insist the detail be provided for this outline proposal. A pre-commencement condition remains a realistic, reasonable and legitimate option through which to secure the submission and approval of a policy compliant drainage and surface water strategy before any development takes place. To be lawfully applied, an applicant has to agree to the application of a pre-commencement condition and they have done so here.
- 114 Subject to the application of such a condition, the proposal, in this layout has the capacity to deliver a suitable and policy compliant surface water drainage strategy as part of a Sustainable Urban Drainage system, sufficient to satisfy the requirements of the NPPF and local adopted policy.

Climate Change Mitigation

- 115 BCP and the Government have declared a climate emergency. While Policy CS2 seeks to secure the use of green technology in new developments, it only applies to schemes of more than 10, ie 11 and above. Plans shown the south eastern roof slope (facing no.910) as hosting solar panels, and the applicant has agreed to the application of a condition to secure details and installation prior to first occupation. The orientation of the building is such that the solar panels would have little direct impact on views of the main frontage from parkland opposite. Similarly, the drawings show 5 of the 10 car parking spaces would be fitted out with active EV charging capability, with the remaining 5 laid out with passive conduiting, ready for upgrade. This should be conditioned to secure delivery. Policy compliant cycle parking is provided, in a convenient and safe position, with easy access for residents. Whilst these three elements would help the proposal comply with Policy CS2 aspirations, conditions will need to be worded to ensure the elements are delivered.
- 116 No sustainability details are given in respect of any construction materials. Permeable paving products made from recycled materials could be utilised on any hard surface landscaping to aid the natural return of rainwater runoff to the ground. No outdoor clothes drying space is set out, but space exists on balconies/terraces and the LPA strongly advise that tenancy agreements should not preclude this functionality. This

would assist in ensuring clothes drying within all the units is not reliant upon tumble dryers and radiators in perpetuity.

- 117 The proposal is below the threshold whereby policy CS2 is triggered, so a combination of conditions and informatives are suggested to secure / encourage their delivery in the finished development.

Ecology & Biodiversity

- 118 Government Circular 06/2005 states that *“it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before planning permission is granted.”* Without knowledge of whether or not protected species are present, the LPA would not be able to comply with NPPF 2021 paragraph 174. *“Planning policies and decisions should contribute to and enhance the natural and local environment by: d) by minimising impacts on biodiversity and providing net gains in biodiversity where possible”*. Additionally, in determining this application the council has to bear in mind that under Section 40 Natural Environment and Rural Communities Act 2006 (NERC) *“Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”*. In respect of Protected European Species, the LPA also has a statutory duty under the Habitat Regulations 2017. In this case the site is home to bats, which are a protected European Species.
- 119 Bats have been observed on the site, with evidence of roosts. The Dorset Wildlife Trust (DWT) has assessed the updated Bat Emergence and Roost Surveys submitted in September 2022. The DWT confirmed in October 2022 that the mitigation and compensation measures detailed in the updated Bat Survey Report (v3.0 dated 21st September 2022) comprised *“a significant improvement in terms of providing adequate and suitable opportunities for bats to continue using the site”*. The DWT also confirmed their satisfaction that the mitigations would give the colony *“a fighting chance of being able to return to the site following redevelopment”* because *“the proposed roosting opportunities are much better suited to allow this.”* The DWT and the BCP Ecology Officer together recommended that the measures detailed in the v3.0 report be conditioned if a planning approval is given, to ensure delivery on site of: (a) all mitigation, compensation and enhancement measures for bats; and (b) all enhancements for other species. Both also require (c) any approved development to only make use of 1F Bitumenous roofing felt on the southeast roof; and (d) to require prior to installation, the submission, approval (and post approval installation) of a bat sensitive lighting scheme for the site. Because tree and shrub removal is proposed, the BCP Biodiversity officer requires an advisory condition be applied to prevent the removal of trees and hedgerows during bird nesting months.
- 120 Subject to these conditions the proposal has the capacity to satisfy the aims of local policies CS30 and CS41 which seek that development enriches biodiversity and wildlife habitats; and comply with the NPPF by contributing to, and enhancing, the natural and local environment by minimising impacts on, and providing net gains for biodiversity. Furthermore, the Council's duties under the Habitats Regulations are satisfied.

Heathland Mitigation

- 121 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 dwellings resulting in increased population and

domestic animals should be undertaken with regard to the requirements of the Habitat Regulations 2017.

- 122 The Dorset Heathlands Planning Framework SPD 2020 sets out an approach to the mitigation of the harmful effects of residential development in South East Dorset on Dorset's lowland heaths. This requires that all new residential development between 400m – 5km from protected Heathlands shall be subject to a financial contribution towards heathland mitigation measures in the borough. The proposed development would result in the formation of 10no. flats (10@ £292 = £2,920). Subtracting the existing dwelling this would be a net increase of 9 dwellings. A capital contribution is therefore required and in this instance is £2,628 plus a 5% administration fee. A signed legal agreement has been sealed ready to provide this contribution.

Affordable Housing

- 123 Policy AH1 of the Affordable Housing DPD seeks to secure the delivery of affordable housing (AH) from general market housing schemes. This applies to major developments of 10 or more units, so the policy applies to this application. Provision of an appropriate affordable housing contribution is a significant benefit to a scheme and carries significant weight where provided.
- 124 The District Valuation Office (DVO) considered the viability of the site and development in August 2022. The DVO did not consider the proposal to encompass sufficient profit to be considered 'viable' enough to provide affordable housing. The proposal originally proposed 12 dwellings, a net gain of 11. In its revised form it proposes 10 dwellings, a net gain of 9 on the site and actually falling below the threshold at which SPD policy AH1 is triggered / required.

Community Infrastructure Levy

- 125 The site/development is liable for Community Infrastructure Levy contributions for any net increases in floor space.

Planning Balance/Conclusion

- 126 The planning balance set out in Paragraph 11 of the NPPF should always be considered whether there is conflict with a specific local policy or not.
- 127 Given the shortfall of number of homes delivered in the Bournemouth area, the balance is tilted in favour of sustainable development to grant planning permission except where the benefits are significantly and demonstrably outweighed by the adverse impacts or where specific policies in the NPPF provide a clear reason for refusal. The proposed scheme would contribute to the need for new housing, delivering 9 additional homes (8no. two-bed, 2no. one-bed) with internal space that exceeds minimum standards and supplements this with practical projecting balconies/patios and communal garden space; provides policy compliant cycle and vehicular parking, in a sustainable accessible location, sufficient to accord with all policies. Other matters can be sufficiently addressed through conditions.
- 128 Contrary to this, local residents have raised concerns that too many units are proposed and that the degree of activity and disturbance associated with the number of smaller households would impact harmfully on the established character of the area, diminishing the quality of life for families and empty-nesters who claim to make up the existing mix of residents.

- 129 It remains that the aims of policy CS21 require redevelopment of this sustainably located site to deliver an increased number of dwellings, so long as the scale, form and general appearance of the proposal do not harm the character of the locality. It is recognised that there are not blocks of flats similar to the proposed in this part of Castle Lane East, but it is a gateway corner location on a busy main road which is identified as suitable for intensification. The proposal would deliver an attractive contemporary building which while it would have a (dwellings per hectare) density higher than the neighbouring plots, would not be accompanied by any of the portents typical evident in cases of the 'overdevelopment' that neighbouring residents consider this proposal to be.
- 130 Policy CS21 also requires that new development "respects residents' amenities". The scheme has been amended to propose a design that does not result in loss of privacy, sunlight or outlook; or cause overshadowing, to any habitable room in neighbouring dwellings. Where impacts exist, interface distances exceed minimums and conditions can adequately mitigate for residual impacts on garden views and disturbance from lighting to dissipate harm. Noise and odour from bin storage has been addressed through design. Highways Officers do not consider there to be any highways safety issues resulting from the proposed access arrangements. The proposal has in fact been amended to dedicate, via s106 legal agreement, land along the frontage to enable highway widening of benefit to the wider community who travel through and use this junction on foot and wheels.
- 131 Sufficient mitigations have been proposed to address biodiversity impacts and adequately protect Protected European Species (in this case, Bats) using the site, and these can be adequately secured by condition, satisfying policies and Habitat Regulations.
- 132 The proposal would deliver 10 flats in a sustainable location, compliant with policies of the local plan. Chapter 5 of the NPPF sets out the National aims to help deliver a sufficient supply of homes. NPPF paragraph 62 discusses the need for a mixture of dwelling sizes, types and tenures to meet the needs of different groups in the community. NPPF para 63 refers back to this as '*the objective of creating mixed and balanced communities*'. The proposal would diversify the mix of dwelling sizes, types and tenures and assist in delivering a mixed and balanced community.
- 133 The development would also invoke short and long term economic benefits in the form of construction jobs and by way of 9 additional new households able to contribute to the local economy. The benefits of replacing the mediocre house with a modern, attractive building that itself makes better use of the site would not hinder the delivery of a worthy hard/soft landscaping scheme to be secured by reserved matters condition.
- 134 So, factoring in the constraints of the site, neighbouring amenity and the need to balance Core Strategy policy aims against each other and the main aims of the NPPF - the proposed unit mix and density represents an appropriate provision achievable on this site; in a building having an acceptable scale, height, mass, and interface relationship with adjacent and surrounding buildings and street scene; and no severe impact on highway capacity or flow. All other matters can be addressed by condition.
- 135 The 'higher than adjacent site' dph density does not result in a scheme with harms sufficient to significantly and demonstrably outweigh the benefits of the proposals and would align with Chapter 11 of the NPPF

- 136 With regard for the 'tilted balance' set out in paragraph 11(d) of the NPPF, and footnote no.7 and having considered the appropriate development plan policies and other material considerations and proposed conditions, it is considered that
- a) the proposal would fully accord with the local Development Plan policies; and
 - b) the conditions securing Bat/habitat safeguarding mitigations would sufficiently overcome any reason for refusing the proposal under paragraph 11(d)(i) of the NPPF
 - c) Paragraph 11(d)(ii) does not apply here.
- 137 In conclusion, the proposals would deliver benefits comprising provision of new housing, as well as the economic, social and environmental objectives of sustainable development. The proposal would satisfy the local plan policies and the provisions of the NPPF. The Development Plan Policies considered in reaching this decision are set out throughout this report.

Recommendation

138 **GRANT permission subject to**

a) the completion of a Section 106 agreement with the following terms:

- Heathland Mitigation contribution of £2,628 (+ 5% fee)
- Dedication of part of the frontage of the site to public highway
- Reinstatement of footway/expunging of dropped kerb to Castle Lane E

and

b) the following conditions:

Conditions

Approved Plan Numbers

1 In Accordance with Approved Plans

Subject to any landscaping details approved as part of the landscaping reserved matters application as set out in condition 3 below, the development shall only be carried out in accordance with the following approved plans and details:

9449/100: Rev F - Site Plan (Red Line edged) & PROPOSED Block Plan
9449/101: Rev E – Floor Plans PROPOSED
9449/102: Rev D – Elevations PROPOSED
9449/103: Rev C – Street Scene & Cycle Store elevations PROPOSED
9449/104: Rev B – SUDs Indicative
9449/106: Rev A – Indicative sketch views
GH2149.1 Rev 1a.b - Tree Protection Plan

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

Time Limit

2. Reserved Matters Time Limit (3 years)

Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the

development must be begun not later than whichever is the later of the following dates:

- a) the expiration of three years from the date of this permission,
- b) 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.

Reserved Matters

3. Reserved Matters details (Landscaping)

Before any development is commenced approval shall be obtained from the Local Planning Authority with respect to the reserved matters, namely, the landscaping of the development.

The details submitted in respect of the Landscaping Reserved Matters condition should include sufficient information and drawings to permit the LPA to assess and discharge the following matters:

- a) Hard landscaping materials/finish. To include: *Ground Surfacing materials for pedestrian, bin servicing, cycle and vehicular routes and circulation areas; Section and fall-ratio of any proposed ramps, dropped kerbs within the site, external fixtures (including lighting columns*); specific details (including layout and finish materials of external surfaces) of the ground floor exteriors, including external balcony space, patio amenity areas and oversized/bulky waste storage area.*
- b) Soft landscaping. To include *Planting plans for the outdoor areas of the scheme; Schedule of plants suited to the environment (including at least one fruit tree, and native shrubs and planting which are ecologically beneficial to bats and local wildlife; and an implementation timetable.*

None of the treatments or landscaping pertinent to (a) or (b) shall be planted or installed on site until the relevant details have been approved in writing by the LPA. With reference to '(a) 'Lighting columns', an outdoor Lighting Plan for the site shall be approved by way of Lighting Condition no.21 after which:

- i) the hard landscaping elements shall be implemented in full, prior to first occupation of any of the units hereby permitted, in accordance with the details approved in part (a) of this condition;

and

- ii) the soft landscaping shall be carried out in accordance with the approved details.

Reason: To ensure that the approved outline development proposes a coherent design of the land around the building and suitably landscaped amenity areas sufficient to address visual amenity, bat colony mitigations and to accord with Policy 4.25 of the Bournemouth District Wide Local Plan (February 2002) and Policies CS41 and CS30 of the Bournemouth Local Plan: Core Strategy (October 2012).

Precommencement Requirement

4 Noise

No development shall take place until a detailed acoustic report on the existing noise climate at the development site, and a scheme of mitigations as set out later in this condition has been submitted to and been approved in writing by the Local Planning Authority.

The report shall include a scheme of noise insulation measures for the proposed residential accommodation. The noise insulation measures shall be designed to achieve noise insulation to a standard that adverse amenity impact will not be caused to the occupiers of the residential accommodation by noise from road traffic and/or operation of the roller shutter door to the approved bin store.

The assessment report shall include 2no periods for daytime as 0700-2300 hours and 2no. for night-time as 2300-0700 hours, and identify appropriate noise mitigation measures. All residential units shall thereafter be designed so as not to exceed the noise criteria based on current figures by the World Health Authority Community Noise Guideline Values/BS8233 "good" conditions given below:

- Dwellings indoors in daytime: 35 dB LAeq,16 hours
- Outdoor living area in day time: 55 dB LAeq,16 hours
- Inside bedrooms at night-time: 30 dB LAeq,8 hours (45 dB LMax)
- Outside bedrooms at night-time: 45 dB LAeq,8 hours (60 dB LMax)

The noise assessment and report shall be carried out by a suitably qualified acoustic consultant/engineer and shall take into account the provisions of BS4142: 2014 "Method of rating industrial noise affecting mixed residential and industrial areas" and BS 8233: 2014 "Sound Insulation and Noise Insulation for Buildings - Code of Practice".

The approved scheme shall be implemented prior to the first occupation of any of the residential units hereby approved and be permanently retained thereafter.

Reason: In order to safeguard the amenities of future occupiers of the noise sensitive development.

5 CEMP Construction environment management plan

No development shall take place, including demolition and site clearance works, until a construction management plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The CMP shall provide for:

- 24 hour emergency contact number;
- Hours of construction/deliveries;
- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Routes for construction traffic;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud being carried onto the highway;
- Measures to protect vulnerable road users (cyclists and pedestrians)
- Any necessary temporary traffic management measures;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Methods of communicating the Construction Environment Management Plan to staff, visitors, BCP Council Road Safety Team and neighbouring residents and St. Peter's Primary School; and
- A noise and vibration assessment

Prior to the submission of the CMP the noise report required by condition 5 which shall in part inform the CMP shall have been submitted to and approved in writing by the local planning authority. The noise and vibration assessment part of the noise report should be based on British Standard 5225 – Part 1 and 2: 2009. The report shall provide details in relation to;

- a) the existing background noise climate in and around the surrounding area;
- b) the resultant noise levels from the proposed demolition & construction works;
- c) any proposed mitigation measures to minimise the impact;
- d) an indication of noisy works likely to be audible beyond the site boundary.

The approved Construction Management Plan shall be adhered to throughout the demolition and construction period.

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).

6 Surface Water Drainage (SuDS)

Notwithstanding the indicative details shown on drawing 9449/104: Rev B; No development shall take place, excluding demolition and site clearance works, until a scheme for the whole site providing for the disposal of surface water run-off and incorporating sustainable urban drainage systems (SUDS), has been submitted for approval in writing to the Local Planning Authority. The scheme shall include the following as appropriate:

- a) A surface water drainage strategy report/statement produced in accordance with national and local policies, including supporting information and agreements in principle, if appropriate.
- b) Area characteristic assessment plans for both pre- and post-development scenarios. These plans should clearly show red line boundary, areas types (e.g. impermeable surface, soft landscaping), and corresponding gross area values.
- c) Drainage layout plan showing the contributing impermeable catchment areas, drainage assets, the location of SuDS features, conveyance paths, surface water point(s) of discharge, storage and treatment areas.
- d) Surface water drainage calculations which must include an assessment of the pre-development scenario runoff rates (i.e. greenfield or brownfield), post-development runoff rates for the 1:1, 1:30 and 1:100+40% climate change together with the proposed storage requirements and attenuation features;
- e) a management and maintenance plan for the lifetime of the development that secures the operation of the approved [surface water] drainage scheme throughout this time; and
- f) A timetable for implementation of the approved drainage scheme.

No installation or instatement of the details shall be undertaken until approval is given for them, in writing, by the Local Planning Authority.

The drainage works shall be completed in accordance with approved details in accordance the agreed timetable (e).

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.

7 Ground Levels

Prior to the commencement of any below ground development, a plan indicating the finished site levels above Ordnance Datum of the building, and the finished site levels shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be completed in accordance with these approved details.

Reason: To ensure that the development relates satisfactorily to its surroundings in the interests of visual amenity and in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

During Construction

8 Construction Traffic Hours (Safety)

a) No construction vehicles, plant or contractor vehicles shall attend or depart from the site before 07.30h or after 17.30h Monday to Friday; before 08.00 or after 13.00 on Saturdays and not at all on Sundays.

b) Any articulated vehicle having more than 3 axles, and in excess of 25 tonnes weight, shall not make construction related deliveries to, or despatch construction materials, plant or equipment from the site between the hours of 08.00h and 09.00h, nor between 14.45h and 15.45h, Monday to Friday during school term opening times at: St Peter's Primary School (Holdenhurst Avenue) unless the manoeuvre into or out of the site from/to the public highway is accompanied by a walking banksman/person assisting the driver from outside the vehicle.

Reason: To ensure the safety of local highway users, in particular the nearby school pupils who pass the site and to maintain the freeflow of the public network in accordance with Policy CS16 of the Bournemouth Local Plan: Core Strategy (October 2012).

9 Construction Hours (Neighbours)

Construction work shall only take place on site within the following hours:
Monday to Friday Between 08.00 and 17.00 hours
Saturdays 08.30 to 13.00 hours, and not at all on Sundays.

Reason: To ensure satisfactory control of the construction process and to avoid harm to neighbouring amenity in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

10 Tree Protection / Arb Method Statement

The tree protection measures as detailed in the Tree Protection Plan (no. GH2149.1 Rev 1a.b. dated 16.10.2022) and arboricultural method statement (ref. GH2149 Rev 1.1, dated 06.10.2022 and authored by Gwydion's Tree Consultancy), shall be implemented in full on site, preparatory to and maintained in situ during the construction phase of the development hereby approved, 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).

Within set time of commencement

11 Contaminated Land & Remediation

Prior to the commencement of any below ground works on this site, the following shall be prepared and submitted in writing to the Local Planning Authority for approval:

1. *A 'desk study' report produced in accordance with guidance outlined by the Environment Agency "Land contamination: risk management" for a Preliminary Risk Assessment, published at <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>.*

If the conclusions of the desk study approved via part (1) of this condition express a need for on site exploration and investigation, then prior to the commencement of any below ground works, other than the activities to inform part (2) of this condition, the following shall be prepared and submitted in writing to the Local Planning Authority for approval:

2. *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. The report should meet the requirements of BS10175:2011+A2:2017 "Investigation of potentially contaminated sites" – Code of practice.*

If the findings of the site investigation report approved via part of part (2) of this condition express a need for on site mitigations, then prior to the commencement of any below ground works, other than the activities to inform part (2) of this condition, the following shall be prepared and submitted in writing to the Local Planning Authority for approval:

3. *A detailed scheme for remedial works and measures to be taken to avoid risk from contaminants / or gases when the site is developed including verification plan (if appropriate). Guidance on developing a remediation strategy and verification plan is outlined by the Environment Agency "Land contamination: risk management" under Stage 3: Remediation published at <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks/stage-3-remediation>*

and

4. *A detailed phasing scheme for the development and remedial works (if appropriate).*

The approved remediation scheme shall be fully implemented before the development hereby permitted is first occupied. Within 1 month of the completion of the remediation works, or in accordance with the timetable approved by way of part (4) above:

- 5 *A Verification Report which demonstrates the effectiveness of the completed remediation works shall be submitted to and approved in writing by the LPA.*

The schemes required by way of parts (1), (2), (3), (4) and (5) above shall be prepared by a suitably qualified and competent persons.

If the presence of any previously unencountered contamination that becomes evident during the development of the Site shall be reported to BCP in writing within one (1) week, and work on the affected area shall cease with immediate effect. At this stage, if requested by the BCP, an investigation and risk assessment shall be undertaken, and an amended remediation scheme shall be submitted to and approved by the Planning Authority prior to re-commencement works in the affected area. The approved details shall be implemented as approved. Following completion of the above remediation works a Verification Report must be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved.

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).

12 Finish Materials

Prior to the erection of any above ground superstructure, details of the proposed finish exterior materials to be applied to glazing, walls, balconies, roof areas, doors, including any colour finish and texture shall be submitted to and approved in writing by the Local Planning Authority. The details shall include information sufficient to satisfy the requirements of Biodiversity Condition no.20.

No installation or instatement of the details shall be undertaken until approval is given for them, in writing, by the Local Planning Authority. The development shall then be completed in accordance with the details approved by this condition, prior to the first occupation of any of the residential units hereby permitted.

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).

See informative note on materials and Biodiversity Condition no.20.
See informative notes on materials and climate change mitigation

13 Boundary Treatment (Location & Type):

Within 4 months of the date of commencement of the development, details of the proposed boundary treatment shall be submitted in writing to the Local Planning Authority for approval. Details shall include a plan showing: the positions, height, design, and materials, having regard for the root protection areas shown on the approved tree plan (no. GH2149.1 Rev 1a.b. dated 16.10.2022). The approved boundary treatment scheme shall be implemented in full prior to first occupation of any of the dwellings hereby permitted and permanently retained and maintained for the lifetime of the development.

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

14 Climate Change Mitigation

Within 4 months of the date of commencement of the development, full details of any sustainability mitigations for the site, including solar panel specification and dimensions upon the South Eastern roof elevation shall be submitted to the Local Planning Authority in writing for approval. Details shall set out how at least 10% of the energy to be used in communal areas of the development shall come from

decentralised and renewable or low carbon sources. No installation or instatement of the details shall be undertaken until approval is given for them, in writing, by the Local Planning Authority. The equipment shall then be installed in accordance with the details approved by this condition before the first occupation of any of the dwellings hereby approved.

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

See informative note on climate change mitigation

15 Servicing & Waste Management Plan

Within 4 months of the commencement of development a Servicing Management Plan, incorporating a Waste Management Plan (CWMP) for the flats hereby approved shall be submitted to the Local Planning Authority in writing for approval. The plan shall include

- a) details of how the building is to be serviced and the waste collected from the approved bin stores and moved to the collection day dwell space at the end of the service path, including a weekly timetable with hours;
- b) Details of how the resident access door to the bin store is to be secured to prevent unauthorised access; and
- c) sufficient arrangements to prevent any bins or waste from being stored within the bin collection point other than on the collection day the bins are due to be collected, commencing four hours before collection is due and returned to basement bin store within 6 hours.

No instatement of the details shall be undertaken until approval is given for them, in writing, by the Local Planning Authority. None of the dwellings hereby approved shall be first occupied until the servicing and waste management plan has been approved and implemented AND any dropped kerbing, path widening and demarcation approved by way of Landscaping Condition no.3(a) has also been fully implemented on site in accordance with that condition. The approved details within sections (a), (b) and (c) of this condition shall remain complied with at all times while the building is occupied by any residents.

Reason: To ensure that the business meets its duty under Environmental Protection Act 1990 (section 34) to have suitable commercial waste agreement in place, guidance relating to capacity is based on Waste management in buildings — Code of practice BS 5906:2005, also the safe servicing and collection of refuse from the site so as not to impact the efficiency of the local highway network nor the safety of its users and in the interests of preserving visual amenities, meeting the needs of intended occupiers and highway safety and in accordance with Policy CS41 adopted October 2012

16 Car Parking Space Provision

- (a) Within 4 months of the commencement of the development, details demonstrating which space(s) is/are to be laid out and demarcated as disability / accessible space(s), shall be submitted to the Local Planning Authority in writing for approval. No demarcation of the spaces shall be undertaken until approval is given for the arrangement, in writing, by the Local Planning Authority.
- (b) Prior to the first occupation of any of the residential units hereby approved, the vehicle parking spaces and turning areas shall be constructed, laid out and demarcated in accordance with the approved drawing 9449/100 Rev F and as

augmented by part (a) of this condition. All the car parking spaces shall be made available for the residents of the development and those persons visiting residents of the development, and shall remain unallocated to any specific resident or residence for the lifetime of the development by way of the details approved by this condition.

Reason: In the interests of highway safety and in accordance with Policies CS14 and CS16 of the Bournemouth Local Plan: Core Strategy (October 2012) and Adopted BCP Parking Standards SPD (Jan 2021).

17 Cycle Parking Provision

Within 4 months of the commencement of the development, details of the internal layout of the proposed 20-cycle store, and 2no. above ground visitor cycle spaces shall be submitted to the Local Planning Authority in writing for approval. Details shall include:

- a) specification and product details for the stands to be used within the store shown on the approved drawing 9449/100 Rev F;
- b) location of the above ground visitor stand, specification and product details; and

No installation or instatement of the stand details shall be undertaken until approval is given for them, in writing, by the Local Planning Authority. The approved cycle store building depicted on drawing nos. 9449/100 Rev F and 9449/103 Rev C, and the details approved by way of parts (a) and (b) of this condition shall be implemented in full on site prior to the first occupation of any of the dwellings hereby approved. The cycle store and stands, shall thereafter be retained, maintained in full working order and kept available for the residents/visitors of the development for the lifetime of the development.

Reason: To ensure the proper construction of the parking facilities and to encourage the use of sustainable transport modes in accordance with Policy CS17 of the Bournemouth Local Plan Core Strategy (October 2012).

18 Electric Vehicle Charging Points

Within 4 months of the commencement of the development details of the provision of 13no. Active Electric Vehicle charging Points shown on drawing 9449/100 Rev F, and associated infrastructure shall be submitted to the Local Planning Authority in writing for approval. Those technical details shall be in accordance with the BCP Council Parking Standards SPD (adopted 5th January 2021).

No installation or instatement of the details shall be undertaken until approval is given for them, in writing, by the Local Planning Authority. The approved details shall be implemented and brought into operation prior to the first occupation of any of the residential units hereby approved. Thereafter the Electric Vehicle Charging Points shall be permanently retained available for use at all times.

Reason: To ensure the proper construction of the parking facilities and to encourage the use of sustainable transport modes in accordance with Policy CS17 of the Bournemouth Local Plan Core Strategy (October 2012).

Prior to first Occupation of any unit (and retained for lifetime of devt)

19 Pedestrian inter-visibility splays

Prior to occupation of any of the flats hereby permitted the pedestrian visibility splays as shown on the approved plan (9449/100: Rev F) shall be cleared of all obstructions

over 0.6m in height above ground level and no fence, wall or other obstruction to visibility over 0.6m in height shall be erected within the area of the splay at any time.

Reason: In the interests of highway safety and in accordance with policies CS16 and CS41 of the Bournemouth Local Plan Core Strategy (October 2012).

20 Biodiversity Enhancement Mitigation

Before any of the flats hereby approved is first occupied, the mitigation and enhancement as specified in Section 5, and Appendix 3 of 'Bat Activity Survey Report 908 Castle Lane East, Bournemouth, Dorset BH7 6SN 21.09.2022 v3' by ABR Ecology Ltd (hereafter the 'Bat V3 report') shall be implemented on the site in full in accordance with the timescales set out within the Bat V3 report.

This includes, but is not limited to:

- (a) temporary bat roosting provisions constructed pre-works;
- (b) timing restrictions;
- (c) destructive roofing work phase;
- (d) Ecological Clerk of Work appointment;
- (e) a total of 15 custom-made 'Bat Access Tiles';
- (f) the entire southeast roof to be lined exclusively with bituminous 1F type roofing felt only;
- (g) 2no. 'Vivara Pro Build-In Woodstone Bat Tubes' to be installed in the northwest elevation;
- (h) total of 5no. 'Bat Soffit Boxes' to be installed in the southeast soffit;
- (i) no external light fixtures to be installed on the NW and SE elevations / gables;
- (j) Post-monitoring bat surveys;
- (k) A Lighting Strategy (relative to Condition no.21);
- (l) 2no. bee bricks to be located within the southwestern elevation at least 1m above ground level;
- (m) 1no. 'Vivara Pro Build-In Woodstone Bat Tube' to be installed in the northwest elevation;
- (n) 10no. 'WoodStone Build-in Swift Nest Boxes' to be installed at eaves level on the northwest elevation;

Any permanent means of boundary enclosure to boundaries with no.101 Holdenhurst Avenue and 910 Castle Lane East shall incorporate at least one 0.13m high, 0.13m gravel board/hole at ground level, within every 10m length of any new boundary enclosure to enable unimpeded hedgehog passage.

All approved mitigations shall be maintained and retained in situ for the lifetime of the development.

Reason: To ensure the development contributes to and enhances the natural and local environment by minimising impacts on and providing net gains for biodiversity in accordance with Policy CS30 of the Adopted Core Strategy (2012) and the aims of the National Planning Policy Framework (2021)

21 Lighting

Before the development hereby approved is first occupied, a scheme for external lighting across the site shall be submitted to the Local Planning Authority in writing for approval. Details shall include a scaled site plan, with relevant elevations/sections through the site, showing:

- a) where all external lighting proposed, including height, direction, degree of

luminosity expressed in candelas;

For the purposes of any submission, plans submitted in respect of part (a) of this conditions shall be annotated to repeat, and be in accordance with, the following specifications:

- i) Any overnight security lighting that is to be provided to building entrances and pathways shall be operated only by PIR sensor and extinguish by timer after a maximum of 3 minutes of no activity;
- ii) Any lighting installed to the exterior of the building or within the site (including that operated by the PIR) shall point downwards at an angle of no more than 30 degrees perpendicular from a point above the ground, and not be mounted higher than 4m above the adjacent ground level;
- iii) No external light shall at any time be directed towards any neighbouring residential windows within or outside the site;
- iv) No lighting shall be erected at any time on any parts of the North West and/or South East facing elevations or roof faces/gables of the building hereby approved; and
- v) A timer shall regulate all external lighting on the site between the hours of 23.00h and 06.00h each night so that it remains extinguished unless activated by the PIR sensor.

The approved lighting scheme shall be installed prior to the first occupation of any of the flats hereby approved and thereafter at all times retained and maintained as approved in full working order.

During the first year's post-monitoring visit under the EPS (Bat Licence) an inspection of the new lighting will be undertaken by the project ecologist to determine whether new lighting follows the approved lighting plan and a compliance report / letter will be sent to BCP Council.

Reason: In the interest of neighboring amenity and to ensure the Bat maternity access routes are maintained and the impacts of any light spill on the (Bat) maternity colony are minimised, in accordance with Policies CS41 and CS30 of the Bournemouth Local Plan: Core Strategy (October 2012).

22 Dropped kerb expunged

Before the development hereby approved is first occupied, the existing redundant highway vehicular crossing to the Castle Lane East highway frontage shall be expunged and reinstated to a specification which must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the proper and appropriate reinstatement of the adjacent highway.

23 Soundproofing Dwellings

Prior to the first occupation of any of the dwellings hereby approved, all residential units shall be finished so as not to exceed the noise criteria based on current figures by the World Health Authority Community Noise Guideline Values/BS8233 "good" conditions given below:

- Dwellings indoors in daytime: 35 dB LAeq,16 hours
- Inside bedrooms at night-time: 30 dB LAeq,8 hours (45 dB LMax)

All works to deliver the mitigations shall be completed before any part of the flats hereby approved are first occupied and shall be retained and maintained thereafter.

Reason: In order to protect the amenities of the occupiers of the proposed development and in accordance with Policy CS38 of the Bournemouth Local Plan: Core Strategy (October 2012).

Always Relevant

24 Bird nesting months

All work to trees and/or hedgerows on the site shall be carried out outside of the bird nesting season which runs from March to August inclusive.

Reason: To safeguard the active nests of all wild birds which in England are protected under the Wildlife & Countryside Act 1981

25 Obscure Glazing (windows)

Prior to the first occupation of flat nos.6 and 9 (marked on approved plans) hereby approved, the lower portions of the bedroom window within the south-western facing elevation lighting flat nos. 6 and 9, and shown on approved floor plans (9449/101: Rev E) and elevation drawing (9449/102: Rev D), shall be fitted with obscure glazing up to a point at least 1.2m above finished floor level; to Pilkington Level 3 obscuration or above (or the nearest equivalent standard) and shall be permanently retained as such. The portion above this point need not be obscured.

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).

Informatives

ECOLOGY

Bats

A bat European Protected Species (EPS) licence for roosting bats must be obtained following planning approval and prior to any works commencing at the property for legal compliance

HIGHWAYS

No Storage of Materials on Footway/Highway

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

Surface Water/Loose Material

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.

School Pupil/Pedestrian Safety

With regards to the requirements of condition no. 2 (CEMP: "Methods of communicating the Construction Management Plan to staff, visitors, Council Road

Safety Team and neighbouring residents, school and businesses”) any email communications should be addressed to all of the following parties:

- BCP Council Road Safety Team - road.safety@bcpcouncil.gov.uk
- St Peter's School – primary@st-peters.bournemouth.sch.uk

The school term dates referred to within Condition nos. 5 (CEMP) and 8 (Visiting / departing Articulated vehicle and trailer having more than 3 axles, and in excess of 25 tonnes weight, during term times) shall relate to the term times as set and publicised by:

- St Peter's (Primary) Catholic School. Holdenhurst Ave, BH7 6RG
[Telephone: 01202 421 141, option 3, office staffed between 7.30h and 15.30h weekdays]

or any renamed or substituted national curriculum school for children under the age of 18, occupying or operating from those premises.

CONTAMINATION

Building Fabric (Asbestos)

The grant of planning permission does not remove the separate legal requirements for the safe removal and disposal of asbestos during demolition which are subject to separate Environmental Health legislation and related controls outside the planning system.

GENERAL

Climate Change Mitigation (Relevant to Condition 14)

Roof faces are capable of hosting PV solar panel arrays, connected to internal storage batteries serving the development. Green roofs and walls (planting such as sedum) should also be incorporated above the cycle store building to assist in reducing speed of rainwater runoff the SUDS system has to handle. Grey water recovery systems can also complement on site efforts to counter climate change and are best designed in rather than retrofitted.

Where expanses of flat roofs are proposed with no planting or PV equipment, white colour finishes should be used on horizontal surfaces to assist in reducing the localised temperature within the building and on the site. Sustainably sourced construction materials should also be considered. Internal lighting within communal bin and cycle parking stores should be powered from renewable sources and operated by PIR to avoid wastage when not needed.

Permeable paving products made from recycled materials could be utilised on any hard surface landscaping proposed. No outdoor clothes drying space is set out, but space exists on balconies/terraces and the LPA encourages the use of flexible and lenient tenancy and leasehold agreements that do not preclude this functionality as it would prevent the flats from being reliant upon tumble dryers and radiators in perpetuity.

Statement required by National Planning Policy Framework

In accordance with paragraph 38 of the revised NPPF the Council takes a positive and proactive approach to development proposals focused on solutions. The Council work with applicants/agents in a positive and proactive manner by: offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions. In this instance the applicant did not seek pre-application advice, but the submission was amended following

feedback from statutory consultees and the planning department. The proposal is recommended for approval.

Background Documents:

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