

Planning Committee



Application Address	51 Bargates Christchurch BH23 1QE
Proposal	Demolition of Existing Building. Construction of New Church Building
Application Number	8/22/0552/FUL
Applicant	Christchurch Baptist Church
Agent	Mr Will Lycett
Ward and Ward Member(s)	Christchurch Town
Report status	Public
Meeting date	16 February 2023
Summary of Recommendation	Approve subject to s106 and conditions
Reason for Referral to Planning Committee	Called-in by Councillor Hall for the following reasons; May be contrary to policies H12 and HE2 Received 67 objections to the scheme and Recommendation is to Approve.
Case Officer	Sophie Mawdsley

Description of Proposal

1. This application seeks permission for the demolition of the existing building and the construction of a new church building. The proposed church would comprise of one larger building which would have a taller two storey component to the front of the plot fronting Bargates and this would step down to a rear component of one storey mass.
2. There would be 2 levels of accommodation within the front component of the building with a multipurpose foyer at ground level and flexible smaller meeting room/spaces at first floor level. The single storey rear element comprises of a main worshipping space (auditorium) which could accommodate 257 seats.
3. The existing car park would be lost and the majority of the boundary wall along Beaconsfield Road would be removed.

4. The applicant has confirmed that the existing Baptist church building opposite the site at No.49 would be retained for use by the church to provide additional space for the church use. This enables the proposed new building to be smaller than the previously refused larger building (see para. 11 below).

Description of Site and Surroundings

5. The application site currently occupies a corner plot between Bargates and Beaconsfield Road and is occupied by a late Victorian detached two storey hipped roof building in buff brick with red brick detailing and a replacement concrete pantile roof with an area of hard standing to the rear for parking accessed off Beaconsfield Road. This is enclosed by a brick boundary wall running along the southern boundary and eastern boundary with the adjacent dwelling No 2 Beaconsfield Road. The building is being used for commercial purposes, with an Opticians and offices and meeting rooms for the existing Baptist Church.
6. The site is outside of the Central Christchurch Conservation Area but none the less is positioned within a historical area within the town centre in which a number of heritage assets are located. The existing Baptist Church is locally listed and the applicant's Heritage Statement states; *'The church forms part of the late 19th century development of Bargates and is well integrated with the tight-knit urban grain of the area. It has a distinctive form and appearance, set apart from the prevailing character of the groups of terraces and modern blocks, giving it a strong presence within the street scene'*. The church is an attractive and distinctive building that adds an interesting focal point to this part of the streetscene. Its significance is due to its architectural and local historic interest. To the rear of the existing Church is the Christian Centre, a rather modest, modern building of two storeys of red brick with a slate roof but of no particular interest.
7. The local listing description of the existing church is as follows; *"19th century red brick panelled façade. Half hipped gable end faces street. Slate roof with red ridge and finials. Stone banded buttresses at sides. Square west window of 5, gothic arched lights. Modern porch added below. Aisles have brick eaves cornice, 6 windows of 3 lights each with segmental arches with gauged rubbed brick arches above. Additional window at end of porch. Stone band below window is carried through buttresses. Clerestory has 6 similar windows."*
8. There is a group of three Grade II listed buildings on the opposite side of Bargates; The Former Fusee Watch and Clock Fusee Chain Factory which dates from 1845, No 22 Bargates and No 24 Bargates. These form a group of heritage assets. To the south on the small traffic island at the junction with the Roundabout is the listed cattle trough and drinking fountain. Beyond this on the north-east side of Bargates is Priory Sports, a Grade II listed building.
9. As is described in the Heritage Statement, Beaconsfield Road is a; 'narrow residential street containing short rows of late 19th century two-storey terraced brick or render houses with shallow front gardens'. To the north of No 51, is a three storey C20th building with retail units on the ground floor and residential flats above. The prevailing scale of buildings along Bargates is two- or 2½-storeys and like the adjacent building, where there are third storeys, roofs are relatively shallow. Buildings abut the pavement creating an enclosed street scene. To the north-east of the site and accessed adjacent to the north side of No 51, there is a substantial Electrical Distribution Centre which has more of a presence from the rear car park than at the front of the site on Bargates.
10. The Inspector in their appeal decision on the previous proposal stated in paragraphs 7 and 8;

“The appeal site is on the edge of Christchurch town centre, separated by a large roundabout and bypass road. Bargates is a busy road with wide pavements and fronted by shops and other commercial properties, typically two and three storey, small individually distinct buildings, with varying styles and materials. The Christchurch Borough -wide Character Assessment notes the tightly packed street frontages. Notably there are several well-manicured and pollarded trees within the public pavement, including to the front of the appeal site.

The appeal site includes a two-storey building which faces on to Bargates, particularly with its two bays with hipped roof gables, which also contribute to its symmetrical appearance. It has distinctive mottled light brown bricks and red brick detailing, which the Heritage Statement (HS) notes is typical of the late Victorian period and reflects its recognisably domestic origins. It is currently used as an opticians and offices for the Baptist church and is very prominent for a substantial length of Bargates, in both directions”.

Relevant Planning History

11. 8/20/0205 – Demolition of existing building. Construction of new Church building. Refused and Dismissed at Appeal.

8/15/0712 - Change of use from residential (C3) to office (B1) space and change of use from office (B1) to non-residential institutions (D1). Granted 03/16.

Constraints

12. In considering whether to grant planning permission or permission in principle for development which affects a listed building special regard shall be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest - section 66 - Planning (Listed Buildings and Conservation Areas) Act 1990.

13.

- SSSI Impact Risk Zone
- Highways Inspected Network
- Heathland 5km Consultation Area
- Airport Safeguarding
- Primary Shopping Frontage
- Primary Shopping Area
- Town Centre Boundary
- Wessex Water Sewer Flooding
- Coastal Area (Open Spaces)
- Contaminated Land - Medium Risk

Public Sector Equalities Duty

14. 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

15. 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.
16. 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.

Consultations

17. **Historic England** – *“We suggest that you seek the views of your specialist conservation and archaeological advisers. You may also find it helpful to refer to our published advice at <https://historicengland.org.uk/advice/find>”*
18. **Natural England** - None received
19. **Wessex Water** - None received
20. **Christchurch Town Council** - None received
21. **BCP Lead Flood Authority** – extracts from comments. See file for detailed comments
22. *“Being realistic there isn't room on this site for any form of infiltration drainage and there are no near by water courses so the only option is to connect to the drainage system. Both ourselves and I am sure Wessex Water would insist that any rainwater would be discharged to the surface water sewer and the only surface water sewer is a 225mm SW sewer in Bargates that is not particularly deep. Further we already have ponding issues in the road which we think is probably due to inadequate drainage capacity so any connection would be considerably restricted. The suggested figure of 2l/s is not unreasonable and unless Wessex Water suggest there is a problem then we would find that discharge acceptable.*
23. *So in conclusion I can see that this could work and there is a possible solution (which is for them to produce) but really this submission is really not detailed enough to be certain. In terms of SuDs it is less than ideal but being pragmatic I cannot see another viable option so I would not be adverse to this being a (SuDs) condition but I would very strongly recommend that it is in their own interest to further develop this solution”*
24. **BCP Environmental Health**
25. *“Potential Noise Nuisance - The solid NE wall with no openings and tiled roof should provide good attenuation. Opening windows are placed on the SE facade not facing residents. The plant is also located in what appear to be sensible locations.*
26. *Contaminated Land - The ACS Contaminated Land Desk Study (Report Ref 20-59807, dated Feb 2020) advises that;*

27. *"A previous intrusive investigation carried out by ACS in 2016, including boreholes in the west and north of the Site, did not encounter evidence of gross hydrocarbon contamination. This assessment has also concluded that the proposed redevelopment of the Site poses a potential low risk to controlled waters. On this basis, additional investigation at this stage is considered un-necessary; however, a good watching brief should be instigated during the construction preparation groundworks, and action taken if evidence of contamination is encountered."*
28. *The Desk Study advises that a watching brief should be adopted during construction preparation groundworks, and action taken, if evidence of contamination is encountered. Therefore, Environmental Health would request the following condition: In event contamination is found.*
29. *Air Quality - The Transport Statement from DUA Architecture LLP (Ref. 1640, dated June 2022) advises that "the proposed development will not have a severe effect on the local transport and highway network". Therefore, it is not anticipated that the proposed development would have a significant impact on air quality in the area.*
30. **Additional comments received 21/12/22** – *"Further to the letter from DUA Architecture dated 21/11/2022 (Ref 1640.043) the Noise Officer has advised it would satisfy the previous comments from the Environmental Health team. The solid NE wall with no openings and tiled roof should provide good attenuation. Opening windows are placed on the SE facade not facing residents. The plant is also located in what appear to be sensible locations".*
31. **BCP Conservation** – extracts from response. Please see file for full response.
32. *"The revised scheme has now reduced the massing, height, volume and adjusted the elevational detailing of the new church as compared against the refused scheme. The rear section of the building would be one storey with a square hipped roof with a crown, flattening what would otherwise be a peak at the top; and the height and volume of the front section of the building which is of two storeys with a pitched roof, and that of the central section, have been reduced from the initial scheme.*
33. *The Planning Inspector responded to the earlier proposal in unambiguous terms. His assessment of the proposal concluded that the proposal would be in conflict with national and local policies.*
34. *The revised proposal, despite the changes, would be, in common with the refused scheme, albeit less markedly, overly obtrusive and dominant in terms of scale, massing, height, footprint and detailing. Although the revised scheme is an improvement on the refused scheme it would, in my view, fail to preserve the setting of the neighbouring CA and would visually compete with the existing church building.*
35. *I am of the view that it is still overly obtrusive and dominant and would close off the much needed gap behind No 51, as well as visually competing with the existing church. In addition, the replacement of what is essentially a perfectly good building at No 51 -one which can be restored back to its former condition, along with the rear plot and boundary wall, the quantum which can be considered a 'heritage asset' - with a new building would be a regrettable loss of the 'story' of this part of the street and of an attractive building.*
36. *The edification of the rear of the site where there is currently open space (the car park) would enclose the street and detract from the setting of the CA as a result. Loss of light and space would also be detrimental to the street scene, generally. Loss of the historic boundary wall would detract from the setting and would erode the*

rather delicate spatial balance of gap and building which currently constitutes the grain at this end of Beaconsfield Road.

37. *The proposed loss of the wall and the proposed edification of this part of the site where there is currently only a wall-enclosed car park, would detract from the site both in terms of the loss of a boundary wall and by closing off this part of the street with a building that would block out the light and open space which is not just visually beneficial for Beaconsfield Road, but also in terms of oblique views from Bargates.*
38. *Impact assessment - The proposal as it stands would have a detrimental impact on the character and appearance of the setting of the CA, on the wider setting of the listed buildings, including views from the listed building and on the immediate visual setting of the locally listed Baptist church. The proposal would serve to compete visually with the existing church and by doing so it would have an associated detrimental impact on both the designated and non-designated heritage assets. Furthermore, the proposal would not improve upon the existing building at No 51 for the reasons given.*
39. *Conclusion and policy recommendation - Based on the proposal, given the proposed increase in footprint, volume, height and massing as well as the inappropriate design and details albeit improved from the previous iteration, the proposal would fail to enhance or preserve the setting of the designated and non-designated heritage assets. The proposal would also harm the character and appearance of the Church at No 49 which is a locally listed building. The proposed building would compete with the extant church. In regard to the non-designated heritage asset, the tests of NPPF Ch 16 paragraph 203 would not be met. The proposal would lead to less than substantial harm to the wider setting of the neighbouring Conservation Area.*
40. *The proposal is not considered to be in compliance with the NPPF or the Local Plan which require that it/they preserve or enhance the historic and architectural significance of heritage assets and ensure it/they reveal the significance and value of the site within its setting”.*
41. **BCP Trees & Landscaping** – *“The only tree or significant vegetation near to the proposal, is a London Plane situated in the street scene, outside the existing building. The Plane is set back from the building and should not be impacted on by any works during development if planning is approved.*
42. *Due to the nature of the site, the footprint of the building cannot be moved forward, and so the tree/building relationship remains unchanged. The Officer notes that the submitted Survey Site Plan, identifies the tree as a Lime. The Officer would recommend that suitable landscaping is incorporated into the proposal, to soften the impact of the built environment and help enrich the locality”.*
43. **BCP Highways**
44. *“The previous planning application on the site for a larger new church building was subject to a planning appeal. Although that appeal was dismissed by the Planning Inspector, the Inspector assessed the highway impacts of the proposal and did not dismiss the appeal due the highway or parking impacts. They acknowledged that there were public car parks within close proximity of the site which could accommodate parking from that new church use, which was a larger proposal than that now proposed. They also acknowledged that securing £5000 towards potentially reviewing existing parking regimes in the area was appropriate should the proposal have led to unsafe parking on neighbouring streets.*

45. *The site is in a very sustainable location close to good sustainable travel links. The proposal is within Zone A of the Council's Parking Standards SPD and that zonal requirement acknowledges that within these areas lower amounts of car parking can be sought from development to encourage the take up of sustainable travel. The SPD indicates that a church use of this size should provide 7 car parking spaces. However, as referred to by the Planning Inspector, the proposal is close to public car park facilities which can accommodate parking from the development. The Bypass Car Park (Waitrose) is located a short walk from the site and rarely reaches capacity and could therefore easily accommodate 7 vehicles from the proposal. Roads adjacent to the site have significant parking controls with time limited parking during the day (except on Sundays on Beaconsfield Road) so the amount of long term parking from the proposal that could occur on adjacent streets will be limited by the existing parking controls. However, as sought on the previous proposal, a contribution £5000 should be sought from the proposal, and secured via S106 legal agreement, to allow a review of the parking regimes in the area should the proposal result in local parking impacts. For example, in the future restricted Sunday parking could be introduced on Beaconsfield Road if required and if it was supported by residents.*
46. *The Council's Parking Standards SPD requires the proposal to provide a minimum of 7 cycle parking spaces. 12 cycle parking spaces are proposed and therefore the proposal complies with the SPD. Servicing and delivery parking for the proposal is likely to occur on the main road, Bargates. The proposed Church use is unlikely to result in regular servicing and deliveries via large service vehicles such as HGV's. The occasional delivery by van is unlikely to result in significant highway safety or congestion issues.*
47. *The Highway Authority can offer support to the proposal subject to:*
- *£5000 to be secured via S106 legal agreement towards the future review of on-street parking regimes in the area. These monies could be returned to the applicant if not used within 5 years of the Church use commencing.*
 - *Planning condition: Implement the cycle parking shown on the approved plan prior to the use commencing and retain the cycle parking at all times thereafter".*

Representations

48. We have received 69 representations to the application. 67 of these are objecting to the proposal on the following grounds:
- Inadequate parking
 - Congestion and increased parking on Beaconsfield Road
 - Increased traffic and closure of nearby car parks
 - Many parishioners are blue badge holders so require parking close by
 - Church goes park in residents permit spaces – illegal parking
 - Highway safety concerns from illegal parking
 - Overpowering and dominant design
 - Out of keeping design and adverse impact on visual amenities
 - Dull design, prosaic and inappropriate
 - Two separate forms do not relate well and provide a confusion of building forms.
 - The proposal displays insufficient design and architectural quality to adequately suit this important site.

- Becoming a concrete jungle
- Loss of historic building
- New building relates poorly to the Conservation Area and locally listed buildings
- Re-use and extension of existing building should be considered
- Noise and disturbance
- Noise levels from the building and events and parties
- Disruption early on Sunday morning
- Building and roof be visually overbearing and dominant to neighbouring properties
- Light pollution
- Air pollution
- Loss of light
- Collection and emptying of bins – problems with vermin
- Construction activity affecting foundations and structure of nearby properties
- Bad feelings between church and local community
- Loss of opticians which is asset to the community
- Future use of existing church

Support and comment on the following grounds:

- New design is smaller, reduced bulk and more in keeping/sympathetic with street scene
- Community benefits for local schools and groups
- Significant investment into a declining street scene
- Reduction in parking will inhibit church users from parking in immediate area as they will know no parking facility.
- Parking issues for Beaconsfield road residents

Key Issues

49. The key issues involved with this proposal are:

- Principle of development
- Provision and enhancement of community facility
- Design, scale and layout
- Heritage
- Residential Amenity
- Access, parking and impact on local transport network
- Biodiversity and ecological considerations
- Flood risk and surface water management

50. These issues will be considered along with other matters relevant to this proposal below.

Policy Context

51. In accordance with Section 70(2) of the Town & Country Planning Act 1990 (as amended) and Section 38 (6) of the Planning and Compulsory Purchase Act 2004, the application is to be determined in accordance with the development plan, unless material considerations indicate otherwise.

52. Christchurch and East Dorset Local Plan: Core Strategy Part 1(2014):

KS1: Presumption in favour of Sustainable Development
 KS2: Settlement Hierarchy
 KS6: Town Centre Hierarchy
 KS7: Role of Town and District Centres
 KS9: Transport Strategy and Prime Transport Corridors
 KS10: Strategic Transport Improvements
 KS11: Transport and development
 KS12: Parking provision
 HE1: Valuing and Conserving our Historic Environment
 HE2: Design of new development
 HE3: Landscape Quality
 LN7: Community Facilities and Services
 ME1: Safeguarding biodiversity and geodiversity
 ME3: Sustainable development standards for new development
 ME6: Flood Management, Mitigation and Defence
 PC1: Christchurch and East Dorset Employment Land Hierarchy

Saved policies –

T14: Cycle routes
 H12: Infill development
 H16: Crime prevention and design
 BE5: Setting of conservation areas
 BE15: Setting of listed building
 ENV5: Drainage of new development
 P5: Loss of town centre car parking

53. Supplementary Planning Documents and other evidence

Central Christchurch Conservation Area Appraisal

Christchurch character Assessment

54. National Planning Policy Framework (“NPPF”/“Framework”)

Section 2 – Achieving Sustainable Development

Paragraph 11 –

“Plans and decisions should apply a presumption in favour of sustainable development.

.....

For **decision-taking** this means:

(c) approving development proposals that accord with an up-to-date development plan without delay; or

(d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

(i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

(ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of this Framework taken as a whole.”

Section 6 Building a strong, competitive economy

Section 9 Promoting sustainable transport

Section 11 Making effective use of land

Section 12 Achieving well-designed places

Section 14 Meeting the challenge of climate change, flood risk and coastal change

Section 15 Conserving and enhancing the natural environment

Section 16 Conserving and enhancing the historic environment

Planning Assessment

Principle of development

55. The site lies within the town centre of Christchurch and within the primary shopping core and frontage of the town. The value of the existing building to the character of the area is examined below but there are no in principle policy objections to its demolition and replacement with a church/community building where this complies with the Development Plan as a whole. Policy CH6 supports the change from retail uses to community uses in the Primary Shopping Frontage.
56. Local Plan Policy KS2 sets out the settlement hierarchy for Christchurch. Christchurch is identified as a 'main settlement' which will provide the major focus for community, cultural, leisure, retail, utility, employment and residential development. Local Plan Policy KS6 sets out the town centre hierarchy and Christchurch is identified as a 'town centre'.
57. Policy CH2 promotes the identified town centre area for town centre uses and Policy KS7 advises that the identified town and district centres are to be the focal point of commercial, leisure and community activity. The proposed development would be consistent with this aim and the building would introduce an active frontage in the designated primary shopping frontage along Bargates where currently this is limited on the site itself.
58. NPPF Paragraph 85 sets out that planning decisions should support the role that town centres play at the heart of local communities by taking a positive approach to their growth, management and adaptation. The proposed development will provide an enhanced community facility in the town centre which is considered to be in line with the provisions of the NPPF.

Community facility

59. Policy LN7 supports the development of facilities and services to support existing and future population growth and priority will be given to the expansion of existing, well located facilities. The Community Statement which accompanies the application states that the Church has a membership of 280-300 members and offers space for not only church groups but also for a number of wider community groups. It is apparent that the Baptist church is a valuable community asset and provides a welcoming and supporting environment for many people in the wider BCP area and beyond.
60. The existing building is preventing the expansion of the Church and there is minimal space around the building to extend and to provide additional space. Furthermore, it is a locally listed building and which further limits opportunities to expand on the existing site. The proposed new building will, according to the Community Statement ensure the church can '*build capacity for the potential growth of the church for the*

next 30-50 years with a larger worship area, additional meeting rooms, enhanced catering facilities and greatly improved access for those with limited mobility’.

61. Expansion of the church will provide an enhanced community facility and weight is given to this in the balancing exercise below. This balanced against the impact the proposed new building has on the character and significance of heritage assets, residential and visual amenity and the impact on parking and traffic movements associated with this facility in this town centre location. However, the scheme complies with Policy LN7 of the Core Strategy.

Design, Scale and layout

62. Policy HE2 of the Christchurch and East Dorset Local Plan Core Strategy (CS) requires design of development to be of a high quality, reflecting and enhancing local distinctiveness as well as the consideration of bulk and architectural style amongst other criteria. Policy CH1 requires development to respect the townscape of Christchurch town centre. Paragraph 130 of the Framework promotes design which is sympathetic to the surroundings and maintains a strong sense of place.
63. The Inspector on the previous appeal (paragraph 11) made reference to the design of the building detracting from the simple detailing and modestly proportioned buildings lining Bargates and Beaconsfield Road. It was stated; *“Such a strident and complex design would need its own space (in large grounds) rather than being seen as an integral part of a street of simple architecture”*.
64. The design of the building has sought to respond to these comments and decision, and it is now considered that the scheme has greatly improved from the previous refused scheme. The form of the building reflects the adjacent locally listed church with the ridge line running perpendicular to Bargates and a central raised portion of roof. The reduced height of the ridge and eaves and changes to the roof form enable the building to sit more comfortably alongside the buildings on Bargates and Beaconsfield Road. The new building does have a wider frontage than the existing church; however, the adjacent building to the north on Bargates has a wider frontage and greater scale and equivalent height. The new church would be positioned on the same front building line as No 53-59. The Inspector commented on the previous scheme that: *“The submitted cross section shows that the height of the building would be comparable to the adjacent carpet shop building. Consequently, the height would be in keeping”*. As such, it is considered that the current scheme is appropriate in terms of the height and footprint.
65. On the southern frontage addressing Bargates, there is a large amount of glazing; however, given the use of the building this is considered to be a positive feature as it is likely to attract people in and provide an active frontage in this town centre location. The elevational treatment and overall form of the building has been simplified and it is considered the scheme does not compete with the scale and design of the surrounding buildings to the detriment of the streetscene. Whilst the building continues to have a somewhat municipal appearance, given its proposed use as a community building within the town centre, this is considered to be consistent with its function.
66. The Beaconsfield Road elevation would be highly visible from Bargates due to the corner site and there is a need to contribute towards this street. This elevation continues to have a large amount of glazing to serve the meeting spaces and large foyer at ground floor level. The bulk and mass has been greatly reduced from the dismissed scheme and the rear part of the site is now single storey. It is considered that the building has a better and more sympathetic relationship to the properties in

Beaconsfield Road and in particular No 2 which is adjacent to the north-eastern boundary.

67. The Inspector stated; *“The south east wall, fronting Beaconsfield Road, would consist of various segments of materials and windows which are varied so much so that the wall would look fussy and overly complicated”*. The detailing and materials on the south-east elevation have been simplified, with just one material for the walls (facing brickwork) and a slate roof. These are vernacular materials and appropriate. Solar panels would be positioned on the roof slope of the front part of the building. The fenestration proportions, positions and detailing are considered to be more uniform and the balance between openings and solid wall are more sympathetic. It is considered, this elevation no longer appears fussy and over complicated.
68. Overall the scale, site coverage, design and detailing of the new building is appropriate for this town centre location and adequately respects the scale and appearance of buildings along Bargates and Beaconsfield Road. The scheme has overcome the reasons for the dismissal of the earlier scheme. Therefore, the proposal is in accordance with Local Plan policies CH1 and HE2.

Heritage

69. Local Plan Policy HE1 (Valuing and Conserving our Historic Environment) sets out that heritage assets are an irreplaceable resource and will be conserved and where appropriate enhanced for their historic significance and importance locally to the wider social, cultural and economic environment. The significance of all heritage assets and their settings (both designated and non-designated) will be protected and enhanced, especially elements of the historic environment which contribute to the distinct identity of the area. 51 Bargates lies outside of the Conservation Area, however as it lies along one of the key approaches to the town centre, due to its proximity, the site has the potential to impact on the wider setting of the Conservation Area.
70. A statutory duty exists under section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (‘the Act’) for the local planning authority in considering whether to grant planning permission for development that affects a listed building or its setting to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. There is no statutory requirement to consider the setting of a Conservation Area, however paragraph 200 of the NPPF advises that any harm to, or loss of, the significance of a designated heritage asset from development within its setting should require clear and convincing justification.
71. The site lies in excess of 80 metres from the boundary of the Central Christchurch Conservation area boundary to the south-east and beyond 50 metres from the Avon Buildings Conservation Area to the north. In addition there are a number of non-designated heritage assets including the locally listed existing Baptist church and 25-31 Bargates and listed buildings (para. 8 above) within the vicinity of the application site potentially affected by the proposal.
72. The Planning Inspector in their comments made the following comments;
- “The Christchurch Central Conservation Area Appraisal and Management Plan notes the Saxon street pattern, the domestic and modest scale of the architecture, brick buildings, narrow deep burgage style plots within the designation and the number of traditional buildings. The Appraisal does not indicate any historic connection between the CA and the appeal site. To the north there is no visual connection, but from the south the appeal site is seen, albeit at 80m distance as suggested in the case*

officer's report, and obliquely, in conjunction with the rest of the buildings fronting Bargates. Thus, the appeal site visually forms part of the setting of the Conservation Area".

"I therefore find that the value of the Conservation Area, listed buildings and non-designated heritage assets lies in their simplicity and cohesion of their surroundings: they form an intrinsic part of the Bargates frontages, wherein there is variation in architectural style, materials and detailing, but the scale, siting and sedate nature of the architecture means the historic buildings are seen in the frontages as a whole".

73. This current proposal has responded to the previous reasons for refusal by reducing the overall bulk and scale of the building in order to minimise the impact of the building on this prominent corner location and prevent undermining the prominence of heritage assets in the immediate vicinity. The elevational treatment has been simplified and it is considered that the reduction in height and mass does enable the building to sit more comfortably on this corner site.
74. BCP Conservation Officer has provided the following assessment of this scheme;
"The revised proposal, despite the changes, would be, in common with the refused scheme, albeit less markedly, overly obtrusive and dominant in terms of scale, massing, height, footprint and detailing. Although the revised scheme is an improvement on the refused scheme it would, in my view, fail to preserve the setting of the neighbouring CA and would visually compete with the existing church building. I am of the view that it is still overly obtrusive and dominant, and would close off the much needed gap behind No 51, as well as visually competing with the existing church".
75. These comments within the objection from the BCP Conservation Officer are acknowledged. The existing building is not a listed building or locally listed and lies outside of the Conservation Area. There is no designation of the building itself as a non-designated heritage asset. The previous scheme was not refused on the basis that the loss of No 51 was harmful and the Inspector did not make specific comments on its loss.
76. One of the main objections raised by BCP Conservation Officer is the loss of the boundary wall and the space that the car park currently provides within the street scene. They have stated; *"The edification of the rear of the site where there is currently open space (the car park) would enclose the street and detract from the setting of the CA as a result. Loss of light and space would also be detrimental to the street scene, generally. Loss of the historic boundary wall would detract from the setting and would erode the rather delicate spatial balance of gap and building which currently constitutes the grain at this end of Beaconsfield Road".*
77. The applicant has responded to the consultation comments by stating; *"The existing boundary wall is being retained to the rear of the plot with a return as shown. The idea of setting back the building and retaining more of the wall would make for the creation of a very undesirable space due to the height of the wall. The rear portion of the building is currently clearly subservient to the front portion due to it's reduced height and form. The building has been located to reinforce the street, continuing the existing building line on Beaconsfield Road, and as the building is on the north side of the street it has no impact on overshadowing".*
78. The Planning Inspector did not refer to this boundary wall in the Appeal decision, with more emphasis on the contribution of the appeal site to the simplicity and cohesion of the Bargates frontage. The existing car park provides an open element along Beaconsfield Road whilst the rest of the street has a stronger sense of enclosure.

Historical maps do indicate that this space to the rear of the building has been in existence from at least 1898. Whilst the proposed building would introduce built form to this section of the site, its current use as a car parking area and views of the electrical substation, pylons and modern flats beyond is not considered to be of significant importance to retain.

79. This part of the site is not visible from the Conservation Area, given the distance and intervening buildings. The loss of this gap does not affect the setting of the Conservation Area. The proposed building extending along the Beaconsfield Road frontage reflects the dense character of the remainder of the street and is compatible with the setting of the locally listed church opposite. Any impact from the loss of the boundary wall along Beaconsfield Road is considered acceptable as the building replacing positively addresses the street. The eastern boundary wall with No 2, along with a small return is retained.
80. BCP Conservation consider that the proposal would harm the setting of the Conservation Area and the significance of the locally listed Church at No 49 (a non-designated heritage asset). The consultee's comments are noted. The eaves height, main ridge height and roof form has been modified and reduced to enable the new building to sit comfortably on this corner plot, reflecting the height, scale and materials of surrounding properties. It will clearly be a new addition to the street scene but evidently and successfully has drawn on the prevailing pattern of development in the area.
81. The scheme does not harm the Conservation Area itself as it is outside the heritage asset. It can only affect its setting. The scheme is considered to have acceptable impacts on the setting of the Conservation Areas to the north and south, the prominence and setting of the listed building group 50m to the south-west, and the locally listed building opposite.
82. The proposals will result in less than substantial harm to the heritage assets listed above. Paragraph 202 of the NPPF states; *'where proposals would lead to 'less than substantial harm' to the significance of a designated heritage asset, the harm should be weighed against the public benefits of the proposals, including, where appropriate, securing its optimum viable use'*. Paragraph 203 states; *"The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset"*.
83. The public benefits of the scheme include the improved facilities that the new building would provide in terms of space for the church community and space for other community groups which would have social and well-being benefits. In addition, there would be economic benefits from linked trips to shops and services in the surrounding town centre area. On the previous appeal scheme, the Inspector gave these benefits limited weight due to the existing hall and offices and considered they did not outweigh the heritage harm. With this revised proposal, it is considered the decision is now balanced in favour of the public benefits given the improvements to design and thereby the impact of the building.
84. Therefore, the proposal complies with policies BE5, BE15 and HE1 of the Local Plan and the NPPF.
85. The issue of archaeological interests on the site has been raised given the significant findings on the nearby Waitrose car park. On the previous application, Dorset Council's Senior Archaeologist did not consider that any investigations need to take

place on the site. Historic England have also not raised any objections or made any comments on this matter.

Residential Amenities

86. Policy HE2 seeks to protect the relationship between new development and nearby properties minimising disturbance to amenity.

87. No 2 Beaconsfield Road adjoins the eastern boundary of the application site and is the property that would be most affected by the development. Currently, the outlook from the rear garden of No 2 is relatively open towards the rear of No 51 given the presence of the open car park. On the previous scheme the Inspector stated;

“The roof of the proposed building would slope down towards this garden. The DAS notes the roof would be lowest at the sides, which is confirmed in the north east and north west elevations. Nonetheless the central and higher element of the roof would still be in close proximity, which would have a presence above the garden resulting in oppressive enclosure, sufficiently to harm its sense of openness and enjoyment.... The daylight would be impaired due to the height of the central element as I have found above. Additionally, the new building would be due south west, so potential sunlight at late daylight hours would be obscured.”

88. The current scheme has seen a reduction in height of the rear element of the building and it has been brought away from the boundary to 2.9 metres, compared to the previous 2.5metres. In addition, the rear element is not stepped and has an eaves height of 3.6 metres across the whole southwest elevation unlike the previous proposal which saw a stepped elevation with a central eaves height of 4.6 metres. It is evident that the outlook from the rear garden of No 2 will change; however, the combined effect of an increased separation distance and a reduction in scale of the building enables the proposed building to have an acceptable impact on views from the rear garden of this neighbour. The two-storey element of the new church building is now positioned 21 metres from the boundary with No 2. Given the position of the new building to the southwest of No 2, like previously there is some possibility that the development could impede on daylight towards the afternoon and end of the day. However, the proposed relationship is considered to be acceptable and it is considered there is an acceptable impact on light levels for the occupiers.
89. There will be increased noise and activity associated with the church given the increase in worship space and activity/meeting rooms. It is also understood that the existing church rents out their space for other functions and it can be reasonably assumed that will continue to occur as an ancillary use to the main church and community uses. The new building provides the opportunity to include acoustic insulation and design the building to minimise potential impacts to the neighbouring residential properties. In addition, this is a town centre location where a mix of uses is expected. Environmental Heath requested additional information on the openable windows in the main meeting space and materials for the roof structure. They have also requested additional details on the air conditioning/air handling units given the potential noise levels.
90. The applicant has confirmed that; *“A new building provides the opportunity for construction with sound insulation to a much higher standard than the existing church building. The north east elevation is to be constructed of cavity masonry construction, using an inner leaf of dense concrete block, insulated cavity and external leaf of facing brickwork. With an overall thickness of 365mm this construction provides a high degree of sound insulation (a single leaf of dense blockwork 140mm thick can provide a sound reduction Rw of 51dB). For the roof natural slate is proposed with a*

minimum of 250mm of mineral wool insulation to be provided within the roof which provides a high degree of sound insulation”

91. There would be windows on the ground floor level on the northeast elevation facing No 2. There would be rooflights within the highest roof section providing light into the main worship space. The applicant has confirmed that they anticipate the opening windows would be on the side elevation facing Beaconsfield Road. It has also been confirmed that any external plant would be positioned on the northwest elevation at ground level, on the flat roof between the front section and rear building. BCP Environmental Health has confirmed they are satisfied with these details. Further precise details can be secured by condition to ensure amenity is protected.
92. It is considered that the proposal has overcome the previous reason for refusal on amenity grounds and now complies with policies H12 and HE2 of the Local Plan.

Access, parking and impact on local transport network

93. Policy KS11 of the Local Plan seeks to ensure that development must be designed (amongst other things) to provide safe, permeable layouts which provide access for all modes of transport, prioritising direct, attractive routes for walking, cycling and public transport; provide safe access onto the existing transport network; and allow safe movement of development related trips on the immediate network. Policy KS12 looks to ensure adequate parking and cycle parking facilities are provided to serve the needs of the development.
94. The proposals do not provide any on site vehicular parking but do provide secure cycle parking to the rear of the site. The existing Church has access to on-site parking spaces (circa 20 spaces) which it currently makes available for Church attendees, but this is being removed as part of the proposal. A Transport Statement has been submitted with the application and has provided survey information on the existing use of the town centre car parks by the current visitors to the Baptist Church. It is clear that the majority of visitors use the existing car park provision on the site and the Bypass car park adjacent to Waitrose to the east of the Church. The maximum capacity of the existing main worship area is 150 people which results in a demand for 60 cars to park. The proposed main worship area has a capacity for 250 people and according to the Assessment this equates to parking demand for 100 cars.
95. Since the determination of the previous application, the Council has adopted the Parking Standards SPD (2021). The site is within Zone A of the Council's Parking Standards SPD and the document indicates that a church of this size should provide 7 car parking spaces. The site is within a highly sustainable location being in the town centre with car parks, bus stops and train station in close proximity. The proposal does not provide for any on site parking. However, the Inspector's comments on this issue are a material consideration given the lack of parking on the previous proposal:

“I saw on my site visit that there are several large public car parks within a short and easy walk of the appeal site, which I consider would be sufficient for the use bearing in mind the building's size in relation to the available car parking. A unilateral undertaking has been submitted to commit to a payment for £5,000 which would allow for a review of the on-street parking designations if the proposal led to unsafe parking and revisions were needed. This obligation would meet the tests in paragraph 57 of the Framework because it is necessary, directly related to the development and fairly and reasonably related to the scale and kind of the development”.

96. BCP Highways have stated; *"The Bypass Car Park (Waitrose) is located a short walk from the site and rarely reaches capacity and could therefore easily accommodate 7 vehicles from the proposal. Roads adjacent to the site have significant parking controls with time limited parking during the day (except on Sundays on Beaconsfield Road) so the amount of long-term parking from the proposal that could occur on adjacent streets will be limited by the existing parking controls"*.
97. Like on the previous scheme, a financial contribution has been requested in order for a review of the on-street parking designations to take place to see if the proposal led to unsafe parking and revisions were needed. The Inspector considered this a reasonable and fair requirement, and the applicant has agreed to make this contribution on the current proposal. This would be secured through a s106 Agreement.
98. The Council's Parking Standards SPD requires the proposal to provide a minimum of 7 cycle parking spaces. 12 cycle parking spaces are proposed and therefore the proposal complies with the SPD. It is very likely that servicing and delivery parking would take place on the main road of Bargates but given the likely size and frequency of delivery vehicles, it is considered this is acceptable and would not result in highway safety issues.
99. The objections to the scheme clearly highlight the concerns from local residents about the impact on Beaconsfield Road from visitors to the church and parking within the street. In the light of the sustainable location of the town centre site and the variety of sustainable options to access the site, the adopted Parking Standards SPD and the Inspector's comments, it is considered that the parking provision is acceptable. The Inspector specifically concluded; *"I find that indiscriminate and unsafe parking would be unlikely to occur as a result of the proposal and I therefore conclude that the proposal would not harm highway safety"*. The NPPF states in paragraph 111; *'Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'*. It is considered that the scheme does not result in severe impacts and therefore would not be contrary to the NPPF or policy KS12 of the Local Plan.

Biodiversity and Ecological considerations

100. Core Strategy Policy ME1 sets out that it aims to protect, maintain and enhance the condition of all types of nature conservation sites, habitats and species within their ecological networks.
101. A Preliminary Roost Appraisal has been undertaken on the site in June 2022 and no evidence of bats was recorded internally. The building was found to have low potential to support roosting bats with opportunities externally within the soffit box and in gaps between the walls and soffits. It is stated that further emergence/re-entry surveys will be required between May and August to confirm bat presence/absence. These can be secured by condition and if necessary a mitigation plan put in place.
102. Evidence of bird nesting was found within the building and as such mitigation measures have been set out in the report:
- Works to be conducted outside of nesting bird season
 - Where above not possible, qualified ecologist must check nesting places prior to clearance.

103. In line with the NPPF, biodiversity net gain is required for new developments. Given the nature of the site and spread of development, there are no opportunities for any soft landscaping. However, the report has put forward the following measures are secured on the development:
- Bat brick within south or west facing walls as close to eaves as possible
 - Integrated bird nest box pm north or eastern elevation at the eaves
104. The mitigation and enhancement measures outlined in the report can be secured by condition. It is considered the scheme complies with policies HE2, ME1, ME2 of the Local Plan.

Surface water management

105. The site is not within a flood zone; however, Bargates is subject to low risk surface water flooding and although this does not extend onto the site itself. Policy ME6 states: *'Post-development surface water run-off must not exceed pre-development levels and options should have been sought to reduce levels of run-off overall. This will primarily be through the use of Sustainable Drainage Systems (SUDS) and a range of flood resistance and resilience measures'*.
106. The submitted Sustainable Drainage Assessment sets out the SuDS strategy:
- Rainwater harvesting
 - Attenuation tank – attenuate minimum of 23.9m³ of surface water run off. The water would be discharged to the public surface water sewer. It would be positioned within the rear northern corner of the site.
107. There are concerns from the BCP Flooding and Coastal Erosion Team, however, it is advised there is a possible solution and given the existing site is covered in hard standing and the site itself is not subject to flooding or surface water flooding, then an appropriate SuDS condition can be used to secure further details of the scheme and management. The proposal is considered to accord with policy ME6 of the Local Plan.

Contamination

108. Saved policy ENV3 seeks to protect amenities from activities which create noise, discharges or emissions to the environment by land, air or water. Policy ME7 refers to the protection of groundwater.
109. The site is within 2km from identified contaminated land (previous sawmill and treatment of timber). The Contaminated Land Desk Study report concludes that; *"The site may have been impacted by recent and current use of the northern and eastern parts of the Site for car parking. It is assessed that, following development and through long term exposure, the Site could pose a moderate to low risk to future Site occupiers through inhalation of vapours. Exposure to vapour would only occur if there is sufficiently high and large enough volume of volatile hydrocarbon contamination to produce significant quantities of vapour over time. The potential risk posed through direct contact is assessed as low because the intended development includes the covering of all outside areas with hardstanding which will interrupt the exposure pathway"*.

110. The previous investigation site in 2016 did not encounter gross hydrocarbon contamination. With regards to groundwater protection, the report sets out that the underlying Secondary Aquifer is likely to be greater than 5 metres below ground level and the nearest surface water course is 160m away, and there are no groundwater abstractions within 2km of the Site.
111. BCP Environmental Health are satisfied with this report and content with a condition to secure a watching brief during the construction preparation groundworks. It is considered that with the condition in place, the proposal would not result in contamination of the environment and is compliant with policies ENV3 and ME7.

Planning Balance/Conclusion

112. The starting point in determining the application is the adopted Local Plan. This provides support for the proposed use in this town centre location. The development will provide an enhanced community facility within a highly sustainable location and in this regard it is considered appropriate. There are considerable social benefits arising from the scheme. Beyond the construction phase, the economic benefits are considered to be limited and this factor is a minor positive.
113. Concerns have been raised by the BCP Conservation Officer with regards to the impact of the proposal on the character and appearance of the Conservation Area and the significance of the designated and non-designated heritage assets. These have been carefully considered; however, it is the Case Officers' opinion that the development does not cause harm to the identified designated and non-designated heritage assets and the scheme has overcome the Inspector's reasons for dismissing the appeal on heritage grounds.
114. The lack of parking is clearly a strong concern for some local residents. However, having regard to the Parking Standards SPD, the consultation response from BCP Highways and the Inspector's comments on parking and highway safety, zero on-site parking and any potential impact on movements and parking within the vicinity is acceptable.
115. In conclusion, it is considered that this proposal has taken account of the Inspector's comments and the scheme is in accordance with the Local Plan as a whole as well as the NPPF. Therefore, balance is now weighed in favour of approving the application subject to conditions.

Recommendation

GRANT permission subject to:

- (a) The following conditions; together with
 - (b) a deed pursuant to section 106 Town and Country Planning Act 1990 (as amended) securing the following terms with power delegated to the Head of Planning (or any other officer nominated by them for such a purpose) to agree specific wording provided such wording in the opinion of the Head of Planning (or other relevant nominated officer) does not result in a reduction in the terms identified as required:
 - Highways contribution of £5000 for a Review of local parking restrictions
1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

- 1640.01 Existing Location Plan
- 1640.02 Survey Site Plan
- 1640.03 Existing Building Elevation
- 1640.110 Proposed Location Plan
- 1640.111a Proposed Site Plan
- 1640.112b Proposed Ground Floor Plan
- 1640.113a Proposed First Floor Plan
- 1640.114a Proposed Roof Plan
- 1640.115a Proposed Sw and Se Elevations
- 1640.117a Proposed Long Section
- 1640.118 Proposed Context Street Elevations
- 1640.116b Proposed Nw and Ne Elevations

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

3. Prior to the commencement of development, including demolition, a Demolition and Construction Environmental Management Plan (DCEMP) shall be submitted to and approved in writing by the Local Planning Authority. The DCEMP shall include:

- a) A Dust Management Plan that identifies the steps and procedures that will be implemented to minimise the creation and impact of dust and other air emissions resulting from the site preparation, demolition, and groundwork and construction phases of the development.

- b) A Construction Environmental Management Plan that identifies the steps and procedures that will be implemented to minimise the creation and impact of noise, vibration, dust and other air emissions and potential ground and/or water pollution resulting from the site preparation, demolition, and groundwork and construction phases of the development. This should include hours of working on the development site.

- c) A Construction Logistics Plan that identifies the steps that will be taken to minimise the impacts of deliveries, waste transport vehicles and worker vehicles.

The development shall be implemented in accordance with the approved scheme,

Reason: To ensure the development does not create local environmental impacts and pollution.

4. Prior to the commencement of development, the finalised surface water drainage strategy shall be submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall include appropriate arrangements for the discharge of surface water. The drainage scheme shall be completed in accordance with the approved details prior to occupation of the building and thereafter retained.

Reason: To ensure that the development does not increase the risk of surface water flooding on the site or on nearby sites.

5. No development above DPC (damp proof course) shall take place until details and samples of all external facing and roofing materials have been provided on site, and approved in writing by the Local Planning Authority (LPA). All works shall be undertaken strictly in accordance with the details as approved.

Reason: To ensure satisfactory visual relationship of the new development to the locality.

6. No development above DPC (damp proof course) shall take place until final details of the location and specification of all the external plant has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To protect residential amenities and the visual amenities of the area.

7. The development hereby permitted shall not be occupied or utilised until the cycle parking facilities shown on Drawing Number 1640.112B have been constructed. Thereafter, these shall be retained, kept free from obstruction and available for the purposes specified.

Reason: The cycle parking is required prior to occupation of development to promote sustainable modes of transport

8. In the event that unexpected contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority and further development ceased. An investigation and risk assessment must be undertaken in accordance with the Environment Agency "Land contamination risk management (LCRM)" procedures and where remediation is necessary a remediation scheme must be prepared and approved in writing by the Local Planning Authority in advance of the scheme recommencing.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority prior to development commencing other than that required to be carried out as part of an approved scheme of remediation.

Reason: To ensure that the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecosystems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Background Documents:

Documents uploaded to that part of the Council's website that is publicly accessible and specifically relates to the application the subject of this report including all formal consultation response and representations submitted by the applicant in respect of the application. Notes: This excludes all documents which are considered to contain exempt information for the purposes of Schedule 12A Local Government Act 1972.