

# Planning Committee

Application Address	Guildford Court, 29 Surrey Road, Bournemouth, BH4 9HP
Proposal	Prior approval procedure - Erection of an additional storey on each of the existing blocks of flats to create 8 additional flats in total
Application Number	7-2022-3795-AO
Applicant	Gates Investments Ltd
Agent	Sarah-Jane Lea (Building Design) Ltd
Date Application Valid	22 July 2022
Decision Due Date	15 September 2022
Extension of Time date (if applicable)	31 January 2023
Ward and Ward Member(s)	Talbot & Branksome Woods Councillor Karen Rampton Councillor Drew Mellor Councillor Phillip Broadhead
Report Status	Public
Meeting Date	16 February 2023
<b>Recommendation</b>	<b>GRANT</b>
Reason for Referral to Planning Committee	More than 20 letters of representation.
Case Officer	Steve Davies

## Description of Development

- The application relates to the Prior Approval Procedure and relates to the *Erection of an additional storey on each of the existing blocks of flats to create 8 additional flats in total*. There are two blocks at Guildford Court, and each has 6 floors of accommodation set on top of a semi-underground car park. The proposal is to add one complete new floor on the roof with Block A which has a larger "T" shaped footprint having 5 flats and Block B having 3 flats. Each Block has a lift motor and plant room at this upper level and the proposed additional floor virtually matches the height of this existing part of the building. The new floors are stepped in from the outside walls so that they appear slightly more subservient.

- 2 The application is made under Part 20 of the Town and Country Planning (General Permitted Development) Order. In effect this make the development “permitted development” and is approved in principle but only if certain conditions are complied with which are set out below.

### **Description of Site and Surroundings**

- 3 The area is principally residential and comprises a mixture of large detached properties and blocks of flats. These are set in deep plots with generous gardens and many trees. The site backs onto the Upper Pleasure Gardens. In terms of appearance, there is architectural variation in design and materials and as such there is no uniform character to the street.

### **Relevant Planning History**

- 4 The site was built after a consent was given in the early 1960's. since then there is little planning history apart from several application for Tree Preservation Order work.

### **Constraints**

- 5 Tree Preservation Order

### **Public Sector Equalities Duty**

- 6 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**

- 7 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.

### **Consultations**

- 8 Arboricultural Officer – Whilst the works are to the roof the site is protected by a Tree Preservation Order and because of the need for construction traffic on site and scaffolding etc it is important that an Arboricultural Method Statement is submitted and adopted. The Arboricultural Officer has commented as follows. *“I have assessed the arboricultural report and tree protection plan submitted. I consider that the proposals for this site are feasible without tree loss or harm. I raise no objections to these proposals subject to a condition requiring a detailed arboricultural method statement prior to commencement. This should include full constructional information in relation to trees throughout the development process and must include specialist foundations for the bin store if this needs to be upgraded and full details of which trees are to be pruned back and a clear specification of the pruning required”.*
- 9 Highway Officer – *“The proposal involves the building of 8 flats consisting of 5x2 bed (3 habitable rooms) flats over block A and 3x1 bed (2 habitable rooms) flats over block B. From the submitted Transport Statement (TS), the flats are proposed car free which given the site lies within zone B and all 8 flats have 3 or 2 habitable rooms, the car parking benchmark of zero is acceptable. The applicant is proposing the provision of 10 cycle space store for block A within a tandem garage at the rear of block A at ground level whose internal dimensions comply with the SPD however the door should be 1.2m wide and not 1.1m as annotated on the deposited plan, and 3 cycle space store, for the 3x1 bed flats for block B which too conforms with the SPD in terms of layout however*

*its location is in the basement. In the TS it states “both proposed cycle stores comply with the above itemised criteria, and both have easy level access to a lift which provides access to the existing top floor in each individual block. RECOMMENDATION: No objection, subject conditions.”*

- 10 Health and Safety Executive – they recommend that a fire risk assessment (FRA) is carried out. This has now been submitted by the applicant and addresses the fire risk issues.

### **Representations**

- 11 Site notices were posted in the vicinity of the site with an expiry date for consultation of 26 August 2022.

- 12 Representations have been received from the following **25** local addresses: -

Guildford Court – Flats 1(x2), 2, 9, 11, 19, 20, 21, 24, 26(x2), 27, 29, 30, 31, 32, 34a, 36a, 38a, 40, 40a, 41. 2 residents with no address listed.

Gardens Outlook – flat 5,

Two objectors from further afield.

An online petition has been set up with 99 names to date.

- 13 The issues raised comprise the following: -

- Increase of floors will dominate surrounding landscape
- Overdevelopment
- Concern with the structural stability and foundations of the existing structure
- Noise / pollution especially during the construction period
- Strain on refuse collection facilities.
- Lack of parking for residents.

- 14 The Civic Society object also on grounds supporting local residents.

- The Society believes that there is no legitimate reason for heightening the block other than financial gain and generally agrees with local opinion (over 25 Emails) that the increased height of the structure would create an eyesore for the district culminating in the ruination of sight lines along Surrey Road. Fears were also expressed as to whether the existing foundations could bear the increased weight and if the existing service and parking facilities would be adequate. Considerable disruption to the existing flat holders during the extensive building works was also a worry. And so, taking everything into account, we have decided that because this proposal does not comply with the townscape policies of the Bournemouth Local Plan, it should be refused

- 15 It should be noted that as this application is for Prior Approval, only those issues specifically mentioned within the Permitted Development legislation can be considered when assessing the application. These issues are discussed in detail within the paragraphs below.

### **Key Issue(s)**

- 16 The key issues involved with this proposal are whether the criteria and conditions of the permitted development legislation are met:

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

### **Policy Context**

- 18 Local documents:

## Bournemouth District Wide Local Plan (2002):

Policy 4.25 - Trees and Landscaping  
Policy 6.10 – flats development

## Bournemouth Plan: Core Strategy (2012):

CS41 - Design Quality

## Other

BCP Parking – Supplementary Planning Document  
Residential Development and Householder Design Guides.

## National Planning Policy Framework (“NPPF”/”Framework”)

Paragraph 11: Presumption in favour of sustainable development.  
Paragraph 131: Trees.

## Legislation

- 19 Class A of Part 20 of the Town and Country Planning (General Permitted Development) (England) Order 2015 allows for development consisting of works for the construction of up to **two additional storeys** of new dwellinghouses immediately above the existing topmost residential storey on a building which is a purpose-built, detached block of flats. On this site there are two separate blocks but in my view the legislation equally applies to each block.

The works allow:

- (a) engineering operations reasonably necessary to construct the additional storeys and new dwellinghouses;
- (b) works for the replacement of existing plant or installation of additional plant on the roof of the extended building reasonably necessary to service the new dwellinghouses;
- (c) works for the construction of appropriate and safe access and egress to access to and egress from the new and existing dwellinghouses, including means of escape from fire, via additional external doors or external staircases;
- (d) works for the construction of storage, waste or other ancillary facilities reasonably necessary to support the new dwellinghouses.

- 20 The legislation states under A.1 that development is **not** permitted by Class A if any of the following apply: The comments set out below indicate how the proposal complies with the legislation.

- a) *“The use as a dwellinghouse has been granted by classes M, N, O, P, PA or Q of Part 3;”*

This refers to dwellings that were approved under permitted development by another class. The existing blocks of flats were established through a grant of full planning permission in the 1960's so is there eligible under Part 20 Class A.

- b) *“The building is less than 3 storeys in height above ground level;”*

The development is set on parts of the building that are three-storeys or more. This is acceptable.

- c) *“The building was constructed before 1<sup>st</sup> July 1948 or after 5<sup>th</sup> March 2018;”*

The buildings were built in the 1960's

- d) *“The additional storeys are constructed other than on the principal part of the building;”*  
The ‘interpretation of Part 20’ section of the GDPO (2015 as amended) states that the “principal part” means *“the main part of the building excluding any front, side or rear extension of a lower height, whether this forms part of the original building or a subsequent addition”*. The extensions are on the main parts of the building.
- e) *“The floor to ceiling height of any additional storey, measured internally, would exceed the lower of –*  
    (i) 3 metres; or  
    (ii) *the floor to ceiling height, measured internally, of any storey of the principle part of the existing building”*

The application plans show elevations with external heights of about 3m so internal heights will be less which complies with this requirement. Also, the elevations show similar floor heights to the existing flats below. The purpose of the clause is to ensure that the new floor heights aren’t higher than the existing.

- f) *“The new dwellinghouses are not flats;”*

This part of the regulation reads that development is not permitted by Class A if the new dwellinghouses are not flats. As the proposed new dwellinghouses are flats, the nature of the proposal is eligible under this criteria.

- g) *“The height of the highest part of the roof of the extended building would exceed the height of the highest part of the roof of the existing building by more than 7 metres (not including plant, in each case);”*

The highest part of the roof of the extended building is approximately 3 metres above the main part of the roof of the existing building and so does not exceed the 7metre limit set by this paragraph to be eligible development.

- h) *“the height of the highest part of the roof of the extended building (not including plant) would be greater than 30 metres;”*

The height of the highest part of the extended building above ground level is about 22.2m and so is under the 30-metre limit, to be eligible development.

- i) *“development under Class A.(a) would include the provision of visible support structures on or attached to the exterior of the building upon completion of the development;”*

The design clarifies that the additional accommodation will rely on the existing building after completion so that not visible external support structures will be required so this complies.

- j) *“development under Class A.(a) would consist of engineering operations other than works within the existing curtilage of the building to—*

- (i) strengthen existing walls;*
- (ii) strengthen existing foundations; or*
- (iii) install or replace water, drainage, electricity, gas or other services; “*

The additional accommodation will rely on works only within the curtilage, so this point is met.

- k) *“in the case of Class A.(b) development there is no existing plant on the building;”*

There is no separate plant that is not part of the building. There is an existing plant room but no other separate plant on the top of the building.

- l) *“in the case of Class A.(b) development the height of any replaced or additional plant as measured from the lowest surface of the new roof on the principal part of the new building extended building would exceed the height of any existing plant as measured from the lowest surface of the existing roof on the principal part of the existing building;”*

As set out above there is no separate plant that is not part of the building. There is an existing plant room, but the new development does not exceed the height of the existing plant room and no additional plant is proposed.

- m) *“development under Class A.(c) would extend beyond the curtilage of the existing building;”*

No additional means of escape staircases are proposed.

- n) *“development under Class A.(d) would—*

- i. extend beyond the curtilage of the existing building;*
- ii. be situated on land forward of a wall forming the principal elevation of the existing building; or*
- iii. be situated on land forward of a wall fronting a highway and forming a side elevation of the existing building;”*

No relevant works are proposed.

- (o) *“the land or site on which the building is located, is or forms part of—*

- (i) article 2(3) land;*
- (ii) a site of special scientific interest;*
- (iii) a listed building or land within its curtilage;*
- (iv) a scheduled monument or land within its curtilage;*
- (v) a safety hazard area;*
- (vi) a military explosives storage area; or*
- (vii) land within 3 kilometres of the perimeter of an aerodrome.”*

The site is not on article 2(3) land; an SSSI; within the grounds of a listed building or scheduled monument; a safety hazard area; a military explosives storage area; or within 3km of an aerodrome. Therefore, the proposal would satisfy criteria (o).

- 21 Therefore, the proposed additional storey for each block would accord with the criteria set out by Paragraph A.1 for permitted development.

### **Conditions**

- 22 Paragraph A.2 sets out a number of matters listed below which require the prior approval of the local planning authority in order for the development to go ahead.

#### **(a) transport and highways impacts of the development:**

- 23 As set out in paragraph 9 above the Highway Engineer is satisfied that the proposal is in accordance with the SPD particularly as the site lies close to the Westbourne Centre and will not result in any unacceptable transport or highway impacts. Accordingly, it is unlikely there would be material impacts to highway safety caused by the development, and it accords with policy and the NPPF and the condition is satisfied.

#### **(b) air traffic and defence asset impacts of the development:**

- 24 There is no air traffic and defence risk by way of the development; Bournemouth airport is within the vicinity, but an additional storey is within the parameters set for impact on air traffic safety and therefore this condition is satisfied.

**c) contamination risks in relation to the building:**

- 25 There is no known nearby contaminated land as identified in the Councils data base and therefore this condition is satisfied. With regards to potential contamination within the building in the form of legacy insulation and building materials from the 1960s, a watching brief informative note is suggested to handle the circumstances should materials be disturbed / discovered during construction.

**(d) flooding risks in relation to the building:**

- 26 The site is not within an identified flood risk zone and therefore this condition is satisfied.

**e) the external appearance of the building:**

- 27 The application proposes an external appearance to the building with its flat roof and proportions that is similar to the existing architectural detailing and fenestration of the floors below. Although the new floors are to be rendered rather than in matching brickwork it is often common practice in architectural design to have the penthouse floor contrasting and the use of render will make the impact less dominating. An amended plan was sought to alter the fenestration pattern so that windows align better. The design with a slight step back is a traditional way of dealing with an upper floor. The external appearance of the building is therefore considered acceptable.
- 28 There has been some case law on the term "external appearance" and what can be assessed within this term and whether it is within the gift of the LPA to assess the external appearance of the building in relation to the wider street scene. Whilst this is not conclusive in my view it is reasonable to consider the wider context. In this case I am of the view this particular development will appear taller and significantly larger in relation to surrounding development immediately to the west. However, the existing building already creates a significant jump in heights. The additional storey will not in itself create a mismatch of heights that does not exist at present. Accordingly, following this line of assessment further to appeal decisions on Part 20, Class A, the external appearance of the building is considered acceptable and the condition is satisfied.

**(f) the provision of adequate natural light in all habitable rooms of the new dwellinghouses:**

- 29 The proposed flats would all have windows serving each of the rooms with a good outlook and would therefore be provided with adequate natural light and the condition is therefore satisfied.

**(g) impact on the amenity of the existing building and neighbouring premises including overlooking, privacy and the loss of light:**

- 30 In my view the amenity of existing residents within the individual blocks will not be materially impacted with the development located directly above them. As there are two blocks some of the residents will be affected by the increase in height of the adjacent block and this is dealt with in the comments below.

Overlooking and privacy

- 31 The proposal includes additional windows on all elevations. However, the existing blocks have a similar arrangement of windows, so neighbours are already overlooked. This also includes neighbours in adjoining blocks in Guildford Court. There will obviously be a greater number of windows and at a higher level although I do not consider that the change will have a significant impact on amenity. The higher elevation of the windows will make the range and angle different but again I do not consider that the residents close by will be subject to levels of overlooking or loss of privacy that will be markedly different to the current situation.

## Loss of light

32 The taller building will throw a larger and longer shadow. However, because of the alignment most of the shadow will be to the north which is in the pleasure gardens. The existing trees within the site and nearby already shade the Gardens and neighbours to some degree. Overall, I do not consider that the addition of one extra floor will result in a material loss of light that will be markedly different to the current situation and therefore the condition is satisfied.

33 With regard to these matters I consider that the proposal meets the criteria in the NPPF, policy CS41 - Design Quality and the Residential Development and Householder Design Guides.

***(h) whether because of the siting of the building, the development will impact on a protected view identified in the Directions Relating to Protected Vistas dated 15 March 2012(1) issued by the Secretary of State,***

34 The application site is not located near any protected views identified in the Directions Relating to Protected Vistas dated 15 March 2012(1) and therefore the condition is satisfied.

***(i) where the existing building is 18 metres or more in height, the fire safety of the external wall construction of the existing building***

35 The applicant has now produced a Fire Statement which indicates that the construction of the external walls and the balconies comply with recognised guidance and will meet this condition.

***(j) where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building,...***

36 The Fire Statement sets out a series of recommendations set out below and I will add a condition to ensure that they are carried out. With these measures in place the proposal will meet this condition.

*Block A (only): • The alterations to provide a secure cycle store at Basement level brings this level within scope of the Building Regulations. To comply with the current recommendations from the ADB (Approved Document B under the Fire Regulations), a smoke ventilated lobby will be provided between the basement accommodation and the stair enclosure.*

*Blocks A and B: • To ensure that the occupants of the proposed new storeys are provided with equivalent protection of the escape routes, to what they would have if the new flats were in a new purpose-built building, in both blocks, all communal corridors adjacent to the escape stairs will be provided with a suitable smoke control system. As the corridor sections are fully enclosed by the residential accommodation and do not touch an external elevation, a mechanical system conforming to the guidance from BS EN 12101-6 is to be used. In addition, an automatic opening vent (AOV) is to be provided at the head of each escape stair, to be opened by activation of a smoke detector in the relevant stair enclosure, or in a lobby or corridor adjacent to a stair enclosure. • A communal smoke detection system is to be installed to BS5839-6, Grade a, to a Category L5 specification (as described in BS5839-1) with automatic smoke detection provided throughout both escape stairs and each lobby or corridor adjacent to an escape stair. The system will be configured to operate the smoke control system and the relevant AOVs installed in the escape stairs. • Taking the advice from the MHCLG Circular, dated 26 May 2020 into consideration, residential sprinkler systems are to be provided in each new dwelling, conforming to the guidance for a BS9251 Category 4 system, capable of a discharge density of 2.8mm/m<sup>2</sup>/minute for a duration of 60 minutes, being fed from an enhanced water supply arrangement. This, along with the provision of additional smoke ventilation to all lobbies/corridors adjacent to the escape stairs at all floors, is considered to improve the over-all protection of the means of escape throughout the building for existing residents. • The existing buildings are both provided with a dry rising fire main. These will be extended to provide a new outlet on the new storey in each block, in a location agreed by the local Fire and Rescue Service to suit their operational procedures*



### **Heathlands mitigation**

- 37 It is a condition of any planning permission granted by a general development order that development which:
- (a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and
  - (b) is not directly connected with or necessary to the management of the site,
- must not be begun until the developer has received written notification of the approval of the local planning authority under Regulation 77.
- 38 The proposed development would result in the formation of 8no. flats. The site lies in the vicinity (within 5km and beyond 400m) of designated Dorset Heathlands SPA (Special Protection Area), Ramsar Site and Dorset Heaths SAC (Special Area of Conservation) such as Turbary & Kinson commons and Bourne Valley located in the Borough. The proximity of the European sites (SPA and SAC) raises considerations on the requirements of the Habitats Directive 1992 for these sites to be maintained or, where necessary, restored at a favorable conservation status (Article 3 (1)).
- 39 Owing to the proximity of the proposal to the European sites, the additional residential development, in combination with other dwellings proposed near to the European sites, would be likely to have a significant effect on the heathland interest features of these sites in the context of Regulation 48. Whilst on its own the development may not adversely affect the integrity of the European sites, in combination with other dwellings proposed near to the European sites, the development without mitigation would be likely to contribute to a deterioration of the quality of lowland heathland and its interest features.
- 40 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. Natural England considers that the proposal will place additional demands on European sites and without this contribution, would adversely affect the quality of lowland heathland and its interest features.
- 41 In this instance, the required contribution is £2336 (£292 per flat), plus administration fees of £116.80. An informative is suggested to highlight that it is an automatic condition of this permission that development must not commence until the developer has received separate written notification of the approval of the Local Planning Authority under regulations 75- 77 of the Conservation of Habitats and Species Regulations 2017. The applicant will be required to satisfy Natural England that the development would not adversely affect the integrity of the Dorset Heathlands European sites and should be aware that a financial contribution in accordance with the Dorset Heathlands Planning Framework will be required.

### **Planning Balance/Conclusion**

- 42 The application is for prior approval rather than for a general planning permission but even so the conditions require a planning assessment. The key requirement is that the development meets the criteria set out within A.1 and A.2(1) of Part 20, Class A of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). In my view the criteria and conditions are met, and prior approval is therefore both required and approved subject to a series of necessary conditions set out in the report.
- 43 In the assessment of the conditions regard has been given to the policies in the development plan and the NPPF. The government in setting out the legislation are obviously of the mind that new housing can be created in this manner. As set out above the additional floors proposed will not appear materially out of character in the locality due to the setting of the building and the impact on neighbours will not be serious given that this is already a large significant block in the area. The

relationship of windows, overlooking and overshadowing will not be significantly different to the existing situation.

### **Recommendation**

44 Prior approval is required. Prior Approval is duly Approved subject to the conditions listed below:

#### **1. Development to be carried out in accordance with plans as listed**

The development hereby permitted shall be carried out in accordance with the following approved plans: 2351 04D, 05C, 06C and the 1.1250 site location plan.

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

#### **2. Construction management plan**

In accordance with the Prior Approval legislation under which this application has been sought, a Construction Management Statement and scheme shall be submitted to the Council and agreed in writing prior to the commencement of any part of the development. This statement and scheme shall also include:

- a) Construction Noise, Dust, Traffic & Vibration background noise assessment to inform mitigations,
- b) hours of construction
- c) details and the siting of equipment, machinery and surplus materials on the site.

The scheme shall be implemented in full prior to the commencement of the development and maintained for the duration of the construction process.

Reason: To safeguard the amenities of occupiers of adjoining and nearby properties; in the interest of highway safety in accordance with Policies CS38, CS41 and CS14 of the Bournemouth Local Plan: Core Strategy (October 2012) and to accord with the requirements of the Town and Country Planning (General Permitted Development) Order (England) 2015 (as amended).

#### **3. Arboricultural Method Statement**

The existing trees protected by a tree preservation order shown on the submitted arboricultural report shall be protected from the proposed building works and retained thereafter. Prior to the building works commencing the applicant shall submit an arboricultural method statement to the Council for approval to indicate how the trees will be protected, including ensuring that no services or works will be carried out or installed in the root protection zone and the approved methodology shall be implemented in full for the duration of the building works.

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).

#### **4. Materials, Architectural Detailing and Components to Match**

Apart from the rendered sections which shall be as specified on the approved drawings the other external finish of the work including architectural detailing and components, hereby approved, shall be in materials and colours to match the elevations to which the extensions are to be added and such work shall be completed prior to occupation of the development.

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

#### **5. Refuse**

Within three months of commencement of development, unless agreed in writing by the Local Planning Authority, details of a refuse management plan suitable for the extra requirements needed for the new flats, showing the arrangements for the new bin storage facilities shall be submitted to the Local Planning Authority. The approved plan and storage facilities shall be completed prior to

the occupation of any of the units of accommodation granted by this permission and shall be retained and maintained thereafter unless otherwise agreed in writing by the Local Planning Authority.

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

#### **6 Cycle parking store door should be at least 1.2m**

No part of the development hereby permitted shall be occupied unless:

- (a) details showing the provision of a cycle parking store door of at least 1.2 metres in width has first been submitted to and approved in writing by the local planning authority; and
- (b) the approved door has been provided.

The door shall thereafter at all times be retained.

Reason: In the interests of highway safety, to promote alternative means of transport and in accordance with Policies CS18 and CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

#### **7 Cycle parking shall be constructed and laid out in accordance with the agreed details**

The cycle parking shall be constructed and laid out in accordance with the agreed details and completed prior to occupation of the development hereby approved and shall thereafter be retained, maintained, and kept available for the occupants of the development at all times

Reason: In the interests of highway safety, to promote alternative means of transport and in accordance with Policies CS18 and CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

#### **8 Fire Safety mitigation proposals.**

The Fire Safety mitigation proposals as detailed in the Fire Statement dated 24 January 2023 prepared by TecFire Ltd shall be implemented in full prior to occupation of the new development and shall be retained and maintained thereafter.

Reason: To ensure adequate fire safety in the buildings and in accord with Class A of Part 20 of the Town and Country Planning (General Permitted Development) (England) Order

#### **9. Remediation Scheme for Potential contamination of legacy building materials (Watching brief)**

INFORMATIVE NOTE: If during site works unforeseen contamination in the form of legacy insulation and building materials from the 1950s is found to be present, then no further development shall be carried out until the developer has consulted the Local Planning Authority. The contamination will need to be assessed and if necessary an appropriate remediation scheme agreed with the Local Planning Authority.

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).

#### **10. Informative Note: CIL liable development**

INFORMATIVE NOTE: This permission is subject to the Community Infrastructure Levy (CIL) introduced by the Town and Country Planning Act 2008. A CIL Liability Notice has been issued with this planning permission that requires a financial payment on commencement of development. Full details are explained in the notice.

#### **11. Informative Note: Heathlands**

The applicant is advised that it is a condition of this permission that development must not commence until the developer has received separate written notification of the approval of the Local

Planning Authority under regulations 75-77 of the Conservation of Habitats and Species Regulations 2017. The applicant will be required to satisfy Natural England that the development would not adversely affect the integrity of the Dorset Heathlands European sites and should be aware that a financial contribution in accordance with the Dorset Heathlands Planning Framework will be required.

#### **12. Statement required by National Planning Policy Framework (APPROVALS)**

In accordance with paragraph 38 of the revised NPPF the Council, as Local Planning Authority, takes a positive and proactive approach to development proposals focused on solutions. The Council works with applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this instance: The applicant/agent was updated of any issues after the initial site visit, the applicant was provided with the opportunity to address issues identified by the case officer and permission was granted.

#### **Background Documents:**

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