



Planning Committee

Application Address	Holland House, 20 Oxford Road, Bournemouth, BH8 8EF
Proposal	Full planning application for the demolition of existing office building and car park and erection of a building to provide 487 flats (Use Class C3) including ancillary residents gym, commercial space (Use Class E), accessible public realm and landscaping, servicing and car parking, ancillary plant, and associated works
Application Number	7-2023-11310-CP
Applicant	Peveril Securities Ltd
Agent	hgh Consulting
Ward and Ward Member(s)	Bournemouth Central Councillor Hazel Martin Councillor Jamie Martin
Report Status	Public
Meeting Date	16 November 2023
Summary of Recommendation	Grant in accordance with the details set out below for the reasons as set out in the report
Reason for Referral to Planning Committee	Significant major development in the wider public interest, referred to the committee by the Head of Planning
Case Officer	Tom Hubbard
Is the proposal EIA Development?	No

Description of Proposal

1. The proposal is a full planning application for the demolition of the existing office building and car park and erection of a building to provide 487 flats (Use Class C3) including ancillary residents gym, commercial space (Use Class E), accessible public realm and landscaping, servicing and car parking, ancillary plant, and associated works.
2. The development would form a horseshoe shape around the site, up to thirty storeys in height at the main tower, with a secondary tower 21 storeys in height, and 13 storey elements between. It would be a mainly concrete clad construction with two colour tones of materials appearing giving a natural stone-like appearance. To Oxford Road a new area of public open space would be formed, and on the ground floor there would be circa 488sqm of commercial floor space including office space, a café and a small separate commercial unit fronting St Paul's Lane. The 487 flats are a mix of studio, one, two and three bedroom flats (see paragraph 69 for the breakdown), which all meet the national space

standards. The residential element is to be a 'build to rent' development and the proposals have been assessed as not viable for making an affordable housing contribution.

Description of Site and Surroundings

3. The subject property is known as Holland House and is an existing 8 storey office block with surface parking to the front and rear. The site lies within the Lansdowne area of Bournemouth, within the designated Lansdowne Employment Area. It is also within a tall buildings area as designated within the Town Centre Area Action Plan. The area is undergoing a period of transition where a number of sites are or have been redeveloped. Uses in the area are a mix of mainly offices, student accommodation and university buildings, with some ground floor commercial uses evident, mainly on Christchurch Road and Holdenhurst Road rather than Oxford Road. The site is covered by a Tree Preservation Order with trees evident to the front and rear of the site that provide amenity value in the street. Within the wider area are a number of conservation areas at distance around the site (Dean Park, Portchester Road, Old Christchurch Road and East Cliff Conservation Areas), as well as some listed and locally listed buildings including the locally listed Avalon building on Oxford Road.

Relevant Planning History:

4. 7-2021-11310-CM: Prior Approval Procedure - Change of use of offices (Class B1(a))(now Class E) to 130 flats (Class C3) – Granted 15/09/2021.
5. 7-2022-13110-CO: Screening Opinion to confirm that an Environmental Impact Assessment (EIA) is not required in respect of a residential-led, mixed-use, development ("the Project") at the Holland House, 20 Oxford Road, Bournemouth, BH8 8DZ ("the Site") – EIA not required 22/06/2022

Constraints

6. The site lies within the allocated Lansdowne employment area. Policy CS8 of the Core Strategy is relevant.
7. The site lies within a Civil Aviation Authority consultation area where any building or structure over 90 metres requires consultation with the airport safeguarding authority.
8. There are multiple listed buildings within a 1km radius of the site. 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
9. The site is not within a conservation area, but there are conservation areas in close proximity, upon which the setting could be affected. Impact on heritage assets such as conservation areas is a material consideration by virtue of paragraphs 199-200 of the NPPF.

Public Sector Equalities Duty

10. 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

11. In accordance with regulation 9(3) of the Conservation of Habitats and Species Regulations 2017 (as amended) ("the Habitat Regulations), for the purposes of this application, appropriate regard has been had to the relevant Directives (as defined in the Habitats Regulations) in so far as they may be affected by the determination.
12. 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.
13. For the purposes of this application, in accordance with section 2 Self-build and Custom Housebuilding Act 2015, regard has been had to the register that the Council maintains of individuals and associations of individuals who are seeking to acquire serviced plots in the Council's area for their own self-build and custom housebuilding.
14. 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

Internal consultees

15. Urban Design/Heritage (joint response) –The application contains some positive elements relating to the redevelopment of this site in a sustainable location, including the open space and pedestrian environment, overall design of the elevations and layout, elevation treatment, active frontages and landscaping. Many initial concerns have now been overcome, but there are some outstanding concerns/objections relating to:
 - The Townscape and Visual Impact Assessment shows that the proposed massing would dominate its surroundings. The sheer façade to Oxford Road would have a rather overbearing impact on the street.
 - Disappointing that the built form has been simplified resulting in flat blocky massing to the rear and on the St Paul's Lane elevation.
 - The proposed materials and form now have a positive appearance but the exact tone and finish of the material need to be resolved.
 - The massing of the building would have a detrimental impact on heritage assets including the setting of the Dean Park Conservation Area & the adjacent locally listed Avalon Building.
 - Amenity would be compromised for future residents of some of the flats in terms of daylight and sunlight.
 - The scheme should deliver or contribute towards walking, cycling and public realm improvements in the immediate vicinity.
16. Highways – Level of parking is acceptable, provision of car club spaces is positive, as is widening of the footpath on Oxford Road. Amendments to the Oxford Road Traffic Regulation Order would be required, along with contributions for highway and public realm improvements. Overall objection however, due to significant shortfall of residential cycle parking.
17. Trees – No objections, subject to conditions.

18. Strategic Green Space Team – Mixed comments: Open space plaza is an improvement to publicly accessible green space in the area and is in the best location on the site for sunlight. Larger tree species should be considered for shade and urban cooling. Green roofs and other landscape interventions on upper floors are positive, but overall the level of provision is not very significant for the number of residents.
19. Biodiversity – No objection overall but lack of information in some areas so recommend conditions to secure mitigation measures.
20. Regulation (contamination) – Redevelopment of this brownfield site may have contamination issues, no overall objection but contaminated land conditions are required.
21. Regulation (noise) – No objection, subject to conditions
22. Regulation (Environmental Health general) – Air quality impact acceptable. There may be construction impacts so a Demolition & Construction Environmental Management Plan (DCEMP) should be required by condition.
23. Planning Policy – The BCP Local Plan Issues & Options consultation was published for consultation in January 2022. There is a recommendation going forward to continue to allocate strategic employment sites in BCP and Lansdowne is identified as one of these sites. However, it is acknowledged that planning policy may need to become more flexible to support a wider range of employment and residential uses.

Up to date employment evidence will be produced enabling an understanding of future office needs. The Workspace Strategy is under preparation and will be a key part of the local plan evidence base, but it is not complete yet. The intent is still that Lansdowne will continue to be a key strategic employment site however.

Therefore, there were initial concerns in the policy consultation response that the scheme is in conflict with Policy CS8, based primarily on an early viability assessment draft showing there was some viability in the scheme to provide more commercial use. The viability assessment has since been altered with the outcome that the scheme is not viable to make either an affordable housing contribution or provide more commercial space. Further comment has been sought from the policy team but has not been received. The merits of the principle of the scheme are discussed further in the relevant section of the report below.

24. LLFA – Site is suitable for sustainable drainage by soakaway in principle due to known ground conditions (subject to site specific ground investigation). Initial concerns relating to some surface water pooling on the existing site in flood modelling. Applicant has submitted further information in relation to this point but no further response has been received from the LLFA. This issue is considered further in the relevant section of the report.
25. Wind/microclimate – A number of issues and points of concern were originally raised both in relation to testing methodology and mitigation measures. Since that time a number of changes have been made with areas of mitigation now considered acceptable.
26. Waste/recycling – Concerns that capacity is not sufficient for bi-weekly Council collection, so a robust refuse management plan will be required for more frequent private collection. Concerns that the servicing of the development will lead to obstruction of the highway (though this has not been raised as a concern by the highways team).

External consultees

27. Police Architectural Liaison Officer – No objection. Some recommendations in relation to anti-social behaviour and security within the building. Needs controls to limit free access by intruders.
28. HSE – Content with the fire safety design, no objections.

29. Dorset & Wiltshire Fire & Rescue – No objections raised, development would need to be designed and built to meet current Building Regulations requirements.
30. Public Health Dorset – General comments in relation to lack of affordable housing, impact on local health services, building does not appear to be designed for the needs of all sectors of society such as children, families and older residents. Not enough green space in the design.
31. Airport Safeguarding – No objection following safeguarding assessment.
32. Wessex Water - There is a 300mm diameter public surface water sewer running south-west to north-east within the proposed site boundary at the north-east side of the site which would need to be diverted. There should ideally be a supporting statement or plan showing how this could be diverted, but otherwise the diversion could be dealt with by pre-commencement condition. A connection to the foul sewer is acceptable but further assessment is required in terms of capacity from this large development. Some concerns over the potential of overflow from the soakaway entering the surface water sewer (a plan showing the diversion has now been received and is therefore put forward as a condition as outlined in the relevant section of the report below).

Representations

33. Site notices were posted in the vicinity of the site on 13/03/2023 with an expiry date for consultation of 07/04/2023. Further periods of publicity were held in September and October 2023 on receipt of amended plans.
34. Four public representations have been received, three raising objection and one with general comments. The issues raised comprise the following:-

Building too tall/large

Impact on traffic

Insufficient parking

Construction disruption

Lack of demand for build to rent schemes in the area

Loss of light

Lack of affordable housing

Inadequate open space provision

Bournemouth University would support more housing options for undergraduates and graduates

Key Issue(s)

35. The key issue(s) involved with this proposal are:
 - Principle of the proposed development including uses
 - Impact on the character and appearance of the area
 - Heritage impacts
 - Impact on amenity
 - Living conditions for future occupants
 - Trees/landscaping
 - Wind/microclimate
 - Fire Safety
 - Parking, traffic and highway safety considerations
 - Waste and refuse management
 - Drainage/flooding
 - Contaminated Land
 - Airport safeguarding
 - Crime prevention through design
 - Climate Change Mitigation
 - Ecology & Biodiversity
 - Affordable housing

- Heathland Mitigation

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

Policy context

Local documents:

37. Core Strategy (2012)

Policy CS1 – Presumption in favour of Sustainable Development
 Policy CS2 – Sustainable Homes and Premises
 Policy CS3 – Sustainable Energy and Heat
 Policy CS4 – Surface Water Flooding
 Policy CS6 – Delivering Sustainable Communities
 Policy CS7 – Bournemouth Town Centre
 Policy CS8 – Lansdowne Employment Area
 Policy CS13 – Key Transport Routes
 Policy CS14 – Delivering Transport Infrastructure
 Policy CS15 – Green Travel Plan and Transport Assessments
 Policy CS16 – Parking Standards
 Policy CS17 – Encouraging Greener Vehicle Technologies
 Policy CS18 – Increasing Opportunities for Walking and Cycling
 Policy CS21 – Residential Development
 Policy CS26 – Protecting Allocated Employment Sites
 Policy CS30 – Promoting Green Infrastructure
 Policy CS33 – Heathland
 Policy CS38 – Minimising Pollution
 Policy CS39 – Designated Heritage Assets
 Policy CS40 – Local Heritage Assets
 Policy CS41 – Design Quality

38. District Wide Local Plan (2002)

Policy 4.25 – Landscaping
 Policy 6.9 – Residential development on derelict/ vacant land
 Policy 6.10 – Flats Development

39. Town Centre Area Action Plan (2013)

Policy D1 – Presumption in favour of Sustainable Development
 Policy D3 – Character areas
 Policy D4 – Design quality
 Policy D5 – Tall buildings
 Policy D7 – Public realm
 Policy U1 – Mixed uses
 Policy U2 – Housing
 Policy U6 – Frontage Designations
 Policy T2 – Walking and cycling
 Policy T3 – Priority areas for walking and cycling improvements

40. Supplementary Planning Documents:

Dorset Heathlands Planning Framework SPD 2020
 Residential Development: A Design Guide – PGN (2008)
 Sustainable Urban Drainage Systems (SUDS) - PGN
 BCP Parking – SPD (2021)
 Bournemouth Town Centre Development Design Guide SPD (2015)
 Waste and Recycling planning guidance note

41. **National Planning Policy Framework (“NPPF” / “Framework”) (2023)**

Including in particular the following:

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.”

42. The following chapters of the NPPF are also relevant to this proposal:

- Chapter 2 – Achieving sustainable development
- Chapter 5 – Delivering a sufficient supply of homes
- Chapter 8 – Promoting healthy and safe communities
- Chapter 9 – Promoting sustainable transport
- Chapter 11 – Making effective use of land
- Chapter 12 – Achieving well-designed places
- Chapter 16 – Conserving and enhancing the historic environment

43. **The National Design Guide (2019)**

Paragraphs 69 - 70:

‘Well-designed tall buildings play a positive urban design role in the built form. They act as landmarks, emphasising important places and making a positive contribution to views and the skyline. Proposals for tall buildings (and other buildings with a significantly larger scale or bulk than their surroundings) require special consideration. This includes their location and siting; relationship to context; impact on local character, views and sight lines; composition - how they meet the ground and the sky; and environmental impacts, such as sunlight, daylight, overshadowing and wind. These need to be resolved satisfactorily in relation to the context and local character.’

Planning Assessment

Principle of the proposed development

Employment uses - background

44. The site is not a directly allocated site in the development plan, but it is within the designated Lansdowne Employment Area, and therefore Policy CS8 of the Core Strategy is applicable. This states that development (including redevelopment and conversion) will be required to provide principally Use Class B1 space or tertiary teaching development. Other uses that form an element of a principally B1 or tertiary teaching-led mixed use scheme will also be acceptable, providing the function and integrity of the principal uses are not compromised. Residential and student accommodation uses are acceptable under CS8 “*only where it forms a subsidiary part of a principally Use Class B1 (business) or tertiary teaching led scheme and it can be demonstrated that such a use is required to ensure the viability and deliverability of the mixed use scheme; and opportunities in other employment generating uses have been thoroughly investigated and marketed and can be*

shown not to be viable". The September 2020 changes to the Use Class Order 1987 re-categorised Class B1[a] into Class E, specifically E(c).

45. The Dorset Local Enterprise Partnership Strategic Economic Plan 2014 highlights that the Lansdowne is a prime area to develop into a major commercial business district including for start ups and the digital and creative industry. In 2015 the legacy Council adopted the Lansdowne Delivery Plan that again highlights the importance of the area in terms of delivering job growth, setting out a vision and projects that will encourage more economic investment the area. The Council has previously been successful in a bid to the DLEP having secured £8 million to significantly improve infrastructure in the Lansdowne with the aim of increasing its potential as a key business district. Lansdowne is referred to as a prime business district in BCP Council's Big Plan.
46. The Council is preparing a new local plan. The BCP planning policy team have commented that The BCP Local Plan Issues & Options consultation was published for consultation in January 2022. There is a recommendation going forward to continue to allocate strategic employment sites in BCP and Lansdowne is identified as one of these sites. Up to date employment evidence will be produced enabling an understanding of future office needs. The new Workspace Strategy is under preparation and will be a key part of the local plan evidence base, but it is not complete yet. The intent is still that Lansdowne will continue to be a key strategic employment site though viability testing as part of the local plan has also not been completed yet. It is acknowledged by the policy team that policies may need to become more flexible to support a wider range of employment and residential uses.
47. At the present time the future strategy towards employment generating uses is not at a sufficient stage to have any weight, so Policy CS8 remains the relevant policy. However, for some years there has been difficulty in securing schemes that are compliant with CS8 in this area, and an appeal was lost on 37-39 Oxford Road in 2017 for a 100% student accommodation development on viability grounds (Council ref. 7-2015-13231-T, appeal ref APP/G1250/W/16/3159914).

Employment uses – the existing situation

48. The application site has an area of 0.58 hectares and the existing office building has a low overall site coverage of 30%. The building is a 1980s built office structure of concrete frame construction with a red brick and curtain wall façade. it is arranged over lower ground, ground and 7 upper floors providing 7,644 sqm (82,299 sq ft) of office accommodation and 138 car parking spaces.
49. The applicants submitted an Employment Land Report at the pre-application stage. The report dated December 2021 explained that the existing building had been 90% vacant for 18 months and the office floorspace had been marketed as offices to let with little success in attracting occupiers for various reasons outlined. Since that time the building has been completely vacant and surrounded by site hoardings.
50. It is considered that the refurbishment needed to update the building would not be viable. The large floor plate is not the type of office use that is now in demand. It would be very rare to fill such a large space, as most local demand is for smaller office spaces (notwithstanding the recent take up of space in The Helm on Holdenhurst Road by Barclays). The existing office space within Holland House is considered to provide a dated offer, for example with limited breakout space on the ground floor or additional facilities for employees. It also has very low floor to ceiling heights (particularly limiting the ability to install air conditioning). The office space could be refurbished and let at a discounted rate but in the opinion of the employment land report, this would not be viable and would in any case be at the expense of existing office space elsewhere in the town centre, as it is likely that only existing local office users would move tempted by the lower rates.
51. There is also an extant consent for conversion of the whole of the existing building to residential use under the Prior Approval permitted development route, although this conversion would need to be completed by September 2024 to remain a valid fallback position. Since the time of that consent under Schedule 2, Part 3, Class O of the GPDO, a new permitted development Class MA has superseded Class O, which has a maximum floor space stipulation of 1500sqm. This would prevent the future conversion of the whole building under prior approval if the extant consent is not implemented. Consideration has therefore been given as to the weight to give the extant prior

approval scheme in terms of a fallback position. Weight is attributed to this as at the present time it would still be possible to convert the building in the timescale required, although this will diminish over time closer to the completion date. There is however considered to be a realistic prospect of the conversion occurring as an alternative to this development, as the consent is in place, and it would in that case result in the loss of all office space on the site and the building changing to residential use.

Employment uses – the proposed situation

52. Plans indicate that the proposed development includes a total of approximately 488sqm of new Class E commercial space spread over the ground floor, comprising approximately 308sqm of 'co-working' space, a small café fronting Oxford Road, and a separate small commercial unit fronting St Paul's Lane. This compares to the stated 9,752sqm of office space that the existing building provides. The intended use of the small St Paul's Lane unit has not been specified but it is likely that the ground floor units will suit more traditional retail, professional services or café uses with an active frontage. The viability of this unit may be more challenging due to lower footfall in St Pauls Lane, although activity in the area is generally increasing and the proximity to the Bournemouth University Gateway Building and other student accommodation may provide some options.
53. There were initially concerns about the co-working space, being a public lobby style area on the ground floor with no separation from the residential lobby and accesses. Amendments secured during the application process now provide more segregation and compartmentalisation to these areas. This has also created more lobby space at the expense of some office space, but the quality of the space is improved with areas that could potentially be let to small businesses or users, or equally used as quiet bookable or informal touch down areas for individuals living and working in the building or area.
54. The proposed new building has 30 floors, so the Class E office use forms a very small proportion of the total floorspace. As a percentage against the residential floorspace also proposed, the building would not therefore "principally" comprise Class E(g)(i) space or a tertiary teaching facility. The proposal does not therefore comply with the requirements of Policy CS8. No offer of tertiary teaching space has been put forward, though it appears that the university have already undertaken substantial investment and expansion in recent years both in Lansdowne and at the main Talbot campus with the new gateway buildings and other facilities. In addition, there is no evidence of other employment or commercial uses having been considered prior to proposing a principally residential use, again contrary to CS8.
55. The overall quantum of commercial/office space provision is low and would not make a significant contribution to the employment needs of the area, particularly as Lansdowne remains a key strategic employment site. The provision of a replacement 100% office building is not required by the policy, and would be an unrealistic expectation. In addition, it is acknowledged that since the adoption of Policy CS8, the office market has been impacted significantly, particularly with recent changes to working patterns with more home working and that speculative office development is challenging in viability terms. A policy compliant scheme in accordance with CS8 is therefore unlikely to be achieved. Nevertheless, anecdotally there remains demand for office use in the Lansdowne area with limited empty space, that space being typically the older less desirable office space such as Holland House compared to newer modern office space.
56. The applicant's Employment Land Report also refers to the supply of new high quality office space in the BCP area as limited. That is a concern and adds justification to the need to incorporate sufficient office space within mixed use schemes in the Lansdowne Employment Area. Grade A office space has recently been let at The Helm for Barclays staff. The presence of Barclays may stimulate more office take up in the area, although this is disputed by the applicant. It is true that Barclays did downsize and relocate from a larger local office building in Poole, so it was not new office demand. Bournemouth House (17-19 Christchurch Road) has been vacated by Bournemouth University and recently refurbished into Grade A office space. It is not known if there have been any offers on this property.
57. The most recent Dorset Workspace Strategy Evidence Update (January 2020) outlined a projected increase in demand for employment uses across the Dorset and BCP area in the period to 2038, but that most of this is demand for industrial land (66ha) "*driven by employment growth in construction*

and business services. Growth in office land requirements is lower at 21ha". There is no publicly available update since that time, though it is considered that the market may have changed in the most recent three year period with the pandemic fuelling changes to working patterns and other economic challenges also coming through.

58. Paragraph 33 of the NPPF states that development plan policies should be reviewed at least every five years. Paragraph 122 of the NPPF states:

"Planning policies and decisions need to reflect changes in the demand for land. They should be informed by regular reviews of both the land allocated for development in plans, and of land availability. Where the local planning authority considers there to be no reasonable prospect of an application coming forward for the use allocated in a plan:

*a) it should, as part of plan updates, reallocate the land for a more deliverable use that can help to address identified needs (or, if appropriate, deallocate a site which is undeveloped); and
b) in the interim, prior to updating the plan, applications for alternative uses on the land should be supported, where the proposed use would contribute to meeting an unmet need for development in the area".*

59. The Inspector examining the Core Strategy prior to adoption in 2012 permitted the Core Strategy to be adopted, but subject to regular review of such land allocations. Although there have been updates to the more general Dorset-wide Workspace Strategy as mentioned above, there has not been a specific review of Policy CS8. In light of the age of the policy it is therefore necessary to consider the site specific viability of the application site in respect of the proposed uses, having regard to Paragraph 122 of the NPPF above and the applicant's evidence.
60. The applicants have submitted a Viability Assessment with the application, and this does deal with the issue of commercial viability. The assessment has been independently reviewed and is considered sufficient to justify the proposed quantum of office space, given that the outcome of the assessment is that the scheme has a financial deficit as proposed and is therefore not viable. A second hypothetical scenario was also tested, with an increased quantum of office space (circa 3500sqm compared to the 500sqm of the proposed scheme), which has demonstrated such a scenario would have a significantly worse effect on viability still (a reduction in GDV of approximately £7.5m). Given that the proposed scheme has already demonstrated that it is not viable with the modest ground floor commercial offer then it is evident that the provision of more commercial space would detrimentally affect the viability of the scheme.
61. The ground floor of the site does not have any commercial frontage designation in the local plan, as identified on the Proposals Map. The provision of ground floor commercial uses would in any case create activity to the frontages and are acceptable in this town centre location. The existing ground floor use is Class E office or former B1(a) with no active frontage onto Oxford Road. The proposal would offer more opportunity to activate the street frontage. The implications for future permitted changes of use under the Prior Approval legislation need to be considered and perhaps prohibited by a condition to safeguard the uses in perpetuity. In addition, a condition would also be required to prevent the use of vinyl stickers or frosted glazing to the glass frontage at ground floor level to prevent inactive frontage and visibility onto the public space.

Principle of residential use

62. Above the ground floor, and excepting the cycle storage and plant areas on the mezzanine floor, the remainder of the building is proposed as residential use, for 487 residential units. Policy CS8 does refer to residential use, but as a lower preference option, *"only where it forms a subsidiary part of a principally Use Class B1 (Business) or tertiary teaching led scheme and it can be demonstrated that such a use is required to ensure the viability and deliverability of the mixed use scheme; and opportunities in other employment generating uses have been thoroughly investigated and marketed and can be shown not to be viable"*.
63. At the heart of the NPPF is the presumption in favour of sustainable development, reiterated in Bournemouth Core Strategy Policy CS1. NPPF paragraph 11 applies this presumption to decision making where the local plan classed as out of date. Footnote 8 of paragraph 11 classifies a local plan

as out of date if the local planning authority is (i) unable to demonstrate a five-year supply of deliverable housing sites or (ii) where the Housing Delivery Test (HDT) result is less than 75% of the housing requirement over the previous three years.

64. The 5-year housing supply and HDT results continue to be applied to each local plan area separately until replaced by a BCP Local Plan. In the Bournemouth area there is a 2.3 year housing land supply with a 20% buffer (a shortfall of 4,862 homes) and a 2021 HDT result of 67%. The local plan is thus considered out of date as the Local Planning Authority is unable to demonstrate a five-year supply of homes and under the HDT test threshold of 75%.
65. NPPF Paragraph 11 states that where policies which are most important for determining the application are out of date, planning permission must be granted unless policies in the Framework that protect areas or assets of particular importance provide a clear reason for refusing the development proposals or any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.
66. For this planning application the benefits provided from the supply of a large number of new homes will have significant weight in favour of the grant of planning permission. For the local planning authority to refuse this development, the benefits of the provision of new homes must be significantly and demonstrably outweighed by the adverse impacts or where specific policies in the NPPF provide a clear reason for refusal (the ‘tilted balance’ of NPPF paragraph 11). The balancing exercise is undertaken at the conclusion to the report, but for example would require consideration of any policy conflicts such as Policy CS8 in relation to the mix of uses in this area, and any other detrimental impacts covered elsewhere in this report.
67. In addition to the above, the site is considered acceptable *in principle* for residential intensification by Policy CS21 of the Core Strategy because it is within the Bournemouth town centre area. However, it is considered that the more general Policy CS21 would not necessarily override the requirements of the more site-specific Policy CS8. The development would make a notable contribution towards local housing supply in a sustainable location on an under-used site. Paragraph 124 of the NPPF states “*planning policies and decisions should support development that makes efficient use of land*”.
68. Policy U2 of the Bournemouth Town Centre Area Action Plan (AAP) permits residential accommodation in the town centre, subject to the consideration of criteria including the development contributing towards a mix of unit sizes, providing some external amenity space and providing acceptable living conditions, particularly in terms of noise and disturbance. It states that “*new residential development will be expected to meet a range of housing needs and to accord with any other relevant planning policy or guidance document*”. Again therefore, the more site specific aims of CS8 would take precedence over the more general Policy U2.
69. Floor plans show a mix of one, two and three bed units, as per the following table:

Unit type	Number in the development	percentage
Studio 1 person units	52	11%
1 bed 2 person units	208	43%
2 bed 3 person units	50	10%
2 bed 4 person units	147	30%
3 bed 5 person units	30	6%

70. Core Strategy Policy CS21 states that proposals for residential development will be expected to reflect the housing size demands of the Borough, as identified in the Strategic Housing Market Assessment (SHMA)(2015). Table 8 of the SHMA Bournemouth Borough Summary indicates that there is more need for 2 and 3 bedroom market dwellings than 1 bed. The biggest demand is for 2 bed units at 40.9%. In this case the proportion of units is just over 50% one bed units (54%), though this has been reduced since the original application submission when it was 61%. The extant prior approval fallback scheme contains 130 units with a mix of 62% 1 bed units, 38% 2 bed units, and no 3 bed units. The proportion of 3 bed units proposed here is low at 6%, but there is a good proportion of two bed units reflecting the area of demand.

71. A more recent housing needs study to inform the forthcoming BCP local plan (November 2021) suggests that in the period to 2038 “*the population in the BCP aged 20 to 39 will increase by a significant 28,793 people. This is a clear demonstration that the typical build to rent occupier group is expected to expand significantly in BCP*”. Again, the greatest demand continues to be for 2 and 3 bedroom units overall, though there is also strong demand for affordable one bed units.
72. Arguably the layout and location of the accommodation will be more suitable to young professionals and recent graduates than families, helping to meet the above demand, although the size of some of the units would also not preclude families. The type of accommodation with modern flats and communal facilities may provide benefits in the form of graduate retention in the area.

Loss of existing building

73. The existing building ‘Holland House’ was built in the mid-1980s, formed of orange brick and glazing. There is surface parking to the front and rear of the site. Trees and shrubs grow at the interface between the pavement and the planting area in front of the car park and also line the rear of the site. Its footprint of the building is rectilinear, and the building is dual aspect. Two smaller components of the building are conjoined at right angles at each end, to the front and rear of the building. The largest return element is an exaggerated entrance area to the northern side facing Oxford Road. The building is of its time and has some architectural interest, although it has significant width, low site coverage with a high degree of hard surfacing for parking and does not address the street well due to the set back from Oxford Road and lack of active frontage. It is not considered that the loss of the building would be harmful or should be precluded in principle.

Overall considerations of principle

74. The development would provide residential use in a sustainable location and make efficient use of this brownfield site. However, the proposed development is in conflict with Policy CS8 of the Core Strategy as it does not form a ‘principally’ commercial or employment use. It is accepted that while Lansdowne remains an important location for the provision of office uses, the provision of speculative office development is challenging and the relevant policy has not been recently reviewed. The applicants have in this case demonstrated that the provision of a greater amount of office space would not be viable. Other general residential policies are supportive of residential development in the town centre, but are considered subservient to the main site specific policy, CS8. Policy U1 (mixed uses) of the Town Centre Area Action Plan for example states that “*in the Lansdowne Employment Area development proposals should fulfil the requirements identified in Policy CS8 of the Bournemouth Local Plan: Core Strategy*”. Policy U2 (residential development) also requires residential development to “*accord with any other relevant planning policy or guidance document*”.
75. There are also clear economic benefits in principle arising from the density of development generating stronger footfall in a sustainable location, supporting the town centre. The scale and landmark qualities of the development, subject to consideration of the site specific impacts in the remainder of this report, would help in continuing to drive regeneration of this part of the town and encourage further investment. The extant prior approval scheme is a relevant material consideration as this fallback position would result in the loss of all commercial use on the site and conversion to residential use.

Impact on the character and appearance of the area

Scale

76. This is a site within one of the two designated ‘Tall Buildings Areas’ in Bournemouth, as defined in the Bournemouth Town Centre Area Action Plan. Policy D5 of the AAP (below) is clear that tall buildings will be encouraged and supported in this location provided that they meet the criteria of Policy D5 and demonstrate a high standard of design as set out in Policy D4.
77. The definition of a tall building in the AAP is buildings that:

- are substantially taller than their neighbours, and/or
- significantly change the skyline, and/or
- are taller than six commercial storeys or equivalent.

78. The proposed development here would arguably meet all these points. Policy D5 of the TCAAP states:

Tall buildings will be encouraged and supported in the locations shown on the Proposals Map provided that they meet the criteria below and demonstrate a high standard of design as set out in Policy D4.

There is a presumption against proposals for tall buildings outside these locations unless fully justified.

All tall buildings should:

- *Have a good relationship with the context;*
- *Have a positive relationship with the historic context;*
- *Have an acceptable impact on the skyline and respect and/or enhance key views, vistas and landmarks;*
- *Have a high quality appearance and high architectural quality;*
- *Reduce the impact on the local and wider environment;*
- *Provide well designed internal and external environments that support the public realm and where appropriate provide public facilities;*
- *Accord with the requirements of other relevant policies and guidance.*

79. The Lansdowne tall buildings area has experienced a number of modern developments in recent years, which mostly exist in the block between Holdenhurst Road and Oxford Road but also in the northern side of Oxford Road, albeit not to the same scale.

80. There have been a number of consented and built schemes for tall buildings recently in the area. These include for example:

- Waverley House, 115-119 Holdenhurst Road – Outline consent for 27 storeys max, 86 metres in height (121.15 above ordnance datum (AOD)) (not built)
- 95-101 Holdenhurst Road – Outline consent for up to 22 storeys (102.15 AOD) (not built)
- The Helm, 37-45 Holdenhurst Road – 19 storeys (103 AOD)
- Skyline, Oxford Road – 17 storeys (86.41 AOD)
- Glen Fern Road car park – Outline application for 24 storeys (outside of Lansdowne tall buildings area), granted by planning committee January 2023 but still waiting for completion of S106 agreement

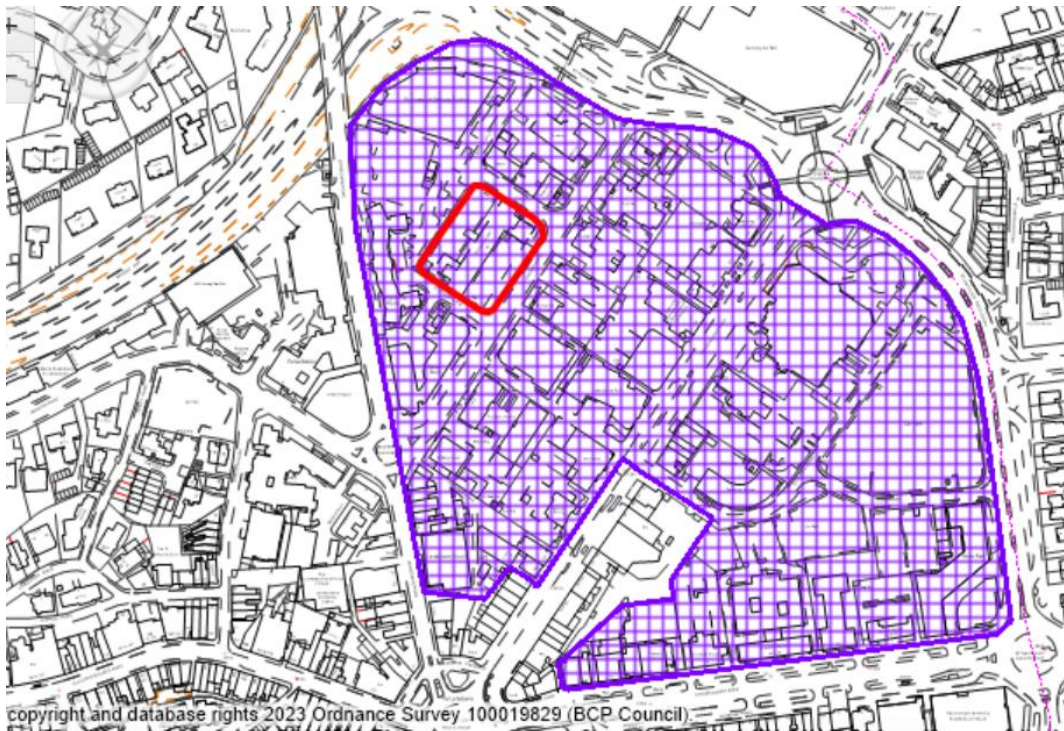
81. There are also concurrent planning applications for:

- Telecom House, 35 Holdenhurst Road – full planning application for 24 storeys (114.2 AOD).
- Waverley House, 115-119 Holdenhurst Road – revised outline application for 27 storeys

82. The proposed building here indicates a peak height of 30 storeys / 95 metres to the tower element fronting Oxford Road (132.8 AOD to the top of the parapet). The development has a second linked tower situated on the opposite south-western corner fronting St Paul's Place, which would have a height of 21 storeys (104.8 AOD). The link sections between would have a height of 13 storeys.

83. At its peak this would therefore be the tallest building in this part of the town centre by up to 29.8 metres based on the existing situation, or 11.6 metres if the extant consented outline development at Waverley House is included. This is a significant step up, but considered to be potentially justified in principle given the location within the tall buildings area (subject to other townscape considerations and views).

84. Having regard to urban design principles, it is considered desirable to locate the tallest buildings within the centre of a tall buildings cluster in order to form a coherent skyline where buildings step up from the edges into the centre (notwithstanding any gateway landmark locations), and to provide a constant visual focus in the cluster when viewed from all directions. The height of other taller buildings should generally decrease the further they are away from the centre, whilst providing some variation, to deliver a dynamic skyline.
85. In this case the application site is towards the north-west edge of the tall buildings area, but close to the current core cluster in the block between the eastern side of Oxford Road and the western side of Holdenhurst Road. The application site is surrounded by tall buildings around the west, south and east sides, including 12, 14, 17 and 18 storey buildings. The proposed building would step up significantly from this, but would appear in the centre of this cluster and in most views of the Lansdowne Area would appear to be relatively centrally located. It is desirable as stated to have some height variation in order to create a dynamic skyline rather than having all the tall buildings at the same height.



Site in the context of the Lansdowne tall buildings area

86. The applicants sought pre-application advice prior to the submission of this planning application, including seeking the advice of the South West Design Review Panel in July 2022 for a scheme of the same quantum and height of development. The Panel stated “*We accept that the area is suitable for tall buildings, we know that well-designed high rise can bring excitement (even beauty) to the urban scene, and we accept that your scheme needs to be viable. Our impression from the emerging LVIA is that the height you showed us is at (arguably just above) what the wider townscape could assimilate. The Panel would expect to see justification set out for such height as you seek*”. The application scheme here was not assessed by the SW Design Review Panel but the earlier scheme was very similar in terms of scale and form.
87. The Urban Design Officer, while generally supportive of some elements of the scheme, including the open space and pedestrian environment, overall design of the elevations and layout, elevation treatment, active frontages and landscaping does still have a concern about the overall height, considering that there will be some impact in longer views and that the façade on Oxford Road will be quite imposing. They consider that Holdenhurst Road should be the centre of the tall buildings cluster. However, as above the site is close to a central band running across the Oxford Road and Holdenhurst Road block and sufficiently close that it could be argued to part of the main cluster, compared for example to the southern part of the area off Christchurch Road where buildings are generally lower.

88. With reference to the supporting documentation and the indicative elevations showing heights, it is evident that although the main tower will stand tall in comparison to immediate neighbours, the scale, mass and form of the building would integrate with the range of tall buildings steadily emerging in this quarter of the town centre. The height and scale would be sufficiently broken up with two main tower elements and lower sections, helping create interesting frontage, elevations and variation to the skyline. At present the height of buildings rises to the centre of Holdenhurst Road (The Helm) before declining again down to the more historic section around Lansdowne Crescent to the south-western end. This development is further to the north of The Helm but not right at the edge of the tall buildings area and would be seen as part of a central cluster of tall buildings.
89. Further justification has been provided in the form of a Heritage, Townscape and Visual Impact Assessment statement (HTVIA) which outlines various indicative views, mainly in terms of heritage impacts which are explored in the relevant section below. It is clear that as the tallest building in Bournemouth town centre the building would be visible from a wide range of viewpoints, both in close proximity to the site and in much longer distance views. A 'Zone of Theoretical Visibility' has been produced as part of the applicant's townscape assessment which illustrates this, though there are also considered to be more views on higher ground to the north of Bournemouth and other areas around the edge of the conurbation with elevated views which are off the edge of this plan. However, these are very distant views.
90. The proposed development would appear a little disjointed in some views, for example from the A338 Wessex Way heading east from Richmond Hill the height combined with the closer proximity mean the development would appear notably taller than other buildings in the area from this location. However, this is a dynamic view from moving vehicles and the perception when driving along the Wessex Way is of a corridor of taller buildings stretching from Westbourne in the west, past Richmond Hill tall buildings area to the Lansdowne area in the east. Similarly, the proposed development will appear more isolated in certain longer distance views, although over time may be mitigated with other taller buildings adding to the cluster such as Waverley House and any other potential development sites contributing to a more varied skyline.
91. It is therefore considered that the overall height of the main tower is, on balance, acceptable in principle. The proposed development would become a key landmark in the town centre, which is not necessarily harmful in this area containing tall buildings, but it means that detailed design is very important to create a building of significantly high quality.

Bulk and massing

92. The overall height and scale of the proposal has been explored above in comparison to other developments in the Lansdowne area, and the impact this would have on the local skyline. The bulk and massing of the development and the individual towers is also an important factor in how the development would be perceived. The main tower would not be a fully square or rectangular shape. It would have a narrow section to the south west side, then a wide frontage onto Oxford Road before stepping back on the corner with St Paul's Lane and having more of an L shaped form. It would not taper or narrow to the top and could not be described as slender. In addition, the tower does not step back from Oxford Road so will present a relatively sheer façade above the ground floor colonnade, rather than a more human scale for example with a lower shoulder height and stepped back upper section. However, the Design Review Panel did not comment that any narrowing of the towers to the top was a necessity, only that there should be sufficient top middle and bottom delineation of the façade treatment, including a strong crown element to meet the sky in a positive manner. Although discussed in more detail in the design section, the proposal does do this through the composition of the horizontal white frame elements which become more closely spaced towards the top and the presentation of the crown element to the top three floors. Design precedents in the supporting documentation illustrate high quality buildings with a strong crown that do not suffer from being a single width of tower.
93. On approach to the site from the south-west on Oxford Road the tower would appear its most slender, appearing as a good quality landmark tower with lower sections adjacent. As stated above when directly in front of the main tower on Oxford Road it would appear to have a relatively wide and sheer façade, although due to the width of the road it would not be possible to step so far back to fully

appreciate the height. Then to the north-east the tower would appear a little wider and bulkier again, though there is a step in the front corner to alleviate this.

94. Although it has two tower elements, the development forms a single building with 13 storey link sections. There is some concern that the articulation of the elevations on the lower floors is not overly strong and would benefit from some stepped or recessed sections to break up the bulk and prevent a more monolithic appearance, particularly at the rear facing the university car park. It has been stated that due to the construction methods and internal layout design it is not possible to create stronger steps in the elevations so these sections of the building are instead treated with a different elevational design. The white frame is omitted and a white concrete used in contrast to the buff coloured sections on the other parts of the building. This will give the appearance of a small step back of around 200-300mm, which is not significant but will have some effect of breaking the elevation up slightly. The addition of a handful of balconies to the lower floors of the corner parts of the building and not to the white central sections will also add to this effect.
95. The impact of the bulk is not evident from Oxford Road where the elevation does not extend all the way along the long side of the site as it does to the rear. The bulkier north-west facing elevation is perhaps the lesser seen elevation, although it is likely to be quite prominently visible from a section of Lansdowne Road between the Bournemouth University Gateway Building and Cranborne House, where the development would be visible across the open car park. There is scope for tree planting across the rear of the site to soften the visual impact a little here. This car park area may also be developed in the future, reducing visibility of the development.

Design and form

96. The general height and form of the development has remained consistent throughout the application process, but the façade design and materials have been altered during the consideration of the application. Originally the design showed a mix of a white stone effect metal frame and green textured metal cladding for the main elevations, with some other sections of grey cladding. This created a bright and vibrant building that did contribute to the mix of colours and designs in the Lansdowne area. However, there were some queries about the quality and longevity of the materials, and how they would be maintained and kept clean. The materials and façade design has now been amended and now shows predominantly cast concrete sections ('Techcrete') comprised of a white concrete frame and separate sculptured buff coloured infill panels to provide a higher quality finish than the metal cladding. The cast concrete can be machined to form a smooth finish and samples have been provided by the applicant to demonstrate that it would have a high-quality finish. The two colours will create sufficient contrast without being too brash, the buff being a natural stone colour giving a high quality and classical appearance. The smoother finish should ensure a high quality lasting finish.
97. The white frame has been enhanced in thickness to give it a stronger appearance, and the banding of the horizontal sections narrows higher up the building to give some interest to the elevations and contribute to a strong hierarchy to the building façade. Section drawings have been provided to show the façade detail and depths. They show good articulation to the façades, with window recesses of up to 400mm from the main frame and around 200-300mm from the buff sections, and both the frame and cast sections are also sculpted with inward curving detail which both softens and helps to provide a high-quality appearance and articulation.
98. The two towers have 'crown' sections which, along with the banded frame, helps to give the building a clear base, middle and top. The crown is an important feature of any tall building and adds distinctiveness and creates attractive skylines by ensuring the building meets the sky in an attractive way. In this case the crown of the main tower covers the top three floors, using a darker infill material to distinguish it from the floors below, and a slightly lighter reduced use of the white frame. The darker metal cladding material will have a form which matches the floors below but will also have a slightly more reflective powder coated finish which will add interest. The frame extends above the top floor to give some glimpses of the sky between while also helping to obscure any rooftop plant equipment. It is considered that the proportions are good and give balanced proportions to the building. The crown on the lower of the two towers is smaller to reflect the hierarchy of buildings on the site.

99. The ground floor 'base' of the building covers the first two floors (ground floor and mezzanine). It has a larger footprint on these levels filling in the central courtyard area which is evident on the upper floors. The façade onto the open space has a glazed curtain wall finish. This creates an active and permeable frontage to the building and also helps reinforce the relationship between the building and the new adjacent green public space. Beyond this is a colonnade feature, supporting the main two towers above. This gives more space for pedestrians at ground level and is in keeping with the design of the adjacent building to the south on Oxford Road. The glazed curtain walling and darker grey finish to these lower floors together with the colonnade does help to create a strong base to the building which has entrances onto the open space and Oxford Road, a strong active frontage and legibility.
100. There is a regular pattern of window openings across the building which does create something of a repetitive appearance, but this is not unusual for tall buildings with a regular floor plate and is not necessarily harmful. As stated previously, the base, middle and crown of the building together with the narrowing of the horizontal frame bands as the building rises and the white stepped sections of the building on the north facing elevations add interest and articulation. The Design Review Panel were supportive of this approach saying "*Architecturally, it was encouraging to see your analysis of façade treatment by top, middle and ground sections*". The scheme has evolved further since then with a more pronounced crown.
101. Within the central courtyard area of the building above the mezzanine level the concrete frame theme continues albeit with less colour. The use of more white concrete in the internal sections helping to maximise light to this interior section and reflecting the less prominent nature of this part of the building which does not have a street frontage. Views will be limited to the southern part of Oxford Road on approach to the building, and this section although more limited in articulation will add variety to the building's appearance.
102. The use of high-quality materials and design elements is imperative to justify the high quality prominent landmark building in this location. It is considered that the design details and materials are of sufficiently high quality in this case. The design would form a cohesive form for this large building across the site and also fit in with the variety of building forms, designs and materials in the Lansdowne area. Subject to conditions to secure the modern robust materials and architectural detailing (window recesses/shadow etc) it is therefore considered that the building would be capable of making a positive contribution to townscape.

Footprint/site coverage/layout

103. The proposed development would have an increased footprint across the site, with site coverage of around 60%. The development does have quite long facades around the edge of the site in places, although the perception of bulk and mass is refused by the central courtyard arrangement above the mezzanine level. The existing building occupies the centre of the site, having a relatively long thin form with car park areas to front and rear. It is accepted that this does not make an efficient use of the site. Other redevelopments in this part of the town centre have had relatively high site coverage and, in some cases, relatively low separation distances to neighbouring buildings given their size.
104. The application site forms an entire street block with roads around, giving the opportunity for a self-contained development. The two towers present the appearance of a family of buildings on the site with an appropriate hierarchy. The proposed building is set back from the street edge on three sides by about four to five metres, except for the main tower on Oxford Road, which is only 1.6 metres back, though this would be in keeping with the building line set by Bailey Point to the south, which also extends a tower element over a ground floor colonnade.
105. The southern corner of the development onto Oxford Road would be kept free from development and would form an element of public open space of around 900sqm. There would be opportunities for landscaping and trees to soften the development. This area of public realm is a positive feature and would help to give some feeling of space to Oxford Road here, as well as legibility to the building and its entrances. The Design Review Panel were also positive about this element, stating "*we support the proposal for new public realm and recognise this as both positive for the scheme and a valuable contribution to the area*". This element would enhance the street scene and character of Oxford Road,

giving some identity to an area which has developed significantly in recent years but without notable public realm enhancement. The building is also set back from the street around the other sides with a mixture of landscaping, cycle stands, motorcycle parking and two parking spaces for loading/delivery use. The public space is also enhanced with highway improvements to alter the junctions of St Paul's Place and St Paul's Lane to give more priority to pedestrians and by widening the footpath along Oxford Road compared to the existing situation.

106. The principal entrance to the building is located adjacent to the area of open space. There are additional secondary entrances on Oxford Road to a café, and then further accesses from St Paul's Place and St Paul's Lane to the residential sections of the building to the various lift cores. There are two large bin stores, to St Paul's Place and St Paul's Lane as well as access to the gym, another commercial unit and plant areas. The co-working office areas have been divided up during the application process. This space was originally formed of a single area which raised concerns about the use more as a residential lobby with accesses through to the various lift cores. Now it has been more compartmentalised with lobby areas creating more useful enclosed spaces which could be bookable, lettable or used informally but more legible as dedicated working space.
107. As previously stated, the strong level of glazing on the ground and mezzanine levels creates an active and permeable frontage to the building (subject to the condition that it remains clear glazed) and also helps reinforce the relationship between the building and the new adjacent green public space. The colonnade feature gives more space and cover for pedestrians at ground level. The active frontage is a little weaker on the north eastern and north western elevations. However, efforts have been made to create some level of activity including a small commercial unit fronting St Paul's Lane. There is also a gym at the rear although this elevation has less of an obvious street frontage, being set back behind the landscaped tree buffer. There are multiple entrances to the building and various plant areas and bin stores. Overall, there would be a good level of activity and surveillance around the building and the layout is positive and would function in an acceptable way, enhancing activity and use of the adjacent open space and creating vibrancy to Oxford Road.
108. At first floor level and above the layout is entirely residential. The layout is mainly considered in terms of the living conditions of future residents in the relevant section of this report below.

Overall impact on the character and appearance of the area

109. Looking back at the criteria and requirements of the tall buildings Policy D5 (paragraph 78), it has been determined that the proposed development would have a reasonable relationship with the context, being located towards the middle of a tall buildings area. Although it would be taller than other buildings it would add to the variety in the area and would not dominate to a degree that would be visually harmful, particularly taking into account other consented schemes. Although explored in detail in the following section of the report the proposal would have an acceptable relationship with the historic context on the whole, having some impacts on views of heritage assets but being sited some distance away such that it would not be materially harmful and one identified impact to a non-designated heritage asset.
110. The development would have an impact on the skyline in some identified longer views where it would appear as the more dominant building in the area, but it is part of a changing skyline with other consents in the pipeline, and in terms of views and vistas the location within the cluster of tall buildings means that the impact is acceptable here and it would not appear notably out of keeping. The proposed building would have a high-quality appearance with suitable high-quality materials that will give a distinctive appearance yet should last for a long time. The development would facilitate public realm improvements and the building would enhance the environment of Oxford Road with a building that provides activity to the street, public space and landscaping. With respect to most of the requirements of Policy D5 the proposed development would not be in conflict, although the lack of compliance with Policy CS8 of the Core Strategy as well as a further identified conflict with CS40 in the heritage section of the report below (paragraph 114 onwards) leads to a conflict in respect of the final criteria that development should "*accord with the requirements of other relevant policies and guidance*".

111. Overall, it is considered that the proposed building would be a significant development in the Bournemouth town centre area, being the tallest building to be permitted thus far in the area, albeit not significantly taller than the extant outline consent for Waverley House on Holdenhurst Road. The proposed scale is supported by the location within the tall buildings area and a logical layout to the site, as well as a good quality design and layout with a clear base middle and top to the building as well as a positive arrangement around the new area of open space. Materials have been outlined and subject to a condition for the final selection, these will provide a high-quality appearance.
112. There are some documented areas of concern, such as the identified views where the development would appear more dominant, these are mostly longer views across town from the west where the other lower tall buildings are also behind the proposed development. The mass of the building is also quite bulky on the lower levels where it wraps around St Paul's Lane and the rear without particularly strong articulation, creating relatively long elevations. Efforts have been made to mitigate this but it would have been improved with some greater variation in the elevation building lines.
113. However, despite the scale and mass it would not be an overly prominent location. It is considered that the proposed development would integrate onto the self-contained site in a way which does integrate with the other tall buildings and proposals in the area, in a location which is evolving as a tall buildings zone. The proposed development would therefore, on balance, accord with the aims of many of the relevant policies including CS1, CS21, CS41, 6.10, D4, and the NPPF, as well as most elements of Policies U2 and D5, failing due to conflict with CS8 in terms of uses but not design.

Heritage impacts

114. The submitted HTVIA includes a ZTV (zone of theoretical visibility), with a 1km radius around the site having been tested in order to gauge the visibility of the development and its subsequent impact on the townscape and local heritage assets. The HTVIA takes into account a number of the heritage assets within this circle, whether they are Designated or Non-Designated Heritage Assets (DHAs and NDHAs).
115. Some of the main heritage assets within 1km radius of the application site which require consideration include the following listed buildings:
- St Peter's Church (Grade I)
 - Bournemouth Central Railway Station (Grade II)
 - East Cliff United Reformed Church and attached Sunday School/lecture Hall, Holdenhurst Road (Grade II)
 - The County Court, Stafford Road (Grade II)
 - Bournemouth and Poole College (former central public library), Christchurch Road (Grade II)
116. All of these have been listed for their special architectural or historic interest and each one has its own unique contribution to make to the architectural fabric of the town and of the country. Their significance is high, and they have been designated for their special architectural or historic interest.
117. In addition, the following conservation areas are in close proximity to the application site:
- East Cliff Conservation Area
To the east/south of the site, closest boundary approximately 335m away to the east and 290m to the south. There is no Conservation Area Appraisal. The summary, which notes its special interest, states: *"Development at East Cliff originally took the form of substantial mid to late Victorian period villas set in large grounds and served by mainly wide tree-lined roads. There is now a great diversity of architecture and buildings within this spacious setting, with the Victorian architectural presence still evident inland of the clifftop. Grove Road is unusual in this area in that it is a narrow highway bordered for much of its length by smaller scale buildings, including one or two Victorian lodges, to the cliff top villas."*
 - Porchester Road Conservation Area
To the north of the site, running parallel to the railway line between Wessex way and Wimborne Road Cemetery, boundary approximately 500m away. The adopted CA Appraisal points out its

special interest: *“The importance of the Porchester Road Conservation Area is derived primarily from its fine collection of two-storey detached villas which were constructed predominantly during the Edwardian period. The buildings are architecturally well detailed and set in spacious plots. The plots are characterised by an abundance of mature trees and shrubs, which are set above low brick walls, and contribute to the leafy suburban character of the area providing an attractive setting for the buildings... The conservation area is of historic and architectural interest and represents an important phase in the development of Bournemouth”.*

- Dean Park Conservation Area
Boundary approximately 150m to the north-west. Conservation area based around the former Cricket Ground. There is no CA Appraisal. The summary, which notes its special interest, states: *“Dean Park bounded by Wessex Way, the railway and Wimborne Road, forms part of the Dean Park estate. Originally planned in the 1860s, it has spacious plots, becoming smaller towards the north, arranged along wide, curving roads and in the residential circuses around the focal points of Horseshoe Common and the cricket ground. There are abundant, mature trees along the roads and in the heavily wooded Horseshoe Common, which links directly into the shopping area along Old Christchurch Road. Although a number of plots have been redeveloped and some properties have suffered unfortunate alterations, the design of the layout and many of the remaining villas are of great quality and well worth conserving, for architectural and historic value.”*
- Old Christchurch Road Conservation Area.
Boundary approximately 430m to the west. There is no CA Appraisal. Below is a summary of the conservation area, its special interest and the reason for its designation: *“Old Christchurch Road winds its way up a gentle valley from The Square to the Lansdowne. Development started here in Georgian times, although none survives and this was a residential area in the mid-Victorian era. From about 1880 onwards, the houses were replaced with terraces of shops, many of neo-Georgian, but with Victorian, Edwardian and even Art Deco buildings at later dates. These terraces with upper floors, originally intended as residences but often converted to offices, and the shops, banks, restaurants etc below them, give a proper sense of urban scale to the Town Centre. Roads and spaces leading off the main road are included for their historic value, in showing the vigour and imagination present in the creation of the heart of a prosperous Victorian seaside town and for their architectural value as a remarkable assemblage of commercial, domestic and religious buildings of very high quality, many of which are listed.”*

118. The Non-Designated Heritage Assets that are considered potentially relevant are:

- Homelife House now Avalon, Oxford Road (built 1987).
- 3-6 Lansdowne Crescent (early Victorian phase of development)
- 231 Old Christchurch Road (The Lansdowne Hotel)
- 216-226 Old Christchurch Road (Cutler Terrace)

119. It is considered that many of the aforementioned heritage assets, including listed buildings and conservation areas, are sufficiently remote from the proposed development that there would not be any specific harm. There are places for example within the Old Christchurch Road Conservation Area where the development may be partially visible in the distance, but as part of the Lansdowne tall buildings area where it would not have a negative impact. The remaining heritage assets which may potentially be affected are the following:

East Cliff Conservation Area

120. This is a large conservation area extending across an area to the south of the site and off to the south east. The proposed development will be visually separated from the East Cliff Conservation Area with other intervening buildings, including the approved outline development at Waverley House, and others on Holdenhurst Road and the eastern side of Oxford Road. The proposed development would be seen in the background of some views within the conservation area, but it would be viewed in the context of the other tall buildings in the Lansdowne tall buildings area, appearing as a pinnacle in a more central location within this cluster of tall buildings. It is therefore considered that there would not be any harm to the setting of this conservation area.

Dean Park Conservation Area

121. The Heritage Officer has some concerns that there would be harm to the setting of this conservation area. It is correct that the siting is quite close to this conservation area and there are some locations where the proposed development would appear as quite a prominent or dominant development. However, this conservation area is quite self-contained and has a lot of mature trees which limit views out of the area. The HTVIA identifies some views where the proposed building would be strongly visible but at some distance (500 metres). It would be more dominant than other existing buildings in the Lansdowne area, but the distance means that it would not be significantly intrusive and therefore not harmful to the setting of this conservation area on balance.

Portchester Road Conservation Area

122. This is a small residential conservation area located around 450m to the north of the application site. Again, it is relatively self-contained with few opportunities for strong views into or out of the conservation area. There may be some distant glimpses between trees but this would not create harm and overall it is not considered that there would be any impact on this conservation area.

East Cliff United Reformed Church and attached Sunday School/lecture Hall, Holdenhurst Road

123. This Grade II listed church is sited on the eastern side of Holdenhurst Road to the other side of the St Paul's roundabout, at a distance of approximately 250 metres from the proposed development, to the north east. There are intervening tall buildings between the application site and the East Cliff URC, including the Skyline Building (37-39 Oxford Road) and the outline development on Waverley House, Holdenhurst Road would be more prominent in the setting of this listed building. It is therefore considered that there would be sufficient visual separation to mean there would not be harm to the setting of the East Cliff URC.

Bournemouth Railway Station

124. The intervening buildings including the dominant ASDA supermarket are a visual obstruction between this heritage asset and the proposed development. It is also accurate to state that the addition of a new, much taller building would "step up" from the two extant and closer buildings of Skyline and Avalon. The applicants have not provided a view from the station, but it is considered likely that the peak will be slightly visible behind the ASDA development, but not to a degree that would be prominent or harmful to the setting of the station buildings.

Former County Court, Stafford Road

125. This building has been refurbished as part of the new Livingstone Academy school. There are few, if any, views where they would be seen in the same context. There would be no negative effect on any aspect on this listed building's setting or significance as a result of the proposed development.

St Peter's Church, Hinton Road

126. The applicants do not specifically address St Peter's Church in the HTVIA. St Peter's Church is Grade I listed and cited in Bournemouth town centre, about 960 metres from the application site. The church spire is an important part of the town centre townscape and appears in multiple views around the area, and is therefore sensitive to impacts on its setting from tall buildings.
127. The applicants have not provided relevant views where the spire and the proposed development are visible together. There is a single identified view on Priory Road slightly further east than View number 5 in the HTVIA where the proposed development would be the dominant feature on the distant skyline, rising higher than the other tall buildings in the Lansdowne area, and appearing slightly closer to St Peter's Church spire than the other buildings in Lansdowne. It is considered that in this view there would be some impact to the setting of this church as the proposal would compete with the spire in being the most dominant feature on the skyline, though they would be some distance apart. However, this impact is not considered harmful for a number of reasons:

- It would be a fleeting view coming down the hill towards Exeter Road where both would then disappear from view.
- The proposed development is some distance away on the skyline.

- In the context of the consented scheme for the redevelopment of the Winter Gardens site, which if implemented (or any future scheme is implemented) is likely to remove the view of St Peter's Church significantly, if not completely, and thus removing the harm.
- In the context of the 24 storey Glen Fern Road car park scheme (approved by planning committee January 2023 and awaiting completion of S106 legal agreement), this development would have a more direct impact on St Peter's Church being set much closer in terms of views and siting.

128. No other significant views where the two buildings would be viewed in the same context with impact on setting have been identified. The Heritage Officer has not raised a concerns in relation to the impact on St Peter's Church.

The Old Fire Station, Holdenhurst Road

129. This listed building is located on the eastern side of Holdenhurst Road around 200 metres away from the application site. It is not considered that there would be a detrimental impact on the Old Fire Station given the distance between the buildings and other intervening existing development.

Bournemouth and Poole College buildings

130. It is not considered that there would be a detrimental impact on the listed buildings that make up part of the college campus on Christchurch Road, given the distance between the buildings and other intervening development.

Avalon/Homelife House, Oxford Road

131. The building known as Avalon, and formerly known as Homelife House is an 11 storey office building which was built in 1987 and is on the list of locally important buildings. It is therefore considered to be a 'non designated heritage asset'. The building is noted as a sensitive heritage constraint in relation to Policy D5 of the Bournemouth Town Centre Area Action Plan and is identified as a landmark in the Town Centre Development Design Guide. This building does feature prominently in some views on approach to the area, notably along the length of Holdenhurst Road approaching the area from the east. The local list description notes '*Built in the 1980's as the headquarters for locally based retirement home specialists, this innovative office block is a focal point in the landscape....seen from whichever direction one approaches the town, the unusual outline punctuates the sky like an enormous 1930's Art Deco radio set.*'

132. The proposed development is located to the perceived 'rear' of this building, as Avalon appears to front St Paul's Road with its principal elevation. The main tower of the proposed development would be around 50 metres to the south west of the Avalon building. It would therefore be very prominent in the setting of this building, albeit with a 50 metre gap between. The proposed skyscraper at more than twice the height of the Avalon Building would diminish the landmark status of its neighbour, dominating its context, at detriment to the setting of this non-designated heritage asset. Views of the building down Holdenhurst Road would be disrupted, although the proposed main tower would be set slightly off to the left rather than directly behind Avalon, and these are distant views of around 0.5 miles or more. In closer views there would still be an impact on the setting, but seen more in the context of other tall buildings in the Lansdowne cluster.

Overall summary

133. When considering heritage impacts, regard should be had to the relevant sections of the NPPF, for example:

Paragraph 194 – "In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary".

Paragraph 199 – "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more

important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraphs 201 and 202 relate to the level of harm. Paragraph 202 states that “*Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use*”.

Paragraph 203 relates to ‘non-designated heritage assets’ and states that “*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*”.

134. The Heritage Officer has raised concerns in relation to the impact on the Avalon building, on the setting of the Dean Park Conservation Area and also a general concern about the prominence of the building on the skyline in various views and how this would create a distraction from the townscape and heritage buildings in the foreground of some areas. The harm to Avalon is agreed upon, although it is not agreed that the other impacts would be overly significant in view of the distances involved and the relatively self-contained nature of the conservation areas, meaning the building would not loom over to a detrimental degree. Lansdowne has clear isolation and an identity as a modern tall buildings area and already has a presence on the skyline in some views. This building would add to the evolving cluster and would be taller but it is not considered that this would have a harmful impact. It also needs to be considered in the context of other as-yet unbuilt approvals including 27 storey Waverley House, and 24 storey Glen Fern Road car park for example.
135. Therefore, in this case the only identified harm is to a non-designated heritage asset (Avalon), and thus Paragraph 203 is relevant. Policy CS40 of the Core Strategy states: “*The Local Planning Authority will seek to protect local heritage assets by only supporting development that sustains or enhances the significance of the heritage assets*”. It has been identified that there will be some harm to the setting of the Avalon building, contrary to Policy CS40. The tall buildings policy, D5, also states that proposals should “*Have a positive relationship with the historic context*”, so there is some additional conflict here.

Identified harm and weight

136. It is not considered that there would be harm to any designated heritage assets. Some harm has been identified to the setting of the Avalon building, which is locally listed and thus a ‘non designated heritage asset’. In weighing up the level of harm there is no direct impact to the building, it will still exist in its original form, but there will be a more dominant building that will have some impact on its setting. Having regard to Paragraph 203 of the NPPF (referenced above) this harm is considered to be less than substantial and falls to be weighed in the overall balance of the scheme and the public benefits it provides, which is undertaken at the conclusion to this report.

Impact on amenity

Background to residential amenity

137. The site occupies an entire street block with roads surrounding on all sides. However, it is a large development and there are potential impacts on a number of different buildings and uses surrounding the site. With the provision of a tall building, some of the potential impacts stem from overshadowing and visual intrusion. The applicants have submitted a daylight, sunlight and overshadowing report which identifies the impact in detail to facing windows of all surrounding buildings. It tests for various factors including:
- *Vertical Sky Component (VSC)* – VSC is a measure of daylight availability for internal spaces and in simple terms represents the area of visible sky from each window. The Building Research Establishment (BRE) guidelines state that if the calculated VSC figure at the centre of a window is less than 27%, and it is less than 0.8 times its former value (i.e. the proportional reduction is

greater than 20%), then the reduction in sky light will be noticeable, and the existing building may be adversely affected.

- *Annual Probable Sunlight Hours (APSH)* – This is a measure of shading. In relation to sunlight, the BRE recommends that the APSH received at a given window in the proposed case should be at least 25% of the total available, including at least 5% in winter. Where the proposed values fall short of these, and the absolute loss is greater than 4%, then the proposed values should not be less than 0.8 times their previous value in each period (i.e. the proportional reductions should not be greater than 20%).

138. Other potential impacts could occur from overlooking, or noise and disturbance from either the intensity of the use, incompatible uses or the provision of plant equipment. The potential impacts on individual neighbouring properties is explored below.

Bailey Point student accommodation block, 2 Oxford Road

139. This building is located to the south west of the site on Oxford Road, at around 14 storeys high and is in use as student accommodation. The north east flank of this building fronting St Paul's Place has habitable room windows facing the street. These windows would generally face the new area of open space on the application site, and would be offset from the second tower of the proposed development, which is adjacent to St Paul's Place but set further back in the plot. Therefore, there would be no directly facing windows from this part of the building. There would be a separation distance of around 48 metres between the north eastern elevation of Bailey Point and the south west elevation of the main tower. With the proposed development located to the north there would be no overshadowing impact to this building. Overall there would not be a harmful amenity impact to this property.

Cranborne House student accommodation block, St Paul's Place

140. This building of up to 12 storeys contains student accommodation and is located to the west of the application site, aligned with Lansdowne Road and thus appearing to wrap around the site on the western corner. There are eight storey high wings which jut out towards the application site on each side of this large building. The separation distance between the buildings at the lowest point would be around 15 metres across St Paul's Place, but the orientation of the building with a staircase on the end of the adjacent wing means there would be no directly facing windows and outlook for residents would not be adversely affected here. From the facing windows of the main part of the building there would be a minimum of approximately 25 metres to the closest corner of the proposed building, rising to around 40 metres, but generally being around 30 to 33 metres away from the 21 storey part of the building. The existing building Holland House has similar separation, but is lower at 7 storeys and does not extend so far along the rear of the site. There will therefore be a greater impact but it would not be harmful in terms of visual intrusion or overlooking due to the adequate separation.

141. In terms of overshadowing, the orientation means there would not be a significant impact overall, although the daylight and sunlight report identifies that there will be 28 out of 270 windows in this building which would experience VSC changes of between 20-30 percent, a little above the level where it would be noticeable, due to the height and proximity of the second tower. However, the level of harm here is not considered significant overall despite the relatively close proximity of the buildings. It is considered that there would not be a materially harmful amenity impact to this property.

Bournemouth university gateway building, 12 St Paul's Lane

142. This is not a residential building, and is located some distance to the north (minimum 35 metres corner to corner) it is not considered that the proposed development would have an adverse impact on this university building.

St Paul's homeless hostel, 10 St Paul's Lane

143. This property is located to the north of the site on the other side of St Paul's Lane, with a separation distance of 18.5 metres to the proposed development. This neighbouring building is in use as a homeless hostel for stays of between one night up to 6 months. It is a four storey building set up to the street boundary on the corner. The daylight and sunlight assessment identifies that there will be an impact on the south west facing windows of this building from the proposed development in terms of the VSC criteria. These facing windows would experience changes of 33-59%, greater than the 20% threshold, which indicates that changes will be noticeable to residents. Sunlight would be affected at times during the middle of the day, with later afternoon period less affected.
144. Looking at the layout of this building, it appears the ground floor is used as offices and communal living space in association with the hostel use, with bedrooms above. In mitigation, the use as a hostel implies a more transient population rather than a main place of residence, and that the majority of habitable rooms that face the site and would be affected are in use as bedrooms, which according to BRE guidelines are 'less important' in relation to sky views.
145. The proposed development will have an impact on 10 St Paul's Lane, it will be very dominant to this much lower four storey building and would affect views. It is therefore considered that there would be some detrimental impact to this property.

Space House, 22-24 Oxford Road

146. This building is located to the north east of the proposed development, across the other side of St Paul's Lane and fronting Oxford Road. It is a four storey office building with no windows on the flank facing elevation. It is not considered that there would be a detrimental impact on this neighbouring commercial building, despite the close proximity to the main tower, located approximately 16.5 metres from the blank flank elevation.

Oxford Point student accommodation block 13-17 Oxford Road

147. This (approx. 17 storey) building is in use as student accommodation and is located to the south east of the site on the opposite side of Oxford Road. This building will directly face the open space element of the proposal, increasing the separation distance between the buildings to around 42 metres. The built relationship between these two large buildings would be acceptable and comparable to other relationships in the area. Many of the student rooms in the block are served by oriel windows to the north east side elevation. These windows are angled towards the site so the daylight and sunlight assessment picks up that there would be a daylight/VSC impact to these windows, but overall due to the separation distances this would not be to a degree that would be considered harmful. There would not be a materially harmful amenity impact to this property.

21-31 Oxford Road

148. There are three older and smaller office buildings on the opposite side of Oxford Road, ranging from four to eight storeys in height. There would be a separation distance across the road of approximately 22 metres to the front façade of 25 Oxford Road which is the central block closest to the main tower. The two other adjacent blocks (Enterprise House and Russell House) would have a greater separation distance. There would be some impact on outlook and VSC to the front windows of these blocks, although this has not been modelled as they are not in residential use. It is considered that the separation distance across the road is comparable to other built relationships between tall buildings in the area and would not have a detrimental impact on the operation of these office uses.

Skyline student accommodation block, 37-39 Oxford Road

149. This is a 16-17 storey student accommodation block located to the north east of the application site on the opposite side of Oxford Road, with a minimum of around 42 metres separation corner to corner. The daylight and sunlight report identifies a small number of windows where the VSC would be altered but given the separation distance and the very oblique angle of the relationship between these buildings it is not considered that there would be a detrimental impact on occupants of this building. In terms of overshadowing, there may be some late afternoon shading at some times of the

year but not to an extent that would be materially harmful. Overall there would not be a materially harmful amenity impact to this property.

Overall impact on neighbouring amenity

150. In general, the proposed development would form a high density and intensive use of the site with 487 flats and a small commercial element leading to a large number of comings and goings from the site. This compares to the historic office use however, which would have been more space intensive but in a smaller building and the main level activity limited to certain hours of the day and week. This is a busy town centre location surrounded by other high density uses and therefore the impact from the use and activity is not considered harmful.
151. Conditions are suggested to a) control noise during the demolition and construction phase of the proposal; b) undertake a detailed air quality assessment of the potential impacts of the proposed demolition of the existing building, on local air quality, and propose suitable mitigations; c) propose sufficient noise insulation measures for future all residential accommodation through appropriate glazing specification; and d) establish and control the noise from any plant to be installed. Hours of use of the café and commercial elements are also appropriate as this part of the town centre is quieter at night with few other commercial uses. Subject to the application of these conditions, the proposal has the capacity to satisfy the relevant adopted policies in relation to any issues of noise and disturbance or pollution.
152. It has been identified that there will be some shading impacts to some neighbouring properties, albeit not to a level that would be dominating at most times, these impacts are limited to certain times of the day/year. Separation distances between the proposed development and neighbouring buildings are also reasonable for this town centre location due to the fact the proposed development occupies its own block and is set back a little from the street edge in most places.
153. The main harmful impacts identified to some neighbouring properties relate to daylight issues, where the scale and form of the building will lead to a more dominant impact from windows and loss of sky views. Such impacts would occur more prominently to Cranborne House and 10 St Paul's Lane. However, regard is also had to the fact that it is a high density town centre location which has been considered suitable for tall buildings. The identified impacts are not significantly greater than other relationships between tall buildings in the block between Oxford Road and Holdenhurst Road for example where separation distances are in many cases lower. NPPF paragraph 125 c) supports making efficient use of land and in such cases suggests that a flexible approach should be taken in terms of daylight and sunlight providing that the overall impact is acceptable, stating: "*local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards)*".
154. Overall, the privacy, outlook and quantum of daylight enjoyed by adjacent residents would not be significantly impacted upon by this proposal, to a degree that is untypical for high density developments in this area. The main impacted property is 10 St Paul's Lane where the new development will be dominant. On the whole, with the exception of this property it is considered that the proposed development would not be materially harmful to the living conditions of other neighbouring residents. The impact would therefore generally accord with the aims of policies CS21, CS41, 6.10, D4, D5, U2 and the NPPF, with the exception of the impact on 10 St Paul's Lane where there is a slight conflict.

Living conditions for future occupants

Mix/size of units

155. The table at Paragraph 69 of the report identifies the mix of units, which has been considered acceptable overall with a provision of a good proportion of two bedroom units. There are some studio flats in the mix but all of the proposed flats would meet the Government's national space standards, which is positive. The building is accessible with level entrances and lift access to all floors. While it is undoubtedly aimed at young professionals it would not preclude other types of occupant including families and older residents.

Daylight/sunlight

156. The applicant's daylight, sunlight and overshadowing report looks at the proposed development. It identifies that many of the rooms achieve acceptable levels of daylight and sunlight. There are some lower level outer facing rooms that are a little low in terms of daylight due to adjacent tall buildings but with adequate separation distances this is not considered to be significantly harmful. As originally submitted, there were concerns about a number of the flats facing the internal courtyard area of the proposed building, particularly north facing single aspect flats on the lower levels. During the application process the plans and layout have been amended to increase the width of separation across the courtyard area from 18.2 metres to 20.3 metres, and changing the layout of the units to improve daylight results. For example, there were two north west facing single aspect flats on each level of the internal courtyard, now amended to one dual aspect flat. Balconies have been removed from within this area which will help, and the walls have white sections to maximise daylight. The courtyard is orientated to gain sunlight from the south, although there will be shading from the second tower in the afternoon/evening.
157. The applicant's report uses Climate Based Daylight Modelling (CBDM) for the new units, which is a recently introduced standard in the 2022 BRE guidelines. 79% of rooms in the development will achieve the suggested standard (85% would meet the recently superseded standard). There will remain some units where bedroom light levels are low, including a number of studio units (approximately 20) with a relatively deep plan form and single window facing into the courtyard area which will be relatively poor in terms of daylight against the suggested standard, but overall, across the whole building it is considered that outlook and daylight levels are generally acceptable.

Noise

158. The applicant has submitted a noise impact assessment which identifies sources of noise to future residents including road noise from the A338, and noise from plant equipment. This has been reviewed by an Environmental Health Officer, who has raised no objections subject to conditions to limit plant noise emissions and for the glazing specification outlined within the report to meet or exceed the acoustic performance required to provide satisfactory noise levels for occupants.

Amenity space

159. The proposed development includes only a small number of balconies, 15, across the front and rear elevations. The applicant was unwilling to provide an increased number of balconies on the development, but there can be other adverse impacts on outlook and daylight to occupants to providing more cantilever style balconies. Amenity space for residents is instead mainly provided through communal roof top areas as well as the ground floor area of public open space.
160. The podium level green roof within the central courtyard is not accessible to residents, but there are roof top garden spaces in the form of a large 550sqm roof terrace on level 12 and a further 100sqm sky terrace on level 28. The wind and microclimate report examines the impact of wind on these areas. The report states that "*the terrace at level 12 would be suitable for sitting and standing use during the summer season. Standing conditions at (two of the) seating areas would be one category windier than suitable, and therefore require mitigation measures to improve conditions. The terrace at level 28 would be suitable for standing and strolling use during the summer season. Strolling conditions at seating areas would be two categories windier than suitable, and therefore require mitigation measures to improve conditions*". The mitigation measures include full height trellis and planting to form wind breaks on the lower terrace and a porous screen and canopy on the upper terrace. Such measures can be required by condition and will help to make the spaces useable at most times other than when weather conditions are poor. The size of the open space areas is a little

low for the number of units proposed, and does not allow for a variety of recreation types, but there are other areas of green public open space within walking distance of the development including Horseshoe Common to the east and the clifftop/beach area to the south.

161. Within the building occupants will be able to make use of other communal areas including a level 28 amenity area, ground floor cinema, gym and the working spaces. These form good quality additions which will enhance the living conditions of occupants.

Overall summary of living conditions for future occupants

162. Overall, it has been identified that the proposed residential units are of a good size and generally will provide a good standard of living for future occupants. There is suitable useable external space provided, which will be accessible to residents all year round except when weather conditions are adverse, as well as other internal communal areas. There are some lower floor flats and studio flats facing the internal courtyard where daylight will be quite poor, but these do not form a high proportion of the units overall, and it will always be difficult to provide a tall building adjacent to other tall buildings in a high density area where all of the flats meet a very high standard. It is considered that the living conditions are acceptable and the proposed development would meet the aims of relevant policies including CS21, CS41, 6.10, D4, D5, U2 and the NPPF.

Trees/Landscaping

163. The site is covered by a Tree Preservation Order (ref. 1243/2019) covering all trees on the site. The trees present form a strong group and have high visual amenity value in the street scene where Oxford Road otherwise has limited planting evident. The trees were fully assessed for their worthiness for a new Tree Preservation Order in the recent past and their generally good condition and high visual amenity values warranted their protection. Paragraph 131 of the NPPF states: *“Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible”*.
164. There are 35 individual trees on the site overall, of which all but two are proposed to be removed. Of the 33 to be removed, 4 are considered to be Category U, 15 are Category C, 13 are Category B and one is in the highest Category A. The two to be retained are Category B.
165. The Design Review Panel were concerned at the loss of all the trees on the site at the pre-application stage, stating that *“The trees on this frontage are an asset to Oxford Road and should be retained as far as possible”*. Since that time two of the larger trees are now proposed to be retained as part of the new open space area, but it has been demonstrated to be difficult to retain the others given the building’s footprint and the need for development to address the street in a positive manner. There is however new tree planting around the site to replace those lost. Given the proximity to the buildings they will not lead to very large canopied trees in the long term, but will provide a similar level of cover as the existing trees, including a row at the rear of the site. There is the potential for the trees to provide some shading benefit to the public open space.
166. The proposals have been assessed by a Landscape and Arboricultural Officer, who considered that while it would always be preferable to retain the existing trees, the proposals to remove and replace most of them with a high-quality soft landscaping scheme and extensive new tree planting has the potential to replace the assets to be lost and therefore no objection is raised. The indicative soft landscaping schemes submitted demonstrate this feasibility with new trees to the street scene and within the site and to the rear of the site as well as significant landscaping for roofs. The Arboricultural Officer states *“An arboricultural implications assessment and an outline tree protection plan have been submitted. I agree with the findings of this assessment. Tree protection for retained trees is suitable. A detailed arboricultural method statement and detailed tree protection plan will be required prior to any commencement. I have assessed the submitted soft landscaping schemes for ground level and roof. I consider the schemes to be suitable ones for this site. A detailed 5 year maintenance plan for the soft landscape areas will be required”*.

167. In terms of detail, a landscaping strategy has been supplied. While there is information on planting strategy and types of species to be used, it is not clear which species will be on which type of green roof and whether the species given are a definitive list or if others may be added. In addition, no details on how the green roofs and other planted areas will be maintained and managed in perpetuity. These details are to be specified by condition.
168. Overall, it is considered that the proposed development would provide a high-quality landscaping scheme for the proposed development, which will provide a good quality area of public open space, replacement planting and greening to Oxford Road as well as maximising planting and biodiversity by making use of the roof areas for planting. These would not have a public amenity benefit due to their lack of visibility but will add to biodiversity on the site and benefit residents of the development. Policy CS41 states that “*new developments should also aim to conserve and improve landscape and townscape, biodiversity and habitats*”. The amount of landscaping is overall increased over the existing situation, having regard to the hard surfaced nature of much of the existing site away from the main landscaped areas to the front and rear boundaries. The proposed development would overall accord with the aims of relevant policies including 4.25 and CS41.

Wind/microclimate

169. Tall buildings have the potential to create adverse wind tunnel effects and downdraughts, resulting in a detrimental impact on pedestrian comfort and in the most extreme cases can cause safety issues. The proposal in this case has been modelled for wind effects and mitigation provided in order to prevent adverse wind and microclimate conditions in the area. The small number of balconies are at lower levels and not close to corners where adverse wind conditions are expected. Mitigation measures for downdraughts and other wind effects are provided in the form of a canopy and overhang screening adjacent to the entrance and above the colonnade feature which would be built in to the design of the scheme and appear as a satisfactory part of the design. The roof terrace areas would provide satisfactory space for sitting and standing in normal weather conditions, with planting and screens helping to mitigate any wind effects.
170. The report has been assessed by the Council’s external consultants on this matter with several amendments and clarifications undertaken during the application process. The impact of the development on Oxford Road and its immediate environs is considered acceptable and the consultants have stated that “*wind mitigation measures listed in the report generally appear to be plausible in terms of resolving exceedances of the pedestrian safety and wind comfort criteria*”. There was only one minor point of clarity outstanding relating to the testing methodology. It is not considered that these are matters of principle and the mitigation measures can be completed by condition.

Fire Safety

171. The proposed development is a ‘relevant building’ in terms of fire safety. This means that a Fire Statement is required as part of the submission and the Health and Safety Executive are a statutory consultee. HSE have responded with no overall objections to the scheme, stating that “*HSE is content with the fire safety design*”. There were some initial caveats in relation not the original use of metal cladding for the external walls, but following the change to concrete sections the scheme is now expected to be acceptable.

Parking/traffic/highway safety considerations

172. The development site fronts Oxford Road, St Pauls Lane, and St Pauls Place within Bournemouth town centre. It is located equidistant from St Paul’s Road (A35) in the northeast and Lansdowne Road (B3064) in the southwest. The site is also near Madeira Road Roundabout and the Bournemouth Travel Interchange. In accordance with the zonal accessibility approach outlined within the BCP Parking Standards SPD (2021), the proposed development site is located within parking zone A.

Car Parking & Servicing

173. For residential and commercial use (including office, café and retail floorspace), new development located within parking Zone A of the adopted Parking Standards SPD does not require on site car parking to be provided.
174. A reduction in on site car parking compared to the existing situation, and the restoration of the required sections of dropped kerb associated with this, is welcomed by the Highway team. The provision of two operational parking spaces on site is acceptable and there is additional space around the site for pedestrians and people pushing a cycle or refuse bin when compared to previous plans. On site parking, including operational parking, requires the installation of electric vehicle charging points to future proof the development thereby according with Policy CS17 of the Core Strategy.
175. The provision of three car club bays and two new disabled parking bays, on Oxford Road fronting the site, is acceptable in principle. Alterations to the existing on-street parking arrangements will require amendments to the Oxford Road Traffic Regulation Order (TRO), the cost of which is to be borne by the applicant. A financial contribution for this is required at the amount of £11,000 and is to be secured as part of the S106 agreement. The applicant will also fund the provision of three car club spaces for three years through the S106 agreement. There would be no unrestricted parking in the vicinity of the site so it is not likely that the scheme would lead to increased demand for on street parking in the area. The contribution to the provision of three car club spaces to be delivered at St Paul's Place is £85,440, again to be secured through the S106 agreement. The Car Club operator in the BCP area, Co Wheels, has advised that the cost per hybrid vehicle across three years is £28,480.00 so the cost is based on three times this amount.
176. The widening of the footway/public realm along Oxford Road (from 2.1m to between 2.5 and 6.7m) is a welcome improvement. It should be noted that as part of the Lansdowne Delivery Plan (LDP), alterations to existing on-street loading arrangements are likely to occur in the future, thus the installation of a 'floating' loading bay, time restricted to off-peak hours should be secured through S278 works, the final location is to be determined.
177. Compared to the extant prior approval fallback scheme, there are benefits in reducing reliance on car use. The approved conversion scheme retains all the car parking on the site, at circa 120 spaces.

Cycle Parking

178. According to the Parking Standards SPD the residential element of the proposals generates a cycle parking requirement of 744 resident spaces and 49 visitor spaces, a total of 793 spaces. The residential cycle parking requirement is based on the provision of one cycle space per bedroom. The commercial floorspace generates a cycle parking requirement of 5 spaces for office staff and 4 spaces for staff and visitors of the café, retail and office use thus 9 spaces in total.
179. The plans show 54 public/communal cycle spaces across 27 stands within the curtilage of the site, which is sufficient for the visitor demand generated by both the residential and commercial uses. Additionally, an integral cycle store at ground floor level provides 8 spaces for commercial staff office use. The commercial and visitor elements of the cycle parking satisfy the requirements of the BCP Parking Standards SPD in both the quantitative and qualitative aspect. The general arrangement of the cycle parking proposed satisfies the minimum spatial standards detailed within Section 3.3 of the BCP Parking Standards SPD.
180. The scheme proposes long stay residential cycle parking at one space per flat rather than per bedroom, thus equating to 487 spaces, which is a shortfall of 257 spaces. To mitigate said shortfall, the applicant proposes to provide an on-site Brompton Cycle Hire scheme and to secure an on-street cycle hire scheme area through the council's preferred supplier (currently Beryl Bikes). The 487 spaces would be made up from 220 Sheffield Stands, 242 double stack stands and 25 DDA spaces.
181. To ensure user safety and to prevent obstruction of the highway, the exact design, specification and arrangement of the Beryl Cycle Station should be determined as part of the S278 agreement, and a contribution of £19,550 provided through the S106 agreement to secure a hub location for no less than 10 bikes/e-bikes. Additionally, to ensure future viability, an ongoing maintenance contribution towards the scheme for no less than 15 years is expected.

182. The capacity of the Brompton cycle hire scheme (private use) would be 12 cycles, and 10 Beryl cycles would be the capacity of the on-street cycle station (public use). The provision of these cycle schemes as a supplement to on-site provision are considered beneficial to residents who may not wish to own a cycle. However, in the opinion of the Highway Officer they are not a sufficient substitute for the required residential provision. The longevity of such schemes is uncertain and therefore significant reliance on these could be detrimental to future occupiers of the development. The provision is therefore subject to S106 and conditions respectively.
183. Furthermore, the Highway Officer has ongoing concerns regarding the design of the cycle parking proposed, with 50% of the provision comprising of two-tier stands. According to the Parking Standards SPD all cycle parking is expected to comprise of Sheffield type stands as standard for multiple reasons including accessibility, lower maintenance, and better security. A proportion of two-tier stands is considered acceptable in large schemes as they do make a more efficient use of space and can help to provide greater numbers of cycle spaces, but the proportion is considered relatively high here. Consequently, this proposal represents a significant departure from the qualitative and quantitative standards detailed within the Parking SPD and the Highway Officer maintains an objection on this basis.
184. The development therefore presents a conflict with Policy CS18. There is a need for the development to be future proof against future potential increases in demand for cycle provision and to encourage use of this sustainable mode of transport. This is set against the fact that the cycle store as proposed takes up around 780sqm of space in the building on the ground floor and mezzanine level and a policy compliant store would potentially require around twice the space. The applicants argue that such large cycle stores are not used to anywhere near capacity, though no evidence has been provided to demonstrate this on other similar schemes. Nevertheless, the cycle parking requirement is large and takes up a large proportion of space in the building, which is likely to affect viability to an extent and requires additional built form, increasing embodied carbon. In addition, the provision of one cycle space per unit (487) plus the shared use schemes still represents a large number of available spaces. Essentially, the shortfall is not so great that it is considered it would result in increased car trips, particularly with the loss of the on site car parking.
185. The two areas of external provision (Beryl and Brompton schemes) are limited when compared to the 257 space shortfall in resident cycle spaces. However, they are positive in providing alternative options to residents. This issue is weighed up in the overall conclusion. In comparison to the extant prior approval conversion scheme, that approval contains no detail of cycle storage at all though a condition was added for details to be submitted. That condition remains outstanding at the present time.

Impact of Development

186. Table 5.8 of the submitted Transport Assessment (TA) shows the net change in total person trips associated with the site (12-hour period from 7am-7pm) compared to the historic situation. Key outputs arising from the proposed development are as follows:
- An increase of 60 two-way person trips during the weekday AM peak hour (08:00-09:00), increase of 195 two-way person trips during the weekday PM peak hour (17:00-18:00) and increase of 972 two-way person trips daily.
 - A reduction in car driver and car passenger trips of 102 two-way trips in the AM peak hour, a reduction of 63 two-way trips in the weekday PM (17:00-18:00) peak hour and a net reduction of 697 trips over the day.
 - An increase of 27 two-way cycle trips during the weekday AM (08:00-09:00) peak hour, increase of 40 two-way trips in the PM (17:00-18:00) peak hour and increase of 265 two-way bicycle trips across the day.
 - An increase in public transport trips (56 two-way trips in the AM peak hour, 93 two-way trips in the PM peak hour and 584 two-way trips across the day.)
 - An increase of 134 two-way trips on foot on Oxford Road fronting the site during the weekday AM peak hour (08:00-09:00), increase of 215 two-way trip on foot on Oxford Road fronting the

site during the weekday PM peak hour (17:00-18:00) and an increase of 1,378 two-way trips on foot daily on Oxford Road fronting the site.

187. It is noted that all footways bordering the site will be widened by the development proposals, thus increasing the footway capacity relative to the existing situation (and previous scheme proposals), and that the reduction in car trips at the site will reduce traffic congestion and associated pollution, and potentially a reduced risk of personal injury collisions on the local highway network. These form material benefits of the scheme and the site is in a sustainable location with a mix of sustainable transport modes available. Notwithstanding this, said reduction in car trips is offset by increased cycle and public transport trips with a significant proportion of the increased walking trips in addition to this. The following section identifies mitigation and improvements in relation to the areas around the site and the wider area.

Sustainable Travel Infrastructure and Public Realm Improvements

188. The impact of the additional trips on the surrounding highway network is expected to be concentrated to Oxford Road, Holdenhurst Road and the two new shared use links between them to both the north and south of the site, and the Madeira, Lansdowne and Bournemouth Station roundabouts. These locations have been identified by the council for improvements, as part of the LDP, with Holdenhurst Road in particular, identified for walking and cycling enhancements.
189. In light of the above, a proportionate contribution towards this scheme, equivalent to the increase in trips made by sustainable travel modes resulting from the development, is to be secured through the S106 agreement. A financial contribution is to be secured for infrastructure improvements at Madeira Rd Roundabout and St Paul's Road, whilst the following improvement works are to be undertaken as part of a S278 agreement which is to be secured through the S106 agreement:
- The footway fronting the site at Oxford Road should be widened to accommodate increased simultaneous pedestrian movements, including those pushing a cycle. A footway measuring circa 3.7m, the available width proposed adjacent to the residential lobby section of the site, should be provided across the entire site frontage. This strip of land should be dedicated as public highway. A separate dedication plan is required and secured via an appropriate legal agreement.
 - Construction of continuous footway/raised table at the traffic junctions either side of the site located at St Paul's Place and St Paul's Lane to prioritise pedestrian movements and provide a safer environment for active travel modes with appropriate resurfacing of footways surrounding the site.
 - A parallel crossing to the north of the site, across Oxford Road, to facilitate safe access to Holdenhurst Road via a newly secured shared path link adjacent to the Skyline development.
190. These works will provide a significant improvement to the environment for pedestrians in particular on Oxford Road.
191. The submitted Transport Assessment (TA) indicates an expected net increase in daily pedestrian trips to/from the site by 314% (750 trips) and daily cycle trips by 422% (253 trips). Additionally, a net increase of 105 trips by train (438%) and 442 trips by bus/coach (226%) are expected. Owing to the car free nature of the scheme compared to the existing, a significant reduction in vehicular trips to this town centre location is noted. The applicants have submitted a travel plan, which is subject to a contribution of £7,265 for 7 year monitoring, to be secured through the S106 agreement.
192. In light of the above, the impact of the additional trips on the surrounding highway network is expected to be concentrated to Oxford Road, Holdenhurst Road and the two new shared use links between them to both the north and south of the site, and the Madeira, Lansdowne and Bournemouth Station roundabouts. These locations have been identified by the council for improvements, with Holdenhurst Road in particular identified for walking and cycling enhancements. According to the LCWIP the improvements in the Lansdowne area are estimated at £8m in 2021 prices. A proportionate contribution equivalent to the increase in pedestrians and cycles resulting from the development towards this scheme would be expected.

193. The LPA and Highway Authority previously agreed an approach for contributions using a cost per unit approach based upon similar costings for a similar application and subsequent appeal decision (2017) for a development at 37-39 Oxford Road, located in the vicinity of the proposed development site. Subsequent developments in the Lansdowne area have also made contributions towards highway and public realm works in the locality. The proposal would generate the need for proportionate contributions towards relevant identified highway improvement projects in the area at Madeira Road and St Paul's Road, where pedestrian and cycle traffic associated with the development may intensify. The following contributions are therefore required towards these works:
- Madeira Roundabout improvement works: Contribution of £18,826
 - St Paul's Road improvement works: Contribution of £58,554

Conclusion

194. A development proposing 68.5% of the required cycle parking provision, as part of a car free development, in conjunction with an overreliance on double stack parking systems, is not policy compliant and may not adequately encourage the cycling mode of transport. The BCP Parking Standards SPD (2021) informs local planning policy with respect to highway matters and has been formally adopted. Such a significant variation from standards, as proposed in this instance, would not be supported by the Highways team.
195. The proposed development is however acceptable in other areas and does not raise any other parking, traffic or highway safety concerns. The proposal will generate a significant increase in multi-modal trips to/from the site including pedestrian, cycle and public transport trips. The site is located within the Lansdowne Development Zone and Town Centre, both of which have been identified for public realm, accessibility and road safety improvements. To comply with local planning policies and to mitigate the impact of the development in full, the applicant is to make appropriate financial contributions and to improve the public realm and existing highway infrastructure, by contributing towards local improvement projects, car and cycle club spaces and undertaking other highway improvement works through a S278 agreement, mitigating the impact of these trips and making a positive contribution towards the highway function and public realm in the vicinity of the site. These are summarised in the obligations section of the report in the recommendation.

Waste and refuse management

196. There are two large bin stores proposed for the residential uses. These are sited approximately 10 metres off the highway. There are waste disposal rooms for residents and the on-site facilities management team will rotate the bins into the main bin stores. An area for bulky waste storage is provided as well as bin compaction facilities. A separate commercial waste store is also provided.
197. The Council's Waste team have advised that the proposed compactor areas and waste and recycling bin storage areas in the general layout, configuration and quantum indicated on plans would not provide sufficient capacity for a standard bi-weekly waste and recycling collection service provided by BCP Council. They are concerned that insufficient capacity is provided, that compactors may not be reliable, and would require heavier duty bins which can be more difficult to service. Therefore, a refuse management condition is required to specify a private collection, with detail as to how frequently the site will be serviced and at what times in order to prevent disruption to the highway. The bin stores would be serviced from the side roads of St Paul's Place and St Paul's Lane rather than the main Oxford Road, but these roads do need to remain accessible. The highway officer has not raised concern in relation to waiting on the highway while collections are undertaken. Detail is required as to how the site will be serviced by private contractor in perpetuity as the Council would have concerns about servicing the site according to current waste collection guidelines. It is considered that the refuse management plan would be able to overcome the Waste Officer's concerns.

Flooding/Drainage

198. The site sits well within Flood Risk Zone 1, where low risk of flood exists, and the site area of 0.43ha falls below the 1ha trigger threshold where a Flood Risk Assessment is required. The urban town

centre land is previously developed with a drainage system connected to the local sewer network. Modelling indicates some low local risk of surface water flooding, potentially just due to some dips in the current site levels and not part of an overall pattern in the local area.

199. The drainage strategy proposes to install a below ground geocellular soakaway to drain the building footprint and external hard landscaping. This is positive in terms of sustainable drainage. However, the design shows an overflow from the soakaway to the surface water sewer. This soakaway overflow arrangement introduces a pathway for groundwater to enter the public sewer which is not acceptable to Wessex Water. The applicants have stated that the soakaways are designed with sufficient capacity for a 1 in 100 year storm event plus a 40% allowance for climate change, so the overflow should rarely if ever be needed. However, due to Wessex Water's concerns some refinement of the drainage strategy would be required by condition, either to increase soakaway capacity or negotiate a sewer connection with Wessex Water. It is considered that this is possible as the existing site drains to soakaways without additional attenuation or surface water sewer connection.
200. There is a surface water sewer which crosses the site at the rear. Wessex Water have stated that this would need to be diverted at the applicant's cost. An indicative plan has been provided for this and this diversion is to be secured by condition prior to the commencement of development.
201. The Lead Local Flood Authority (LLFA) are a statutory consultee on major development such as this. Their comments indicate that, subject to site specific ground investigation, the ground here is likely to be suitable for infiltration based soakaway use, which does correspond to the existing situation on site where the site is drained via soakaways. An outstanding concern was raised in relation to the surface water collecting on site as per the flood risk modelling, though it was acknowledged that the relevant mapping does not allow for available drainage infrastructure in this vicinity which may reduce or mitigate against this perceived risk. The applicant has responded that the area identified is a lower part of the site and the levels as part of the development proposed would be raised slightly compared to existing, preventing water from surrounding sites and roads from entering the site and causing flooding, while dealing with all run off from the site itself in an acceptable and sustainable manner. No further response has been received from the LLFA, but it is considered that this minor outstanding concern can be dealt with via a condition for the final drainage strategy to be provided.

Contaminated Land

202. The site is considered as a brownfield site which may have been contaminated by a number of previous land uses. These may pose risks for current and future occupiers of the site. Records indicate that there may be a source of contamination risks on this site, along with several sites nearby such as disused fuel tanks from historic uses. Consequently, as a safeguarding measure, Preliminary Contamination Risk Assessment, Site Investigation and Remediation conditions have been imposed. This will ensure that the development is carried out safely in the public interest in accordance with Saved Policy 3.20.

Airport safeguarding

203. The site is approximately 6.2km South South-West of the Runway 08 at Bournemouth Airport and lies within an airport safeguarding consultation area for development exceeding 90 metres in height. At the request of the airport safeguarding authority, an OLS and IFP report has been submitted assessing the impact the height and construction using cranes will have on the flight path. The report concludes the development is acceptable and would not adversely affect aviation. The Airport Authority have reviewed the IFP Report and are satisfied with the findings and have no objections.

Crime Prevention Through Design

204. The Police crime prevention officer comments that the Police deal with a high number of problems in the town centre relating to rough sleepers encroaching into people's property and high level of anti-social disorder caused by drinking. Advice for the security of this development is provided in relation to internal security, which would be a matter for an Informative Note. There are common problems in the town centre with unwelcome visits to rear path and undercroft areas that are more secluded but not secured. In this case the building occupies a street block and would have good natural

surveillance all the way around, potentially reducing the potential for such issues. Security to external doors and plant room areas is important to prevent intruders or forced entry.

205. In relation to the areas of open space, the officer comments:

“I feel that the supply of open space at the front of the premises is excellent as the map of local available actually identifies areas that are not available to the public anymore as they have been closed off. Enabling small events to occur and to attract people from outside the building in that case is applaudable, though the history of this area is that such areas are taken over by drinkers as a social gathering point by day and antisocial behaviour at night.

The roof terrace on level 12 and Sky terrace on level 27 look well laid out. My concern is that with 1200 residents access to these facilities may need careful control and monitoring to prevent disputes. I will always recommend that the developer seeks to achieve certification under the Police approved scheme Secured By Design”.

206. Details of any CCTV, lighting, concierge, and/or other deterrents and security measures for the whole site should be provided by condition. No specific management measures have been proposed for the open space, other than making sure the space is well lit with security cameras. It would not be desirable for the area to be gated from the public at a later date and the benefit lost so a further condition can prevent this.

Climate Change Mitigation

207. BCP Council and the Government have declared a climate emergency. Policy CS2 seeks to secure the use of green technology in new developments. Core Strategy Policy CS2 requires *“at least 10% of the energy to be used in developments of more than 10 dwellings (or 1000m² of non residential floorspace) will come from decentralised and renewable or low carbon sources unless this is demonstrated to not be feasible or viable”*. This also applies to commercial and residential development.

208. The applicant's Energy and Sustainability Statement outlines the measures that will be employed to create an efficient and sustainable development. These include the use of solar PV panels on flat roof areas not used for green roof areas. It also includes a sustainable and efficient building fabric construction that is thermally efficient through mechanical ventilation and heat recovery, passive heating and efficient electric heating. The statement does not go into detail about the quantum and location of the PV panels so more detail is required by condition to outline the final energy reduction strategy and to ensure it meets the requirements of Policy CS2.

Ecology & Biodiversity

209. Government Circular 06/2005 states that *“it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before planning permission is granted.”* Without knowledge of whether or not protected species are present, the LPA would not be able to comply with NPPF 2023 paragraph 174. *“Planning policies and decisions should contribute to and enhance the natural and local environment by: d) by minimising impacts on biodiversity and providing net gains in biodiversity where possible”*. Additionally, in determining this application the council has to bear in mind that under Section 40 Natural Environment and Rural Communities Act 2006 (NERC) *“Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”*. There is an emerging requirement for developments post 2023 to provide sufficient mitigations of 10% biodiversity net gain. Although this development will bridge that timespan, at present the best that can be legitimately required is biodiversity net gain, omitting the 10% threshold.

210. The existing site has banks of trees and vegetation to the front and rear boundaries which appears to have grown over time without being actively managed over the last 10-15 years. These do provide some biodiversity and amenity value. The remainder of the site is hard surfaced and makes a more limited contribution.

211. An Ecological Assessment has been provided with the application. This includes a bat survey, but no evidence of bats was found within the building or trees on the site. No other protected species were found although there were two active bird nests at the time of the survey with nesting feral pigeons and gulls. The majority of the site is of negligible ecological interest. There are some trees of ecological value to the front and rear of the site, two of which are to be retained and the rest replaced.
212. The proposed landscaping plan indicates a wider number and variety of areas for planting, including roof top areas. Two of the larger trees will be retained and a number of replacement trees planted. This will provide a range of foraging and nesting opportunities to birds, although the replacement trees are never likely to form significant tree canopy cover across the site in the future due to the constraints of the limited growing space.
213. As enhancement, bird boxes will be integrated into suitable built-form and onto trees where possible. Locations will give due regard to specific species' nesting preferences including height and aspect. The type, number and locations of these have not yet been provided. This will provide significant additional nesting opportunities for a declining urban birds. These enhancement measures can be secured by condition.
214. Details are also required in relation to the provision of a bat friendly lighting scheme to minimise light spillage onto semi-natural habitats. This could be achieved through the use of sodium or warm or LED lights, which produce less light spillage than other types of lighting and have no low / no UV content (or UV-filtered lights). In addition, the spillage of the light can be reduced further through use of low-level lights, the employment of lighting 'hoods' which will direct light below the horizontal plane, preferably with no upwards tilt and the use of short-timer motion sensors for any external lighting. Again, this can be provided by condition. A detailed landscaping scheme for the whole site including the green roofs, and a maintenance schedule is a further conditional requirement. As part of this suitable habitat for invertebrates should also be created, such as the creation of refugia from logs, rocks and sand.
215. The Biodiversity Impact Assessment calculations tool in the applicant's report identifies that a net gain in excess of 10% is achieved for the proposed development. A figure of 11.38% is expected. No detailed metric is supplied so it cannot be assessed in full, but based on the amount of new landscaping space and the variety proposed it is likely that this is correct. Mitigations such as those outlined above, to be secured by a condition, mean the development has the capacity to satisfy the NPPF and local policy in respect of biodiversity, including CS30 and CS41.

Affordable Housing

216. When considering residential development the Council will seek a 40% contribution except where it is proven to not be financially viable. The DPD was revised in November 2011 and sets out in greater detail how the DPD will be implemented as well as including an indicative contribution table which applicants can agree to rather than submit viability information.
217. The application is supported by a Viability Assessment (VA) which has been assessed by the District Valuation Service (DVS), in relation to the originally submitted scheme. In order to provide the Council with a view of the viability of the scheme, the DVS has undertaken their own research of market values in this location and of construction costs adjusted for this location. The conclusions of the DVS review of the VA report confirm that the proposal has a considerable deficit, so would not be viable to pay an affordable housing contribution.
218. Therefore, whilst the proposal fails to provide the benefits associated with an affordable housing contribution it has provided sufficient information to establish its lack of viability.

Heathland Mitigation

219. The site is within 5km of a designated Dorset Heathlands SPA (Special Protection Area) and Ramsar Site, and part of the Dorset Heaths candidate SAC (Special Area of Conservation). Working in collaboration with Dorset Council and with advice from Natural England, BCP Council has adopted

the Dorset Heathlands Planning Framework 2020 – 2025 Supplementary Planning Document, the purpose of which is to set out the approach to avoid or mitigate harm to these protected sites. In this instance, it is considered that the proposal is likely to have a significant effect on the Dorset Heathlands; however, having undertaken an appropriate assessment it is believed that the integrity of these sites can be maintained provided appropriate mitigation is secured. In this case, a financial contribution of £161,497 (£331 x 487), plus an administration fee of £1,000 is considered necessary for the purposes of such mitigation; such contribution to be secured by way of an appropriate planning obligation.

Self-build and Custom Housebuilding Act 2015

220. The scheme is not considered to be suitable for self-build / custom housebuilding. It is a large scheme but solely involving a development of flats for rent.

Planning Balance / Conclusion

Policy Conflict (The Harm)

221. The site falls within the Lansdowne Employment Area and Policy CS8 requires that redevelopment principally comprises B1 Class Uses or tertiary teaching development functions or similar. The application would provide a low provision of commercial/office space having regard to the proposed floor area compared to the existing. The building would not principally comprise Class E(g)(i) space (old Class B1 use) or a tertiary teaching facility and residential use is a lower priority use in this area. This proposal therefore does not comply with Policy CS8. Regard however is had to the overall viability of the scheme which indicates that it is not viable to provide an increased amount of commercial space. The conflict with CS8 leads to further conflict with some other policies where these policies state that development should accord with the requirements of other relevant policies and guidance, such as tall buildings policy D5, mixed use policy U1, and housing policies U2 and CS21.
222. The scale of the proposed development is significant and will be a prominent landmark building with some dominant views and impacts identified, but although a bold development, the location has been identified as suitable and on balance it has been determined that it would not be harmful to the character and appearance of the area close to the centre of the tall buildings area. Therefore, the level of harm is not sufficient in this case to be considered contrary to the relevant policies in this regard.
223. There would be no harm to designated heritage assets so footnote 7 of Paragraph 11 of the NPPF would not be applicable here. There is however identified harm to the setting of the locally listed 'Avalon' building (non-designated heritage asset). It would affect some currently undisturbed views of the building. This is contrary to Policy CS40, part of Policy D5, and regard should be had to Paragraph 203 of the NPPF.
224. There would be some impacts on neighbouring properties in terms of daylight and visual intrusion, in most cases not to a materially harmful level overall having regard to the context of the area and separation distances, which are in many cases greater than others between other existing buildings in what is a high-density tall building zone. The main identified impact is to the homeless hostel at 10 St Paul's Lane, leading to some conflict with policies related to amenity such as CS41.
225. Some of the proposed flats in the development would have less than optimal levels of internal daylight, but this is not a significant number overall. Living conditions for future occupants would on balance be acceptable having regard to the overall number of units which meet an acceptable standard.
226. The site provides a substandard amount of cycle parking, and a higher than desirable proportion of the spaces that are provided are in two tier stands, contrary to the aims of Policy CS18.
227. The application would not make a contribution towards affordable housing provision, though this has been demonstrated not to be viable through an independently verified viability assessment.

228. The application would result in the loss of all but two of the existing TPO protected trees on the site, but that is mitigated in this case through an extensive landscaping scheme including replanting and a larger area of public open space. The overall tree canopy provision will not be as great however given the site constraints with the larger footprint of building, so there remains a small level of concern in that regard. There is not however an objection from the Council's Landscape and Arboricultural Officer.

Policy Compliance (The Benefits)

229. The development would enable the provision of a significant amount of housing, making a substantial contribution towards local housing need. The site is located in a highly sustainable location in the town centre and close to the central railway station. The site is in a location which is considered most suitable for tall buildings and urban intensification. It is in an area that is evolving as a thriving part of Bournemouth town centre. The proposal will deliver 487 studio, 1, 2 and 3 bedroom flats which would all satisfy the national minimum internal space standard and provide a good standard of living overall with regards to outlook, internal and outdoor spaces, including communal areas such as gym, cinema and working space. The building would be a landmark development in an area that is considered suitable for tall buildings and would help in continuing to drive regeneration of this part of the town and encouraging further investment
230. The residential use, café and commercial space would all contribute to the vitality of the town centre, with further economic benefits resulting from the construction of the new building. The number of units in particular in this sustainable location will enhance activity and vitality in the town centre, supporting other uses in the town centre and making an efficient use of the site, in accordance with the NPPF. The development may also have the benefit of encouraging increased graduate retention to the area. Most other development in the Lansdowne area has provided student accommodation, so this development will help to provide a more diverse and settled population within the area, adding to the mix of development types.
231. Aside from the aforementioned cycle parking shortfall, the scheme is otherwise acceptable in terms of parking, traffic or highway safety issues and would make a positive contribution towards highway improvements and public realm in the Lansdowne area. The proposal will result in financial contributions and S278 works to enhance the wider public realm and highways. This will improve the environment for pedestrians on Oxford Road.
232. The proposal will activate the Oxford Road frontage much more positively, with active ground floor uses and a positive communal green space for public use, adding much needed green infrastructure to this part of the Lansdowne area. Other redevelopment schemes in Oxford Road and the wider Lansdowne area have not generally provided similar on site open space benefits. Oxford Road will benefit strongly from this open space provision. Subject to conditions the development would secure sustainability and biodiversity enhancements over the existing building and site layout.

Outcome

233. Along with the planning obligations and imposed conditions, the proposal will provide several significant public benefits to outweigh some of the policy conflicts stated above. It is considered that, on balance, the scheme will make a positive contribution to the expanding collection of modern high-rise accommodation in the town centre. Conditions can satisfactorily address many of the issues discussed in this report. In this instance, it is considered that the proposal represents a balanced solution for Lansdowne area. The commercial use is to be conditioned to be provided for office use under Class E(g)(i) of the Town and Country Planning (Use Classes) Order 1987 (as amended).
234. The efficient development of this site in a highly sustainable location with commercial space and 487 flats supported by a good standard of amenity and living conditions represents a benefit of the proposal. The proposal would provide a variety of facilities for residents including a gym and roof gardens. The creation of a public green space would also be positive. The building will be striking and prominent and will therefore compete in some views with nearby heritage assets but the harm is

limited as there is no direct harm to these heritage assets, with the exception of the Avalon building, which is a non-designated heritage asset.

235. The Council is not currently in a position to demonstrate a 5-year housing supply in the Bournemouth area. Therefore, paragraph 11 of the NPPF is relevant and confirms that permission should be granted, unless applying the guidance in the Framework provides a clear reason for refusing the development proposed. In this regard, and in the context of the acknowledged shortfall in housing delivery and operation of the presumption in favour of sustainable development, there are no clear reasons for refusal in relation to areas specified in Footnote 7 (Paragraph 11(d)(i)). Therefore, in consideration of NPPF Paragraph 11(d) ii), any adverse effects of granting permission would need to be considered to 'significantly and demonstrably' outweigh the benefits.
236. The conflict with Policy CS8 has been justified through site specific viability considerations. It has been demonstrated that it would not be possible to viably provide a policy compliant scheme, or even a scheme with a meaningful increase in commercial space. Regard is also had to the extant fallback position, relevant at this time for the conversion of the existing building to 130 one and two bed residential units which would result in the loss of all office floor space on the site. The fallback scheme would also not provide any of the benefits of the open space provision, active frontage creation, increased housing contribution and reduction in reliance on car parking for the site but is an important consideration relating to the balance here. The lack of a 5 year housing land supply also means that the presumption in favour of sustainable development applies, with weight in favour of the provision of housing.
237. There is a conflict with Policy CS18 in relation to cycle parking, although there are mitigating factors including the provision of other cycle schemes, highway and public realm improvements and potential viability considerations. Other minor harms such as those of amenity and living conditions are not considered sufficient to warrant conflict with relevant policy overall. Therefore, having considered the appropriate development plan policy and other material considerations, including the NPPF, it is considered that the benefits of the efficient use of this site resulting in a landmark building in an evolving tall buildings zone adjacent to other tall buildings and other forthcoming proposals would, on balance, outweigh the harm.
238. The application proposed here is capable of setting up a framework of conditions for discharge to ensure the delivery of a quality development satisfying the aims of the NPPF and local planning policy on balance, when read as a whole. The Development Plan Policies considered in reaching this decision are set out earlier in the report.

Recommendation

239. **GRANT permission for the reasons as set out in this report subject to**
- a. the following conditions; and**
 - b. a deed pursuant to section 106 Town and Country Planning Act 1990 (as amended) securing the terms below with power delegated to the Head of Planning (including any officer exercising their powers if absent and/or the post is vacant and 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 officer) does not result in a reduction in the terms identified:**

Section 106 terms

- Financial contribution of £161,497, plus an admin fee of £1,000 towards Heathland Mitigation (SAMM)
- Financial contribution of £77,380 towards identified highway/public realm accessibility and road safety improvements in the area to mitigate the impact of the proposed development on the surrounding highway network (projects on Madeira Road and St Paul's Road).
- Financial contribution of £85,440 towards the provision of three car club spaces for three years

- Financial contribution of £19,550 towards the provision of a Beryl Bike bay and infrastructure
- Financial contribution of £7,265 towards the monitoring of the Travel Plan for the first seven years
- Financial contribution of £11,000 for amendments to the Traffic Regulation Order on Oxford Road.
- S278 highway works relating to:
 - a. The provision of a new parallel crossing on Oxford Road.
 - b. The construction of continuous footways atop raised tables at the junctions of St Paul's Place and St Paul's Lane with Oxford Road.
 - c. The resurfacing of footways surrounding the site adjacent to Oxford Road, St Paul's Place and St Paul's Lane.
 - d. The widening of the footway fronting the site adjacent to Oxford Road, as indicated on approved drawings.

Conditions

1. Standard 3 year time limit

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. 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:

0825-JCA-ZZ-00-DR-A-06001 Rev 04 General Arrangement - Level 00 Ground Floor
 0825-JCA-ZZ-M0-DR-A-06002 Rev 03 General Arrangement - Level M0 Mezzanine
 0825-JCA-ZZ-01-DR-A-06003 Rev 03 General Arrangement - Level 01
 0825-JCA-ZZ-ZZ-DR-A-06004 Rev 03 General Arrangement - Level 02-11
 0825-JCA-ZZ-12-DR-A-06005 Rev 02 General Arrangement - Level 12
 0825-JCA-ZZ-ZZ-DR-A-06006 Rev 02 General Arrangement - Level 13-18
 0825-JCA-ZZ-19-DR-A-06007 Rev 02 General Arrangement - Level 19
 0825-JCA-ZZ-20-DR-A-06008 Rev 02 General Arrangement - Level 20
 0825-JCA-ZZ-ZZ-DR-A-06009 Rev 02 General Arrangement - Level 21-27
 0825-JCA-ZZ-28-DR-A-06010 Rev 02 General Arrangement - Level 28
 0825-JCA-ZZ-RF-DR-A-06011 Rev 02 General Arrangement - Level 29
 0825-JCA-ZZ-RF-DR-A-06012 Rev 02 General Arrangement - Roof
 0825-JCA-ZZ-XX-DR-A-06101 Rev 03 General Arrangement - Oxford Road Elevation
 0825-JCA-ZZ-XX-DR-A-06102 Rev 03 General Arrangement - Car Park Elevation
 0825-JCA-ZZ-XX-DR-A-06103 Rev 03 General Arrangement - St Paul's Lane Elevation
 0825-JCA-ZZ-XX-DR-A-06104 Rev 03 General Arrangement - St Paul's Place Elevation
 0825-JCA-ZZ-XX-DR-A-06105 Rev 03 General Arrangement - Oxford Rd & Car Park Elevations
 0825-JCA-ZZ-XX-DR-A-06106 Rev 03 General Arrangement - St Pauls Lane & Place Elevations
 0825-JCA-ZZ-XX-DR-A-06204 Rev 03 General Arrangement - Section DD
 0825-JCA-ZZ-ZZ-DR-A-06401 Rev 03 Apartment Types 01
 0825-JCA-ZZ-ZZ-DR-A-06402 Rev 03 Apartment Types 02
 0825-JCA-ZZ-00-DR-A-06501 Rev 02 Area Plan - Ground Floor
 0825-JCA-ZZ-M0-DR-A-06502 Rev 02 Area Plan - Mezzanine
 0825-JCA-ZZ-01-DR-A-06503 Rev 02 Area Plan - Level 01
 0825-JCA-ZZ-ZZ-DR-A-06504 Rev 02 Area Plan - Level 02-11
 0825-JCA-ZZ-12-DR-A-06505 Rev 02 Area Plan - Level 12
 0825-JCA-ZZ-ZZ-DR-A-06506 Rev 02 Area Plan - Level 13-19
 0825-JCA-ZZ-ZZ-DR-A-06507 Rev 02 Area Plan - Level 20-26
 0825-JCA-ZZ-27-DR-A-06508 Rev 02 Area Plan - Level 27

0825-JCA-ZZ-28-DR-A-06509 Rev 02 Area Plan - Level 28
0825-JCA-ZZ-RF-DR-A-06801 Rev 01 General Arrangement - Existing Plan
0825-JCA-ZZ-RF-DR-A-06802 Rev 01 General Arrangement - Existing Roof Plan
0825-JCA-ZZ-00-DR-A-06803 Rev 01 General Arrangement - Existing Ground Floor Plan
0825-JCA-ZZ-XX-DR-A-06804 Rev 01 General Arrangement - Existing Oxford Road
Elevation
0825-JCA-ZZ-XX-DR-A-06805 Rev 01 General Arrangement - Existing Car Park Elevation
0825-JCA-ZZ-XX-DR-A-06806 Rev 01 General Arrangement - Existing St Pauls Lane
Elevation
0825-JCA-ZZ-XX-DR-A-06807 Rev 01 General Arrangement - Existing St Pauls Place
Elevation
0825-JCA-ST-RF-DR-A-06901 Rev 01 Site Plan Existing 1:1250
0825-JCA-ST-RF-DR-A-06902 Rev 01 6902 Site Location Plan Existing 1:500
0825-JCA-ST-RF-DR-A-06903 Rev 02 Site Plan Proposed 1:1250
0825-JCA-ST-RF-DR-A-06904 Rev 02 Site Plan Proposed 1:500
Facade detail page 43 of 'Planning Application Addendum' dated 5 October 2023

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

3. Demolition & Construction Environmental Management Plan (DCEMP)

- (a) No part of the development, including any demolition, hereby permitted shall be commenced unless a Demolition and Construction Environmental Management Plan ("DCEMP") has first been submitted to and approved in writing by the local planning authority. The DCEMP shall in particular include:
- (i) the qualifications and experience of the person(s) who undertook the plan sufficient to demonstrate their competence; and
 - (ii) a dust emissions management plan that identifies the steps and procedures which will be implemented to control the creation and impact of dust resulting from the demolition, site preparation, groundwork and construction phases of the development; and
 - (iii) a construction environmental management plan that identifies the steps and procedures which will be implemented to minimise the creation and impact of noise, vibration and any other emissions, potential ground and/or water pollution resulting from the demolition, site preparation, groundwork and construction phases of the development. This shall include hours of demolition and construction works, the provision of a noise and vibration survey based on British Standard 5225 – Part 1 and 2: 2009 outlining any required mitigation measures to mitigate the impact of demolition and construction on the amenity of the area; and
 - (iv) a construction logistics plan that identifies the steps which will be taken to minimise the impacts of all vehicles (including construction, delivery and waste transport) entering or leaving the site and parking on or off the site. Details shall include arrangements including parking of vehicles of site operatives and visitors, measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction, details regarding deliveries, and storage of plant, waste and construction materials (including pollution prevention), method of preventing mud being carried onto the highway, measures to protect vulnerable road users (cyclists and pedestrians), any necessary temporary traffic management measures; and
 - (v) twenty four hour contact details by which the local planning authority can provide notice of any potential issue arising in relation to any plan approved for the purposes of this condition ("the Emission Contact").

Subject to paragraph (b) below, the development (including demolition) shall only be demolished and constructed in accordance with the approved DCEMP and the approved DCEMP shall at all times be accorded with.

(b) In the event of the local planning authority receiving a complaint or other notification of a possible escape from the application site, of any emission or other matter to which any of the plans approved for the purposes of this condition relates during any demolition or construction associated with the development, that might adversely affect any residential property (including any actual or potential occupier) or any other sensitive receptor, then within one hour (or such longer period as the local planning authority may otherwise agree), from the local planning authority providing notice of the potential escape to the Emission Contact or directly to any person on the application site (whichever is the sooner), no demolition or construction shall thereafter take place on any part of the application site (or as otherwise may be agreed in writing by the local planning authority) unless either:

(i) a revised plan that takes account of the escape has been submitted to and approved in writing by the local planning authority in which event thereafter the development shall only be demolished and constructed in accordance with that revised plan together with all the other plans approved for the purpose of this condition; or

(ii) the local planning authority has confirmed in writing that demolition and construction can continue in accordance with the last approved plans.”

Reason: To adequately identify and mitigate the risk of demolition and construction noise from harming neighbouring amenity and in the interests of safe operation of the adopted highway during the demolition and construction phase of the development.

4. Hours of construction

Demolition and construction hours shall be limited to 08:00 – 18:00 Monday to Friday, 08:00 – 13:00 hrs Saturday and no working on Sundays or Bank Holidays.

Stone crushing shall be limited to 10:30 – 15:30 Monday to Friday with no crushing at weekends or bank holidays. Where possible this shall take place away from sensitive noise receptors; and where located nears residential dwellings acoustic screening must be used to minimise potential impact.

Reason: To safeguard the amenities of occupiers of adjoining and nearby properties in accordance with Policies CS38, CS41 and CS14 of the Bournemouth Local Plan: Core Strategy (October 2012).

5. Drainage

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

- a. A scaled plan indicating the extent, position and type of all proposed hard surfacing and roofed areas;
- b. Proposed arrangements for the disposal of both surface and foul water including, in relation to the surface water, information about the design storm period and intensity, the methods to be employed to delay and control the surface water discharged from the application site and the measures to be taken to prevent pollution of the receiving groundwater and/or surface waters;
- c. Scaled drawings including cross section, to illustrate the construction method and materials to be used for the hard surfacing (sample materials and literature demonstrating permeability may be required);
- d. A management and maintenance plan for the lifetime of the development that secures the operation of the approved surface water drainage scheme throughout this time;
- e. Confirmation of the acceptance of Wessex Water to any surface water sewer connection (if applicable); and
- f. A timetable for delivery.

The development shall only be carried out in accordance with the approved drainage scheme and the methods, measures and arrangements in the approved scheme shall at all times be retained and managed and maintained in accordance with it.

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

6. Details of Sewer Protection

Prior to the commencement of any development (including any demolition) hereby permitted, details of protection arrangements for the existing 300mm public surface water sewer that crosses the site (6m easement), including details for diversion of the sewer, shall be submitted and approved by the Local Planning Authority, in consultation with Wessex Water. The approved sewer protection and diversion works shall be implemented in full prior to the commencement of any groundworks associated with the new building.

Reason: To provide satisfactory sewer arrangements for public surface water.

7. Contamination Risk Assessment

(a) No part of the development hereby permitted shall be commenced including any demolition other than as provided for in this condition unless the following paragraphs (i) to (iii) (inclusive) have first all fully been complied with:

- (i) a Preliminary Contamination Risk Assessment (Phase 1) ("PCRA") shall have been submitted to and approved in writing by the local planning authority. The PCRA should in particular:
 - (A) be produced in accordance with "Land Contamination Risk Management" published by the Environment Agency (or any equivalent replacement document); and
 - (B) develop a preliminary conceptual site model that includes a comprehensive risk assessment of the risks from contamination to all receptors including in particular human health, controlled waters, the built environment and sensitive ecology having regard to both the site condition and the development ("Conceptual Site Model").
- (ii) If the approved PCRA identifies any potential or actual contamination risks to be unacceptable then a further detailed Contamination Assessment (Phase 2) ("CAP2") shall be submitted to and approved in writing by the local planning authority. The CAP2 should in particular:
 - (A) be produced in accordance with "Land Contamination Risk Management" published by the Environment Agency (or any equivalent replacement document); and
 - (B) provide details of all the outcomes of an intrusive site investigation, that shall have been undertaken in accordance with details that have first been submitted to and approved in writing by the local planning authority prior to any such investigation having commenced, to assess soil, groundwater and ground gases / vapours and establish the extent, scale and nature of contamination on the application site irrespective of whether the contamination originates on the application site; and
 - (C) incorporate an updated Conceptual Site Model that includes a comprehensive risk assessment of the risks from contamination to all receptors taking account of the intrusive site investigation.
- (iii) If the approved CAP2 identifies any potential or actual contamination risks as unacceptable then a remediation strategy ("Remediation Strategy") shall be submitted to and approved in writing by the local planning authority. The remediation strategy shall in particular include:

- (A) details of all works and measures to be undertaken to remediate the unacceptable contamination risks identified in the approved CAP2 together with any other works (including any demolition) proposed to be carried out on any part of the application site whilst any remediation works and measures are being undertaken; and
- (B) required target level(s) of remediation that as a minimum should be at a level such as to ensure that the application site is not capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and
- (C) a timetable for the delivery of all works and measures identified in the Remediation Strategy taking account of the carrying out of any part of the development including any demolition hereby permitted; and
- (D) identification of any remediation works and measures to be retained and any future management and maintenance requirements relating to such works and measures; and
- (E) arrangements for longer term monitoring of contamination linkages and details of any associated contingency action.

(b) Where a Remediation Strategy has been approved by the local planning authority for the purposes of this condition:

- (i) no part of the development hereby permitted shall be commenced including any demolition unless the local planning authority has received a written notification of the intended date of commencement of the remediation works and measures at least fourteen calendar days prior to the intended start date; and
- (ii) the development including any demolition shall only be carried out in accordance with the approved Remediation Strategy; and
- (iii) within thirty calendar days of completion of all the works and measures identified in the approved Remediation Strategy or within [five] working days of the local planning authority requesting production (whichever is the sooner), a verification report ("Verification Report") shall have been submitted to the local planning authority for approval. The Verification Report shall, in particular, demonstrate the effectiveness of the completed works and measures against the remediation target levels contained in the approved Remediation Strategy and include any further monitoring, management and maintenance requirements not already identified in the approved Remediation Strategy ("Verification Report"); and
- (iv) no further work other than that identified in the approved Remediation Strategy shall be carried out on the application site and no part of the development hereby permitted shall be occupied or otherwise brought into use (except as may in either case have been previously agreed in writing by the local planning authority), unless both a submitted Verification Report has been approved by the local planning authority for the purposes of this paragraph (b) and in the event that the approved Verification Report identifies any contamination that has not been effectively remediated then unless:
 - (A) an updated Remediation Strategy incorporating in particular works, measures, targets, required retention, management, maintenance and monitoring to address the unremediated contamination has been submitted to and approved in writing by the local planning authority and thereafter fully carried out in accordance with the approved updated Remediation Strategy; and
 - (B) an updated Verification Report, which in particular demonstrates that all unacceptable contamination has been effectively remediated against targets in the approved updated Remediation Strategy, has been submitted to and approved in writing by the local planning authority; and
 - (v) all works identified in the Remediation Strategy, Verification Report and any approved updated versions of such documents (as the case may be) shall at all times be retained and all on-going measures, management, maintenance and monitoring identified in those approved documents shall be accorded with.

(c) All assessments, strategies, investigation proposals, reports and any other document required for the purposes of this condition shall include the qualifications and experience of the person(s) who produced them sufficient to demonstrate their competence.

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).

8. Unforeseen Contamination

- (a) In the event that any contamination which has not previously been reported to the local planning authority as part of the application to which this permission relates is encountered during the carrying out of any part of the development hereby permitted then:
- (i) this shall be reported without any unreasonable delay (and in any event within 7 calendar days) to the local planning authority; and
 - (ii) at no time after the encountering of the contamination shall any further work be carried out on any part of the application site without the prior written approval of the local planning authority and then only in accordance with any requirements contained in such approval; and
 - (iii) if required by the local planning authority (whether as part of any approval as provided for in paragraph (a) (ii) above or otherwise), details of:
 - (A) a risk assessment; and
 - (B) any proposed investigations; and
 - (C) the outcome of any approved investigations together with a remediation scheme which shall as part of it include remediation targets (that as a minimum should be at a level such as to ensure that the application site is not capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990) together with a timetable for delivery of any works, measures and all other matters identified within it,shall be submitted to and approved in writing by the local planning authority prior to any work recommencing on site (or as otherwise agreed in writing by the local planning authority in accordance with paragraph (a) (ii) above).
- (b) In the event of a remediation scheme being required to be submitted to and approved in writing by the local planning authority pursuant to this condition then:
- (i) the development hereby permitted shall only be carried out in accordance with the approved remediation scheme and the requirements of the approved remediation scheme shall at all times be complied with; and
 - (ii) no further work shall be carried out on any part of the application site at any time later than 7 calendar days from the completion of the works (save as agreed in accordance with paragraph a (ii) above) and no part of the development shall be occupied or otherwise brought into use unless a verification report which demonstrates that all contamination to which this condition relates has been remediated to the required target levels identified in the approved remediation scheme has first been submitted to and approved in writing by the local planning authority.
- (c) All assessments, investigation proposals, scheme, reports and any document required for the purposes of this condition shall include the qualifications and experience of the person(s) who produced it sufficient to demonstrate their suitability.

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).

9. Tree Protection

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

- (a) the specification and position of fencing and other measures such as temporary surfacing, for the protection of the roots and crown spread of trees, groups of trees and other vegetation to be retained on and adjoining the site. Protective fencing should accord with the

recommendations of BS 5837:2012. Trees in relation to design, demolition and construction: Recommendations.

- (b) the programme for the erection and maintenance of protective fencing and the installation of any other protective measures; such programme will include details of supervision by an arboriculturist;
- (c) details of any proposed alterations in existing ground levels and of the position of any proposed excavation and constructional details of any drainage, hard surfacing, foundations, walls and similar works within the protected area;
- (d) details of contractors compounds and areas for storage; and
- (e) schedule of proposed tree works.

The details contained in the arboricultural method statement shall be thereafter implemented on site and the protective fencing and other protective measures shall be maintained during the course of construction.

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).

10. Materials

Details and samples of the materials, including façade treatments, cladding, colours, decorative detailing, fenestration types, balcony detail, railings, and any other materials to be used in the development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any development of the new building that is visible above ground level on site. Development shall be carried out in accordance with the approved details.

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

11. Hard landscaping:

No part of the development hereby permitted shall be constructed above damp proof course level unless details of hard landscaping works have first been submitted to and approved in writing by the Local Planning Authority. Hard landscape details shall follow the design principles set out in the approved drawings and shall include:

- a) Bollards;
- b) Seating;
- c) Tree grills;
- d) Other street furniture;
- e) construction and services details in proximity to trees;
- f) proposed finished levels and contours;
- g) boundary treatments;
- h) surfacing materials; and
- i) a timetable for implementation.

The approved hard landscape scheme shall be implemented in full prior to any occupation of the development commencing and retained thereafter.

Reason: To ensure that the proposed development includes a properly designed scheme of landscaping in the interests of visual amenity and to accord with Policy 4.25 of the Bournemouth District Wide Local Plan (February 2002) and Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

12. Soft Landscaping

No part of the development hereby permitted shall be constructed above damp proof course level unless details of hard landscaping works have first been submitted to and approved in writing by the Local Planning Authority. Soft landscaping details shall include:

- (a) planting plans;
- (b) existing trees, hedges and shrubs to be retained;

- (c) written specifications (including cultivation and other operations associated with plant and grass establishment);
- (d) schedules of plants noting species, plant sizes and proposed numbers/densities; and
- (e) programme of implementation.

The approved soft landscape scheme shall be implemented in full, including all green roof areas and landscaping to roof terrace areas, prior to the occupation use of the development commencing and permanently retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed development includes a properly designed scheme of landscaping in the interests of visual amenity and to accord with Policy 4.25 of the Bournemouth District Wide Local Plan (February 2002) and Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

13. Landscape Maintenance:

No part of the development hereby permitted shall be constructed above damp proof course level unless details of a landscape maintenance plan for a minimum period of 5 years shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include details of the arrangements for its implementation. The landscape management plan shall be carried out in accordance with the approved details. Any tree or plant specimen dying within the first 5 years shall be replaced with a similar or compatible species at the applicant's expense and maintained for a further 5 years in situ, from the replacement date in accordance with this condition.

Reason: To ensure that the proposed development includes a long-term management plan for the landscaped areas in the interests of visual amenity and to accord with Policy 4.25 of the Bournemouth District Wide Local Plan (February 2002) and Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

14. Provision of Refuse Bin Stores:

The bin stores hereby approved shall be constructed in accordance with the approved details as illustrated on plan 0825-JCA-ZZ-00-DR-A-06001 Rev 04 prior to the occupation of the proposed development and shall be retained and maintained for that use thereafter.

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

15. Refuse Management Plan

No part of the development hereby permitted shall be occupied until a Refuse Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include: details of the management company to be set up; the employment of a private contractor to collect the refuse; collection methodology including frequency of collection and times of collection to minimise on street disruption; procedures for servicing and repair of compaction equipment; measures to be taken if no private contractor is available at any time in the future; and that bins will not be stored in the open or at the collection point apart from on the day of collection. The refuse management plan shall be carried out in accordance with the approved details and accorded with at all times, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development includes a long-term management plan for the collection of refuse in the interests of visual and residential amenities, as well as the efficiency of the local highway network and the safety of its users, and to accord with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

16. Biodiversity Enhancement

No part of the development hereby permitted shall be constructed above damp proof course level unless details of biodiversity enhancements to be incorporated into the development shall be submitted to the Local Planning Authority and approved in writing. No part of the development shall be occupied or otherwise brought into use unless the approved

enhancements have been fully provided as approved and thereafter those enhancements shall at all times be retained and maintained in such a condition as to enable them to continue to fully function for their intended purpose(s).

Reason: To ensure the development contributes to and enhances the natural and local environment by minimising impacts on and providing net gains for biodiversity in accordance with Policy CS30 of the Adopted Core Strategy (2012) and the aims of the NPPF paragraph 174.

17. Sustainability and energy

No part of the development hereby permitted shall be constructed above damp course level unless measures to secure the minimum energy saving requirements of Policy CS2 have first been submitted to and approved in writing by the Local Planning Authority. Such details shall include identification of responsibility and arrangements for the future maintenance of such measures. No part of the development hereby permitted shall be occupied unless all the approved measures relating to the development have been fully carried out as approved and thereafter such measures shall at all times be retained and maintained in accordance with the approved details.

Reason: In the interests of encouraging the provision of sustainable homes, premises and the provision of renewable and low carbon energy sources and infrastructure in accordance with the aims of Policy CS2 of the Core Strategy (2012).

18. Security measures to public areas

Prior to the occupation of the development hereby approved, a detailed scheme for the security of the public internal and external areas around the site shall be submitted to and approved in writing by the Local Planning Authority. The security strategy should give consideration to measures such as lighting, CCTV, and other management measures, where appropriate. The scheme shall be implemented as approved prior to the occupation of the development and thereafter all the approved measures shall at all times be retained, managed in accordance with the approved scheme and maintained in full working order.

Reason: In the interest of the safety, security and residential amenities of occupants of the development in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

19. Commercial space to be provided prior to occupation.

The ground floor Class E “co-working” floor space shown on approved plan 0825-JCA-ZZ-00-DR-A-06001 Rev 04 forming part of the development hereby permitted shall only be used as offices within the meaning of Class E(g)(i) of the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that sub-class in any statutory instrument revoking and re-enacting that Order with or without modification), and for no other purpose whatsoever (including any other purpose in Class E of Schedule 2 to the Town and Country Planning (Use Classes) Order 1987)

The commercial floor space shall be fully constructed and internally completed to a commercial standard or to the satisfaction of relevant Building Regulations prior to the first occupation of any of the Class C3 residential flats hereby approved.

Reason: To ensure the delivery of the commercial floorspace and to accord with the aims of Policies CS1 and CS8 of the adopted Core Strategy (2012) and Policy U1 of the adopted Town Centre Area Action Plan (2013).

20. Hours of Use commercial units

The two Class E commercial units at ground floor level hereby permitted labelled as café fronting Oxford Road and commercial fronting St Paul’s Lane on plan 0825-JCA-ZZ-00-DR-A-06001 Rev 04 shall not be open to customers outside the following times 07.00 hours to 23.00 hours.

Reason: To safeguard the amenities of occupiers of adjoining and nearby properties and in accordance with Policies CS38 and CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

21. Hot food limitation – commercial unit

Any food served within the ground floor café or commercial units as identified on plan 0825-JCA-ZZ-00-DR-A-06001 Rev 04 shall be limited to that which does not require primary cooking or frying on the premises, unless a detailed scheme for extraction including specification for odour control and noise mitigation has been first submitted to and approved in writing by the Local Planning Authority, and then implemented on site.

Reason: Due to the absence of detail in relation to the proposed extraction equipment and to safeguard the interests of occupiers of adjoining and nearby residential properties in accordance with Policies CS38 and CS41 of the Bournemouth Local Plan: Core Strategy.

22. Noise limits – plant equipment

(a) No part of the development hereby permitted shall be occupied or otherwise brought into use unless a verification report has first been submitted to and approved in writing by the local planning authority that either:

- (i) demonstrates that the maximum noise levels as measured in accordance with the provisions of Table 7 ("the Maximum Noise Levels") set out in the Noise Impact Assessment submitted by Hoare Lee, revision 01 - 26 August 2022 ("the Noise Assessment") from the use of any plant and equipment associated within any part of the development will not be exceeded at any time; or
- (ii) contains details of all noise assessments undertaken in relation to the use of any plant and machinery associated with any part of the development together with all further mitigation identified as required to ensure that the Maximum Noise Levels will not be exceeded at any time.

(b) In the event that further mitigation is identified in the approved verification report then no part of the development shall be occupied or otherwise brought into use unless both the further mitigation has first been fully provided as approved and an updated verification report has been submitted to and approved in writing by the local planning authority that demonstrates that the Maximum Noise Levels will not be exceeded at any time. The approved further mitigation shall at all times be retained and maintained in full working order.

(c) At no time shall the Maximum Noise Levels from any plant or equipment associated with any part of the development be exceeded."

Reason: To protect the amenities of on site and nearby residents in accordance with Policies CS38 and CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

23. Acoustic Glazing/noise reduction

(a) No part of the development hereby permitted shall be occupied or otherwise brought into use unless a verification report has first been submitted to and approved in writing by the local planning authority that either:

- (i) demonstrates that the glazing to the residential units meets or exceeds the minimum acoustic performance as measured in accordance with the provisions of Table 8 ("the Minimum Acoustic Performance") set out in the Noise Impact Assessment submitted by Hoare Lee, revision 01 - 26 August 2022 ("the Noise Assessment"); or
- (ii) contains details of any further upgrades or ventilation processes associated with any part of the development together with all further mitigation identified as required to ensure that the Minimum Acoustic Performance will be achieved.

(b) In the event that further mitigation is identified in the approved verification report then no part of the development shall be occupied or otherwise brought into use unless both the further mitigation has first been fully provided as approved and an updated verification report

has been submitted to and approved in writing by the local planning authority that demonstrates that the Minimum Acoustic Performance will be achieved. The approved further mitigation shall at all times be retained and maintained in full working order.

Reason: In order to safeguard the amenities of future occupiers of the noise sensitive development, in accordance with Policies CS38 and CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

24. Implementation of microclimate measures

All mitigation measures outlined in the approved Wind/Microclimate Assessment ref 2201477 Rev C and associated addendum documents shall be implemented in full prior to the first occupation of the development and retained thereafter.

Reason: In the interest of providing an acceptable street environment and living conditions for future occupants of the development, in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

25. Lighting scheme

No part of the development hereby permitted shall be constructed above damp course level unless a scheme for external lighting across the site has first been submitted to and approved in writing by the Local Planning Authority. Details shall include a scaled site plan, with relevant elevations/sections through the site, showing the design and location of all external lighting proposed, including height, direction/angle, degree of luminosity expressed in candelas, and any relevant passive infrared (PIR) sensors and timer information. The lighting scheme shall have regard to the provision of bat friendly lighting in areas with trees and planting and to the considerations of security under condition 16 of this consent.

No part of the development shall be occupied unless all the external lighting has first been fully provided in accordance with the approved external lighting scheme and thereafter such lighting shall at all times be retained, maintained in full working order and accord with the approved external lighting scheme.

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

26. Drainage hard surfaced areas

Notwithstanding any provision in the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification) no new or replacement hard surfaced area(s) shall at any time be provided on any part of the development hereby permitted unless either it is made of porous materials, or provision has been made to direct run-off water from the hard surface to an area or surface within the curtilage of the development that is permeable or porous.

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

27. No external pipework on elevations

Notwithstanding any provision in the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), unless shown on the approved elevational drawings, any pipework (with the exception of rainwater and foul down pipes) shall be internal to the building.

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

28. No permitted development for telecommunications equipment:

Notwithstanding the provisions of Part 16 of Schedule 2 the Town and Country Planning (General Permitted Development) (England) Order (2015) or any Order revoking or re-enacting that Order with or without modification, no externally located telecommunication apparatus or any other electronic communication apparatus or associated equipment (including any antenna and any driver information apparatus) shall be installed, constructed or erected on any part of the application site to which this permission relates.

Reason: In order to protect the visual amenities of the building and the surrounding area and in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

29. No film or products to be applied to ground floor windows

The windows serving the ground floor areas labelled as co-working space and lobbies as well as the main entrance adjacent to the open space, as shown on plan 0825-JCA-ZZ-00-DR-A-06001 rev 04, shall be formed of clear glass only and at no time shall any obscure glazing, film, vinyl or other treatments be applied to the glass unless otherwise in accordance with a scheme which has been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure a high-quality appearance, active frontage, natural surveillance and satisfactory visual relationship with the open space and Oxford Road, in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

30. No additional louvres or grills

Notwithstanding any provision in the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), there shall be no louvres, grills or canopies installed to windows or the façade of the building unless as shown on the approved plans.

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).

31. No means of enclosure

Notwithstanding any provision in the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), no fences, gates, walls, hedges or other forms of division shall be erected within the site unless already shown on the approved plans.

Reason: To preserve the visual amenities of the development and the functionality of the open space, in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

32. Cycle stores

No part of the development hereby permitted shall be occupied unless the bicycle parking facilities shown on approved plans 0825-JCA-ZZ-00-DR-A-06001 Rev 04 and 0825-JCA-ZZ-M0-DR-A-06002 Rev 03 have first been fully constructed and laid out in accordance with [the specification as set out in approved plans. The cycle store shall have a lockable door(s) with access made available to all residents whilst adequate lighting shall be provided. The access door to the store should be at least 1200mm wide. Thereafter, the approved bicycle parking facilities shall at all times be retained, kept available for use as bicycle parking and maintained in a manner such that the facilities remain so available.

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

33. Brompton bike scheme to be provided

Before the occupation of any part of the residential development hereby approved, a management statement outlining how the 'Brompton' folding cycle scheme will be made available for occupants shall be submitted to and approved in writing by the Local Planning Authority. A minimum of 12 'Brompton' folding cycles (or equivalent) shall be provided in the store as shown on the approved plans prior to the first occupation of the development and thereafter retained, maintained and kept available for the use of occupants of the development at all times.

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

34. Travel plan

The approved Travel Plan and obligations shall be implemented upon occupation of the development and the development shall be operated in accordance with the Travel Plan thereafter.

Reason: In the interests of highway safety and promoting sustainable modes of transport, in accordance with Policy CS15 of the Bournemouth Local Plan Core Strategy (October 2012).

35. Vehicular Access/Parking – Operational & EVCI

Notwithstanding details shown on the submitted plans, within 3 months of the commencement of the development, details of the specification of the vehicular access and parking areas for operational purposes, including a cross-section of the surfacing and the provision of electric vehicle charging points and associated infrastructure, as shown on the approved plan, shall be submitted to the Local Planning Authority for approval in writing. The approved details shall be implemented and brought into operation prior to the occupation of any residential unit hereby approved or any use hereby approved commencing.

The access and parking areas including the electric vehicle charging points and associated infrastructure shall be permanently retained and kept available for their intended purpose at all times.

Reason: In the interests of highway safety and promoting sustainable development including sustainable forms of transport in accordance with Policies CS16, CS17 and CS41 of the Bournemouth Local Plan Core Strategy (October 2012).

36. Footway Crossing

Details with specifications of the lowering of the kerb and footway at the proposed cycle/pedestrian access crossing of the highway shall be submitted to the Local Planning Authority for approval in writing. These areas shall be constructed and surfaced in accordance with the approved details prior to occupation of the development. The existing sections of dropped kerb, made redundant by this proposal, shall be reinstated with full height kerbs in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to occupation of any residential unit hereby approved or any use hereby approved commencing.

Reason: To prevent danger to road users and to improve the walking network in accordance with policies CS16, CS18 and CS41 of the Bournemouth Local Plan Core Strategy (October 2012).

37. Pedestrian inter-visibility splays

Pedestrian inter-visibility splays of 2m x 2m shall be provided to either side of both car parking spaces/accesses where possible, the depth measured from the back of the footway into the development site and the width of the splay measured outwards from the edge of the access, in accordance with the scheme to be submitted to and approved in writing by the

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

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

Informatives

INFORMATIVE NOTE: Demolition of the existing building and vegetation clearance on this site shall be carried outside the bird breeding season of 1st March to 31st August inclusive. Prevention of disturbance to birds' nests as protected under Wildlife and Countryside Act 1981(as amended).

INFORMATIVE NOTE: As a consequence of vehicle access closure, the applicant is advised that it will be necessary for the kerb to be raised and the footway (and verge if appropriate) restored. Normally the Highway Authority will undertake this work at the expense of the applicant although on occasion there might be instances where the applicant under supervision can undertake this work. A Section 171 (Highways Act 1980) licence application form is available within the traffic section of the council's website (www.bcpccouncil.gov.uk).

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

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

INFORMATIVE NOTE: This application and planning permission is subject to a Section 106 agreement with clauses relating to financial contributions towards heathland (SAMM) mitigation and local highway improvements, and other highway works.

INFORMATIVE NOTE: The applicant's attention is drawn to the advice of the Police Architectural Liaison Officer dated 24/03/2023 in relation to consideration of internal security measures.

INFORMATIVE NOTE: The proposed development requires the relocation of the loading bay from Oxford Road to St Paul's Lane, adjacent to the site. To facilitate this, alterations are needed to the on-street car parking bay. The applicant must contact the Traffic Management Team before commencement of the works to initiate the procedure, details can be found within the traffic section of the council's website (www.bcpccouncil.gov.uk).

INFORMATIVE NOTE: The applicant is advised that the process for the Section 278 Highway Works Legal Agreement can take some time so early engagement is encouraged.

Statement required by National Planning Policy Framework

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

In this instance:

The applicant was provided with pre-application advice,
The applicant was provided the opportunity to submit amendments to the scheme/ address issues.

Background Documents:

Case File – ref 7-2023-11310-CP

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