

# Planning Committee Report

Application Address	Land at the corner of Windham Road and Stanley Road Springbourne Bournemouth BH1 4SS
Proposal	Outline application to erect a building containing 9 x residential flats with associated access, bin and cycle storage with Landscaping a Reserved Matter.
Application Number	7-2023-7077-F
Applicant	Elliott Heron Ltd
Agent	Mr Matt Annen
Ward and Ward Member(s)	East Cliff & Springbourne <ul style="list-style-type: none"> <li>• Councillor Anne Filer</li> <li>• Councillor Anne-Marie Moriarty</li> <li>• Councillor Sara Armstrong</li> </ul>
Summary of Recommendation	<b>Delegated powers to GRANT permission subject to completion of s106 agreement and conditions as suggested in this report</b>
Reason for Referral to Planning Committee	Called-in request for committee determination by Cllr Moriarty on following grounds: <ul style="list-style-type: none"> <li>• Loss of existing car park without any provision of on-site parking.</li> <li>• The proposed building is higher than the surrounding building, impacting both privacy, light and noise levels in the area.</li> <li>• There is no new infrastructure planned with the proposals. The existing facilities in the area are oversubscribed.</li> <li>• Potential impact on biodiversity, trees and wildlife.</li> <li>• The proposed housing mix does not meet the local housing need.</li> <li>• Negative impact on the existing sewer system.</li> <li>• Quality of the proposed development is not secure.</li> <li>• No affordable housing will be provided.</li> </ul>
Case Officer	Senjuti Manna
Is the proposal EIA Development?	No

## **Description of Proposal**

1. Outline planning permission is sought for the erection of a block of 9 flats set over three floors. The Outline proposal includes details of Access, Appearance, Layout and Scale to be determined with landscaping to be considered at the Reserved Matters stage.
2. Pedestrian access to the development is proposed from the footway along Windham Road along with an access to the proposed cycle store from Stanley Road. A second pedestrian access from Windham Road will serve the waste storage area. The existing vehicular access to the site is proposed to be stopped up and removed.
3. The proposed building itself would be of 2.5/ 3 storey height with rooms set within the roof space. Each floor will contain three flats accessed from a central core staircase with 2-bedroom flats in ground and first floors and 1-bedroom flats within the roof space. The proposal would provide a symmetrically fronted building with twin gables fronting onto Windham Road. A third gable projection is proposed on the side elevation fronting Stanley Road. Fenestrations set within the projecting gables will have vertical emphasis and a clearly set front entrance from Windham Road would announce and provide the entrance to the 9 flats within the block.
4. An 8.1m long and 2.3m wide single storey cycle parking store is proposed along the boundary with no. 15 Windham Road. This block will have brick walls along the existing boundary fencing and green roof to soften the appearance. Bins will be stored at the site frontage within a purpose-built timber storage area that will be partially screened with some soft landscaping.

## **Description of Site and Surroundings**

5. The site is located on the eastern side of Windham Road at its junction with Stanley Road and within 500m of Bournemouth Railway Station. The topography of Windham Road is gently sloping, with the natural fall of the land from west to east and the application site being on higher grounds compared to neighbouring properties at N15-17. The site is currently free of any built form but almost entirely covered with hardstanding that had been used as a private parking area associated with the commercial use located across Windham Road. The commercial site includes large warehouses that dominate the streetscene of this section of Windham Road. A recent permission has been granted to increase the eaves and ridge heights of the existing warehouses to create additional vertical space (7-2023-4999-P dated 13/12/2023).
6. Owing to its corner location, the site relates to the street scene of both Windham Road and Stanley Road. The existing dwellings on the eastern side of Windham Road on either side of the application site include properties of varying types, sizes and designs with a terrace of two storey Victorian style houses located immediately to the north across Stanley Road and a pair of two storey semi-detached houses of modern construction shares the southern boundary. The stock on Stanley Road comprises primarily two-storey terraced properties with a pair of two storey semi-detached houses located near the junction with Windham Road adjoining the eastern boundary of the application site.

## **Relevant Planning History:**

7. None relevant.

## **Constraints**

8. Following planning constraints/ status apply to the application site:

- BCP Parking Zone B
- Flood Zone 1
- 250m of Vale Road Tipped Site
- Dorset Heathlands SPA – 5km Zone

## **Public Sector Equalities Duty**

9. 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**

10. 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.

11. For the purpose 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.

12. For the purpose of this application, in accordance with regulation 9(3) of the Conservation of Habitats and Species Regulations 2017 (as amended) (the Habitat Regulations) regard has been had to the relevant Directives (as defined in the Habitat Regulations) in so far as they may be affected by the determination.

## **Consultations**

13. The following consultees were notified on the proposals. Expanded details of their responses are included within the assessment part of the report. Summaries:

- Highways – No objections subject to conditions.
- Waste and Recycle – No objections.
- Environmental Health – No objections subject to conditions.

## **Representations**

14. Site notices were displayed in the vicinity of the application site with expiry date for consultation on 25/11/2023. 15 representations have been received, all objecting to the proposals on following grounds:

### **Highways:**

- There are insufficient on-road car parking spaces available in this area. The proposals do not include on-site parking. This will add pressure to already congested neighbouring roads.
- The site is currently used for private parking. The proposal will result in the loss of these spaces adding more pressure to on-road parking.
- The junction between Windham Road and Stanley Road is very narrow. Additional cars parked on the road will cause highway safety issues in this area.
- Public transport links to this area is not sufficient to support a car-free development such as the proposed scheme.

### **Character of the area:**

- The plot is not large enough to accommodate 9 flats. The proposals will result in overdevelopment.
- The area is characterised by terraced properties. A block of flats will be out of keeping with the character of the area.

### **Need for the development:**

- The proposals do not include any family homes which are needed in this area. East Cliff and Springbourne ward already has enough flats.
- There is a lack of local services including GP practice places in the neighbourhood.

### **Impact on neighbour amenity:**

- The proposals will result in noise pollution.
- There will be severe disturbances to neighbours during construction phase.

### **Impact on Trees:**

- The proposals will result in loss of on-site trees.

15. Case officer's note: These comments have been given due regard in assessing the proposals. Issues such as noise and disturbance during construction phase are controlled by other regulations such as Environmental Protection Act 1990. Notwithstanding, a construction management plan and a dust and noise management plan are conditioned (conditions 6 & 7) to minimise neighbour impact. All other matters have been discussed in depth in the planning assessment section below.

## **Key Issue(s)**

16. The key issue(s) involved with this proposal are:

- Principle of development
- Impact on character of the area

- Impact on neighbouring residential amenity
- Amenity of the future occupiers
- Highway safety and parking provision
- Flooding and drainage
- Impact on ecology and Protected Habitat

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

## **Policy context**

### 17. Local documents:

#### Bournemouth Local Plan Core Strategy (2012):

- Policy CS1 – Presumption in Favour of Sustainable Development
- Policy CS4 – Surface Water Flooding
- Policy CS6 – Delivering Sustainable Communities
- Policy CS14 – Delivering Transport Infrastructure
- Policy CS16 – Parking Standards
- Policy CS18 – Increasing Opportunities for Cycling and Walking
- Policy CS21 – Housing Distribution Across Bournemouth
- Policy CS33 – Heathlands
- Policy CS38 – Minimising Pollution
- Policy CS41 – Quality Design

#### District Wide Local Plan (2002):

- Policy 3.20 – Contamination
- Policy 3.28 – Flooding
- Policy 4.25 – Landscaping
- Policy 6.10 – Flatted Developments

#### Other

- BCP Parking Standards SPD (January 2021)
- Residential Development Design Guide
- Dorset Heathlands Planning Framework 2020 – 2025 SPD

### 18. National documents:

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

- Section 2 – Achieving Sustainable Development
- Section 4 – Decision-making
- Section 5 – Delivering a Sufficient Supply of Homes
- Section 9 – Promoting Sustainable Transport
- Section 11 – Making Effective use of Land
- Section 12 – Achieving Well-designed and Beautiful Places
- Section 14 – Meeting the Challenge of Climate Change, Flooding and Coastal Change
- Section 15 – Conserving and Enhancing the Natural Environment

## **Planning Assessment**

### Principle of Development:

19. The starting point of decision making is the development plan. Section 70[2] of the Town and Country Planning Act 1990 and 38[6] of the Planning and Compulsory Purchase Act 2004 state that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, Development Plan consists of Bournemouth Local Plan Core Strategy 2012, and saved policies of Bournemouth District Wide Local Plan 2002 which are read alongside relevant SPDs and the National Planning Policy Framework.
20. The site is within 400m of a key transport route and Policy CS21 applies. Policy CS21 identifies areas for urban intensification states that proposals for residential development within these areas will be expected to:
  - Reflect the housing size demands of the area as identified in the Strategic Housing Market Assessment (SHMA);
  - Be of good design;
  - Contribute positively to the character and function of the neighbourhood;
  - Maintain and enhance the quality of the street scene;
  - Respect residents' amenities; and
  - Ensure a positive contribution to achieving a sustainable community.
21. The proposals are for the erection of 3 x 1-bedroom flats (33%) and 6 x 2-bedroom flats (67%). This does not correspond with the recommended housing mix identified in the Local Housing Need Analysis, which identifies a need for more family friendly housing (5% 1 bed, 35% 2 bed, 40% 3 bed and 20% 4 bed+). It is recognised that the proposals are not fully compliant with bullet point 1 of CS21 and it would have been better if it were. However, given the location of the site is sustainable where urban intensification is encouraged by policy CS21; the proposal includes a mix of smaller units; and it complies with other considerations of the policy CS21 (see the character of the area section below), the departure from bullet point one is not considered to outweigh the benefits of the scheme. This is discussed in the planning balance section at the end of this assessment.
22. The saved Policy 6.10 of the 2002 District Wide Local Plan is relevant to the current application. Policy 6.10 supports flatted developments within built-up areas provided the development:
  - i) Respects or enhances the character and appearance of the area particularly as regards materials, landscaping, scale and massing of development; retains, enhances or creates urban spaces, views, landmarks and other townscape features which makes a material contribution to the character of the area;
  - ii) respects or enhances the character or appearance of open spaces either publicly or privately owned which contribute to the character and appearance of the area;

iii) Takes account of important trees, ridge lines and other landscape features; and

iv) Respects the living conditions of the occupiers of buildings in the vicinity.

23. With regards to the first part of point i) and the relevant Character assessment (later section of this report), it is considered the proposal comprises sufficient design solution and, setbacks, articulation and height controls so as to be appropriate for the location. Subject to appropriate materials and landscaping conditions (conditions 9 & 3), the development would respect the character and appearance of the locality and satisfy the first part of i). With regards to the second part of point i) the existing open parking areas do not make a substantially positive contribution to the character of the area and their loss would not harm the surrounding townscape. This will also satisfy the requirements of point ii). The proposal also complies with points iii) and iv) of policy 6.10 and is acceptable in principle.

24. To conclude, the proposal is sustainably located within 400m of a key transport route and in an identified area of growth. The proposal would improve the visual amenity of the site by utilising a Brownfield land and replacing existing hardstanding with landscaping and biodiversity provision whilst being of appropriate design in accordance with Core Strategy Policy CS21 and District Wide Local Plan saved Policy 6.10. Accordingly, the proposal is acceptable in principle.

#### The National Planning Policy Framework (NPPF):

25. In addition to local policies, the National Planning Policy Framework is also a material consideration. The NPPF sets out the Government's objective of significantly boosting the supply of homes. Paragraph 70 recognises the important role small and medium sized sites can make in contributing to meeting the housing requirement of an area and are often built out relatively quickly. This goes on to encourage LPAs to support the development of windfall sites through their decisions and give **great weight** [Officer emphasis] to the benefits of using suitable sites within existing settlements for homes.

26. Paragraph 11 of the NPPF establishes the presumption in favour of sustainable development. Where there is no 5 Year Housing Land Supply or where the most important policies for determining the application are out-of-date, the 'tilted balance' should be engaged and permission should be granted unless:

- i. *"the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole".*

27. In this context, the site is not located within any protected areas or assets of particular importance as outlined in the footnote 7 as well as paragraphs 186 and 187 of the NPPF. The Council's most recent assessment of the housing land supply position is 2.3 years with a 20% buffer and the Housing Delivery Test result is 67%. As such, the tilted balance, as advocated by the NPPF, will be engaged and the provision of additional market housing will attract significant weight in the overall planning balance.

28. In addition, paragraph 124(c) of the NPPF states planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land. Similarly, paragraph 124(d) promotes and supports the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure). The proposal will efficiently utilise a Brownfield land within a sustainable location that would meet the identified shortfall in housing delivery. The proposal in this respect complies with paragraph 124 of the NPPF, and significant weight is afforded to the re-use of an under-utilised site to provide housing. Consequently, the proposal is considered to comply with the policies of the NPPF.

#### Impact on Character of the Area:

29. Core Strategy Policy CS6 requires good design principles are applied to new buildings with respect to how spaces are treated, and enhancement of features that contribute to the area's character and local distinctiveness. Policy CS21 requires good design and for proposals to enhance the quality of the street scene. Part i) of saved policy 6.10 and Core Strategy Policy CS41 are similar and relates to securing good design.
30. The proposal is for the erection of a 2.5/ 3 storey block of 9 flats at the junction between Windham Road and Stanley Road and opposite an existing commercial site. Being a corner plot, the site responds to the street scenes of both these roads. Whilst there is no consistent existing building line on this section of Windham Road, the existing properties on Stanley Road display a fairly rigid building line with the exception of two properties immediately adjacent to the application site. The proposed front building line will be forward of the neighbouring property N15-17 Windham Road to the south but aligned with the building line of the terraced property 1-7 Windham Road to the north. Since there is no consistent building line on this section of Windham Road, the proposed siting will be acceptable. Similarly, on the Stanley Road street scene, the proposed block will be located slightly forward of the neighbouring semidetached properties at N2a and 2b but will align with the more consistent building line of properties further east. Consequently, the proposed siting is considered acceptable.
31. As noted before, the character of the street scene is mixed with properties of different types and designs available in the immediate vicinity. Consequently, there is no objection to the proposed block of flats on design/ character grounds. Whilst the block will be slightly wider than the neighbouring pair of semidetached houses at N.15-17 Windham Road, it will be seen within the context of the terraced development of 1-7 Windham Road as well as the large warehouse located directly opposite of the application site. Consequently, the additional width of the proposed block will not have a detrimental impact on the character of the area.
32. The proposed development would be taller than the neighbouring properties on both sides along Windham Road by approximately 0.5m. However, this will not detract from the general character of the area since the scheme would follow the two storey + roof space heights present with the street scene, albeit not immediately adjacent to the application site. The design of the block includes two full height forward projecting gables in the front elevation that contributes positively to the character of the area. The building will also be set-in sufficiently from both side boundaries along Windham Road so as to maintain the pattern of gap between dwellings and provide adequate setting for the new block.



33. The side elevation along Stanley Road will have a more complex roof form due to reduced roof height towards the rear of the building. However, this will not detract from the existing character since the section of the building closer to existing units will have a gable projection, reflecting the front bay projections of properties N.2a and N.2b Stanley Road as well as the frontage pair of the block itself. With additional fenestration on this side elevation, the proposal will improve street activation and passive surveillance on this section of Stanley Road.
34. The southern side and rear elevations of the building would be simpler in their design, reflecting the less complicated architecture typically found on secondary and tertiary elevations. The rear elevation includes reduced ridge height for the section closer to the boundary with neighbouring property to minimise neighbour impact. The waste collection area is carefully designed to be incorporated within the side elevation and is partially obscured by soft landscaping on the frontage.
35. The indicative palette of materials is considered distinct enough to establish a contemporary identity for the building within the established street scene of mixed character. On balance, the design, scale and appearance are not so dissimilar from local vernacular to raise significant concern. The external appearance of the building provides a domestic identity, with distinctive features such as gable projections, bay windows and regularly placed well proportioned windows providing appropriate activation. Consequently, the principle of the Layout, Scale and Appearance of this proposal are acceptable in this location. The proposal would maintain and enhance the quality of the street scene, satisfying policies CS21, CS41 and saved policy 6.10.

#### Landscaping (a Reserved Matter)

36. With regards to the proposed landscaping linking the proposed block to its surrounding areas, details of hard and soft landscaping across the site, and exact means of enclosure are reserved for future determination as a Reserved Matter. Sufficient space is shown around the building to allow for adequate level of landscaping capable of partially screening the surface infrastructure such as the waste and cycle stores. Additional planting is shown on the proposed site plan, and this can be secured by condition. Details of hard and soft landscaping can be sufficiently controlled by a Reserved Matters condition and as such, the proposal is considered to comply with the requirements of policies CS6, CS21 and CS41 of the Core Strategy.

#### Impact on neighbouring amenity:

37. The application site shares its boundary with two residential properties – N15 Windham Road to the south and N2a Stanley Road to the east with existing carriageway of Windham Road and Stanley Road adjoining other two boundaries.

#### 15 Windham Road:

38. This is one of the pair of two-storey semi-detached houses (N15-17 Windham Road). This property does not have any windows on the side elevation facing the application site and includes a single storey lean-to extension adjoining the shared boundary. The separation distance of the proposed block from this property will be 4.1m in the front section. Whilst the rear building line of the proposed block will project beyond the rear building line of N15, this

section will be set-in from the shared boundary by 7.3m and as such, will not have any loss of light and overbearing/ sense of enclosure impact. The first floor side elevation of the new block will include 3 habitable and 1 non-habitable windows facing N15. Since the side elevation of N15 does not have any windows, no overlooking/ loss of privacy impact will arise from the two front habitable windows. The first-floor window serving bedroom 2 of flat 5 will have an outlook over the rear boundary of N15. However, a degree of overlooking already exists between the rear garden of N15 Windham Road and rear habitable windows of N2 Stanley Road. The proposed window will have a relation similar to the existing situation and as such, no additional detrimental impact will arise from the proposed development. The second floor flat 8 will only have high-level rooflights facing the rear amenity area of N15 and subject to condition restricting these windows to be unopenable up to a height 1.7m above the finished floor level, no loss of privacy impact will occur.

39. Subject to conditions, the proposal would therefore respect the amenities of neighbouring residents at N15 Windham Road, as required by policies CS21, CS41 and 6.10.

#### 2a Stanley Road:

40. This building comprises one of the pair of two-storey semidetached houses and shares the eastern boundary of the application site. This property has its main entrance facing the shared boundary with habitable windows at the first-floor level facing the proposed development. The proposed block will be 2m from the shared boundary and due to their relative siting, will have a degree of overshadowing on this neighbouring property. However, due to the corner siting of the proposed block, this will be a flank-to-flank relationship and a 2m separation from the side boundary is considered acceptable. No habitable window is proposed on the side elevation at first floor level facing N.2a to minimise overlooking. The second floor will include high level roof lights that will not have any detrimental overlooking impact on this neighbouring property.
41. Whilst the proposed development will introduce a new building of considerable mass and height near the shared boundary with N2a Stanley Road, due to their relative siting, the relationship will be flank-to-flank and as such, a degree of overshadowing and sense of enclosure is not considered detrimental to warrant a refusal.

#### 7 Windham Road:

42. Additionally, the proposal will introduce habitable windows within 10.5m from N.7 Windham Road across the Stanley Road carriageway. This will be more than the Residential Development Design Guide recommended 10m front-to-front separation for two-storey dwellings and no detrimental impact on this residential neighbour is expected. Moreover, additional landscaping is proposed along this boundary which is secured by condition that would provide partial screening between the neighbouring windows.
43. There is no residential property located to the front of the application site across Windham Road. Overall, it is considered that the combination of the building height, separation distances, window positions and set-ins from adjacent plots would result in development that does not oppress or be overbearing to those neighbouring units, having an acceptable level of impact on privacy, outlook, daylight, sunlight and satisfying with policies CS21, CS41 and 6.10.

#### Noise:

44. Objections have been received from local residents on noise impacts, particularly that from construction works. Issues such as noise and disturbance during construction phase are controlled by other regulations such as Environmental Protection Act 1990. Moreover, this can be offset by a construction management plan secured by condition. The construction management plan should outline the start and finish times; provide an indication of noisy and dusty works that are likely to be audible beyond the site boundary; and outline a community consultation strategy which includes how and when local residents will be kept informed during the development. Moreover, the site is currently used for private parking with no formal time restrictions that can potentially generate noise. As such, the proposal would result in an improvement in terms of reduction of vehicular noise and provide a degree of benefit in terms of residential amenity. Consequently, it is considered that subject to the condition, the proposal will not have detrimental noise impact on neighbouring residential amenities.

#### Amenity of the Future Occupiers:

##### Locational Sustainability:

45. The site is in proximity to the local district centre of Springbourne and also within walking distance of the northern edge of Bournemouth Town Centre. The site is approximately 500m from Bournemouth Railway Station as well as a major superstore which are convenient walking distances for accessing day to day services and journeys. Similarly, there are several schools within 8 – 10 minutes walking distances and other services such as GP Surgery and medical stores are located on Holdenhurst Road within 800m from the site. Ophir Gardens bus stops are located within 250m from the site which are served by regular buses. Consequently, the site is considered highly sustainable for the proposed residential development.

##### Internal Amenity:

46. The Technical housing standards – nationally described space standard provides minimum internal area required for various dwelling types. The current scheme proposes 6 x 2-bedroom flats and 3 x 1-bedroom flats. The proposal's compliance with the nationally described space standards is referred to below:

Flat	Bedrooms	Occupancy	Proposed Area	Required Area	Complies
1	2	3	65 sq.m	61 sq.m	Y
2	2	3	69 sq.m	61 sq.m	Y
3	2	3	63 sq.m	61 sq.m	Y
4	2	3	65 sq.m	61 sq.m	Y
5	2	3	69 sq.m	61 sq.m	Y
6	2	3	65 sq.m	61 sq.m	Y
7	1	2	50 sq.m	50 sq.m	Y
8	1	2	53 sq.m	50 sq.m	Y
9	1	2	50 sq.m	50 sq.m	Y

47. In addition to complying with the nationally described space standards, all flats will have adequate access to daylight and sunlight with all habitable rooms served by at least one window with appropriate outlook. Overall, the proposal would provide a good standard of amenity for future residents with separate outdoor cycle space and tidy waste/recycling facilities.

#### External Amenity:

48. All 2-bedroom units would have access to private external amenity areas in the form of patios and balconies. Whilst the 1-bedroom units will not benefit from private amenity areas, these units do not count as family accommodations (a definition which requires 3 bedrooms) and as such private external amenity areas are not required for these units. Notwithstanding, approximately 75 sq.m of area is available surrounding the building that would be communal amenity area. It would offer a reasonable quantum of on-site space. It is considered that subject to condition securing hard and soft landscaping details of the communal amenity area along with any necessary fencing and other infrastructure, the proposal would satisfy the requirements of policy CS41 in regard to external amenity of the future occupiers.

#### Waste and Recycling:

49. The proposal is for 9 flats that would require 2 x 1100L recycling bins, 1 x 1100L and 1 x 660L refuse bins. The proposed site plan shows bin storage near the southern boundary with provision for 4 bins, as required by the Council's planning guidance standards. Residents will have access to the bin storage from the front of the property and bins will be serviced from Windham Road. These details are acceptable, and this aspect would satisfy the aims of Policy CS41.

#### Highway safety and parking provision:

50. Owing to the sustainability of the site in relation to accessibility and in accordance with the BCP Parking Standards SPD (2021), the site is located within parking zone B. Stanley Road fronts the site to the north and comprises of a narrow carriageway at circa 5.3m in width, with footway on the southern side only. Stanley Road operates one-way vehicular traffic (eastbound) and provides on-street parking. Windham Road provides access to/from Holdenhurst Road (C320) in the north and Ashley Road (A3049) to the east. Time restricted parking is available along the western side of the carriageway however, the overall width is significantly greater than Stanley Road, measuring between circa 5.8m and 6.4m fronting the site. Neither road is classified nor is it part of the council's distributor network.
51. The proposal includes residential flats comprising two and three habitable rooms. According to Table 9 – C3: Flats of the Parking Standards SPD, these types of units do not generate a car parking requirement. Consequently, a car-free development is acceptable in this location.
52. As per standard practice, to enhance the walking network and improve highway safety, the council requires all sections of dropped kerb, made redundant by new development, to be reinstated with full height kerbs. In this instance, modifications to the existing vehicular crossover at the corner of the Windham Road/Stanley Road traffic junction are needed, the cost of which will be borne by the applicant. This is secured by a condition.
53. New residential development generates a cycle parking requirement of 1 space per bed for residents and 0.1 space per unit for visitors. The original plans submitted with the application showed substandard cycle parking provision and the Highways officers requested amended plans showing appropriate cycle parking and access thereto. Amended plans have been submitted by the applicant. The site plan now shows a pedestrian access from Stanley Road to the cycle store at the rear. The cycle store contains a green roof which is supported and

encouraged by the SPD. The revised plans overcome previous concerns and the proposal is acceptable in this regard.

54. Overall, subject to conditions securing cycle parking and access closure, the highways and vehicular impacts of the proposal would be acceptable. The proposal will comply with the aims of Core Strategy policies CS6, CS14, CS16 and CS18 as well as BCP Parking Standards SPD.

#### Trees and Landscaping:

55. Objections have been received from local residents on loss of trees impact of the proposed development. There is no existing tree within the site. A small number of unremarkable trees along the boundaries would be lost but it is proposed to plant new trees along both street frontages which is acceptable. The site plan shows indicative locations for proposed trees and additional soft landscaping to screen the bin storage area. A condition is included which would secure the delivery and ongoing maintenance of these landscaping details that will be finalised at the reserved matters stage. Subject to the condition, the proposal would satisfy Policy 4.25 of the Bournemouth District Wide Local Plan and Policy CS41 of the Core Strategy.

#### Land Contamination:

56. The site is currently used as a private car park with potential contamination from vehicles. The site also falls within the 250m notifiable area surrounding the Vale Road Tipped Site. The Council's Environmental Health officers have recommended a desk study compliant with the Land Contamination Risk Management (LCRM) is submitted. The desk study should develop a Conceptual Site Model (CSM) that identifies all plausible pollutant linkages, based on the site's historical and current use and that of the land immediately surrounding it; the likely ground and groundwater conditions underlying the site; and the site's proposed end use. The desk study should then carry out a risk assessment to determine to what extent any such pollution linkages have the potential to impact on future site users, controlled waters and the wider environment.
57. If the desk study report shows no evidence of actual or potential pollutant linkages, then further consideration of the site may not be required. A pre-commencement condition is included to secure the desk study and any further investigations and remediation scheme to address the contamination concerns. Subject to the condition, the proposal would comply with the policy 3.20 of the Bournemouth District Wide Local Plan and Policy CS41 of the Core Strategy.

#### Flooding and drainage

58. The site is located within Flood Zone 1 and has a very low risk of surface water flooding (less than 0.1% annual probability). The site is currently almost entirely covered by hardstanding, although it is not clear how the site is currently connected to the sewer network. To prevent flooding and provide satisfactory drainage in accordance with National Planning Policy Framework Section 14 and Policy CS4 of the Bournemouth Local Plan: Core Strategy, a surface water drainage strategy is normally required. This is to ensure the satisfactory management of local flood risk, surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and that the SuDS proposed operates as designed for the lifetime of the development. Whilst no drainage details have been provided

with the current outline application, in this instance it is considered acceptable to secure these using a pre-commencement condition since there is low risk of surface water flooding.

### Climate Change Mitigation

59. The BCP Council and the Government have declared a climate emergency. Policy CS2 of Core Strategy seeks to secure the use of green technology in new developments and applies to schemes of more than 10 dwellings. The current application is for 9 units and as such, policy CS2 is not applicable. Notwithstanding, the proposal can achieve a satisfactory sustainable building by appropriate choice of materials and other measures such as innovative approach to energy. Permeable paving products made from recycled materials could be utilised on any hard surface landscaping to aid the natural return of rainwater runoff to the ground. Some of the sustainable building construction details are also controlled by Building Regulation climate emergency response such as Part L – Conservation of fuel and power, Part F – Ventilation, Part O – Overheating. Considering all of the above, no objection is raised on Sustainable Design and Climate Change grounds in this instance.

### Ecology and Protected Habitat

60. The site is currently used as private car parking with almost entirely covered by hardstanding. The development is thus unlikely to harm the natural habitats of any protected species. The existing ecological value of the site is considered poor and the proposed redevelopment of the site with additional landscaping would result in a positive intervention. The NPPF requires that “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”. A condition is suggested to secure post development ecological enhancement of the site. Subject to the condition, the proposal has the capacity to satisfy the aims of local policies CS30 and CS41 which seek that development enriches biodiversity and wildlife habitats; and comply with the NPPF by contributing to, and enhancing, the natural and local environment by minimising impacts on, and providing net gains for biodiversity. Furthermore, the Council’s duties under the Habitats Regulations are satisfied.

### Heathland Mitigation

61. The site is within 5km of a designated Dorset Heathlands SPA (Special Protection Area) and Ramsar Site, and part of the Dorset Heaths candidate SAC (Special Area of Conservation) which covers the whole of Bournemouth. As such, the determination of any application for an additional dwellings resulting in increased population and domestic animals should be undertaken with regard to the requirements of the Habitat Regulations 2017.
62. The Dorset Heathlands Planning Framework SPD 2020 sets out an approach to the mitigation of the harmful effects of residential development in Southeast Dorset on Dorset’s lowland heaths. This requires all applications for additional residential accommodation between 400m – 5km from the protected heathland to make a capital contribution which, in this instance is calculated as  $9 \times £331 \text{ (flat)} = £2,979$  plus a 5% administration fee. A signed legal agreement would be required to secure this contribution, which is currently in preparation. Subject to successful completion of the legal agreement, the proposals will comply with policies CS32 and CS33 of the Core Strategy.

### Affordable Housing

63. Policy AH1 of the Affordable Housing DPD seeks to secure the delivery of affordable housing (AH) from general market housing schemes. This applies to major developments of 10 or more units. The current scheme is for 9 units and as such, there is no requirement for affordable housing contributions.

#### Community Infrastructure Levy

64. The proposal is liable for Community Infrastructure Levy contributions for any net increase in floor space.

#### **Planning Balance / Conclusion**

65. The Council is currently not in a position to demonstrate a 5-year housing supply. This means that Paragraph 11 of the NPPF applies, and the balance is tilted in favour of sustainable development to grant planning permission except where the benefits are significantly and demonstrably outweighed by the adverse impacts or where specific policies in the NPPF provide a clear reason for refusal. As noted in paragraphs 26 and 27, in this instance paragraph 11(d)ii of the NPPF will be relevant.
66. The proposed scheme would contribute to the need for new housing, delivering 9 additional homes within a highly sustainable location. All units will comply with the requirements of nationally described internal space standards and would have acceptable level of external amenity areas. The scheme would also provide policy compliant cycle parking and waste management facilities. Other matters can be sufficiently addressed through appropriate conditions.
67. Contrary to this, local residents have raised concerns relating to lack of on-site provision for car parking; high density development resulting in overdevelopment of the site; and noise disturbance, especially during construction activities harmfully impacting the established character of the area and diminishing the quality of life.
68. The aim of policy CS21 of the Core Strategy supports redevelopment of this sustainably located site to deliver an increased number of dwellings, provided the scale, form and general appearance of the proposal do not harm the character of the locality. The proposal would deliver new housing within an attractive building and well laid out site in a mixed character area. Policy CS21 also requires new developments to respect residents' amenities. As discussed previously in this report, the proposed development would not result in loss of privacy, sunlight or outlook; or cause overshadowing, to a degree that would be detrimental to any habitable room in neighbouring dwellings. Noise disturbances during construction works can be mitigated by construction management plan, secured by a pre-commencement condition. Whilst a conflict with bullet point 1 of policy CS21 is identified in terms of dwelling mix, the departure from policy will not outweigh the benefits of the provision of 9 additional units, especially when the tilted balance is engaged.
69. The highways officers have reviewed the proposal and do not consider there to be any highway safety issues resulting from the proposed development. A car free development at this location is supported by policy and as such no objection is raised.
70. The development would also result in economic benefits in the form of construction jobs and 9 additional households able to contribute to the local economy. The proposal would also

contribute to the improvement of the site condition by removing the hardstanding in association with the existing parking area and delivering a well-designed landscaping scheme secured by conditions.

71. In applying significant weight to the provision of additional housing, in the instance where the Council cannot demonstrate a 5-year supply of housing, it is considered that the adverse impacts of the proposal would not significantly and demonstrably outweigh the benefits. The proposals would deliver new housing, as well as the economic, social and environmental objectives of sustainable development. The proposal would satisfy the local plan policies and the provisions of the NPPF. The Development Plan Policies considered in reaching this decision are set out throughout this report.

## **Recommendation**

72. It is recommended that this application be delegated to the Head of Planning to **Grant permission** subject to:
- a) The completion of a Section 106 agreement to secure the required financial contributions of £2,979.00 (+ 5% fee) towards Heathland Mitigation; and
  - b) The conditions as set out below (and any amendments to those conditions as deemed necessary).

## **Conditions**

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

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

2344 02B: Site Plan showing ground floor plan  
2344 03B: Proposed Site Plan showing roof plan  
2344 04A: Proposed Ground and First Floor Plans  
2344 05A: Proposed Second Floor and Roof Plans  
2344 06B: Indicative Street Scenes  
2344 07A: Proposed Front and Side Elevations  
2344 08A: Proposed Rear and Side Elevations  
2344 09B: Proposed Bike Store

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

### **2. Reserved Matters Time Limit**

- a) No development shall commence until details of the landscaping, (hereinafter called "the reserved matters") have been submitted to and approved in writing by the local planning authority and the development shall be carried out as approved.
- b) Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission. The development hereby



permitted shall begin no later than two years from the date of approval of the last of the reserved matters to be approved.

*Reason: In pursuance of Section 92 of the Town and Country Planning Act, 1990 (as amended).*

### **3. Reserved Matters Details (Landscaping)**

Prior to the commencement of the development, full details of Reserved Matters, namely the landscaping of the development shall be submitted to and approved in writing by the local planning authority. These details shall include:

- a) Hard landscaping materials/finish. To include: Ground Surfacing materials for pedestrian, bin servicing, and cycle storage routes and circulation areas; Section and fall-ratio of any proposed ramps within the site, connection to highway footway and dropped kerbs outside the site, external fixtures, specific details of the external hard surfacing details, including any pathway or patio associated with the ground floor units, and access to the communal amenity area.
- b) Soft landscaping. To include: Planting plans planting plan, specification (including cultivation and other operations associated with plant and grass establishment), schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate, and implementation timetable for the outdoor areas of the scheme including the site frontage and surface bin storage area.

None of the treatments or landscaping pertinent to (a) or (b) shall be planted or installed on site until the relevant details have been approved in writing by the LPA.

After which:

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

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

### **4. Contaminated Land**

Unless otherwise agreed by the Local Planning Authority, development shall not commence until conditions A – C below have been complied with. The risk assessments should be undertaken by competent and suitably qualified persons to assess the nature and extent of contamination at the site in accordance with 'Land Contamination Risk Management' published by the Environment Agency.

#### **A. Preliminary Contamination Risk Assessment (Phase I)**

A Preliminary Contamination Risk Assessment (Phase I) shall be submitted in writing to the Local Planning Authority. The Phase I should be produced in accordance with 'Land

Contamination Risk Management' published by the Environment Agency. The report shall develop a preliminary Conceptual Site Model (CSM) and include a comprehensive risk assessment of the risks from contamination to all receptors such as human health, controlled waters, the built environment and sensitive ecology from the site condition in consideration of the proposed development. If the risk assessment identifies any unacceptable risks, further assessment comprising intrusive investigations will be required.

#### B. Site Investigation

If a Phase I has established potentially unacceptable risks to sensitive receptors from the site condition, then a detailed intrusive investigation (Phase II) in accordance with 'Land Contamination Risk Management' published by the Environment Agency should be undertaken. A Phase II report will be submitted and approved in writing by the Planning Authority prior to development works. The Phase II report will comprise an assessment of the risks from contamination to all receptors such as human health, controlled waters, the built environment and sensitive ecology from the site condition in the context of the proposed development. The report shall be prepared by a suitably qualified and competent person and shall include:

- i. A detailed site investigation comprising an assessment of soil, groundwater and ground gases / vapours to establish the extent, scale and nature of contamination on the Site (irrespective of whether this contamination originates on the Site).
- ii. An updated Conceptual Site Model (CSM) should be included showing all potential pollutant linkages and an assessment of the potential risks to human health (Site end-users and construction workers), the built environment, controlled waters and sensitive ecology.
- iii. If the risk assessment identifies any unacceptable risks, a further remediation strategy / plan will be submitted to and approved in writing by the Planning Authority and shall be implemented as approved.

#### C. Remediation Scheme

- a. Remediation will be required if the Phase II establishes the presence of a significant pollutant linkage. If required, a remediation strategy / plan will be submitted to and approved in writing by the Planning Authority prior to development works. The report shall be prepared by a suitably qualified and competent person and the works thereafter will be carried out in full accordance with the remediation strategy / plan. No development works (other than investigative works) shall commence on-Site until such a time as a detailed remediation scheme for the development site has been submitted to and approved in writing by the Planning Authority.
- b. If required, the approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of any development other than that required to carry out remediation, unless otherwise agreed in writing by the Planning Authority. The Planning Authority shall be notified in writing of the intended commencement of remediation works no less than 14 days before the works commence on-Site.
- c. Following completion of remediation works, a Verification Report which demonstrates the effectiveness of the completed remediation works, any requirement for longer-term monitoring of contaminant linkages, maintenance and arrangements for contingency action, shall be submitted to and approved in writing by the Planning Authority.

*Reason: To ensure that any contamination of the site is identified at the outset to allow remediation to protect existing/proposed occupants of property on the site and/or adjacent land in accordance with Policy 3.20 of the Bournemouth District Wide Local Plan (February 2002) and Policy CS41 of the Core Strategy (October 2012).*

## **5. Reporting of Unexpected Contamination**

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

*Reason: To ensure that the development is carried out safely in the public interest in accordance with Policy 3.20 of the Bournemouth District Wide Local Plan (February 2002) and Policy CS41 of the Core Strategy (October 2012).*

## **6. Construction Management Plan**

Prior to the commencement of the development, a construction management plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The CMP shall provide for:

- 24 hour emergency contact number;
- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud being carried onto the highway;
- Measures to protect vulnerable road users (cyclists and pedestrians)
- Any necessary temporary traffic management measures;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Methods of communicating the Construction Environment Management Plan to staff, visitors and neighbouring residents and businesses;

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

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

## **7. Dust and noise management plan**

No development shall take place including site clearance works until a detailed dust and noise management plan for the control of dust, emissions and noise arising from the construction of the development has been submitted in writing to the Local Planning Authority for approval. Once approved, all works which form part of the approved dust and noise management plan shall be implemented throughout the construction and demolition phase of the development.

No activity hereby permitted shall cause dust and noise to be emitted so as to adversely affect adjacent residential properties and/or other sensitive uses and/or the local environment. Should such an emission occur, the LPA shall be notified, and activity shall be immediately suspended and not recommenced until a revised dust and noise management plan is submitted in writing to and approved in writing by the LPA.

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

## **8. Surface Water Drainage (SuDS)**

Prior to the commencement of the 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. Those details shall include:

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

f) A timetable for implementation of the approved drainage scheme.

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

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

Thereafter the approved drainage works shall at all times be retained and also managed and maintained in accordance with the approved management and maintenance plan (e).

*Reason: To provide satisfactory drainage for the development in accordance with Policy CS4 of the Bournemouth Local Plan: Core Strategy (October 2012) and in Guidance Note on Sustainable Urban Drainage Systems.*

## **9. External Materials**

Prior to the commencement of any above ground development, samples and details of the materials to be used in the construction of the external surfaces of the development shall have first been submitted to and approved in writing by the local planning authority. Development shall not be carried out other than in accordance with the so-approved details.

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

## **10. Construction Hours/ Delivery & Dispatch of Materials**

No site machinery or plant shall be operated, no process shall be carried out and no construction related deliveries received or dispatched from the site except between the hours of:

08:00 – 18:00 hours Monday to Friday and

08:00 – 13:00 hours Saturdays

And at no time on Sundays, Bank or Public Holidays.

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

## **11. Boundary Treatment (Location & Type):**

No part of the development hereby permitted shall be constructed above base course level unless details of the proposed boundary treatment shall be submitted in writing to the Local Planning Authority for approval. Details shall include a plan showing: the positions, height, design, and materials.

All means of site enclosure shall include provision for 1no. hedgehog gap at ground level (15cm by 13cm) within every 10m distance of the means of enclosure.

Once approved, the boundary treatment scheme shall be implemented in full prior to first occupation of any of the dwellings hereby permitted and permanently retained and maintained for the lifetime of the development.

*Reason: To secure well-planned development, in the interests of amenity and privacy assist wildlife and to safeguard the visual amenities of the locality and in accordance with Policies CS30 and CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).*

## **12. Cycle Parking**

No part of the development hereby permitted shall be occupied unless the bicycle parking facilities shown on approved plan 2344 09B have first been fully constructed in accordance with the approved details. 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 ensure the proper construction of the parking facilities and to encourage the use of sustainable transport modes in accordance with Policies CS18 and CS41 of the Bournemouth Local Plan: Core Strategy (October 2012) and Adopted BCP Parking Standards SPD (Jan 2021).*

## **13. Access Closure**

Before the development is occupied or utilised, the existing access point must be permanently closed off by extending the adjoining highway boundary and removing any gates. The existing highway vehicular crossing must be expunged and reinstated to a specification which must be submitted to and approved in writing by the Local Planning Authority.

*Reason: To ensure the proper and appropriate reinstatement of the adjacent highway in accordance with policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012) and Adopted BCP Parking Standards SPD (Jan 2021).*

## **14. Ecological Enhancement**

No part of the development hereby permitted shall be constructed above base course level unless full details of all proposed biodiversity enhancement measures have first been submitted to and approved in writing by the local planning authority. The details shall include technical specifications, the number, location and siting of:

- (i) bird and bat boxes to be built into the development; and
- (ii) swift bricks and bee bricks (or reasonable equivalent) to be built into external elevations.

No part of the development shall be occupied or otherwise brought into use unless the approved [mitigations and] enhancements have been fully provided as approved and thereafter those [mitigations and] 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 incorporate biodiversity in and around developments in accordance with Policies CS30 and CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).*

## **15. Obscure Glazing**

Prior to the first occupation of the development, the bathroom windows of flats 2 and 5 within the southeast side elevation (marked on approved plan 2344 08A) shall be fitted with obscure

glazing and non-openable up to a point at least 1.7m above internal finished floor level; to Pilkington Level 3 obscuration or above (or the nearest equivalent standard) and shall be permanently retained as such. The portion above this point does not need to be obscured.

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

## **16. High Level Windows**

Prior to the first occupation of the development, the rooflights within the northeast and southeast side elevations (marked on approved plan 2344 08A) shall be installed with a sill height of not less than 1.7m above the internal finished floor level of the room in which the windows are installed, and shall be permanently so-retained.

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

## **Informatives**

### **1. S106 Agreement**

This permission should be read in conjunction with the legal agreement under section 106 of the Town and Country Planning Act dated [TBC], the obligations in which relate to this development.

### **2. Bird nesting months**

To safeguard the active nests of all wild birds which in England are protected under the Wildlife & Countryside Act 1981, all work to trees and/or hedgerows on the site shall be carried out outside of the bird nesting season which runs from March to August inclusive.

### **3. No Storage of Materials on Footway/Highway**

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

### **4. Surface Water/Loose Material**

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

### **5. Climate Change Mitigation**

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

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

Permeable paving products made from recycled materials could be utilised on any hard surface landscaping proposed.

## **6. Statement required by the National Planning Policy Framework**

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

In this instance, the applicant/agent was provided with the opportunity to address issues identified by the case officer and permission was granted.

### **Background Documents:**

#### **Case File – Application Ref: 7-2023-7077-F**

For full details of all papers submitted with this application, please refer to the relevant public access pages on the Council's website.

NB: Does not include confidential documents.

Case Officer Report Completed

Officer: SMN

Date: 30/01/2024

Agreed by:

Date:

Comment: