

Planning Committee

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| Application Address | 1008 Wimborne Road, Bournemouth, BH9 2DE |
| Proposal | Erection of a block of 8 flats, with bin, cycle stores and parking |
| Application Number | 7-2023-3141-AF |
| Applicant | Prime Space Properties Limited |
| Agent | Chapman Lily Planning Ltd |
| Ward and Ward Member(s) | Moordown Cllr Joe Salmon Cllr Kate Salmon |
| Report Status | Public |
| Meeting Date | 15 February 2024 |
| 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 | Cllr Salmon called the application in for the following reasons: <ul style="list-style-type: none"> - Overdevelopment of the site and impact upon the local infrastructure - Overlooking of other properties - Number of bedrooms on site |
| Case Officer | Piotr Kulik |
| Is the proposal EIA Development? | No |

Description of Proposal

1. This application seeks part retrospective permission for amended, granted and implemented permission ref. 7-2020-3141-AB for 'Erection of a 2 storey to eaves block of 7 flats, with bin, cycle stores and parking'. The current proposals introduce 1no. additional residential unit on second floor level but the footprint and scale of a granted block of flats would remain the same as previously approved under 7-2020-3141-AB.
2. The current application is a fresh stand-alone application, and the extant permission ref. 7-2020-3141-AB remains a legitimate fallback position. The granted block of flats is at a very advanced construction phase on site hence the applicant could still complete the permission that has been part built.
3. For the purposes of a report there are essentially two elements that need to be established for a fallback to be brought into evaluation:
 - a. The nature and content of the alternative uses or operations;
 - b. The likelihood of the alternative use or operations being carried on or out.
4. In the case of the second element the test is whether the officer considers there is "real prospect" of the fallback occurring if the proposed development was refused. In the context of the current application, it is sufficient if that "real prospect" is considered to be a possibility

rather than being “merely theoretical”. The above points would be further discussed in this report.

Description of Site and Surroundings

5. The application site consists of the former car park, which served the former Holly Tree Hotel Public House that was converted into residential units. The existing building on site is a large detached block of flats granted under 7-2020-3141-AB. The construction works on site in association with a granted permission ref. 7-2020-3141-AB are at very advanced stage. Wimborne Road is characterised by a mixture of commercial developments and residential dwellings with residential side streets leading off throughout its length.
6. The former car park site has been subject to several applications and appeals as detailed within the section below relating to planning history. The character of the area predominantly consists of two storey buildings with a variety of roof types. There is a 1950s/60s three storey flat roof block of flats opposite the site which is not considered a positive feature of the street. Properties to the rear are detached two storey dwellinghouses. The principle of residential development on this site is considered to be appropriate.

Relevant Planning History:

7. 7-2022-3141-AD - Non-material amendment to application no. 7-2018-3141-X for formation of hidden gutter system – Refused
8. 7-2021-3141-AC - Application for a Lawful Development Certificate for an existing development confirming that the painting of the exterior of the building was permitted development – Grant
9. 7-2020-3141-AB - Erection of a 2 storey to eaves block of 7 flats, with bin, cycle stores and parking – Grant
10. 7-2020-3141-AA - Erection of a 3 storey block of 8 flats, with bin, cycle stores and parking – Withdrawn
11. 7-2019-3141-Y - 1008 Wimborne Road [car park]: Erection of a 3 storey building comprising of 2 office units (Class B1) and 5 flats, with bin, cycle stores and parking – Refused
12. 7-2018-3141-X – 1008 Wimborne Road: Alterations, extensions and conversion of premises to 10 flats with bins and cycle stores and formation of car parking spaces – Granted
13. 7-2017-3141-W – 1008 Wimborne Road [car park]: Erection of 2 dwellinghouses with parking and formation of 6 car parking spaces for The Holly Tree Public House – Withdrawn
14. 7-2017-3141-U - 1008 Wimborne Road [car park]: Outline submission for Erection of a 2/3 storey block of 9 flats with bin and cycle stores and formation of parking spaces – Refused and Appeal Dismissed
15. 7-2016-3141-T – 1008 Wimborne Road [car park]: Change of use from a car park to car sales and siting of a mobile office - Existing unauthorised – Refused

16. 7-2016-3141-S – 1008 Wimborne Road [car park]: Outline submission for the erection of 5 dwellinghouses with parking spaces – Refused
17. 7-2016-3141-R - 1008 Wimborne Road [car park]: Outline submission for Erection of a 2/3 storey block of 10 flats with bin and cycle stores and formation of parking spaces – Refused
18. 7-2016-3141-Q – 1008a Wimborne Road [coach house]: Alterations, 2 storey extension and conversion of flat and garaging into 2 dwellinghouses – Granted
19. 7-2016-3141-P – 1008 Wimborne Road [car park]: Outline submission for Erection of a 2/3 storey block of 10 flats with bin and cycle stores and formation of parking spaces – Refused and Appeal Dismissed

Constraints

20. There are no identified site constraints.

Public Sector Equalities Duty

21. 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

22. 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.
23. For the purposes of this report regard has been had to the Human Rights Act 1998, the Human Rights Convention and relevant related issues of proportionality

Consultations

24. Wessex Water – No objection:

‘Surface water drainage

Wessex Water do not permit surface water connections into the foul sewer, a copy of our surface water drainage policy can be found here <https://developerservices.wessexwater.co.uk/media/jf5dahxw/wwds-dev063p-planning-liaison-surface-water-policy-for-minor-development.pdf>

Existing apparatus

Building within close proximity to a public sewer has restrictions and you may be required to divert it <https://developerservices.wessexwater.co.uk/wastewater/building-near-or-over-a-minor-public-sewer>

Wessex Water do not permit the buildover or build near to a public water main, protection easements will apply <https://developerservices.wessexwater.co.uk/water/building-near-or-over-a-water-main>

25. Dorset & Wiltshire Fire and Rescue – No objection:

'In the event the planning permission is granted for this development, the development would need to be designed and built to meet current Building Regulations requirements. The Authority raises the profile of these future requirements through this early opportunity and requests the comments made under B5 of Approved Document B, The Building Regulations 2010 be made available to the applicant/planning agent as appropriate.

The assessment of this development proposal in respect of Building Control matters will be made during formal consultation, however early recommendations are identified on the attached schedules and relate to the following areas:

- *Recommendations identified under B5 of Approved Document B relating to The Building Regulations 2010*
- *Recommendations to improve safety and reduce property loss in the event of fire'*

26. Local Highway Authority (LHA) – No objection, subject to conditions

Summary of comments

Final revisions show that the proposed access, turning and parking arrangement. The applicant has demonstrated that there is sufficient width between spaces for drivers to turn around onsite thus removing the need for reversing manoeuvres to/from Wimborne Road. Also, the on-site cycle parking arrangement is acceptable.

The LHA Officer also noted that given that no Electrical Vehicle Charging Points condition was imposed on the extant consent and that there is now no increase in onsite car parking (or demand) when compared to this, it would be difficult for the LHA to substantiate a reason for refusal in this instance, for an increase of only one living unit on site.

The proposed works are considered to be acceptable, subject to conditioning unallocated parking spaces, access/ turning/ visibility splays arrangement on site, as well as a cycle store to be erected prior to occupation of the proposed residential flats.

27. Waste Management Officer – No objection

'The final revisions are suitable from a Waste Collection perspective'.

Representations

28. 1no. letter of objection was received. The grounds for objection are:

- Changes to design causing now overlooking;
- Unacceptable living conditions;
- Additional parking will adversely affected a limited landscaping on site;
- Unacceptable waste management on site

Key Issue(s)

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

- Principle of the proposed works
- Impact on character and appearance of the area
- Impact on neighbouring residents
- Living conditions for future occupants
- Highway issues
- Waste Management
- Heathland contributions

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

Policy context

Local documents:

31. Core Strategy (2012)

Policy CS1 – NPPF Presumption in Favour of Sustainable Development

Policy CS4 - Surface Water Flooding

Policy CS6 – Delivering Sustainable Communities

Policy CS16 – Parking Standards

Policy CS17 - Encouraging Greener Vehicle Technologies

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

32. District Wide Local Plan (2002)

Policy 4.25 – Landscaping

Policy 6.10 - Flat development

Policy 8.2 – District Distributor Roads

33. Supplementary Planning Documents:

Affordable Housing – SPD

Dorset Heathlands Planning Framework – SPD

BCP Parking Standards – SPD

Residential Development: A Design Guide – PGN

Sustainable Urban Drainage Systems (SUDS) - PGN

34. National Planning Policy 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.”

35. 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 and beautiful places

Planning Assessment

Principle of the proposed development

36. The application site benefits from an existing planning permission 7-2020-3141-AB for the erection of a 2 storey to eaves block of 7 flats, with bin, cycle stores and parking, granted on 11 August 2021. The construction works on site has started on 1 June 2023 and are at a very advanced stage with a new block of flats already being on site.

37. According to paragraph 128 of the NPPF *‘Planning policies and decisions should support development that makes efficient use of land, taking into account: a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it; b) local market conditions and viability; c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use; d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and e) the importance of securing well-designed, attractive and healthy places’.*

38. The NPPF makes clear that planning decisions should promote an effective use of land, encouraging multiple benefits, where possible. Development should take place at appropriate densities, making *‘as much use as possible of... brownfield land’* (paragraph 123). Paragraph 129 advises that *‘where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site’.*

39. The proposed works would largely mirror the approved design, footprint and layout of the granted permission ref. 7-2020-3141-AB. The current application when comparing to 7-2020-3141-AB would introduce the following revisions:
- The second floor will provide 2no. 1-bedroom flats instead of 1no. 2-bedroom flat;
 - There would be minor revisions to the approved fenestration design, as well as 6no. rear facing rooflights and a second-floor side facing (west elevation) would be introduced;
 - Bin store and cycle store was initially introduced as per approved scheme, but consultee comments led to further revisions that would be discussed later in this report.
40. Most recent planning approval ref. 7-2020-3141-AB is acknowledged as a fallback position as the existing planning permission confirms the principle of development that can be used as a lever to gain full planning permission for the current scheme. In a Court of Appeal Judgement ***Mansell v Tonbridge and Malling Borough Council [2017] EWCA Civ 1314, Lindblom LJ*** confirmed the legal considerations in determining the materiality of the 'fall back' position as a planning judgement were as follows:
- a. The basic principle is that for a prospect to be a real prospect it does not have to be probable or likely, a possibility will suffice.
 - b. There is no rule of law that in every case the 'real prospect' will depend, for example, developer having said precisely how he would make use of any permitted development right available to him. However, this will always be a matter for the decision-maker's planning judgement in the particular circumstances of the case in hand.
41. The case officer's site visit confirmed an advanced stage of the construction works on site. The granted block of flats and site layout would be finalised soon. This is considered to be a realistic, not just a theoretical prospect of the fallback position as and the Council would not have an alternative planning mechanism to stop construction works on site. Furthermore, the current application when comparing to the approved application is more desirable through the provision of additional housing in a preferable urban location and contributing to the local housing need.

Impact on the character and appearance of the area

42. The current application maintains the same use, as well as number of bedrooms on site. Split of a 2-bedroom unit into 2no. 1-bedroom units would result in 'optimal use' of the site in line with paragraph 129 of the NPPF. The proposed residential accommodation would be spread over three floors as shown on the extant permission. However, the current application will introduce revisions by providing 2no. 1-bedroom flats instead of 1no 2-bedroom residential unit within the second floor. Despite these changes, the granted footprint and scale of the approved block of flats would remain the same. Also, the design would be consistent with the approved scheme. The proposed fenestration would be simplified but external facing material remains unchanged from that previously granted permission namely facing brick and light grey slate.
43. The layout of the site would also mimic the granted permission. The initially proposed one additional parking space to support an extra residential unit on site was removed from the scheme to address highway concerns that would be discussed later in this report. Final revisions show 7no. on-site parking spaces, and this will follow the principle of the previously approved site layout, with small front garden areas, private and communal gardens to the rear. The site contains no existing trees.
44. As stated already in this report, the scale, sitting and design of the proposed works would remain relatively the same when comparing to an extent permission for 7 flats ref. 7-2020-3141-AB. Consequently, there would be no material amendment to the previously approved

appearance and the impact of the proposed works upon the local area would be very limited. The development is considered to be in line with Policies CS21 and CS41 of the Core Strategy, saved Policies 4.25 and 6.10 of the Local Plan, and the provisions of the NPPF.

Impact on neighbouring residents

45. The site is located in a high-density and sustainable location and there are other residential properties surrounding the site. The impact upon neighbouring properties was found acceptable when granting permission for the previous scheme ref. 7-2020-3141-AB. The proposed works detail a building of an exact scale, massing and sitting to that approved under application 7-2020-3141-AB.
46. However, the current scheme provides high level roof lights on the rear roof slope. The proposed rooflights would provide light to both habitable areas (lounge/dining), as well as non-habitable (bathrooms). When comparing to the previous scheme, a different floor layout of the top floor is proposed with more non-habitable spaces facing the rear (bathrooms). The current scheme is capable to allow high level roof lights to prevent overlooking of No. 11 Marks Road set to the rear. To address concerns around potential overlooking raised by an objector, it would be reasonable to condition those rooflights to be of high-level type (minimum 1.75m internal sill height).
47. There is also proposed addition of a 2nd floor window in the west elevation as marked on the proposed plans, which faces southwards. This would be a secondary window serving a lounge/dining of a top floor level flat (No.7). Due to distances in excess of 24 metres from the nearest neighbour at No. 1008 Wimborne Road, set to the south of the site, it is considered that the proposals would not adversely affect immediate neighbours in terms of overlooking or loss of privacy. Nevertheless, it would be reasonable to condition the secondary window serving flat 7 to be obscure glazed and non-openable.
48. It is therefore considered that the proposed development would not be materially harmful to the residential amenities of adjoining residents. On this basis, there would be no adverse impact in residential amenity, and the proposal would comply with planning policies CS21, CS41 and 6.10.

Living conditions for future occupants

49. The Governments Technical Standards provide guidance on the size of accommodation that is proposed. Each of the proposed flats will have rooms that would benefit from a window and natural light. The proposals would also need to provide acceptable living accommodation for future residents meeting the Governments Technical Housing Standards (THS) as specified by the technical guidance. The Council uses the DCLG Technical Housing standards to inform the quality of internal living environment for new dwellings.
50. National space standards require the following gross internal floor area for a 1-bedroom and 2-bedroom units:
 - 1 bedroom, 1 person dwelling set over 1 storey – 37 square metres
 - 1 bedroom, 2 person dwelling set over 1 storey – 50 square metres
 - 2 bedroom, 1 person dwelling set over 1 storey – 61 square metres
 - 2 bedroom, 2 person dwelling set over 1 storey – 70 square metres

51. The proposal is for 4no. 1-bedroom flats between 34 and 48sq. metres units, as well as 4no. 2-bedroom flats between 57 and 65sq. metres units. It should be noted that the floorspace of Flats 1, 2 and 5 as shown on the submitted floor plans would not be in line with the minimum space standards. However, those units and their size have already been accepted when granting extant permission 7-2020-3141-AB, which is considered to be a legitimate fallback position. Flats 1, 2 and 5 would have a floor layout arrangement allowing comfortable living space and acceptable size of rooms. Each habitable room would have access to natural light and acceptable outlook. Additionally, Flats 1 and 2 will have access to own private outdoor amenity space.
52. Furthermore, the proposed units 7 and 8 occupying the 2nd floor level subject of this application are in line with national space standards (48sq. metres each). The floor space of the proposed units is on balance acceptable. The proposals are also in a sustainable location and would provide private outdoor amenity space for three of the units, plus a communal garden area for the remaining flats.
53. Given the above, it is considered that the proposed works would comply with provisions of Policy 6.10 of the Bournemouth District Wide Local Plan 2002 (the Local Plan), Policies CS21 and CS41 of the Bournemouth Local Plan Core Strategy 2012 (the Core Strategy) and Part 3 of the Residential Development – A Design Guide SPG 2008 (the Design SPG).

Highway Safety

54. The site fronts Wimborne Road, a well trafficked bus route and classified road (CS21). Its strategic importance is evidenced by its status as a District Distributor Road with the function of connecting areas of residential, shopping, industrial and commercial development with each other and to the County Distributor and Primary Route Network. To preserve the efficient functioning and safe operation of the District Distributor Network, Saved Policy 8.2 of Bournemouth District Wide Local Plan (adopted 2012) states that “To enhance traffic safety on District Distributor Roads, it will be necessary to limit access.” This aim is supported through additional policy text which precludes access to newly constructed District Distributor Roads altogether and where possible, to close vehicular frontage access on existing District Distributor Roads.
55. In accordance with the BCP Parking Standards SPD (2021), the proposed development site is located within parking zone B. Effectively, a residential development comprising two and three habitable room flats in this location does not generate a car parking demand. However, the consulted Local Highway Authority (LHA) Officer has not raised objection to the proposed overprovision of car parking spaces. Also, the extant permission 7-2020-3141-AB allows exact same number of parking spaces. Therefore, the overprovision of 7no. Parking spaces is acceptable in principle.
56. As mentioned already in this report, the initially proposed 8no. car parking spaces were reduced to 7. This was due to initial objection from the LHA regarding vehicular access and parking arrangements. Also, the turning space dimension has been added. The applicant has therefore demonstrated that there is sufficient width between spaces for drivers to turn around onsite thus removing the need for reversing manoeuvres to/from Wimborne Road. Consequently, the proposed development is no longer contrary to Saved Policy 8.2 of the BDWLP.

57. As such, the final revisions show acceptable on-site planning with useable parking spaces serving future occupiers of the site. However, it should be noted that a planning condition relating to Electrical Vehicle Charging Points (EVCP) charging points was not imposed via condition to the extant consent ref. 7-2020-3141-AB despite of previous recommendation from the LHA. Policy circumstances have changed since then, and the 2021 SPD applies now. Section 3.6 of this SPD states that residential development with less than 10 spaces is required to provide 'active' electric charging points for 20% of the total parking capacity, 2 spaces in this instance. Therefore, it is considered to be reasonable to introduce EVCP condition to the current fresh application.
58. New residential development generates a parking requirement of one cycle space/bed for residents and 0.1 spaces/unit for visitors thus equating to 12 resident spaces and one visitor space for the proposed development. Final revisions shows that the cycle parking was increased as per LHA requirement. Assessed overall, the proposed works would comply with planning policies CS16, CS18 and CS41.

Waste Management

59. Like the previously approved scheme, the proposed development provides an integral bin store which reduces the level of external clutter and is welcomed. The proposed plans were revised during the lifespan of the application to meet the requirements of the waste collection authority and the internal bin store was enlarged. Despite of the objector's concerns, the Council's Waste Collection consultee confirmed that the proposed works are suitable from a Waste Collection perspective. On this basis, this application would accord with Policy CS38.

Heathland Mitigation

60. 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.
61. The Dorset Heathlands Planning Framework SPD 2020 sets out an approach to the mitigation of the harmful effects of residential development in South East Dorset on Dorset's lowland heaths. This requires that all new residential development between 400m – 5km from protected Heathlands should be subject to a financial contribution towards heathland mitigation measures in the borough. The proposed development would result in the formation of 8no. flats (8@ £331 = £2,648). A capital contribution is therefore required and in this instance is £2,648 plus £132.40 administration fee. A legal agreement has been processed but not finalised/ sealed at the time of writing this report.

Community Infrastructure Levy

62. The development proposal is liable to a community infrastructure levy charge, the final calculation to made on a successful grant of planning permission. This charge is index-linked however and may fluctuate accordingly depending on the date of actual payment.

Planning Balance / Conclusion

63. 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 was advised of issues identified following submission and provided a revised scheme which was considered acceptable.

64. The proposed block of 8 residential flats would mimic the design, scale and sitting of an extent permission for 7 flats ref. 7-2020-3141-AB. Therefore, it is considered to be in keeping with the street scene. Furthermore, it is considered that the mix of the proposed dwellings would satisfy the local housing needs and the number of units will not result in overdevelopment of the site or a cramped development. It would integrate in the street scene in an acceptable manner.
65. For the Council 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 proposed works would result in 1no. residential unit net gain increase on site when comparing to the extant permission ref. 7-2020-3141-AB, which would positively contribute to the local housing stock. The site does satisfy sustainable development principles and housing policies, as well as design quality set within policies CS21 and CS41 that seeks to target and meet housing need within the urban area and to deliver the type of dwelling at a location where there is long term demand. The construction works on-site are at a very advanced stage and the extant permission is considered a legitimate fallback position.
66. It has been demonstrated that the proposals would provide a good standard of amenity for future residents and therefore the scheme would accord with planning policies CS21, CS41 and 6.10 of the Core Strategy. Finally, the proposed works would not result in severe impact upon highway safety and local parking provision and will therefore comply with planning policies CS16, CS18 and CS41, subject to the imposition of the conditions suggested by the Local Highway Authority. Furthermore, the proposed works would result in an effective use of a brownfield site that would meet identified housing needs, in line with paragraphs 123 and 124 of the NPPF. The proposal will therefore achieve the economic, social and environmental objectives of sustainable development, as set out in local plan policies and the provisions of the NPPF and is recommended for grant of planning permission.

Recommendation

67. **GRANT permission with the following conditions and the completion of a Section 106 agreement with the following terms:**

Section 106 terms

Heathland Mitigation (SAMM): £2,648 plus £132.40 administration fee

68. **Conditions**

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

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

- Proposed Site and Location Plan PL01 rev. A
- Proposed Elevation and Floor Plans PL02 rev. B
- Location Plan PL03
- Proposed Street Scene Elevations PL10

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

2. On site working hours restricted when implementing permission.

All on-site working, including deliveries to and from the site, associated with the implementation of this planning permission shall only be carried out between the hours of 8 a.m. and 6 p.m. Monday - Friday, 8 a.m. and 1 p.m. Saturday and not at all on Sunday, Public and Bank Holidays unless otherwise agreed in writing with the Local Planning Authority.

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

3. Drainage Hard surfaced areas

Any new or replacement hard surfaced area(s) shall either be made of porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.

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.

Note: Further guidance in this regard is contained in the Department for Communities and Local Government publication entitled "Guidance on the Permeable Surfacing of Front Gardens" (September 2008).

4. Windows in W Elevation to be Glazed with Obscure Glass & non opening

The proposed first floor window panes in the west facing rear elevation of the building as indicated on drawing number 23-103 PL02 rev. A shall be glazed with obscure glass to a level equivalent to Pilkington Level 3 or above (or the nearest equivalent standard) and fixed shut and shall be permanently retained as such.

Reason: To protect the amenity and privacy of adjoining properties and in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

5. Windows on N Elevation to be High Level Type

The proposed first floor windows on the north facing flank elevation serving the lounge and bedroom 2 to unit 6 as indicated on drawing number 23-103 PL02 rev. A shall be of high level type (minimum 1.75m internal sill height) and shall be permanently retained as such.

Reason: To prevent undue overlooking of the adjoining residential property and in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

6. Windows in Elevation to be Glazed with Obscure Glass

The proposed first floor window in the north facing flank elevation of the building serving the bathroom to unit 6 as indicated on drawing number 23-103 PL02 rev. A shall be glazed with obscure glass to a level equivalent to Pilkington Level 3 or above (or the nearest equivalent standard) and shall be permanently retained as such.

Reason: To prevent undue overlooking of the adjoining residential property and in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

7. Unallocated Parking

Prior to occupation of the development hereby permitted, the 7 car parking spaces shall be made available for only the residents of the new development and those persons visiting residents of the development and shall remain unallocated to any specific resident or residence for the lifetime of the development.

Reason: In the interests of highway safety and in accordance with Policies CS14 and CS16 of the Bournemouth Local Plan: Core Strategy (October 2012).

8. Access/Turning/ Parking/Visibility Splays

Prior to occupation of the development hereby permitted, the car parking area including vehicle access and pedestrian visibility splays shall be constructed and laid out in accordance with approved plans and thereafter be retained and and thereafter these areas shall at all times be retained, be available for use for the purposes specified and maintained in a manner such that the areas remain so available. The access and splays should be kept free from obstruction all times.

Reason: In the interests of highway safety and in accordance with Policies CS14 and CS16 of the Bournemouth Local Plan: Core Strategy (October 2012).

9. Cycle store to be erected prior to occupation

Before the occupation of any part of the development hereby approved, the cycle store as indicated on drawing number 23-103 PL01 rev. A shall be erected as shown on the approved plans and thereafter retained, maintained so as to be safe and secure and kept available for the 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).

10. Provision of Refuse Bin Store

The bin store hereby approved shall be provided in accordance with the approved details as indicated on drawing number 23-103 PL01 rev. A prior to the occupation of the proposed development and thereafter these areas shall at all times be retained, be available for use for the purposes specified and maintained in a manner such that the areas remain so available.

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

11. Provision of a Refuse Management Plan

The development hereby permitted shall not 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; measures to be taken if no private contractor is available at any time in the future (such as the employment of a person or persons to ensure bins are wheeled to the collection point); and that bins will not be stored in the open or at the collection point apart from on the day of collection. The approved refused management plan shall at all times be accorded with the approved details.

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, and to accord with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

12. Windows on North Elevation to be High Level Type

The proposed rear facing rooflights on the north elevation as indicated on drawing number 23-103 PL02 rev. A shall be of high level type (minimum 1.75m internal sill height) and shall be permanently retained as such unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent undue overlooking of the adjoining residential property and in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

13. Window in West Elevation to be Glazed with Obscure Glass & non opening

The proposed side facing 2nd floor window in the west elevation of the building as indicated on drawing number 23-103 PL02 rev. A shall be glazed with obscure glass to a level equivalent to Pilkington Level 3 or above (or the nearest equivalent standard) and fixed shut and shall be permanently retained as such unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenity and privacy of adjoining properties and in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

14. EV charging points

Notwithstanding any details contained in any document submitted in connection with the development hereby permitted, prior to the commencement of any part of the development hereby permitted details of the provision of 2no. EV charging points shall be submitted to and approved in writing by the local planning authority ("the approved Charging Points"). The approved Charging Points shall be installed prior to first occupation of any part of the development hereby permitted and thereafter shall at all times be retained, kept available for use by residents and visitors of the development hereby permitted and maintained in full working order.

Reasons: In the interests of promoting sustainable development including sustainable forms of transport in accordance with Policy CS17 of the Bournemouth Local Plan Core Strategy (October 2012).

Informatives

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 access/drive to ensure that no surface water or loose material drains/spills directly from the site onto the highway.

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

Statement required by National Planning Policy Framework (APPROVALS)

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

In this instance the applicant was provided with the opportunity to resolve identified planning issues within the application process including acceptable parking, access and turning arrangements on site, as well as waste collection arrangements. Revised plans were provided to address concerns raised by the Local Highway Authority and Waste Management Officer. The application scheme satisfied planning policy and other material considerations and was progressed to a recommendation of approval.

Background Documents:

Documents uploaded to that part of the Council's website that is publicly accessible and specifically relates to the application the subject of this report including all formal consultation response and representations submitted by the applicant in respect of the application.

Case Officer Report Completed

Officer: Piotr Kulik

Date: 04/01/2024

Agreed by:

Date:

Comment: