

Planning Committee

Application address	28 Alma Road Bournemouth BH9 1AN
Proposal	Change of use of flat (Class C3) to office use (Class E)
Application Number	7-2024-20152-B
Applicant	Seascape Homes & Property Ltd
Agent	Seascape Homes & Property Ltd
Ward and Ward Member(s)	Talbot & Branksome Woods Councillor Philip Broadhead Councillor Matthew Gillett Councillor Karen Rampton
Report Status	Public report
Meeting Date	29 August 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	This is a BCP Council application and BCP is the landowner
Case Officer	Eden Evans
Is the proposal EIA Development?	No

Description of Proposal

1. This application proposes the change of use of one residential unit (Class C3) to an office use (Class E). The office is proposed as ancillary to the other residential units at 28 Alma Road.

Description of Site and Surroundings

2. Alma Road is located to the east of Wimborne Road in the ward of Talbot & Branksome Woods. The road is characterised by a mix of residential and commercial uses as well as community facilities. The application site is an existing block of 8 one-bedroom flats laid-out over three floors. On the Alma Road frontage are entrances to Flats 2 and 3, whilst Flat 1 is accessed to the rear. Flats on upper floors are accessed through a separate door on the side elevation. There is an existing parking area to the rear of the block.

Relevant Planning History:

3. 7-2012-20152-A Erection of a 3 storey block of 8 flats including formation of vehicular access, parking spaces, bin and cycle stores. Granted November 2012.

Constraints

4. There are no relevant site constraints.

Public Sector Equalities Duty

5. 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 duties

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

Consultations

7. Environmental Health – no response
Waste & Recycling – advised separate waste collection for office unit would be required
Local Highway Authority – no objection raised following the receipt of further information

Representations

8. Site notices were posted in the vicinity of the site on 20/05/2024 with an expiry date for public consultation of 10/05/2024. No representations have been received.

Key Issue(s)

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

- Principle of development
- Impact on character and appearance of the area
- Impact on residential amenity
- Impact on highways
- Waste & recycling

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

Policy context

11. Local documents:

Core Strategy (2012)
CS16: Parking Standards
CS18: Encouraging cycling and walking
CS41: Quality Design

District Wide Local Plan (Saved Policies, 2002)
6.3 Retention of residential accommodation

Supplementary Planning Documents:
BCP Parking Standards (2021)
BCP Waste Standards

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

Including in particular the following:

Paragraph 2:

“Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise...”

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.”

Planning Assessment

Principle of development

13. Policy 6.3 of the District Wide Local Plan (2002) seeks to retain existing residential accommodation and sets out a list of four criteria for when the loss of residential accommodation may be acceptable. It is not considered that any of these four criteria are relevant to this application. The application is accordingly contrary to this policy.

Policy 6.3 states:

‘Existing residential accommodation will be retained unless any of the following circumstances apply:

- (i) The environment is unsatisfactory for the continuance of residential use*
- (ii) A change of use will provide the most effective means of preserving buildings of architectural or historic interest;*
- (iii) The site is essential to complete a comprehensive scheme of redevelopment; or,*

(iv) There is an existing lawful commercial use at ground floor level and it is considered acceptable for this use to be extended further a ground floor level

14. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The applicant must therefore provide clear and convincing justification for the loss of the residential unit.
15. Flat 6 on the first floor is proposed to be converted to office space. The proposed office space would be allocated for use by care providers for administration and focussed support, including waking night support to the other residential units within the building. The Supporting Statement explains that:

'This site has been acquired by BCP Council as part of the Council Newbuild Housing and Acquisition Strategy (2021 – 2026) to meet the demand for specialist housing requirements. In this particular case, the service provider requires on-site office space in order to fulfil their contracted support obligations to the client group'

16. It is stated that the loss of the flat is required to provide long-term support to residents with specialist housing requirements on a 24-hour basis. The bedroom and bathroom are proposed for retention due to the requirement for waking night support. The other flats will remain self contained units which are independently occupied, but with on site support provided if required. The office will allow staff to have oversight of tenants and support them in their independent living through assistance for example with administrative tasks such as setting up and maintaining utility bills.
17. It is considered that there are clear public benefits to the proposal, in terms of supporting BCP Housing Strategy and providing the appropriate care to residents. These public benefits are strong material considerations in this case and will be weighed against the policy conflict in the planning balance.

Impact on character and appearance of the area

18. The proposal does not involve any material change to the built form of No. 28 Alma Road and it is not considered that the change of use of Flat 6 would have any material impact on the character and appearance of the area. Accordingly, the proposal is compliant with Policy CS41 of the Core Strategy (2012) in terms of respecting the character and appearance of the area.

Impact on residential amenity

19. The proposal does not involve any changes to the built form of No. 28 and it is not considered that the proposed change of one residential unit to one office unit would impact on neighbouring residential amenity in terms of increased noise, disturbance or other impact. Accordingly, the proposal is considered compliant with Policy CS41 of the Core Strategy (2012) on respecting neighbouring amenity.
20. The office use is intended to be ancillary to the use of the flats in the building and is not intended for use as a separate self contained commercial unit. A condition has been added to ensure that this remains the case, as it would otherwise present an inappropriate mix of uses in this location on the first floor.

Impact on highways

21. The site is located in Zone B of BCP's Parking Zones 'District Centres'. As per the Parking Standards SPD 'Table 16: Offices and Businesses', car parking is required on a 1 space per 100m² ratio. As per the Parking Standards SPD 'Table 16: Offices and Businesses', cycle parking is required on 1 space per 100m² ratio for staff and 0.2 spaces per 100m² ratio for public/visitors.
22. The Local Highway Authority requested further information on parking and cycle parking provision. Plans were subsequently received showing one car parking space for the proposed office. The LHA considers this acceptable as the office is only 56m². The proposal therefore meets the 1 space per 100m² requirement of the Parking Standards SPD. In this respect the proposal complies with Policy CS16 of the Core Strategy (2012)
23. No plans for cycle parking have been submitted therefore the proposal does not comply with Policy CS18 of the Core Strategy (2012) and this aspect of the Parking Standards SPD. However on balance, the lack of cycle parking is considered acceptable by the Local Highway Authority due to the size of the proposed office and this is not considered materially harmful.
24. Overall the LHA raises no objection to the proposal and the proposal is considered to have an acceptable impact on highways.

Waste & Recycling

25. The Waste Collection Authority has raised no objection to the proposal, however holds that waste from the office needs to form a separate waste stream which should be stored in a separate location to the residential bin store, for instance outside and adjacent to it, and should be labelled to indicate the separate purpose. The applicant can set up a private waste collection or use BCP commercial waste collection services.

Planning Balance / Conclusion

26. The loss of residential accommodation is contrary to Policy 6.3 and is considered harmful to the housing stock of the area. Nevertheless, given that only one unit would be lost, this harm is considered to be modest. No other material harm has been identified in relation to the proposal. There is a clear public benefit from the proposal in terms of Council housing strategy and in providing the appropriate care to residents. Significant weight has been accorded to these benefits. It is overall considered in this case, that the public benefit outweighs the harm of losing one residential unit and the application is recommended for approval.

Recommendation

27. GRANT subject to 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 elevation; dwg no. 05 Rev. A
Existing floor plan; dwg no. 02 Rev. A
Proposed floor plan; dwg no. 03 Rev. A
Existing elevation dwg no. 04 Rev. A
Location plan & block plan; dwg no. 01 Rev. C
Parking plan; as submitted on 09/08/2024

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

2. Use ancillary to residential units

The office unit hereby permitted shall be used for purposes ancillary to the use of the residential properties at No. 28 Alma Road only, as outlined in the supporting planning statement, and shall at no time be let out as a separate commercial use.

Reason: In the interest of residential amenity and to enable the Local Planning Authority to retain proper control over the development and in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (2012).

Background Documents:

Case file: 7-2024-20152-B

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 related consultation responses, representations and documents submitted by the applicant in respect of the application.

Notes.

This excludes all documents which are considered to contain exempt information for the purposes of Schedule 12A Local Government Act 1972.

Reference to published works is not included