

Planning Committee

Application Address	Boscombe Conservative Club, Haviland Road, Bournemouth, BH1 4JW
Proposal	Outline application for demolition of the existing building and the erection of a 5 storey mixed-used building with 2 commercial units at ground floor, and 33 residential units with associated bin and cycle stores involving associated infrastructure with some matters reserved
Application Number	7-2024-8016-E
Applicant	LJB Estates Ltd
Agent	Mr James Blake
Ward and Ward Member(s)	Boscombe West Cllr G Martin Cllr P Canavan
Report status	Public
Meeting date	31 st July 2025
Summary of Recommendation	Grant in accordance with the legal agreement and conditions set out at the end of the report, for the reasons set out in the report.
Reason for Referral to Planning Committee	<p>11 Objections received, below threshold of 20 required for Committee determination as per scheme of delegation in constitution.</p> <p>However, Councillor P Canavan called case to Committee because:</p> <p>1 – Contrary to the Boscombe & Pokesdown Neighbourhood Plan and represents over development of the area and loss of commercial space.</p> <p>2 - The mix of proposed properties does not comply with the need for more family homes.</p>
Case Officer	Adam Davies
Is the proposal EIA Development?	No

Description of Proposal

1. This application seeks outline planning permission for the redevelopment of the site, to comprise demolition of the existing building; and subsequent erection of a 5 storey structure. The new building will host mixed-uses, comprised of flexible commercial units (Use Class E) at ground floor level and residential accommodation (Use Class C3) on the floors above.
2. Access, Layout, Scale and Appearance are all proposed; including details of refuse storage, cycle storage and other associated infrastructure. Whilst plans show indicative areas for 'Landscaping', the matter itself is a Reserved Matter for future determination.
3. At ground floor level, two commercial units are provided, alongside a one-bedroom unit of accommodation and secure and covered bicycle storage space for 60 bicycles. At first, second, third and fourth floor levels, the accommodation comprises eight residential units per floor. In total, 33 units of residential accommodation are proposed., which is a reduction of 10 units from the original submission.
4. The two flexible commercial units (Use Class E) at ground floor level are provided with kitchen and bathroom facilities. Unit 1 measures 129.2sqm and occupies the prominent corner location between Haviland Rd West and Ashley Rd, predominantly facing onto the existing Boscombe Bus Station. Unit 2 measures 104.7sqm and faces on Ashley Rd and its mix of commercial units opposite and residential accommodation above.
5. The 33 residential units proposed would deliver floor spaces ranging from 41.5sqm to 64.9sqm in area, complying with the national described minimum space requirements. There are 20 one-bedroom units and 13 two-bedroom units proposed across the five storeys.
6. The design and layout of the site geared around pedestrian and bicycle access, the scheme being car-free in this central sustainable location. The residential element of the development is principally accessed on foot from Ashley Rd. A secondary access is provided to the rear of the building, providing access directly into the bicycle storage area only, via a side passageway and from Haviland Rd West.
7. Commercial Unit 1 is accessed on foot from the corner of Ashley Road and Haviland Road West, whilst Commercial Unit 2 is also accessed on foot from Ashley Road.
8. For the flats, a secure bicycle storage area is provided, with capacity for 60 bicycles. No Electric Vehicle Charging Points (EVCP) are proposed as there are no vehicle parking spaces.
9. There are three areas within the development to manage refuse and recycling. Both flexible commercial units are provided with dedicated 1280 litre refuse and recycling bins, set behind roller doors. The residential units would be serviced by two underground recycling bins and two underground refuse bins, all 5cu.litres in size. The refuse area is located at the back edge (western side) of the proposed development, with servicing and collection proposed from Haviland Rd West.
10. A small area for landscaping to the rear is shown on the plans but full details of this aspect are reserved at this stage.
11. The proposal includes a viability report detailing that either the provision of an off-site contribution or delivery of on-site affordable housing would prove unviable. This has been assessed by the District Valuation Service. Conclusions are presented at the report end.

Description of Site and Surroundings

12. The application relates to the two-storey building that wraps around the block formed by Ashley Rd, Haviland Rd and Haviland Rd West to the eastern end of Boscombe High St. The application property was built in 1904 and has an unremarkable exterior, comprising of two-storeys, with a tiled pitched roof. The lower floor comprises exposed brickwork, with a rendered finish at first floor. The building is a part of the older development in this area and although altered, retains features reflective of its period such as arched windows with keystones. It was, for a considerable historic period in use as the local Conservative Club, this use having ceased in December 2021. The applicant states that the building has remained vacant since, despite attempts to market the site. No interest is reported to have been received from potential occupants on either a freehold or leasehold basis.
13. The main entrance is on the corner of Haviland Road West and Ashley Road and the building lies within an area of mixed uses, dominated by retailing. To the north west sits the Bus Station and the ramped service entrance to the multi storey Sovereign Shopping Centre. To the immediate south, the site abuts nos.1 and 3 Ashely Road, a pair of 2-storey commercial premises with flat accommodation over. Adjacent to those and served from the rear Haviland Road West are the rear elevation and service yards of shops and flats addressed nos.630-654 Christchurch Road, fronting the nearby high street.
14. The site is within the Boscombe District Centre as designated by the Core Strategy. It does not have any shopping frontage designation, but the building is in a prominent gateway position within the district centre. To the north of the site is Strategic Allocations Site SA12 comprising Boscombe Bus Station and close by is site SA6 covering the Sovereign Centre and car park. (see Map 5: Boscombe & Pokesdown Neighbourhood Proposals Map as well as Policies themselves). The site falls within Phase 2 regeneration area of the Boscombe town centre masterplan area (BTCMA).
15. The site extends to approximately 0.07 hectares (0.174 acres) and is of an irregular rectangular shape. There is no existing vegetation on the site. The site is not subject to any specific heritage, ecological designations. The site is within Flood Zone 1, according to the Environment Agency's Flood Map for Planning and is at very low risk from surface water flooding. There are no Public Rights of Way (PRoWs) within the site.

Relevant Planning History

16. The site has planning history. Only the following application(s) are considered relevant:

Application Site

- a) **7-2014-8016-D** Alterations to elevation including bricking up of four windows – Approved July 2014
- b) **PRE-8016** Demolition of building and erection of 48 flats over seven floors – Response 2023 - Principle for demolition and replacement supported by LPA, subject to criteria to address policies relevant to housing mix, amenity, parking, neighbourhood plan, scale and design etc.

Constraints

17. There are no site specific planning constraints.

Public Sector Equalities Duty

18. 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

19. For the purposes of section 40 Natural Environment and Rural Communities Act 2006, in assessing this application, consideration has been given as to any appropriate action to further the general biodiversity objective.
20. For the purposes of this application, in accordance with section 2 Self-build and Custom Housebuilding Act 2015, regard has been had to the register that the Council maintains of individuals and associations of individuals who are seeking to acquire serviced plots in the Council's area for their own self-build and custom housebuilding.
21. For the purposes of this application, in accordance with section 17 Crime and Disorder Act 1998, due regard has been had to, including the need to do all that can reasonably be done to prevent, (a) crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment); (b) the misuse of drugs, alcohol and other substances in its area; and (c) re-offending in its area.
22. For the purposes 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 Habitats Regulations) in so far as they may be affected by the determination.

Consultations

23. The following parties were consulted on the proposals and amended proposals. Expanded details of their responses are included within the assessment part of the report. Summaries based on the amended plans:
 - **Highway Officer:** No objections subject to conditions
 - **Regulation :** No objections, subject to conditions;
 - **Ecology Officer:** No objections, subject to conditions
 - **Waste & Recycling:** No objections (following amendments)
 - **Dorset & Wilts Fire & Rescue:** No objection, subject to regulations (following amendments)
 - **Lead Local Flood Authority (LLFA):** No objection, subject to conditions (following amendments)
 - **Crime Prevention officer:** No objections, comments received
 - **Urban Design –** No objections (following amendments)
 - **Heritage –** No objections (following amendments)

Representations

24. 3 site notices were erected outside the site on 06.02.2024 with a consultation expiry date of 27.02.2024. A press notice was published 26.01.2024. A second round of site notices were erected following amendments outside the site on 28.01.25 with a consultation expiry date of 18.02.2025.

Response to proposal

25. 11 Responses were received - 8 objections, 2 in support and 1 comment of the development. All but one of the objections were to the initial set of plans, which have since been amended.

26. Summary of the objections:

- *Overdevelopment , 7 storeys too high and a visual blight on the area;*
- *Loss of existing building which is in keeping with local architecture*
- *No affordable housing proposed*
- *Lots of tiny homes less than 600sqft*
- *Community does not need this sort of development or these types of homes*
- *Houses on Gladstone Road West enjoy morning sunlight from behind site, which will be blocked by development*
- *Ancient right to light signs protects houses on Gladstone Rd West;*
- *Existing buildings already shade houses on Haviland Road, but proposal will tower over the buildings that already cause the shade, making matters worse;*
- *Building is far too high and too modern, looks like shoeboxes stacked;*
- *No need for 43 single occupancy flats, area is full of HMOs already, need family flats;*
- *Density is too high and contrary to Neighbourhood Plan which seeks to prevent more flats being built*
- *Height should be limited to 4 storeys and reuse the existing attractive façade.*
- *Will make profit for millionaires, with skyscraper making area look like Bournemouth Town centre;*
- *No need for more commercial units as there are many vacant ones on the High Street;*
- *Better examples of more low-key redevelopment exist locally;*
- *Total lack of parking in area already with existing residents on Haviland Rd unable to park near their houses;*
- *Local infrastructure such as NHS, water and roads has no capacity to accommodate this development.*
- *Bin storage considered inadequate*

27. Summary of the support

- *Huge decline in car ownership in younger, working generation who rely much more on public transport and cycling than previous generations;*
- *Adjacent to bus station and cycle parking provision, so well connected and will help vitalise shops and local services;*
- *More commercial units on the ground floor is great news for the area;*
- *43 flats at a time when there is an acute housing shortage should be welcomed;*
- *Density of flatted accommodation right for a town centre and should be approved;*
- *Existing Building is a dilapidated eyesore, this will revitalise the area visually;*
- *Tall buildings sit adjacent in the form of the massive Sovereign Centre and Boscombe Library on Hawkwood Road; and*
- *Construction jobs would flow from this project;*

Key Issue(s)

28. The key issues involved with this proposal are:

Principle of the Proposal

Impact on Housing Supply

Impact of Outline Proposals for Access, Layout, Scale & Appearance

Impact on character, heritage and appearance of the area

Policy Context

29. Boscombe & Pokesdown Neighbourhood Plan 2019

- BAP1: Scale and Density of Development
- BAP2: Good Design
- BAP3: Shopfronts
- BAP4: Open Spaces
- BAP5: Safe Routes
- BAP6: Number and Type of new homes
- BAP7: Quality of new homes

30. Core Strategy (2012)

- CS1: NPPF – Presumption in Favour of Sustainable Development
- CS2: Sustainable Homes and Premises
- CS3: Sustainable Energy and Heat
- CS4: Surface Water Flooding
- CS5: Promoting a Healthy Community
- CS6: Delivering Sustainable Communities
- CS9: Enhancing District Centres
- CS12: Retaining Community Facilities
- CS16: Parking Standards
- CS17: Encouraging Greener Vehicle Technologies
- CS18: Increasing Opportunities for Cycling and Walking
- CS19: Protecting Small Family Dwellinghouses
- CS20: Encouraging Small Family Dwellinghouses
- CS21: Housing Distribution Across Bournemouth
- CS31: Recreation, Play and Sports
- CS33: Heathland
- CS39: Designated Heritage Assets
- CS41: Design Quality

More detailed information regarding the policies is available on our website.

31. District Wide Local Plan (2002)

- 4.25: Landscaping
- 6.10: Flatted Development

31. Supplementary Planning Documents

- Dorset Heathlands Planning Framework SPD 2020
- Residential Development: A Design Guide – PGN (2008)
- Sustainable Urban Drainage Systems (SUDS) - PGN
- BCP Parking Standards – SPD (2021)

National Planning Policy Framework (2024)

32. The guidance contained in the National Planning Policy Framework (NPPF) is a material consideration. Paragraph 11 sets out the presumption in favour of a sustainable development. Development plan proposals that accord with the development plan should be approved without delay. Where the development plan is absent or relevant policies are out-of-date then permission should be granted unless any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF or specific policies in the NPPF indicate development should be restricted.

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

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

Planning Assessment

Principle of the proposed development

Loss of Existing Building

34. Policy BAP2 of the Boscombe & Pokesdown Area Neighbourhood Plan (B&P NP) Adopted 2019, seeks to secure good design in new development. The policy also states that proposals that retain, preserve and enhance Locally Listed Buildings identified on the proposals map will be supported. The proposal is not identified as a locally listed building and would therefore not conflict with the aims of Policy BAP2. Other elements of BAP2 are not relevant to the principle of development and are assessed other sections of this report.

Loss of the Existing Use:

35. The proposal would of course result in the demolition of the building previously home to the local Conservative Party's Social Club. Paragraph 4.1.28 within the Core Strategy states that:-

“Community facilities include, for example, sports centres, public houses, allotments, cultural facilities, schools, health facilities, youth centres, community halls and places of worship.”

As a Conservative Party Social club is a private members club, this proposal would not fall under Policy CS12 that seeks to resist the loss of community facilities to ensure that a suitable provision of premises remains spread across the Bournemouth area.

36. Paragraph 7.3 of the applicant's Planning Statement states:

“...whilst the proposal will result in the permanent 'loss' of a redundant building used for community purposes, the loss has already occurred and no requirement for its replacement has been identified, given there are numerous other community uses within the local vicinity.” No factual evidence has been submitted to demonstrate the building has undergone at least 12 months of marketing; nor summaries of interest expressed, by whom; nor any reasons for why those persons or groups did not take up tenancies of the premises; and nor has there been evidence that the building was used for “community purposes”.

37. At pre-application stage, the Council's response was explicit that information sufficient to evidence these criteria should support any future planning submission. In paragraph 7.4 of their statement, the applicant sets out that the *“proposed redevelopment of the site will provide a greater benefit to the area from the provision of homes and commercial premises, which will work to draw more people into the district centre and thereby contribute to the district centre's vitality and viability. As a result, the proposal complies with Core Strategy Policy CS12.”* It is necessary to point out that no part of policy CS12 states that housing or other uses will be considered to assist in making a place vital or viable and the proposal has failed to satisfy the evidential requirements of Policy CS12,

meaning that the Council cannot make a balanced decision on whether the loss of the facilities is acceptable or not.

38. The supporting paragraph (4.12.28) within the Core Strategy for the policy states: *“In addition to local shops, community facilities exist that have an important role within their local communities, which contribute to the self sufficiency of places. The loss of existing local community facilities will be resisted to ensure that a suitable provision remains spread across the Borough, particularly in areas where provision is limited and access to alternative facilities is difficult.”* The paragraph concludes by giving examples of what community facilities include: *“for example, sports centres, public houses, allotments, cultural facilities, schools, health facilities, youth centres, community halls and places of worship.”*
39. The applicant goes on to hinge their subsequent argument in support of the loss of the existing facilities on the fact that the Council has an undersupply of housing and housing land supply, arguing that the policies are out of date and the ‘tilted balance’ within the NPPF therefore applies. Housing need is discussed in the next section of the report against the appropriate and relevant policies of CS21, and BAP6 of the NP.
40. The proposal remains deficient in respect of its resolution of and assessment against Policy CS12, and so with the applicant arguing that the tilted balance applies the policy conflict regarding the principle of losing the existing use will be revisited in the planning balance at the end of this report.

Core Strategy Policy CS9 Enhancing District Centres

41. The site is within the Boscombe District Centre as designated by the Core Strategy. It does not have any shopping frontage designation, but the building is in a prominent gateway position within the district centre. To the north of the site is Strategic Allocations Site SA12 comprising Boscombe Bus Station and close by is site SA6 covering the Sovereign Centre and car park. As the site is in such a prominent position within the Boscombe District Centre, Policy CS9 Enhancing District Centres is relevant. The first bullet point, which states that development should maintain or improve upon the function, vitality and viability of the centre in relation to its retail, cultural and community facilities, is not met as there is a loss of a community facility rather than a maintenance or improvement. It is however questioned whether a community use should be re-provided as class E encompasses very broad uses and may potentially result in units that do not bring the same level of public or economic benefit. Correctly purposed the ground floor of the scheme could add to the vitality of the district centre. The combination of residential use above active ground floor units is positive, bringing more commercial floorspaces and socio-economic opportunity to the town centre.

Boscombe & Pokesdown Neighbourhood Plan 2019

42. Analysis in paras 9.24 and 9.25 of the Boscombe & Pokesdown Neighbourhood Plan refers to the need for flexible and affordable space for businesses within the neighbourhood plan area. The site falls within Analysis Area 6 of the Boscombe & Pokesdown Neighbourhood Plan and the text on pages 24 and 25 provide useful context for issues identified by the Neighbourhood Forum. The aims are to promote viable commercial uses with vitality and the encourage an evening and night time economy within the centre.

Boscombe town centre masterplan area (BTCMA) area Phase 2:

43. The site falls within the Boscombe town centre masterplan area (BTCMA) area which aims to regenerate Boscombe under Phase 2. However, with the closing down of the

council's urban regeneration company FuturePlaces in 2024, it is not clear if or when this may be progressed.

Summary of Principle

44. Whilst the building would not fall under Policy CS12 as a community facility, the loss of the building is considered acceptable subject to its replacement with new commercial ground floor space and accommodation over. The principle of the proposal is positive and supported by general regeneration policy aims within the Core Strategy and Neighbourhood Plan.

Impact on Housing Supply

Housing Need

45. At the heart of the NPPF is the presumption in favour of sustainable development, reiterated in Bournemouth Core Strategy Policy CS1. NPPF paragraph 11 applies this presumption to decision making where the local plan classed as out of date. Footnote 8 of paragraph 11 classifies a local plan as out of date if the local planning authority is (i) unable to demonstrate a five-year supply of deliverable housing sites or
- (ii) where the Housing Delivery Test (HDT) result is less than 75% of the housing requirement over the previous three years.
46. At 1 April 2024 BCP Council had a housing land supply of **2.1 years** against a 5-year housing requirement that includes a 20% buffer. The Council currently does not have a five year housing land supply and as such para 11 d) of the NPPF is engaged. As the Plan is technically considered to be out of date, the principle of presumption in favour of sustainable development is applied. For the Authority to refuse the application, any harm must significantly and demonstrably outweigh the benefits of addressing the shortfall in housing delivery.
47. Therefore, it is considered the principle of a new dwellings in this location is sound.

Housing Distribution across Bournemouth

48. Turning to the residential element of the proposal, the criteria for residential development is set out in Policy CS21. Core Strategy Policy CS21 seeks to ensure a balanced distribution of residential development across Bournemouth and ensure that the best use is made of appropriate sites if and when they become available for redevelopment. The site sits in the sustainably located Urban area of Bournemouth within the District Centre of Boscombe and within 400m of a district centre and on a key transport route as shown in Diagram 3 of the Core Strategy. The site is suitable for flatted residential development and Core Strategy Policy CS21 is relevant.
49. For obvious space and density reasons, the principle of a flatted development in the town centre is generally supported, subject to the usual provisos of a satisfactory balance of policy compliance, amenity considerations, commercial considerations and quality design assessed elsewhere in this report.

Family Accommodation in Town Centre / Dwelling Mix

50. Core Strategy Policy CS21 includes an expectation that development will reflect the housing size demands of the Borough as identified in the Strategic Housing Market Assessment (SHMA). Evidence from the BCP and Dorset Local Housing Needs Assessment 2021 indicates that there is a greater need for 2 and 3 bed market housing in BCP than 1 bed (5% 1 bed, 35% 2 bed, 40% 3 bed and 20% 4 bed). The housing mix within the development is heavily weighted towards 1-bedroom flats so would not contribute towards the overall housing need mix. Policy CS21, bullet point (i) refers to

the SHMA which seeks to provide homes with at least 2no. bedrooms, rather than developments with just 1 bed units and criterion (iii) which seeks to secure positive improvements to the function of the area such as housing mix. The development is centrally located on a busy junction, adjacent to the commercial services of the district centre where intensification in both commercial activity and residential dwellings are both supported. A balance needs to be struck with making an efficient use of land, commercial viability of the centre and meeting the requirements of the SHMA.

51. Related to this and a more recent part of the local Development Plan, Criterion B of Policy BAP6 of the Boscombe & Pokesdown Neighbourhood Plan (2019) requires redevelopment of sites to include 50% 3+bed, 40% 2 bed and 10% 1 bed dwellings. This is bolstered by Aim 2 of the Neighbourhood Plan (NP) which seeks to provide better homes and affordable homes for existing residents by rebalancing the housing stock with a presumption in favour of family dwellings with at least 2 bedrooms throughout the area - subject to site opportunities and constraints. Policy BAP6 states that applications which include a different house size mix must be supported by up-to-date housing need evidence and/or an assessment which demonstrates that compliance with the requirements of Criterion B are not viable.

52. Whilst the principle of more efficient use of land is supported in this location, the applicant is proposing 12no. 2-bed units and 21no 1 bed units. This equates to a 64% (1 bed) 36% (2 bed) split, clearly contrary by a significant quantum to both policy CS21 and BAP6. In response to this double conflict with these policies, the applicant has provided some evidence to justify their proposal.

53. The main point the applicant makes (in their statement paragraph 7.11) is that the BAP6 percentage split of 50% 3-bedroom units, 40% 2-bedroom units and 10% 1-bedroom units:

“have been derived from census data as a percentage of the Borough-wide figures and then applied to BCP’s objectively assessed need (OAN) from the Eastern Dorset Strategic Housing Market Assessment (SHMA) (2015), providing an OAN for Boscombe West. The data was subsequently broken down, using data from the SHMA for different sized homes and then applied to the same ratios for the Neighbourhood Plan area. As such, the housing mix has not been informed by a local assessment of Boscombe’s specific housing needs.” From this summary, the applicant concludes that *“NP Policy BAP6 must allow for flexibility in applying the unit mix to schemes for development.”*

54. The applicant goes on to say in their paragraph 7.12 that: *“Given the size of the site, however, it is not considered practical to provide three-bedroom units.”* Paragraph 7.13 goes on to state: *“In general, development and infrastructure costs are increased for three-bedroom family homes and resultant residential land values are typically lower for larger units than smaller units. As a result, and given the site area, in order to make the development viable, there are a higher number of one-bedroom one person units than set out in Neighbourhood Plan Policy BAP6.”*

55. The applicant sets out that the proposed mix of units has been informed by the Dorset and BCP Housing Needs Assessment [HNA] (Nov.2021), *“which provides a more up-to-date assessment of the area’s housing needs than the adopted Neighbourhood Plan.”* This Borough-wide assessment provides a detailed analysis of housing need, linked with long-term demographic change. In Chapter 9 (Family Households and the Appropriate Mix of Housing), the assessment identifies a recommended mix across the entire Borough, with the broad focus of the size of homes required for different tenure groups. The suggested mix in the HNA is broken down by tenure and in essence, requires a

higher percentage figure of 1-bedroom units than the 10% figure in Neighbourhood Plan Policy BAP6 and a lower percentage figure of 3-bedroom family units (see HNA Table 1.2, below):

56. Table 1.2 Dorset and BCP Housing Needs Assessment

BCP	1-bedroom	2-bedrooms	3-bedrooms	4+-bedrooms
Market	5%	35%	40%	20%
Affordable Home Ownership	25%	40%	25%	10%
Affordable Housing (rented)	35%	35%	25%	5%

57. It is acknowledged that the proposed development has a higher number of one-bedroom units than required by NP Policy BAP6 and the 2021 HNA figures call for; but, the number of two-bedroom units is largely in keeping with the adopted policy and the Assessment figures. The 2021 HNA figures do not automatically supersede the adopted Neighbourhood Plan policy requirements, but it is a fact that they are based on more up-to-date information which has been robustly tested. In addition, paragraph 9.39 identifies support for minor adjustment of mixes, based on a case-by-case basis with particular regard for 9.39 (d) 'site location' and 9.39 (b) 'role and function' of an area.

58. As HNA paragraph 9.32 notes, the site location and character of an area are relevant considerations in determining housing mix. In this case, the application site occupies an important 'gateway' location into the heart of the district centre, close to services, facilities and options for sustainable travel. The location will therefore be attractive to single people or couples with no dependents or children, who are seeking access to the housing market in a sustainable location that does not require the additional expense of car ownership. The applicant contends that *"one-bedroom units in this location will not only offer attractive forms of accommodation to potential future occupiers, but wholly appropriate forms of accommodation too"*.

59. As further proof of their proposed mix, the applicant sets out in paragraph 7.18 of their statement: *"As further justification for the proposed mix of units, as of September 2023, data from the BCP Housing Register reveals that for the Boscombe West Ward, where the site is located, there were some 442 applicants on the register, with 230 (52%) of these applicants requesting one-bedroom units and a further 107 (24%) requesting two-bedroom units."*

60. Alongside this justification, there is also a parallel consideration on the appropriateness of insisting on 50% of the units being 'family accommodation'. This is because there is an established historic disconnect between the location of family housing and town centres, as the maturing or family demographic has historically tended to move away from commercial centres to more suburban locations. It is true that the issue is linked to greenbelt policy, and heathland, but in more recent years, online shopping trends and changes to permitted development rules diluting down the retail functions of former commercial centres. In some cases, large scale conversions to residential flats have occurred with little planning control. New residential uses are being forced into these formerly commercial places, not always in appropriate locations, and nearly always without proper planning mitigations or the ability to secure the necessary financial contributions to provide or enhance the supporting infrastructure such as parks, schools, gardens, outlook, daylight, cycle parking public transport, public realm.

61. To insist on providing family sized units on this site would conflict with the NP policy aim for Area 6 which simultaneously seeks to *'create more night time activity' along the High*

Street'. The units that serve the High Street back on the rear of the site, with further retail units facing the frontage of the site – meaning that future ability to deliver on that policy aim will be stymied by the requirement that 50% of units within this development are family sized. At pre-app stage, the applicant was asked to give careful consideration to the location and position of any family accommodation proposed within the development, relative to the surrounding commercial premises that have early morning / late night, deliveries / loading or rowdy customers such as pubs, clubs and take-aways, as well as those involving cooking smells and noises from always-on ventilation equipment at their rear. It is obvious that some family units will be needed, particularly if the town centre is to become a thriving vibrant place with businesses catering to a mixed demographic, but it is acknowledged that there are uses surrounding the site associated with odour, noise, amplified music and alcohol that operate late into the night, that would discourage young families from taking up residence in a commercial centre that already has limited infrastructure such as parks, schools or playgrounds.

62. In summary, the proposed development will help to deliver a mixed and balanced community as set out in the NPPF (2024) and the aims of Core Strategy Policy CS21 criteria (i) and (iii). However, the application does remain in conflict with the aims of Neighbourhood Plan Policy BAP6. Notwithstanding the main policy aims BAP6, the justification provided to explain why a different housing size mix is proposed is based on the more recent Housing Needs Assessment data and evidenced by the latest Housing Register data. In light of the Council's inability to demonstrate a five-year housing land supply position and the Neighbourhood Plan's age (2019, with no review), Neighbourhood Plan Policy BAP6 is thus afforded reduced weight and the 'tilted balance' is engaged. The harm arising from this policy conflict is therefore to be weighed in the overall planning balance.
63. With reference to policy CS21 point (vi), the new dwellings would benefit the local community by making better use of the large plot to deliver 33 new homes in an accessible and sustainable location, in the existing district centre served by public transport and within 100m of local shops and services, all of which would boost the local economy.

Outline – Layout

64. The position of the front building line and depth into the site of the rear building line would have sufficient regard for the existing local pattern of development where buildings are positioned at the back edge of the public footway with five storeys of height above. The proposal will match the existing frontage building line and despite a legacy desire to widen the depth of footpath here, to do so would offer no benefit along the length of the highway as the rest of the frontage to the Ashley Road/Christchurch Rd junction comprises individual plots that sit on the back edge of the pavement too.
65. Internal layout of the building, including the inter-floor relationships between stacked residential units and the commercial units and flats above would be generally acceptable.
66. The position and arrangement of the units places habitable room windows on each elevation and it will be the job of a robust set of conditions to secure appropriate mitigation to ensure that noise and odours from existing commercial operations surrounding the site do not impinge on future residents.
67. In summary there are no significant concerns raised and the proposed layout shown on plans and detailed in the opening paragraphs of this report are considered appropriate

at this outline stage. In the event that an approval is given, conditions will require this layout be implemented and adhered to.

Outline – Scale (Scale, Form, Height and Density)

68. There is some crossover of this section with the ‘Appearance’ aspect that follows. Whilst that deals with the general heritage dimension, this section deals with urban design, street scene, scale and grain of the proposal, assessed against Core Strategy Policy CS41.

Scale & Form & Height

69. The proposed building is five storeys in height with a flat roof and no variation of heights. The height of adjacent buildings in Ashley Road is typically 2-3 storeys. The urban grain of local streets is such that long range views of the site are limited from the south, east and west. From the North, the peeling back of the roadway to host the bus station means that the rear and side of the site are exposed. There are longer term plans for the redevelopment of the Sovereign Centre and bus station, so this should not weigh too heavily. Any future redevelopment of those sites will need to respond to the surrounding urban grain that exists at that time, including whatever form this site has been developed to. The development sits within a commercial centre, not protected by conservation area designation or any planning policy derived height restriction. The increases in height contained within a building of the proposed scale and form would lead to a building of greater scale than its neighbours. However, it is considered that the site occupies an effective gateway location and the proposed building would generally relate well to adjacent buildings and streetscape and the height that this corner site can comfortably accommodate.
70. In the format proposed the scale, form, height, layout and appearance proposed are considered acceptable in this location on balance and would satisfy the character and density aims of Policies CS21 and CS41 (Core Strategy) and saved policy 6.10 by securing a permutation of the best possible redevelopment of the site, whilst sufficiently respecting the character of the surrounding area. The potential for the site to host a development of the scale and form proposed is also assessed against its impact on neighbouring amenity, privacy, outlook and sunlight / daylight / shadowing in the next part of this report. The conclusions to that section are that there would not be significant enough negative impacts upon such amenities to warrant a refusal on their own.

Density

71. Core Strategy Policy CS21 is clear that where the site falls within the defined Area B (within 400m of a district centre) there are no explicit restrictions on density (unlike policy CS22 relative to areas outside Areas A,B & C. There is no policy requirement for either density or scale to match the locality, relying instead on broader criteria expressed in bullet points 2,3, and 4 of Policy CS21 as addressed earlier in this section. However, Policy BAP1 of the 2019 Neighbourhood Plan, limits density to 100 dwellings per hectare (dph) in this location. The proposal seeks to deliver 33 flats on a site of 0.07ha. Because of the high number of 1-bed flats proposed this equates to a dph of approximately 471, far in excess of the BAP1 policy maximum, but compliant with the sustainable development aims of Core Strategy CS21 and the NPPF. Nevertheless, a policy conflict with NP.BAP1 is recorded.
72. Paragraph 124 of the 2024 NPPF sets out that *Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of*

previously-developed or 'brownfield' land. This development is considered to do exactly this in a satisfactory manner.

Outline – Appearance (Streetscene, Character and Heritage)

Streetscene and Character Impacts

73. The character and grain of the street, in this central commercial location is defined and set by the considerable height and bulk of the Sovereign Centre and the attached bus station and multi storey car park/service ramps to the immediate north of the site. The buildings directly opposite the proposal scheme on Ashley Road are of 3 storeys in height and have shop frontages on the ground floor and are characterised by red brick with white windows. The introduction of the building style and appearance proposed here would not stand out as unduly prominent and would settle into the varied pattern of development along this stretch of road.
74. The framed components and recesses in the frontage to Ashley Road has the effect of reducing the perceived height of this part of the development. The horizontal emphasis across the frontage would also help diminish the height by inferring width and reducing the perceived vertical height other than on the corner where it is meant to be interpreted as taller and more of a gateway marker as passers by enter the commercial centre of the town.
75. The impacts of the rear parts of the building that are visible from the less travelled parts of the public realm (namely the car park ramps and pavements to the rear), including proposed windows and balconies on neighbour amenity are addressed in the 'Neighbouring Amenity' section of this report.
76. The lower levels of the building would have a strong design reference to more traditional commercial premises, with high quality traditional style shop fronts proposed, which would be positive and in keeping with the requirements of Policy BAP3. There are some links to the design of these on the upper floors with pilaster column type design details. The top three floors of the building become a little more contemporary, helping infer to the casual onlooker that the lower portions are older and the upper portions a newer extension, while still retaining a cohesive design language. It is considered that there is sufficient identity and visual interest in the street frontage resulting from the projections, window alignment, and framing proposed. The indicative material palette and colour choices would add further interest and identity to the building exterior and could be sufficiently controlled at the condition discharge stage.
77. The building finish is proposed as a light red brick, reconstituted stone centre sections within the top three floors, and cream painted timber within the ground and first floor. The use of brick and stone (albeit reconstituted) relates well to the character of the surrounding area and Boscombe town centre. The pilasters create a vertical rhythm and creates a positive interest and depth to the façade

Heritage Considerations

78. Core Strategy Policy CS6 requires good design principles for new buildings, regard for how spaces are treated, and enhancement of features that contribute to an area's character and local distinctiveness. Policy CS21 requires good design and for proposals to enhance the quality of the street scene. Policy CS41 is similar and relates to securing good design.
79. Core Strategy Policy CS39 and paragraphs 208, 212-215 of the NPPF deal with impact on Designated Heritage Assets (DHA) such as Conservation Areas and statutorily listed buildings. Policy CS40 seeks to identify, safeguard and enhance Local Heritage Assets.
80. As expressed during the principle assessment of the 'loss of the existing building', the extant club does not comprise a local heritage asset and there is no conflict with Policy CS40. The

site does not fall within the boundary of or sit anywhere near a Conservation Area (CA). The nearest Conservation Areas are Churchill Gardens CA (550m from closest part of site to the centre of the CA green); Boscombe Spa CA (336m from closest part of site to closest edge of CA on Cecil Rd); and Boscombe Manor CA (520m from the closest part of the site to the closest part of the open tennis courts within the CA. Aside from the long distance skyline view from the centre of the park at Churchill Gardens these surrounding Conservation Areas do not enjoy long open views across the area. The distance from the site and height of houses around the edge means that the view from central green in Churchill Gardens will not take in the proposal on the skyline.

81. The site sits some 100m (as the crow flies) from the nearest statutorily listed building, the Grade II 'Former Boscombe British and Foreign School' on Gladstone Road and has no direct visual intervisibility between it and the site. It is worth noting that the journey into Boscombe from Churchill Gardens CA, travels along Palmerston Road, which features the Grade II Listed 6/7 storey high former Water Tower, now in NHS administrative use. The tower sits some 385m from the application site but would not appear in the same view from ground level due to obstructions from suburban development. The proposal is unlikely to be visible from the listed tower as there are no windows in the southern (side) elevation.
82. The nearest Locally listed building comprises the Art Deco 'Bournemouth Gas and Water Company' building at 709 Christchurch Road, 190m to the south-east. A proposed group of locally listed buildings ('New Park' Shopping Terrace, 630-654 Christchurch Rd) is situated approximately 30 metres to the south of the site. It is not considered that there would be any impact on these non designated heritage assets, with the main appreciation of these buildings being from the frontage on Christchurch Road itself.
83. Having assessed the proposal, it is clear that no physical harms would be made to the fabric of the identified statutorily listed buildings nor any of the three Conservation Areas that sit some distance away from the site. There would be no material harm to the locally listed buildings either. Therefore, Planning Officers are satisfied the proposal would have no discernible impact on the setting of either listed buildings or designated Conservation Area assets identified.
84. With regard for local policies CS39, CS40, BAP2, and the relevant paragraphs of the NPPF there would be no heritage harm resulting from this proposal.

Overall impact on the character and appearance of the area

85. Overall, it is considered that the proposed development is of an acceptable scale, layout and design. From a policy perspective the principle of the proposed development would meet the aims of Policy CS21.
86. Some of the previous policies from the 2002 District Wide Local Plan were saved after the adoption of the Core Strategy in 2012. Policy 6.10 was one of the saved policies. In this case, Policy 6.10 supplements Policy CS21 as it specifically refers to flats, rather than just 'urban intensification'. The criteria of assessment are largely similar and an assessment against Saved policy 6.10 raises no additional issues not assessed elsewhere in this report.

Residential Amenity – Neighbouring Residents

Facing flats on opposite side of Ashley Road (to east)

87. With reference to the interface, with the orientation and a separation distance of over 12 metres across the street, it is considered that there would be no unacceptable shadowing, outlook or daylighting impacts resulting from the proposal.

88. Subject to conditions requiring the use of obscure glazing to western and eastern elevations, the proposal would therefore respect the amenities of neighbouring residents within the neighbouring building as required by policies CS21, CS41 and 6.10.

Facing flats to rear of Christchurch Road (South)

89. The current building is adjoined to No3 Ashley Road. Following demolition, this proposal introduces a gap / alleyway between No3 and the new proposal. The existing layout does not exceed the floor height of the neighbouring building. The new proposal would see a three storey increase. The southern side of the proposal would face the rear of the upper floor flats off Christchurch Road. There are habitable rooms facing these upper floor flats, however the distance is approx. 21.5m plus and would therefore respect the amenities of neighbouring residents within the neighbouring buildings as required by policies CS21, CS41 and 6.10.

Other neighbouring dwellings

90. Horizon nursery and preschool rear garden is over 25m (to the west) from the closest proposed windows on the western elevation. The rear garden topography sits lower than Haviland Road West. It currently has an internal 6m boundary fence within its red line, some vegetation beyond this and a second 6m fence (adjacent to Haviland Road West which sits higher) meaning at least 10m coverage of privacy.
91. Although there would be an introduction of some overlooking due the increased in height of the building, it is not considered that any significant adverse impact would occur.

Noise

92. The Environmental Health (Noise) Officer consider noise from demolition and construction works have the potential to be intrusive or disruptive to nearby businesses/ residents. To offset this a condition requiring the submission and approval of and subsequent adherence to a Construction Environment Management Plan (CEMP) is needed, along with a condition limiting the hours of construction.
93. The site is located in a busy central location, adjacent to other flats on a busy road, rather than a quiet residential side street. Thus, the impact of additional comings and goings would not be so alien as to be unreasonable to any particular neighbouring properties. Neither the proposed units would prejudice existing neighbouring amenity so much as to warrant refusal of the scheme.

Summary of Neighbouring Amenity

94. Construction will bring disruption, but conditions could regulate hours of construction, and the construction process. Overall, it is considered that the combination of the building height, interface distances, window positions and set-ins from adjacent plots would result in development that does not oppress, harm privacy or be overbearing to those neighbouring units, having an acceptable level of impact on privacy, outlook, daylight, sunlight and accords with policies CS21, CS41 and 6.10.

Infrastructure & Services

95. Neighbours have commented that infrastructure and services will be placed under increased pressure as a result of additional residents moving into the area, with the objectors considering the NHS facilities and utility networks 'to be already overwhelmed'. However, there is no adopted local policy or mechanism to require this through the planning system. The funding and delivery of such aspects of infrastructure are currently paid for by other taxation and budgetary means, unless specifically set out in local policies or to be accrued via the Community Infrastructure Levy.

Impact on Commercial Uses surrounding the site

96. With reference to earlier paragraphs discussing the viability of the town centre, the risks to the commercial viability, posed by locating residential accommodation adjacent to, over or nearby existing entertainment venues with amplified music or those licenced/permitted to sell hot food or alcohol are significant and need careful consideration before permission is given. The NPPF expressed planning principle of the 'agent of change' applies here, in that the developer of the flats should ensure adequate mitigation is implemented in their scheme so as not to harm the viability of established businesses and the vitality of the local area.
97. This requires identification of the likely issues but typically flats should be designed to have no opening windows facing nightclub premises, take-aways, restaurants, pubs and even general commercial premises that involve odours, machinery or out of hours noise such as loading and unloading of goods. Double or triple glazing may be required in some elevations, with sound and vibration proof walls, flooring and ceiling arrangements. Mechanical ventilation may be required to avoid the need to open windows, itself presenting noise impacts on adjacent plots from machinery required to run the ventilation. The position of doorways and entrances should factor in safe night time access for residents - particularly if adjacent premises are in use at antisocial hours, or for uses where unsupervised doorways get used as urinals, homeless person shelter, littering, or other antisocial activities. If these issues are not resolved at the design stage then they will come back as complaints during the lifetime of the development and cost the Council and other partner agencies time, resources and money to resolve. The ultimate risk is that existing businesses risk having their established operational model and revenue share diminished by complaints that cause them to curtail operations, hours and harm their viability through no fault of their own.
98. The Environmental Health officer has requested an acoustic survey regarding any plant machinery that is relative to the commercial spaces on the ground floor.

Residential Amenity – Future Residents

Location

99. The site sits within walking distance of local shops and services so that it would be well situated for foot journeys to those commercial places. Buses serve nearby roads, making the site a very sustainable urban location for future residents.

Dwelling Mix

100. Policy CS21 of the Core strategy seeks that new development reflects the housing size demands of the Borough as identified in the SHMA. The scheme would deliver 13no. 2-bedroom units and 20no. 1-bedroom units. The previous proposal had 3no. of the 2-bedroom flats having 4 bedspaces, however, following amendments, all 2 bedroom flats of 3no bed spaces. In this central location, which is not ideal for family accommodation (as previously discussed), the quantum and configuration of family sized units is therefore considered acceptable, satisfying points (i) and (iii) of policy CS21. The provision of both single and two bedroom units offers a dwelling mix which would assist in diversifying the housing stock to meet local needs and help reduce the need for private vehicular trips and pollution, whilst also boosting the local economy.

Internal Space

101. All 33 apartments satisfy or exceed the minimum floorspace standards as set of by the Governments Technical Housing Standards 2015. The standards have been adopted within the Boscombe and Pokesdown Neighbourhood Plan and are therefore important to achieve.

102. Table 2 – Flat sizes

Flat No.	Bedrooms	Bed Spaces	Needs	Provides		Flat No.	Bedrooms	Bed Spaces	Needs	Provides
1~	1	1	39	42.4		23*	1	1	39	48.3
2*	2	3	61	63.6		24*	1	1	39	41.6
3	2	3	61	64.9		25*	1	1	39	42.2
4	1	1	39	41.8		26*	2	3	61	63.6
5*	1	1	39	41.5		27	2	3	61	64.9
6*	2	3	61	63.2		28	1	1	39	41.8
7*	1	1	39	48.3		29*	1	1	39	41.5
8*	1	1	39	41.6		30*	2	3	61	63.2
9*	1	1	39	42.2		31*	2	3	61	48.3
10*	2	3	61	63.6		32*	1	1	39	41.6
11	2	3	61	64.9		33*	1	1	39	42.2
12	1	1	39	41.8						
13*	1	1	39	41.5						
14*	2	3	61	63.2						
15*	1	1	39	48.3						
16*	1	1	39	41.6						
17*	1	1	39	42.2						
18*	2	3	61	63.6						
19	2	3	61	64.9						
20	1	1	39	41.8						
21*	1	1	39	41.5						
22*	2	3	61	63.2						

*/~ small balcony / GF Terrace;

103. Of the 33 units, 24 of the flats have Juliette balconies.

104. Room uses / flat layouts are stacked well between floors. Primary outlook from units would be to the street frontage via the setbacks from the frontage allowing the rear flats forward views from the side wings. Similarly, the internal stacking arrangements (room uses) for the flats would be well arranged over floors with limited scope for transference of noise between units and reducing the likelihood of potential complaints and poor living standards within. Internal circulation space is good with each flat accessible off central lobbies with lift /staircase access and separate secure ground and lower ground floor cycle parking, ground level bin storage and conveniently located and naturally surveyed entrance doors. The combination of these attributes would make for a sensible living arrangement within the scheme, an attribute welcomed by the LPA.

Amenity Space

105. Policy BAP7 is relevant. As well as referring to the compliance with national space standards, the policy also requires the provision of adequate private amenity space designed to a high standard. There needs to be outdoor amenity space that is of sufficient size to be of practical use for the occupiers of the flats. This could only take the form of balconies and outdoor amenity space area and privacy between units should be considered when laying out and assigning these areas. Of the 33 apartments, 24 have Juliette balconies, to give an improvement to internal spaces albeit not providing external amenity space. A small landscaped area is located to the west of the building, albeit not of a size that will be realistically useable as amenity space for occupants. A rooftop garden has been removed from the proposal to allow PV solar panels to be placed on the rooftop. Privacy screening can be secured by condition as can the obscuring of the high level bathroom window that faces onto it.

106. In conclusion on internal and external space, it is considered that the proposals would provide satisfactory positive living conditions and amenity for future residents, meeting the anticipated habitability needs of future residents and beneficial to their wellbeing and general amenity. The external amenity space provision is weak, but it is considered that there are

limited opportunities within this town centre location and constrained site. The proposals would therefore comply with policies CS21, CS41 and 6.10.

Outlook/Privacy

107. Primary outlook from units would be to the street frontage. As discussed earlier in this report privacy and overlooking conflicts have been designed out of the scheme either with lower pane obscure glazing or Juliette balconies. Subject to these conditions, there would be no privacy concerns relative to future residents of the proposed dwellings and this aspect would satisfy the aims of Policy CS41.

Noise

108. The proposed development is located within a busy area with various notable noise sources likely to adversely impact future occupants of the proposed properties without careful consideration of the design, layout and orientation of habitable rooms. The northern elevation overlooks a busy bus station which is in operation between 05.30hrs and 00.50hrs every day. The eastern elevation faces directly onto an arterial road and therefore noise from road traffic is likely to be noticeable in any habitable rooms on this side of the building without sufficient insulation. On the western elevation there is a service area providing car parking and access to the rear of various commercial premises, it is reasonably foreseeable that there will be frequent deliveries, collections to these premises. Noise from externally mounted plant associated with these premises may also be apparent.
109. Environmental Health (Noise) have expressed concerns that noise from the adjacent road could prove to be intrusive or disruptive to future residents within the block if sufficient acoustic insulation is not installed to adequately protect them. However, it is considered that a pre-commencement noise survey, secured by condition together with any required mitigation for example to include upgraded glazing specifications would be able to overcome this concern. Subject to this condition being satisfactorily discharged, the scheme would satisfy the component parts of Policy CS41.

Refuse/Recycling

110. Underground bin stores would be provided off Haviland Road West at ground floor level, at the rear of the building. Collection-wise, following amended swept path analysis, a refuse lorry is able to collect the waste off Haviland Road West. Whilst bin store size and number of bins have both been increased, there also remains an undersupply of bin storage against recommended standards. The refuse and recycling bins are accessed from the outside via Haviland Road West north west and the path link to the south of the proposal. All three areas have roller door access. The Waste Team raise no objection to the proposed capacity subject to conditions requiring the submission, approval and implementation of a private waste management plan to govern collection frequency. Subject to the condition, this aspect would satisfy the aims of Policy CS41.

Fire safety

111. Following the reduction in height to 14 m (5 storeys), a fire statement is no longer required. the development would need to be designed and built to meet current Building Regulations requirements.

Affordable Housing

112. Policy AH1 of the Affordable Housing DPD seeks to secure the delivery of affordable housing from general market housing schemes. This applies to major developments of 10 or more units, so the policy applies to this application. Policy BAP6 refers to the provision of affordable housing in addition to the 123-183 market dwellings per year.

113. The applicant submitted an Economic Viability Appraisal (EVA) which concluded that the proposed development is unable to support any affordable housing provisions or any additional s106 contributions. Significant factors contributing to the sites overall viability issues include high construction costs and interest charges.
114. Following a review by the DVS of the submitted EVA, the DVS has concluded that a planning policy compliant scheme is not viable.

Highway Safety, Capacity & Flow

115. Core Strategy Policy CS6 seeks to deliver sustainable communities. Policy CS16 sets out parking standards, as amended by the recently approved BCP Parking Standards SPD (Jan 2021). Policy CS17 encourages greener vehicle technologies and Policy CS18 advocates support for development that increases opportunities for cycling and walking. In Jan 2021 the LPA adopted the BCP Parking Standards SPD (Parking SPD) which reflect paragraph 111 of the NPPF. It is against this guidance that the proposal has been assessed. Revisions to the Highway Code in 2022 re-ordered the hierarchy of highway user priority, placing more vulnerable users at the top and motorised users at the bottom. The assessment made below follows this approach.
116. The Highways team initially objected due to a lack of parking for operational servicing, waste collection, and concerns over the siting of the cycle parking below ground. These objections were overcome in full through amendments to plans.

Pedestrian Access

117. The main pedestrian access will be taken from Ashley Road, connecting to a lobby and the stairway/ramp to the lower ground cycle store. A secondary path to the west will serve the ground floor cycle store, which connects internally to the main lobby. The pedestrian route crosses the delivery bay/turning area where service vehicles will attend the site, making use of the existing dropped kerb and wall opening. The ground would be level and the pedestrian route can be demarcated through surface material treatment, secured by condition.

Cycle Access & Parking

118. The cycle store is located on the ground floor with an access via internal lobby (as mentioned above) and externally via Haviland Road West and an alleyway via Ashley Road to the East.

Vehicular Deliveries (Access)

119. Delivery vehicles are expected to utilise Haviland Road West to the rear of the building.

Servicing (Waste)

120. Four underground bins for residential waste are located to the west of the proposal and shall be collected via Haviland Road West. There are also wheelie bin waste disposal areas located for the commercial units on the ground floor – two are located to the north west via Haviland Road West and a further two and 5 x food waste bin store to the south east, and can be collected via Ashley Road.

Car Parking

121. In this location, the Parking Standards SPD permits car free development owing to its sustainable location within a local centre. The absence of parking complies with the Adopted SPD and Core Strategy policies CS6 and CS16.

Construction Phase

122. Highways Officers have not raised any issues and the matter can be adequately addressed through the application of a condition requiring a Construction Environment Management to include:
- Description of management responsibilities
 - Description of the construction programme
 - Site working hours and a named person for residents to contact
 - Detailed site logistic arrangements
 - Details for parking, deliveries and storage
 - Details on dust and noise (see next section) mitigation
 - Details of the hours of works and other measures to mitigate the impact of demolition and construction work on the amenity of the area and safety of the highway network
 - Communication procedures with the Council and local community regarding key construction issues
123. Typical permitted hours of construction are 08.00 to 18.00hrs Monday to Friday and 08.00 to 13.00 Saturdays with no working on Sundays and Bank or Public Holidays. However, this is a town centre and the LPA consider the merits of longer weekend hours where appropriate may assist in expediting construction to shorten the overall project window.

Highways Conclusion

124. The Local Highway Authority (LHA) has considered the amended proposal and raise no highways objections subject to imposition of conditions to address/secure the matters raised. The highway and vehicular impacts of the proposal would be acceptable, having regard for paragraph 111 of the NPPF. Subject to the conditions to address points and secure delivery of facilities, the proposed access and egress arrangements for vehicles, cycles and pedestrians, and general servicing would satisfy the highway user safety and the sustainable development aims of Core Strategy Policies CS6, CS16, CS17, CS18 and the BCP Parking Standards SPD.
125. In summary there are no significant concerns raised, and in relation to access arrangements shown on plans and detailed in the opening paragraphs of this report are considered appropriate at this outline stage. In the event that an approval is given, conditions can secure the delivery of all necessary aspects.

Landscaping and Trees

126. There are no trees present on this site that need to be considered. There will be some limited scope for new external soft landscaping, which will be a modest betterment to the existing site which has no landscaping.
127. Thus, the balanced conclusion is that the proposal has the capacity to accord with design and street scene elements of Policy 4.25 of the Bournemouth District Wide Local Plan and Policy CS41 of the Core Strategy.

Land Contamination

128. Environmental Health returned comments that according to the Council Environmental Health Legacy records, the property sits near the bus station where there were historically disused fuel tanks. These may have been removed during previous redevelopment however BCP has no further information and holds no records in relation to previous contaminative uses here. Therefore, the standard contaminated land condition is not necessary. EHO officer do recommend the imposition of a watching brief conditions in the event any future planning permission is granted.

129. The premises may contain asbestos, but under the Control of Asbestos at Work Regulations 2006, the owner of the property has a duty to appoint a suitably qualified person / company to carry out an asbestos survey and respond to the findings accordingly. Matters such as asbestos within the existing buildings are regulated by separate legislation to land contamination and are not controllable by planning condition.
130. Subject to the application of a watching brief informative, the scheme is capable of satisfying related planning policies and NPPF requirements.

Flood Risk and Drainage

131. The site is located within current day Flood Zone 1 and has a very low risk (less than 0.1% annual probability) of flooding from rivers. The land is previously developed with a drainage system connected to the sewer network. The inland Flood Risk Management (iFRM) team have responded as the relevant Lead Local Flood Authority (LLFA) as follows:

As a reminder of the context regarding flood risk: the site falls within Environment Agency Flood Zone 1 (low risk from rivers and sea), and relevant mapping shows no theoretical risk of flooding from other sources. However, there is some local sensitivity in terms of theoretical surface water risk adjoining the site on Ashley Road and on nearby roads to the north and south therefore it is particularly important that surface water drainage is appropriately managed on the site.

Our previous response dated 21/05/25 was a holding objection in view of our concerns regarding drainage of the external area in an exceedance event. The updated drainage strategy discharging into the surface water sewer at 1 l/s now includes permeable paving (with Inbitex Geotextile linings, or similar approved - although this is shown incorrectly as "unlined" on the legend). We can now therefore support the application subject to conditions.

132. It should be noted that at detailed design /Reserved Matters (landscaping) stage BCP will require demonstration that any proposed planting will not impact the drainage infrastructure through route penetration.
133. Subject to the application of the pre-commencement condition the proposals would satisfy policy CS4 of the Core Strategy.

Climate Change Mitigation

134. BCP and the Government have declared a climate emergency. Policy CS2 seeks to secure the use of green technology in new developments, and applies to schemes of more than 10. As 33 dwellings are proposed, plans shown a number of flat roof areas at the top of the development capable of hosting photovoltaic solar panels and / or porous green roofs to assist with the staged control of water run-off. The applicant has agreed to the application of a condition to secure details of PV panels and their installation prior to first occupation, subject to permitted development criteria. Such infrastructure is already a common sight locally
135. Similarly, the car free nature of the scheme is a significant benefit. Policy compliant cycle parking is provided, in a convenient and safe position, with easy access for residents. Whilst these elements would ensure the proposal complies with Policy CS2 aspirations, a condition would need to ensure the elements are delivered.

136. No sustainability details are given in respect of any construction materials. 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. No outdoor clothes drying space is set out and the LPA strongly advise that tenancy agreements should not preclude this functionality on terraces or balconies where provided. This would assist in helping the units not rely solely on tumble dryers and radiators for clothes drying, reducing the reliance on those utilities and lowering the carbon footprint of occupancy.
137. The loss of the extant building is noted. The applicant opted to engage in pre-application enquiries and it was agreed that the opportunity to deliver a similar quantum of housing units as proposed here would likely be stymied by the retention of the dated low-density structure (having no heritage merit). This would place pressure on less sustainably located sites outside the central area and is not favoured.

Ecology & Biodiversity

138. Government Circular 06/2005 states that *“it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before planning permission is granted.”* Without knowledge of whether or not protected species are present, the LPA would not be able to comply with NPPF 2024. In respect of Protected European Species, the LPA also has a statutory duty under the Habitat Regulations 2017.
139. A survey report has been submitted by the applicant to address this issue. No protected species were found on the site. A number of enhancements are proposed including bat tubes, swift bricks, bee tubes and suitable tree and vegetation planting to support bat foraging and other wildlife. The Ecology Officer comments that the Biodiversity recommendations as given in section ‘5, Ecological mitigation & biodiversity enhancement strategy’ and ‘Appendix 6’ of Ecological Assessment Report for the site are satisfactory. A condition to secure the implementation on site the scheme would be needed.
140. Subject to these conditions the proposal has the capacity to satisfy the aims of local policies CS30 and CS41 and to comply with the NPPF net gains for biodiversity. Furthermore, the conditions would fulfil the relevant Council duties under the Habitats Regulations. The application was received prior to the introduction of the Statutory Biodiversity Net Gain requirement.

Impact on protected sites

141. 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.
142. The Dorset Heathlands Planning Framework SPD 2020 sets out an approach to the mitigation of the harmful effects of residential development in South East Dorset on Dorset’s lowland heaths. This requires that all new residential development between 400m – 5km from protected Heathlands shall be subject to a financial contribution towards heathland mitigation measures in the borough. The proposed development would result in the formation of 33no. dwellings (33@ £348 = £11,484). A capital contribution is therefore required and in this instance is £11,484 plus a 5% administration fee. A signed s106 legal agreement has been completed and sealed to provide this contribution.

143. Natural England have also advised that the Council must consider the impact of residential development on any development within the 13.8km zone of influence of the New Forest SPA, SAC and Ramsar site, which is the case for this development. The Council is advised that this mitigation will be completed through a S106 financial contribution.

Affordable Housing

144. Policy AH1 of the Affordable Housing DPD 2009 seeks to secure the delivery of affordable housing from general market housing schemes. This applies to major developments of 10 or more units so the policy applies to this application. Provision of an appropriate affordable housing contribution is a significant benefit to a scheme and carries significant weight where provided. Government guidance sets out a developer profit margin of 15-20% to be a reasonable expectation. The applicant states that they are unable to offer any onsite AH or offsite contribution as to do so would be unviable.
145. The application is supported by a Viability Assessment (VA) which has been assessed by the District Valuer Services (DVS). The DVS has undertaken an independent review of this and confirms that the proposal represents the only viable option. Whilst the proposal fails to provide the benefits associated with an affordable housing contribution it has provided sufficient information to establish its 'unviability' as presented in this application. The LPA has not historically applied a review mechanism proviso as a condition as there is no associated policy requirement to do so in the Bournemouth Area. Thus, the conclusions of the Viability Assessment are accepted without the need to apply a review proviso. Policy AH1 is therefore satisfied.

Community Infrastructure Levy

146. The site/development is liable for Community Infrastructure Levy contributions for any net increases in floor space.

Self-build and Custom Housebuilding Act 2015

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

Planning Balance/Conclusion

148. The planning balance set out in Paragraph 11 of the NPPF should always be considered whether there is conflict with a specific local policy or not.
149. The principle of the development complies with the aims of Core Strategy policies CS9, CS12, CS21 and NP Policy BAP2.

The harms

150. As identified in the report above there is an initial policy conflict with NP policy BAP6 with regards to housing mix, but sufficient evidence has been submitted to overcome concerns on balance.
151. The proposal also conflicts with Policy BAP1 in terms of the high density of the proposed development. However, again it has been justified in the report how this is a high density town centre location and the proposal would make an efficient use of the land in this corner/gateway site.

The benefits

152. Given the shortfall of number of homes delivered in the Bournemouth area, 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. The proposed scheme would contribute to the need for new housing, delivering 33 new homes. The development would make the best use of previously developed land and assist in delivering local housing targets in a sustainable manner and location, in a car-free format encouraging sustainable modes of travel for residents by discouraging car ownership in accordance with the aims of the Parking Standards SPD and the NPPF. The majority of the flats would have internal space that exceeds minimum space standards, supplemented by communal and private Juliette balconies or ground floor amenity space and communal cycle storage spaces, generally satisfying policies. Impacts on neighbouring amenity would not be harmful and can be satisfactorily regulated by way of conditions.
153. The physical parameters of the proposals would generally comply with the Policies CS21, CS39, and CS41 of the Core Strategy and 6.10 of the District Wide Local Plan which deal with character, heritage, appearance and amenity.
154. The development would also invoke short and long term economic benefits in the form of construction jobs and by way of 33 additional households able to contribute to the local economy. The development would make better use of the site and would also reduce the amount of hard surfacing on the site, assisting biodiversity and SUD infiltration.
155. Local residents have raised concerns that too many units are proposed and that the height, degree of activity, disturbance, overlooking and lack of car parking on site will substantially harm their amenity, diminishing their privacy, quality of life and adding to parking pressure. These concerns have been addressed in this report and the LPA concludes there is no likelihood of harm sufficient to justify a refusal on. Furthermore, the plans have been amended during the process which have addressed a lot of these concerns.
156. It remains that the aims of policy CS21 *require* proposed redevelopment of this sustainably located site to deliver an increased number of dwellings, so long as the scale, form and general appearance of the proposal do not harm the character of the locality. It is recognised that there are similar blocks of flats nearby. The proposal would deliver new housing within an attractive building and well laid out site.
157. Policy CS21 also requires that new development “respects residents’ amenities”. Despite neighbour objections, the scheme has been amended and conditioned to secure a design that has been assessed and does not result in loss of privacy, outlook or cause unacceptable shadowing or daylight impacts to any habitable room in neighbouring dwellings. Where impacts exist, interface distances exceed minimums and/or conditions such as obscure glazing or screens can adequately mitigate. Highways Officers do not consider there to be any highways safety issues resulting from the proposed development and access arrangements.
158. Sufficient mitigations have been proposed to address biodiversity impacts and adequately protect protected species using the site, and these can be adequately secured by condition, satisfying policies and Habitat Regulations.

Conclusion

159. It is acknowledged that the proposals are contrary to the BAP policies in relation to density and housing mix, but as stated the low level of harm is outweighed by the benefits and overall and on balance it is considered that the scheme would be acceptable. The proposal

would deliver 33 dwellings in a sustainable location, compliant in most areas with local policies. Chapter 5 of the NPPF sets out the National aims to help deliver a sufficient supply of homes. Paragraph 62 of the NPPF discusses the need for a mixture of dwelling sizes, types and tenures to meet the needs of different groups in the community. Paragraph 63 refers back to this as '*the objective of creating mixed and balanced communities*'. The proposal would diversify the mix of dwelling sizes, types and tenures and assist in delivering a mixed and balanced community.

160. So, factoring in the constraints of the site, neighbouring amenity and the need to balance Core Strategy and Neighbourhood Plan policy aims against each other and the main aims of the NPPF - the proposed unit mix and density represents an appropriate provision achievable on this site; in a building having an acceptable scale, height, mass, and interface relationship with adjacent and surrounding buildings and street scene; and no severe impact on highway capacity or flow. All other matters can be addressed by condition. The benefits of the proposals and would align with Chapter 11 of the NPPF
161. With regard for the 'tilted balance' set out in paragraph 11(d) of the NPPF and footnote no.7 and having considered the appropriate development plan policies and other material considerations and proposed conditions, it is considered that the tilted balance is triggered and there are insufficient grounds for refusing permission. This is because:
- a) the proposal would accord with the majority of Development Plan policy;
 - b) The scheme remains outside the designated conservation area and would appear in only limited street views that include the nearest listed building. As such there is no heritage harm, and that impact is outweighed by the socio-economic and environmental benefits of the scheme. There is thus sufficient justification for non-compliance with Policy CS39;
 - c) the conditions securing biodiversity mitigations would sufficiently overcome any reason for refusing the proposal under paragraph 11(d)(i) of the NPPF so that (d)(i) does not apply; and
 - d) that Paragraph 11(d)(ii) does apply here, but the tilted balance is such that, with regard for part (b) above, there are no harms that significantly or demonstrably outweigh the benefits of the scheme.
162. In conclusion, the proposals would deliver benefits comprising provision of new housing and the economic, social and environmental objectives of sustainable development. With regards to the NPPF the harms where identified do not significantly and demonstrably outweigh these benefits.
163. In accordance with s38(6) of the Planning And Compulsory Purchase Act 2004 (as amended), it is considered that the proposal would accord with the local development plan policies when they are read as a whole. The Development Plan Policies considered in reaching this decision are set out throughout this report. Regard has also been had to Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in respect of the impact on listed buildings and other heritage assets. Regard has been had to the NPPF test of the level of harm against the public benefits in this case.

Recommendation

Grant permission for the reasons set out in this report, subject to:

- (a) a deed pursuant to section 106 Town and Country Planning Act 1990 (as amended) securing the terms below:**

The completion of a Section 106 agreement to secure the required financial contributions of;

- i) £13,240.00 (+ 5% fee) towards Heathland Mitigation;
- ii) Contribution towards the mitigation of the adverse effects arising from the development on the New Forest SAC, New Forest SPA and New Forest Ramsar site.

and

- (b) the following conditions:**

1. Outline Permission

(a) No part of the development hereby permitted shall be commenced unless details of the landscaping (hereinafter called "the reserved matters") have first been submitted to and approved in writing by the local planning authority.

(b) Application for approval of the reserved matters shall be made to the local planning authority not later than the expiration of three years beginning with the date of this permission.

(c) The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

(d) The development shall only be carried out in accordance with the approved details.

Reason: To reflect the requirements of section 92 of the Town and Country Planning Act 1990 (as amended) and article 5 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and secure the timely written approval of the reserved matters.

2. Approved Plan Numbers

The development shall only be carried out in accordance with the following approved plans/details:

- 9717/200: Rev E Site - Block and Location Plan - Underground Bins
- 9717/201: Rev D – Floor Plans 1 of 3 (GF, FF)
- 9717/202: Rev C – Floor Plans 2 of 3 (2F, 3F)
- 9717/203: Rev D – Floor Plans 3 of 3 (4^F Roof Plan)
- 9717/205: Rev E – Elevations 1 of 2
- 9717/206: Rev E – Elevations 2 of 2
- 9717/207: Rev D – Street Scene

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

3. Surface Water Drainage (SuDS)

No development (including demolition) shall take place until detailed proposals for management of surface water (including provision of final and substantiated drainage designs), which strictly accord with the approved flood risk assessment and drainage strategy (SLR Consulting Ltd 03 June 2025 Rev 03 and drainage layout drawing 416.065397.00001/066191_PDL_01 Rev P04), has been submitted to and approved in writing by the local planning authority. The surface water scheme must be completed in accordance with the approved details and fully functional, prior to occupation of the development.

Reason: To prevent the increased risk of flooding and to protect available receiving systems.

4. Surface Water Management

Prior to occupation, maintenance and management of the Surface Water Management scheme required via condition (1) must be submitted to and approved in writing by the local planning authority. The scheme shall thereafter be managed and maintained in accordance with the approved details. These should include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

Reason: To ensure future maintenance of the surface water drainage system, and to prevent the increased risk of flooding.

5. Construction Management Plan

No development shall take place, including any demolition works, until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:

- A construction programme including phasing of works;
- 24 hour emergency contact number;
- Hours of operation;
- Expected number and type of vehicles accessing the site:
 - Deliveries, waste, cranes, equipment, plant, works, visitors;
 - Size of construction vehicles;
 - The use of a consolidation operation or scheme for the delivery of materials and goods;
 - Phasing of works;
- Means by which a reduction in the number of movements and parking on nearby streets can be achieved (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction):
 - Programming;
 - Waste management;
 - Construction methodology;
 - Shared deliveries;
 - Car sharing;
 - Travel planning;
 - Local workforce;
 - Parking facilities for staff and visitors;
 - On-site facilities;
 - A scheme to encourage the use of public transport and cycling;
- Routes for construction traffic, avoiding weight and size restrictions to reduce unsuitable

traffic on residential roads;

- Locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within or near the site;
- Locations for storage of plant/waste/construction materials;
- Arrangements for the turning of vehicles, to be within the site unless completely unavoidable;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Swept paths showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available;
- Any necessary temporary traffic management measures;
- Measures to protect vulnerable road users (cyclists and pedestrians);
- Arrangements for temporary facilities for any bus stops or routes;
- Method of preventing mud being carried onto the highway;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development

6. Cycle parking

Before the development is occupied or utilised the cycle parking facilities shown on the hereby approved plans must have been constructed. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper construction of the parking facilities and to encourage the use of sustainable transport modes.

7. Acoustic

Prior to development starting on site, details of a scheme for protecting the proposed dwellings and other noise sensitive uses from external traffic and noise associated with commercial operations shall be submitted to and approved in writing by the LPA. The scheme shall ensure that, upon completion of the development, good acoustic design will be used to achieve good acoustic standards and shall be in accordance with the recommendations set out in Section 1 and 22 of the Environmental Noise Impact report (Reference; IMP7616, dated; July 2024). Once approved in writing, all the noise mitigation measures shall be implemented and thereafter retained.

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

8. Noise

All plant (including air conditioning units, extraction systems and boilers) and attenuation shall be so sited, designed and operated in order to achieve a Rating Level (BS4142:2014) of 5dB below the background noise level determined at the nearest noise sensitive receptor, when the plant is intended to operate.

Reason: In order to protect the environmental amenities of the immediate locality and in accordance with Policies CS38 and CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

9. CMP

No development shall take place until a Construction and Demolition Management Plan has been submitted to and approved in writing by the Local Planning Authority, demonstrating the implementation of the best practicable means to reduce the impacts of noise, vibration and dust. The plan shall include details of the following relevant measures, but not limited to;

- i. A description of the demolition and construction programme
- ii. Site working hours and a named person for residents to contact
- iii. Detailed site logistics arrangements, including location and use of generators and temporary site accommodation
- iv. Details regarding parking, deliveries, and storage, including storage of waste and building materials
- v. Details regarding dust and noise mitigation
- vi. Details of the hours of works and other measures to mitigate the impact of demolition and construction works on the amenity of the area and safety of the highway network
- vii. Communication procedures with the LPA and local community regarding key construction issues ; and
- viii. Where piling is required this must be Continuous flight auger piling wherever practicable to minimise impacts

There shall be no burning undertaken on site at any time, Construction and demolition hours shall be limited to 08.00 to 18.00hrs Monday to Friday, 08.00 to 13.00hrs Saturday and no working on Sundays and Bank Holidays.

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development.

10. Biodiversity Enhancement Mitigation

Prior to occupation of any of the dwellings hereby permitted, all of the Biodiversity recommendations as given in section 5 and appendix E of 'Boscombe Conservative Club, Bournemouth Bat report' by Pro Vision to be secured by condition that they must be implemented in full. 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 ensure the development contributes to and enhances the natural and local environment by minimising impacts on and providing net gains for biodiversity in accordance with Policy CS30 of the Adopted Core Strategy (2012) and the aims of the National Planning Policy Framework (2023)

11. Construction Hours / Delivery & Dispatch of Materials

During the construction period(s) relative to this development hereby approved, no site machinery or plant shall be operated, no process shall be carried out and no demolition or construction related deliveries received or dispatched from the site except between the hours of:

08.00 and 18.00hrs Monday to Friday and 08.00 to 13.00hrs Saturday and at no time on Sundays, Bank or Public Holidays.

Planks or similar shall be left in foundation trenching overnight and at weekends to form ramped routes that permit the escape of hedgehogs and other animals during construction work.

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 and wildlife crossing the site in accordance with Policies CS41 and CS30 of the Bournemouth Local Plan: Core Strategy (October 2012).

12. Noise Survey(Future Resident Amenity)

Prior to the commencement of and work above damp proof course level, a noise survey for proposed residential properties that are adjacent to/facing Poole Road shall have been submitted to and approved, in writing, by the Local Planning Authority. The survey shall have been undertaken by a suitably qualified person, shall include periods for daytime as 0700-2300 hours and night-time as 2300-0700 hours, and identify appropriate noise mitigation measures. All residential units shall thereafter be designed so as not to exceed the noise criteria based on current figures by the World Health Authority Community Noise Guideline Values/BS8233 "good" conditions given below:

- Dwellings indoors in daytime: 35 dB LAeq,16 hours
- Outdoor living area in daytime: 55 dB LAeq,16 hours
- Inside bedrooms at night-time: 30 dB LAeq,8 hours (45 dB LMax)
- Outside bedrooms at night-time: 45 dB LAeq,8 hours (60 dB LMax)

Such detail and appropriate consequential noise mitigation measures as shall have been agreed, in writing, by the Local Planning Authority shall be implemented prior to occupation of any building on the site and shall be maintained as agreed thereafter.

Reason: To ensure that the development hereby permitted is not detrimental to the amenity of the future residents by reason of undue external noise where there is insufficient information within the submitted application.

13. (Reporting of Unexpected) Contamination

In the event that any contamination, which has not previously been reported to the local planning authority as part of the planning application to which this permission relates, is found during the implementation of the development hereby permitted then this shall be reported without any unreasonable delay (and in any event within [2] working days) to the local planning authority and furthermore no work on any part of the application site shall be carried out at any time after the contamination has been found save as provided for in this condition (or as otherwise agreed in writing by the local planning authority) unless a risk assessment has been carried out, submitted to and approved in writing by the local planning authority and either:

- (a) the local planning authority has confirmed in writing that work can recommence without any further action; or
- (b)
 - (i) a detailed remediation scheme(s) in relating to that identified contamination which include:
 - an appraisal of remediation options;
 - identification of the preferred option(s);
 - the proposed remediation objectives and remediation criteria;
 - a description and programme of the works to be undertaken; and

- a verification plan which sets out the measures that will be undertaken to confirm that the approved remediation scheme has achieved its objectives and remediation criteria;
has been submitted to and approved in writing by the local planning authority and thereafter fully implemented in accordance with the approved scheme(s); and
- (ii) a verification report(s) which identify the results of the verification plan and confirms whether all the contamination objectives and remediation criteria set out in the relevant approved remediation scheme(s) have been met has been submitted to and approved in writing by the local planning authority.

All schemes, reports and other documents required for the purposes of this condition shall include the qualifications and experience of the person(s) who produced them sufficient to demonstrate their competence.

Reason: To ensure that the development is carried out safely in the public interest and in accordance with best practice and with Policy 3.20 of the Bournemouth District Wide Local Plan (February 2002).

14. Climate Change Mitigation

No part of the development hereby permitted shall be commenced unless measures to secure that a minimum of 10% of the predicted future energy use of the development including any associated communal parts hereby permitted will be from on-site renewable sources have first been submitted to and approved in writing by the local planning authority. Such details shall include identification of responsibility and arrangements for the future maintenance of such measures.

No part of the development hereby permitted shall be occupied unless all the approved measures relating to the development have first been fully carried out as approved and thereafter such measures shall at all times be retained and maintained in accordance with the approved details.

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

15. Servicing & Waste Management Plan

No part of the development hereby permitted shall be constructed above damp proof course level unless a servicing and waste management plan ("Servicing and Waste Management Plan") has first been submitted to and approved in writing by the local planning authority. The Servicing and Waste Management Plan shall in particular include:

- (a) *details of a management company to be set up;*
- (b) *the employment of a private contractor to collect the refuse;*
- (c) *measures to be taken if no private contractor is available at any time in the future, to arrange the collection and disposal of bulky goods arising from vacating or new residents, by a licensed waste carrier so that unimpeded access is always available for residents.*
- (d) *details of how the building is to be serviced and the waste collected from the approved bin stores and moved to the collection day dwell space;*
- (e) *sufficient arrangements to prevent any bins or waste from being stored within the bin collection point other than on the collection day the bins are due to be collected, commencing 12 hours before collection is due and returned to basement bin store within 6 hours; and*

(f) details of collections times, ideally scheduled to occur during periods of local off-peak traffic only.

No part of the development shall be occupied or otherwise brought into use unless the approved bin storage system and all related equipment have been fully provided as approved and are operational and thereafter the approved Servicing and Waste Management Plan condition shall at all times be accorded with.

Any changes to the proposed arrangements that would result in reduced frequency of collections or alterations to the timing of the collections so that they occur within peak traffic times, will need to seek the discharge of this condition once more.

Reason: To ensure that the business meets its duty under Environmental Protection Act 1990 (section 34) to have suitable commercial waste agreement in place, guidance relating to capacity is based on Waste management in buildings — Code of practice BS 5906:2005, also the safe servicing and collection of refuse from the site so as not to impact the efficiency of the local highway network nor the safety of its users and in the interests of preserving visual amenities, meeting the needs of intended occupiers and highway safety and in accordance with Policy CS41 adopted October 2012

16. Delivery Bay and Turning Area:

Prior to the first occupation of any of the residential units hereby approved the area shown on the hereby approved plans for the turning of vehicles and temporary delivery unloading bay within the site shall be marked out and made available for these purposes. Thereafter, these areas must be maintained, kept free from obstruction and made available only for the purposes specified and maintained in a condition such as to be fully useable for the purposes identified. The spaces shall at no time be used as parking space other than for the purposes specified.

Reason: To ensure the proper and appropriate development of the site and to ensure that highway safety is not adversely impacted upon.

17. Obscure Glazing (ground floor windows) Flat 1

Prior to the first occupation of Flat no 1 on the ground floor (as marked on the approved floor plans), the portions of the windows below the middle transom bar shall to each room shall be fitted with obscure glazing to Pilkington Level 3 obscuration or above (or the nearest equivalent standard, where 0 is clear and 5 is opaque) and shall be permanently retained as such.

Reason: To protect the amenity and privacy of future residents from passing pedestrians in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

18. Obscure Glazing (western elevation) Flats 7, 8, 9, 15, 16, 17, 23,24,25, 31, 32, 33

Prior to the first occupation of units 7, 8, 9, 15, 16, 17, 23, 24, 25, 31, 32, 33 on the respective first, second, third and fourth floors (as marked on the approved floor plans), the western elevation windows in each dwelling, with the exception of the upper panes, shall Be fitted with obscure glazing to Pilkington Level 3 obscuration or above (or the nearest equivalent standard, where 0 is clear and 5 is opaque) and shall be permanently retained as such.

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

19. Obscure Glazing (eastern elevation) Flats 4,5,6, 12, 13,14, 20,21, 22, 28, 29, 30

Prior to the first occupation of units 4, 5, 6, 12, 13,14, 20,21, 22, 28, 29, 30 on the respective first, second, third and fourth floors (as marked on the approved floor plans), the eastern elevation windows in each dwelling with the exception of the upper panes, shall be fitted with obscure glazing to Pilkington Level 3 obscuration or above (or the nearest equivalent standard, where 0 is clear and 5 is opaque) and shall be permanently retained as such.

Reason: To protect the amenity and privacy of future residents from passing pedestrians in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

20. Materials

Details/samples of the bricks and tiles to be used on the external surfaces of the proposed development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any superstructure works on site. Development shall be carried out in accordance with the 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).

21. Plant equipment to be approved

No external fixed plant or mechanical equipment shall be installed unless an assessment has been submitted to and approved in writing by the Local Planning Authority showing that the rating level of any plant & equipment, for that part of this the development, taking into account any noise attenuation measures if necessary, will be at least 5 dB below the background level, as measured from an appropriate location for any sensitive receptor on any existing building or within the proposed development. This assessment shall be carried out by a suitably qualified acoustic consultant / engineer and be in accordance with BS4142: 2014 method of rating industrial noise affecting mixed residential and industrial areas. The development shall thereafter accord with these approved details.

Reason: To avoid unacceptable levels of noise and protect the amenities of existing and future occupiers in accordance with Policies CS21, CS38 and CS41 of the Bournemouth Local Plan: Core Strategy (October 2012) and Policies D4, U1 and U7 of Bournemouth's Town Centre Area Action Plan (2013).

22. Commercial use control

Notwithstanding any provisions in the Town and Country Planning (Use Classes) Order 1987 or the Town and Country Planning (General Permitted Development) (England) Order 2015 or any order revoking and re-enacting either order with or without modification:

All areas of floorspace marked on approved plans (ref) as Commercial Unit 1 and Commercial Unit 2 shall be used solely for purposes within Class E (a), (b), (c), (d), (e) or (g)(i) of the Town and Country Planning (Use Classes) Order 1987 and for no other purposes whatsoever without separate planning approval.

Reason: In the interests of local residential amenity, to ensure the public benefits of the development are brought forward and to provide suitable commercial floorspace on the site, in accordance with Policies CS5, CS6, CS7 and CS41 of the Bournemouth Local Plan: Core Strategy (2012).

Informative Notes

INFORMATIVE - Drainage

The applicant is advised that detailed drainage proposals and future maintenance may typically include:

1. Detailed drainage network layout
2. Manhole schedule
3. Construction details for drainage elements
4. Construction details for SUDS elements
5. Hydraulic modelling calculations
6. Exceedance flow routes (including proposed ground levels)
6. Drainage ownership/responsibility layout
7. Maintenance schedules
8. Maintenance agreements
9. Adoption agreements
10. Schedules for replacement of drainage components (where design life is less than the lifetime of the proposed development)
11. Operations and maintenance manuals

Informative Note: Parking Permit

This application has been assessed as a car free development, as per the Parking Standards SPD. Should a parking permit scheme come forward on the neighbouring roads, controlled by the Council, residents of this development may be excluded from being able to apply for a permit.

Informative Note: Highway Safety

Prior to construction commencing on site, the applicant/site developer is strongly advised to contact the Streetworks Team on 01202 128369 or streetworks@bcpcouncil.gov.uk to discuss how the highway network in the vicinity of the site is to be safely and lawfully managed during construction. This team is responsible for managing the highway network and must be consulted prior to you commencing any work that you are undertaking that may impact on the operation of the public highway. They will also be able to advise on any Permits, Licences, Temporary Traffic Regulation Orders (TTROs), traffic signal or ITS changes and signing requirements, together with co-ordination of your work in relation to the planned work of other parties on the public highway. Some procedures, require significant lead in times and therefore early engagement is essential. Therefore, to avoid any delay in starting work it is strongly recommended that you make contact at least 3 months before you plan to commence work. Failure to do so may result in delay in starting work. If any permanent changes are required to Traffic Regulation Orders (TROs), please note that these can take a minimum of 9 months to process and this period should be considered when planning your project.

Bats

Bats remain a European protected species. If bats are found during demolition, all work shall cease and if possible, part of structure that was removed and exposed bats, shall put back into place. Within the 24 hours that follow discovery, a bat ecologist shall be engaged to address situation and Natural England informed in writing.

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.

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.

Deliveries and Turning

The Highways Authority advise the operator of the building to erect low level notice(s) visible to delivery drivers entering the site reminding them to only enter and exit in forward gear, and that the delivery bay and turning area should not be blocked other than when in use.

Building Fabric (Asbestos)

The grant of planning permission does not remove the separate legal requirements for the safe removal and disposal of any asbestos within the existing buildings during demolition which are subject to separate Environmental Health legislation and related controls outside the planning system.

Climate Change Mitigation

Roof faces are capable of hosting PV solar panel arrays, connected to internal storage batteries serving the development. Green roofs (planting such as sedum) should also be considered on flat roof sections 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. Internal lighting within communal bin and cycle parking stores should be powered from renewable sources and operated by PIR to avoid wastage when not needed.

Permeable paving products made from recycled materials should be utilised on any hard surface landscaping proposed. No outdoor clothes drying space is set out, but space exists on balconies/terraces and the LPA encourages the use of flexible and lenient tenancy and leasehold agreements that do not preclude this functionality as it would prevent the flats from being reliant upon tumble dryers and radiators in perpetuity.

BNG informative

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition ("the biodiversity gain condition") that development may not begin unless: (a) a Biodiversity Gain Plan has been submitted to the planning authority, and (b) the planning authority has approved the plan. The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Bournemouth, Christchurch and Poole Council. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed in paragraph 17 of Schedule 7A of

the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024.

Based on the information available this permission does not require the approval of a biodiversity gain plan before development as this application was submitted prior to February 2024.

Statement required by National Planning Policy Framework

In accordance with paragraph 39 of the revised NPPF the Council takes a positive and proactive approach to development proposals focused on solutions. The Council work with applicants/agents in a positive and proactive manner by: offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions. In this instance the applicant did seek pre-application advice, but the submission was amended following feedback from statutory consultees and the planning service and is recommended for approval.

Background Documents

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