



Planning Committee

Application Address	Roysdean Manor, 5 Derby Road, Bournemouth, BH1 3PT
Proposal	Install a fence with a pedestrian gate
Application Number	P-7729-310125
Applicant	Roysdean Manor Management Company
Agent	Martingales
Ward and Ward Member(s)	East Cliff and Springbourne Cllr Sara Armstrong Cllr Anne Filer Cllr Anne-Marie Moriarty
Report Status	Public
Meeting Date	20 November 2025
Summary of Recommendation	Refuse for the reason(s) set out below Detrimental to the design and character of the area. The proposal would cause harm to the significance of the East Cliff Conservation Area and would be out of keeping with the character of the surrounding area. The proposed fence by virtue of its appearance and material constitutes poor design and is deemed contrary to Policies CS39 and CS41 of the Core Strategy (2012), para. 4.4 of the Bournemouth District Wide Local Plan (2002), the emerging East Cliff Conservation Area Appraisal & Management Plan, as well as the provisions of the NPPF (2024).
Reason for Referral to Planning Committee	Cllr Call In: Cllr Sara Armstrong. Conditional on if the application is recommended for refusal. It does not harm the look of the public realm. Residents are very mindful not to restrict the movement of wildlife hence the preference of fence. No loss of greenery – Marks a boundary. The fence and gate seeks to improve community safety which many residents are very concerned about. Drug users and prostitutes have been found on the site and there is a fear of crime and concerns about community safety. It is hope that fencing and a gate will reduce ASB in the area. That the concerns of residents do not seem to be taken into account. They have worked tirelessly for some time to obtain permission for a fence to reduce ASB and help them to feel safe with increasing financial cost.
Case Officer	George Sanders

Is the proposal EIA Development?	No
For the purposes of the Conservation of Habitats and Species Regulations 2017 has the application been subject to an appropriate assessment	No

Description of Proposal

1. The proposed development is for a metal fence with a pedestrian gate on the curtilage between Roysdean Manor and Knyveton Road.

Description of Site and Surroundings

2. The application site is between the centre of Bournemouth and Boscombe, within the East Cliff Conservation area. The main building is a block of flats on the corner of Knyveton Road and Derby Road, with a primary access to a car park to the east, off Derby Road. The proposed fence would be to the north, separating the flats from Knyveton Road.
3. The area has multiple large flat blocks, separated by parking and private grassland. Most of these are segregated from the surrounding highways by high, wooden fencing as well as trees and hedging which contribute to a mature sylvan setting.

Relevant Planning History:

4. 7-2002-7729-J | Conservation Area Consent for demolition of two storey rear extension to existing Hotel | REFUSED

Constraints

5. *Conservation Area (East Cliff)*: With respect to any buildings or other land in a Conservation Area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area – section 72 - Planning (Listed Buildings and Conservation Areas) Act 1990.
6. Langtry Manor Hotel, 26 Derby Road: Grade II Listed Building opposite the application site.

Public Sector Equalities Duty

7. 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.

Consultations

<u>Date</u>	<u>Consultee</u>	<u>Comment</u>
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24/06	Highways Officer	No Objection
01/10/2025	Tree Officer	No Objection, subject to the following condition: <i>No part of the development hereby permitted shall be carried out other than in accordance with the details and timetable contained in the approved Arboricultural Method Statement and Tree Protection Plan from Mark Hinsley Arboricultural Consultants Limited dated 19th August 2024, Ref:IH/RoysdeanManor,BH13PT/MethodStatement/7741 – Tree Survey / Protection Plan – dated 19th August 2025 drawing number 7741TP. Reason: To ensure that trees and their rooting environments are afforded adequate physical protection during construction.</i>
15/08/2025	Heritage Officer	“Objection. The submission doesn’t even acknowledge the site is within a conservation area (or across the road from a listed building) and no heritage statement has been submitted. The planning statement notes that Derby Road contains a mixture of boundary treatments including timber fences and brick walls, yet gives no explanation why a mesh fence has been chosen. The 40m run of V mesh fencing (+ 2m wide gate) would be completely out of keeping within the street scene and at detriment to both the character and appearance of this suburban conservation area and the setting of the adjacent listed building.” “As it stands the proposal would cause less than substantial harm to the conservation area and would be a negative addition within the setting of the adjacent listed building, at detriment to their significance. Under the NPPF harm should be minimised and any remaining harm justified, in this instance there are far less harmful options possible to increase the security along this boundary and the current proposal is not justified. There is no specific public benefit to outweigh the identified harm, and in any case there are alternative, more sympathetic options. Refusal reasons can be supplied, or these concerns raised with the agent and amended plans/heritage statement requested.”

Representations

8. Site notices were displayed on the 19th June 2025. One person wrote in support of the application, stating there is anti-social behaviour and theft due to the lack of security at the application site is a danger to residents and that the proposal would partially improve security to the communal areas around the property.

Key Issue(s)

9. The key issues involved with this proposal are:
 - Impact on the design and character of the area:

- Including on Designated Heritage Assets:
 - East Cliff Conservation Area (CA)
 - Langley Manor Hotel (Grade II Listed)
- Impact on neighbouring residential amenity
- Impact on highways
- Impact on Trees
- Impact on BNG

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

Policy context

11. Local documents:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications must be determined in accordance with the development plan for an area, except where material considerations indicate otherwise. The development plan in this case comprises the:

Bournemouth Core Strategy (2012)

- CS30: Improving Green Infrastructure
- CS39: Designated Heritage Assets
- CS41: Design Quality

Bournemouth District Wide Local Plan (2002)

- 4.4: New Development in a Conservation Area

Supplementary Planning Documents

- Parking Standards SPD (2021)
- East Cliff Conservation Area: Appraisal and Management Plan

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

Including in particular the following:

- a. Section 2 – Achieving Sustainable Development
 - Paragraph 11 – “Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means:
 - (c) approving development proposals that accord with an up-to-date development plan without delay; or
 - (d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing

well-designed places and providing affordable homes, individually or in combination.”

b. Section 16 – Conserving and enhancing the historic environment

- Paragraph 199 – “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- Paragraph 200 – Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification ...”
- Paragraph 215 - “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”

Planning Assessment

Impact on the design and character of the area, including Designated Heritage Assets

12. The proposal is for a large, green, metal fence which would separate the Roysdean Manor flats from the highway (Knyveton Road). The existing boundary treatment is hedging and trees. This is dense, and when transversing towards the roundabout with Derby Road along Knyveton Road it screens substantial portions of the building. This is the same for the neighbouring Kings Walk, which like Roysdean Manor has no substantial built boundary (it features a low wall) but is screened by foliage. Opposite, buildings are set back and screened in a similar way and there is a wood fence running along the highway.
13. The application would see the installation of a 1.8m high, green powder coated metal fence along the highway. This is at odds with the surrounding boundary treatments, which are either natural or wooden fencing. The open, non-intrusive feel of Knyveton Road would be degraded by the fence as it would be a prominent feature in the street scene. The Conservation Officer considers the proposed fence would be of detriment to the CA as well as a nearby listed building (Langtry Manor Hotel, 26 Derby Road) and the harm caused to these designated assets would be less than substantial. They also found there are less harmful options that could be considered acceptable, which match the existing treatments and materials found in the area. The tall metal fence would be utilitarian and urban in look and feel. This would degrade the more natural and sylvan feel of the area.
14. Within the emerging East Cliff CA Appraisal document, Roysdean Manor is considered a positive contributor to the CA. The approval of the metal fence due to its more utilitarian and industrial appearance compared to the neighbouring boundary treatment would erode the character & appearance of the CA at this point and would be a retrograde step within the setting of a positive contributor to the CA.
15. The applicant was given the Heritage Officer feedback and offered the opportunity to amend their design to a wooden material to soften the boundary. The Heritage Officer gave further design advice, stating that replicating the wood fence design on the opposite side of Knyveton Road would be acceptable. This was further agreed as acceptable to the Tree

Officer if the design used the same post points etc. However, the applicant decided to proceed with the metal fence design.

16. Therefore, the proposed metal fencing would cause harm to the significance of the conservation area. The fence would also introduce a negative element within the setting of the listed building across the road. The level of harm to the assets would be less than substantial, therefore para. 215 of the NPPF would apply:
17. "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."
18. In this instance, the public benefits are minimal. It would discourage anti-social behaviour from permeating into the curtilage land of Roysdean Manor by the nature of its appearance, giving the perception of security. However, the fence only covers the small distance of Knyveton Road. Any persons who wish to engage in unsociable behaviour merely must enter the adjacent Derby Road and walk onto the property through the driveway. The Derby Road perimeter of the application site is not secured. It is in fact less secure than the existing Knyveton Road boundary currently is due to the lack of trees, hedging or gate for the driveway. Therefore, the public benefits are minimal and do not outweigh or offset the less than substantial harm to the identified designated heritage assets.
19. Under the NPPF harm to Heritage should also be minimised and any remaining harm justified. In this instance the proposal is not justified as changing the fence to a close boarded type would be far less harmful. As it stands the fencing, by virtue of its poor design and utilitarian appearance would cause less than substantial harm to the East Cliff CA and the significance of the adjacent Grade II Listed Langtry Hotel; contrary to Core Strategy policies CS39 Designated Heritage Assets and CS41 Design.

Impact on Residential Amenity

20. Residents of Roysdean Manor as well as others have expressed concerns regarding the security of the building. The lack of fencing and reliance on natural screening and barriers such as hedging and trees has led to alleged anti-social behaviour and other crime related issues. The proposed fence would provide additional security to the building, as a visible and physical deterrent from trespassers along Knyveton Road. This would be a positive outcome and help reduce anti-social behaviour activity impacting negatively on the grounds of the building and the residents themselves
21. The fencing would only run along the north boundary. It would leave the Derby Road (east) boundary open. This side has little to no natural screening or physical barriers to entry to the grounds. It also has the car access to the site, which provides a wide, tarmac entry. Therefore, the fence would do little to improve security, due to the retention of numerous other ways to access the site.
22. The fence would not impact the amenity of surrounding properties. It is sufficient distance away from any other development as to not cause looming, overshadowing or visually impact on the amenity of neighbours.
23. The proposal would therefore add some additional security which is compliant with Policy CS41, however, this is tempered by the site having other accesses which would still be easily accessible.

Impact on Trees

24. The Tree Officer raised no objections to the application, subject to the inclusion of a condition to comply with the submitted and approved tree plans.

Impact on Highways

25. For the reasons set out in the consultation response regarding the fence being set back from the highway, the Local Highway Authority (LHA) raises no objections to the application. The proposal is therefore compliant with the Parking Standards SPD (2021).

Impact on BNG

26. The NPPF at chapter 15 'conserving and enhancing the natural environment' sets out government views on minimising the impacts on biodiversity, providing net gains where possible and contributing to halt the overall decline in biodiversity. The Local Plan Policy CS30, sets out policy requirements for the protection and where possible, a net gain in biodiversity. In addition, a 10% biodiversity net gain (BNG) is required as per the Environment Act 2021 though exemptions apply. This proposal is exempt as it is subject to the de minimis exemption.

Planning Balance / Conclusion

27. The proposal does have some positive elements. It would provide additional security, albeit a small amount, to the residents of Roysdean Manor. The impacts to Highways and Trees are also acceptable or addressable via condition. However, the impacts to the character and appearance of the area from the utilitarian and unsympathetic appearance of the proposed boundary treatment would cause harm to the character and appearance of the Conservation Area and the nearby Grade II Listed Langtry Manor Hotel on Derby Road. This harm would amount to less than substantial harm.
28. Paragraph 215 of the NPPF states that where less than substantial harm to a designated heritage asset occurs the harm needs to be weighed against any public benefits that may stem from the proposed development. In this instance there are some limited benefits for the residents of the development from enhanced security along one boundary, however, this is tempered by other points of access into the development being retained from other boundaries. There are no other public benefits that stem from this scheme and therefore the test of paragraph 215 has not been met. Furthermore, the scheme would fail to preserve or enhance the character and appearance of the Conservation Area and the setting of a nearby Grade II Listed building, as required by Sections 66 and 72 respectively of the Planning (Listed Buildings and Conservation Areas) Act 1990.
29. The development is therefore contrary to Policies CS39 and CS41 of the Core Strategy (2012) when read as a whole. The scheme would also not accord with Policy 4.4 of the District Wide Local Plan (2002) and the NPPF (2024), specifically Paragraphs 199, 200 and 215 on Designated Heritage Assets.

Recommendation

REFUSE for the following reasons:

Poor design, out of keeping in street scene, and unjustified harm to the character & appearance of the conservation area and the setting of the adjacent listed building.

The proposed fence would, by reason of its utilitarian, industrial appearance, height and use of unsympathetic materials, would be overly prominent in the street scene, at detriment to the character and appearance of the East Cliff Conservation Area and the significance of

the nearby Grade II Listed Building. The proposal is therefore contrary to policies CS39 and CS41 of the Core Strategy (2012), policy 4.4 of the District Wide Local Plan (2002) and paragraphs 199, 200 and 215 of the NPPF (2024), and the emerging East Cliff CA Appraisal & Management Plan.

1. For the avoidance of doubt the decision on the application hereby determined was made having regard to the following plans:
 - a. J.37.2024-01 Block and Location Plan
 - b. J.37.2024-02 Plans & Elevations
2. In accordance with paragraph 39 of the revised NPPF the Council, as Local Planning Authority, takes a positive, creative and proactive approach to development proposals focused on solutions. The Council works with applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions. In this instance: The applicant/ agent did not take the opportunity to enter into pre-application discussions. The applicant was advised that the proposal did not accord with the development plan and that there were no material planning considerations to outweigh these problems. The applicant was offered the opportunity to submit amended plans to overcome problems identified by the case officer but chose not to do so.

Background Documents:

P-7729-310125

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

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

Reference to published works is not included