



Planning Committee

Application Address	Purbeck Court 65-67 Boscombe Overcliff Drive Bournemouth BH5 2EN
Proposal	Outline application with some matters reserved for demolition of the existing building of flats and garages and erection of a 6 storey building consisting of 17 x 2-bed flats and 5 x 3-bed flats with underground parking, swimming pool and gym spa complex, associated bin and cycle storage and the erection of a detached dwelling fronting Rotherfield Road with associated access and parking.
Application Number	7-2024-3914-D
Applicant	Clifftop Developments Ltd
Agent	Pure Town Planning
Ward and Ward Member(s)	Boscombe East & Pokesdown Cllr Eleanor Connolly Cllr George Farquhar
Report status	Public Report
Meeting date	18 December 2025
Summary of Recommendation	Approve subject to a S106 and conditions
Reason for Referral to Planning Committee	20+ objections have been received from properties located within a 1-mile radius from the site
Case Officer	Piotr Kulik
Is the proposal EIA Development?	No

Description of Proposal

1. This application seeks outline permission for the proposed demolition of the existing building of flats and garages and erection of a 6 storey building consisting of 17 x 2-bed flats and 5 x 3-bed flats with underground parking, swimming pool and gym spa complex,

associated bin and cycle storage and the erection of a detached dwelling fronting Rotherfield Road with associated access and parking.

2. Aside from the principle of outline consent, the applicant seeks determination of the following matters:
 - **Layout** – the way in which the buildings, routes and open spaces are provided within the development and their relationship to buildings and spaces outside the development.
 - **Scale** – the height, width and length of each building proposed in relation to its surroundings
 - **Access** – this covers accessibility to and within the site for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network.
 - **Appearance** – the aspects of a building or place which determine the visual impression it makes, excluding the built form of the development.
3. The following are not included although illustrative plans have been submitted to give an indication of the planning implications:
 - **Landscaping** – this is the treatment of private and public space to enhance or protect the site's amenity through soft and hard measures, for example, through planting of trees or hedges or screening by fences or walls.

Description of Site and Surroundings

4. The site is located on the north side of Boscombe Overcliff Drive and comprises a 3-storey flatted block known as Purbeck Court which dates to the 1950's. The building is elevated above road level and has a similar depth footprint to the neighbouring 2-storey dwellings, albeit with subservient 3-storey rear 'wings' either end. Notwithstanding its larger size, the building features a pitched roof, with seaward balconies on each floor. It sits comfortably between the neighbouring 2-storey dwellings. The building provides 12 units of accommodation. Vehicular access is to the rear between 4 and 6 Rotherfield Road providing entrance to car parking and garaging behind the building. There is no vehicular access to the front of the site.
5. Boscombe Overcliff Drive comprises a mix of original two-storey dwellings to the north side that are gradually making way for flatted developments typically of four storeys with flat roofs and a contemporary appearance. Local Design is mixed but upper floors are generally of set back and with a subservient appearance. Front elevations tend to be flat but characterised by large, wide balconies. Permission was granted in February 2022 for the demolition of Nos. 69 and 71 and replacement with a block of 14 no. flats. The approved block of 14 flats at Nos. 69 and 71 is currently under construction following a prior approval procedure approval for demolition of 2no. dwellinghouses, ref. 7-2023-18630-C. Then, during 2020, no. 63 was demolished and replaced with a block of flats completed in 2021 following grant of the original planning permission in 2019 ref. 7-2019-27186.

Relevant Planning History

6. Application site

7-2022-3914-C: Erection of a 5 storey building consisting of 13 x 2-bed flats and 6 x 3-bed flats with associated access and parking, involving demolition of existing residential and garage buildings – Approved (Planning Committee 19/01/2023)

7-2022-3914-B: Erection of a 5 storey building consisting of 13 x 2-bed flats and 6 x 3-bed flats with associated access and parking, involving demolition of existing residential and garage – Refused (Planning Committee 22/09/2022)

7-2021-3914-A: Prior approval procedure - Erection of 6 additional flats on top of the existing block of flats (two additional floors) – Approved

7. 69-71 Boscombe Overcliff Drive

7-2023-18630-C: Prior Approval Procedure - Demolition of 2 dwellinghouses - Permitted Development – Approved

7-2021-27186-C: Minor material amendment of condition no. 1 of application no. 7-2020-27186-B to vary the plans and variation of condition nos.6,7,10 and 13 to amend the bin store provision with a new access to the front boundary (Original submission: Minor material amendment to vary condition no. 1 of application no. 7-2019-27186 to increase the footprint of flat 7 at third floor level, extending to the north (rear), and amendments to window positions on the north (rear), and east and west side elevations (Original description - Erection of a block of 7 flats with partial undercroft car parking, modification of vehicular access and formation of parking spaces)) – Approved

7-2020-12924-A: Demolish existing buildings and erection of a single block of 14no. flats set over 4 storeys, with associated access and new basement level parking, bin and cycle stores – Approved

8. 71 Boscombe Overcliff Drive

7-2018-18630-A: Demolition of existing bungalow, erection of 4 storey block of 6 flats, formation of vehicular access and parking spaces - Refused

7-2018-18630-B: Demolition of existing bungalow, erection of 4 storey block of 4 flats, formation of vehicular access and parking spaces – Withdrawn

9. 63 Boscombe Overcliff Drive

7-2021-27186-C: Minor material amendment of condition no. 1 of application no. 7-2020-27186-B to vary the plans and variation of condition nos. 6,7,10 and 13 to amend the bin store provision with a new access to the front boundary (Original submission: Minor material amendment to vary condition no. 1 of application no. 7-2019-27186 to increase the

footprint of flat 7 at third floor level, extending to the north (rear), and amendments to window positions on the north (rear), and east and west side elevations (Original description - Erection of a block of 7 flats with partial undercroft car parking, modification of vehicular access and formation of parking spaces)) – Approved

7-2019-27186-A: Minor material amendment to vary condition no. 1 of application no. 7-2019-27186 to vary the plans to increase the size of the top floor level and amend windows in North, East and West elevations (Erection of a block of 7 flats with partial undercroft car parking, modification of vehicular access and formation of parking spaces) – Refused

7-2019-27186: Erection of a block of 7 flats with partial undercroft car parking, modification of vehicular access and formation of parking spaces - Approved

10. **Constraints**

- Cliff stability

11. **Public Sector Equalities Duty**

12. 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

13. In accordance with section 40 Natural Environment and Rural Communities Act 2006, in considering this application, regard has been had, so far as is consistent with the proper exercise of this function, to the purpose of conserving biodiversity.
14. 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.

Consultations

15. Fire Safety Advisor – Advice provided, the scheme needs to comply with building control regulations
16. Coastal Stability Engineer – No objection, subject to conditions
17. Dorset Police Planning Advisor – Advice provided

18. Waste Management Officer – No objection
19. Local Highway Authority (LHA) Officer – No objection, subject to conditions
20. Ecologist – No objection, subject to conditions
21. Tree Officer – No objection, subject to conditions
22. Urban Design – Objection (based primarily on the overall scale of the development, but also concerns with some design details)

Representations

23. Site notices were posted in the vicinity of the site on 03/06/2024 with an expiry date for consultation of 24/06/2024. There was also press advertisement on 26/04/2024 with an expiry date for consultation of 17/05/2024. Further re-consultation site notice was displayed on 21/08/2024 with an expiry date for consultation of 01/09/2024.
24. 38No. letters of objection from neighbouring properties were received, plus 10no. extra letters outside a 1 mile radius. The grounds for objection are as following:
 - Unjustified loss of the existing building
 - Design out of keeping with the locality
 - Overpopulation
 - Overdevelopment
 - Overbearing impact
 - Scale and Massing
 - The proposed building is too height
 - 6 storey building is not acceptable
 - Excessive number of units on site
 - Design concerns
 - Loss of affordable housing contribution
 - Loss of light
 - Loss of privacy
 - Inadequate parking provision
 - Traffic concerns
 - Highway safety
 - Cliff stability
 - Not in line with the Boscombe neighbourhood plan

Key Issues

25. The key issues involved with this proposal are:
 - Principal of development
 - Tourism
 - Impact on character and appearance of the area
 - Impact on residential amenity

- Living conditions for future occupants
- Highway safety
- Sustainable energy
- Ecology
- Trees
- Drainage
- Waste and Recycling
- Heathlands contribution
- Affordable Housing
- Community Infrastructure Levy

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

Policy Context

27. Local documents:

Bournemouth Local Plan: Core Strategy (2012)

Policy CS1 – NPPF Presumption in Favour of Sustainable Development
 Policy CS2 – Sustainable Homes and Premises
 Policy CS3 – Sustainable Energy and Heat
 Policy CS4 - Surface Water Flooding
 Policy CS6 – Delivering Sustainable Communities
 Policy CS14 – Transport Infrastructure
 Policy CS15 – Green Travel Plan and Transport Assessments
 Policy CS16 – Parking Standards
 Policy CS17 - Encouraging Greener Vehicle Technologies
 Policy CS18 – Increasing Opportunities for Cycling and Walking
 Policy CS21 – Housing Distribution Across Bournemouth
 Policy CS33 – Heathlands
 Policy CS35 Nature and Geological Conservation Interests
 Policy CS38 – Minimising Pollution
 Policy CS39 – Designated Heritage Assets
 Policy CS40 – Local Heritage Assets
 Policy CS41 – Quality Design

Bournemouth District Wide Local Plan (2002)

Policy 3.25 – Cliff Stability
 Policy 4.25 – Landscaping
 Policy 6.10 - Flat development
 Policy 8.2 – District Distributor Roads

Boscombe and Pokesdown Neighbourhood Plan (2019)

BAP1: The scale and density of development
 BAP2: Good design for the 21st century
 BAP6: The number and type of new homes
 BAP7: The quality of new homes

Supplementary Planning Documents:

Affordable Housing – SPD

Dorset Heathlands Planning Framework – SPD

BCP Parking Standards – SPD

LTN1/20 – Cycle Infrastructure Design (2020)

Residential Development: A Design Guide – PGN

Sustainable Urban Drainage Systems (SUDS) - PGN

Footprint Ecology New Forest Strategic Access Management and Monitoring Strategy 2023.

National Planning Policy Framework 2024 (“NPPF”/”Framework”)

Paragraph 11 sets out the presumption in favour of sustainable development. Plans and policies should apply a presumption in favour of sustainable development. For decision taking this means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

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

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 12 – Achieving well-designed places

Chapter 15 – Conserving and enhancing the natural environment

Chapter 16 – Conserving and enhancing the historic environment

Planning Assessment

Housing Delivery Test

28. At the heart of the NPPF is the presumption in favour of sustainable development. NPPF paragraph 11 states that in the case of decision making, the presumption in favour of sustainable development means that where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, planning permission should be granted unless policies in the Framework that protect areas of assets of particular importance provide a clear reason for refusing the development proposals or any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. Footnote 8 of paragraph 11 provides that in the case of applications involving the provision of housing, relevant policies are out of date if the local planning authority is (i) unable to demonstrate a five year supply of deliverable housing sites (with

buffer where applicable) or (ii) where the Housing Delivery Test (HDT) result is less than 75% of the housing requirement over the previous three years.

29. 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.
30. For this planning application the benefits provided from the supply of new homes will have significant weight and a 'tilted balance' in favour of the grant of planning permission. For the Local Planning Authority to refuse this development, the benefits of the provision of new homes must be significantly and demonstrably outweighed by the adverse impacts or where specific policies in the NPPF provide a clear reason for refusal.

Principle of the proposed development

31. Boscombe Overcliff Drive comprises a mix of original two-storey dwellings to the north side that are gradually making way for flatted developments of typically four storeys with flat roofs and a contemporary appearance. There is a mix of design, but upper floors are generally set back and with a subservient appearance. Front elevations tend to be flat but characterised by large, wide balconies. One exception is Purbeck Court to the west of the application site which comprises a 3-storey pitched roof 1950s flatted block which appears to have a double width frontage and large car park accessed from Montague Road.
32. It should be noted that a prior approval permission ref. 7-2021-3914-A for the erection of 6no. additional flats on top of the existing block of flats (two additional floors) already expired on 26 August 2024. The site owner did not start any associated works. Despite no implementation of this prior approval application, policy circumstances have not changed at a time of writing this report, hence very likely, similar works could be authorised by the Local Planning Authority (LPA) should a new application be submitted. However, there is now no likelihood of the most recent prior approval development being carried out. Weight can only be attached to a fallback position if there is a likelihood that the development would be undertaken.
33. The current application follows a recent approval ref. 7-2022-3914-C for 19no. flats and seeks consent for 22no. flats (3 additional flats), as well as a number of modifications compared with the previous approval. The proposal also reduces the number of 3-bed family homes and proposes an additional two storey 5-bedroom single dwellinghouse fronting Rotherfield Road to the rear of the plot. At the time of writing this report, none of the conditions associated with the recent approval ref. 7-2022-3914-C have been discharged although a recent condition discharge application has been submitted to the Council. The likelihood of the development being carried out is still potentially possible, with the expiry date of the application being 26/01/2026. The consent therefore still represents a significant material consideration due to its recent nature and the development plan situation remaining the same.

34. Boscombe and Pokesdown Neighbourhood Plan (NP) Policy BAP 6 [Part B] requires proposals to “*sensitively redevelop the site where the proposal includes (a dwelling mix of) 50% 3-bed units, 40% 2-bed units and 10% 1-bed units*”. The recent approval ref. 7-2022-3914-C aimed to deliver 6no. 3-bed units (around 32%) and 13no. 2-bed units (68%). Whereas the current application shows 17no. 2-bedroom (77%) and 5no. 3-bedroom (23%).
35. As such, the current application also fails to meet the 50% 3 bed policy aim, with an even higher percentage of 2-bedroom units, so Policy BAP6-B is not satisfied. However, it is important to consider the explanatory paragraph 8.32 within the BAP which justifies the ‘housing mix aim’ as to:
- ‘promote family housing’;
 - ‘encourage a mix of housing types consistent with the needs of the community’ and
 - ‘encourage appropriate density within new developments’.
36. The aim of the policy is to limit the over provision of 1-bed units locally and promote family housing, both of which this proposal does. Also, the current application introduces a 5-bedroom family detached dwelling of a decent size hence not solely rely on the provision of residential flats. The existing building on the site contains 12 x 2 bedroom flats and therefore the proposal represents an improved mix over that which exists on site.
37. As stated above, BAP6-B is to require ‘sensitive redevelopment’ of sites through an appropriate density. Boscombe and Pokesdown NP Policy BAP1 states that residential densities in excess of 100 dwellings per hectare (dph) will not be supported unless it can be demonstrated for viability or to meet an identified housing need. The development density equates to 104dph therefore only marginally fails to comply with the policy. Nevertheless, the proposed housing density is on balance acceptable given a sustainable location of the application site and additional housing boost to the current housing supply.
38. The final part of BAP6, this states that if a proposal includes a different housing size mix to the one set out in part B, it “*must be supported by up-to-date housing need evidence and/or an assessment which demonstrates that compliance with the requirements of A ii and/or B are not viable.*” To comply strictly with the aims of policy BAP6-B, the overall scheme would need to be re-arranged and appropriate parking provision would be likely questioned on site given site constraints and a need for appropriate soft landscaping caused by latest BNG requirements. Also, a significant lack of local housing supply distribution, and a fact that the local planning authority is unable to demonstrate a five-year supply of homes are relevant considerations.
39. The proposal omits the 1-bed unit type, to which there is normally significant local objection when it is proposed on a site. In exchange, 36% of the units would be three-bed or more and 74% two-bed (compared to 100% on site presently). Additionally, all of the units would be generous in their internal space provision. To offer a mix suggested by the policy would very likely require substantial redesign and physical changes to the scale, shape, position, and height of the building, that would result in further local policy conflicts with CS16, CS38 and BAP1. The development proposes a different housing mix to the one set by BAP6 B but does not conflict with the aim of the policy itself, providing a robust number of 2- and 3-bed family units, with generous floorplans in excess of minimum standards.
40. The proposal therefore on balance does satisfy sustainable development principles and housing policy that seeks to target and meet housing need within the urban area and to

deliver the type of dwelling at a location where there is long term demand. The Council currently is not meeting its housing supply targets. The proposals would make a significant and positive contribution to meeting housing need at a sustainable location to which weight should be given.

Impact on character and appearance of the locality

41. 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. The local area setting can be characterised by a mix of block of flat ranging from traditional to contemporary design, and some remaining residential houses. As such, there is no uniform design along the street scene.
42. The proposed contemporary design of the proposed block of flats is not objected to in principle by the Council's Urban Design Officer, and officers agree that is not out of keeping with the emerging character of the area with numerous contemporary blocks of flats facing Boscombe Overcliff Drive. Also, a traditional design detached dwelling facing Rotherfield Road would be in keeping with the character of this stretch of this road which is of a more domestic scale.
43. The existing building is set upon a raised site, and the proposals include excavation works to the site frontage similar to those, which can be found locally, e.g. as present at the adjacent sites (69-71, 73, 75). The proposed vehicular access would be provided from Boscombe Overcliff Drive, as such arrangements can also be found locally.
44. Nevertheless, the Urban Design officer still considers that the overall scale and mass of the proposed building would over-dominate the street scene. The consultee acknowledges that the more recent developments in the area are larger and higher than the 2 or 2 ½ storey houses that were replaced by these new buildings. However, none of them are taller than 4-storey (or 5-storey but with a lower ground-floor which is not welcome in the UD point of view).
45. The proposed building has a very similar ridge height to the previously approved scheme. However, it should be noted that additional floor over that approved can create an impression of greater height and psychological altitude. A higher floor number can be interpreted as a greater physical height because it suggests more levels have been added to the structure, contributing to the perception of the building being taller. However, the number of floors is not a precise measure of actual height because floor-to-floor heights vary between buildings based on their type and usage, meaning the actual height is a more accurate indicator.
46. For comparison, below tables show approximate elevation height and width (including balconies) of works recently granted and this currently proposed when measuring approved plans.

Proposed width	East Elevation	West Elevation	North Elevation	South Elevation
7-2021-3914-A	16.3m	16.3	27.4m	27.4
7-2022-3914-C	29m	30m	27m	27m
CURRENT	31.5m	31.5m	27.7m	28.5m

Proposed height	East Elevation	West Elevation	North Elevation	South Elevation
7-2021-3914-A	15.7m	15.7m	15.8m	15.5m
7-2022-3914-C	15m	15m	16m	15.4m
CURRENT (+ approx. 1.5m below ground level)	15.7m	15.7m	16m	16m

47. As shown above, the scale and massing of the proposed block of flats is comparable to that already granted on site. Furthermore, final revisions of the current scheme when comparing to a prior approved for two additional storeys granted in August 2021 on site (ref. 7-2021-3914-A), show highest points of the roof (excluding lift shafts) set below this already approved. The plans have been amended during the application process. The agreed revisions show that the depth of the front balcony projections has been reduced. The proposed external facing materials would be also in keeping with the character of the area.
48. Moreover, the proposed block of flats shows a similar footprint when comparing to that recently granted under a planning approval ref. 7-2022-3914-C. The width and set back position between eastern and western southern boundaries are almost identical, depth to the rear would match this already granted, whereas deepest point of a front elevation would be set approximately 1.5 metres forward when comparing to 7-2022-3914-C. Thus, it can be argued that a similar scale, form and layout of the proposed structure is established via recent permission at this site.
49. The 2024 National Planning Policy Framework (NPPF) promotes innovative and well-designed buildings through Paragraphs 134-137. These sections emphasize that development must be of high quality, contribute to making places beautiful, and that planning policies should require good design. When comparing to most recent approvals on site, it is officer's view that the current scheme demonstrates a height quality and sustainable block of flats with interesting articulation of design features. Therefore, complies for instance with paragraph 131 of the NPPS, which states that '*good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities*'.
50. Then, the proposed standalone detached dwelling would be set to the rear of the site facing Rotherfield Road, which lies within an established residential area predominantly characterised by a mixture of bungalows and two-storey detached properties set within proportionately sized plots, set within a verdant setting. The proposed 5-bedroom detached house would be a two and a half storey traditional style dwellinghouse that would fit well into its immediate setting. The proposed dwelling would provide generous living space and acceptable outdoor amenity space set on a plot matching those that can be found within its vicinity. Overall, the proposed development of a large family dwellinghouse to the rear of the site is considered to be acceptable in principle. Material samples can be conditioned to

ensure an acceptable appearance of this building is achieved without compromising the street scene.

51. Despite concerns raised by the Urban Design officer, the case officer needs to balance a perception of street scene harm against other material planning considerations. It is the officer's view that the proposals would comply with the NPPF and the Local Plan, which require that any development preserve the local area setting. The proposal is considered satisfactory, and would meet those requirements. It is similar to the previous applications on the site and is located on a main coast road which is suitable for a degree of intensification in line with other developments in close proximity. A significant public benefit in form of 22no. new and specious residential units is also identified, as well as a generous residential dwellinghouse contributing towards local housing supply. Overall, the development is considered to be acceptable to the street scene.
52. For the reasons outlined above, the proposal would be acceptable and in accordance with planning policies CS21, CS41, 4:25 and 6.10 which, in part, require development to complement and respect the character of neighbouring development, ensure that development is of high quality and to be of good design, as well as neighbourhood plan policies BAP1 in respect of the scale and density of development and BAP2 in respect of the design.

Impact on Trees

53. Although Landscaping remains a reserved matter, consideration of hard and soft landscape potential nevertheless remains a fundamental and integral part of the master planning process, especially given BNG requirements, and must be developed alongside the building and site layout rather than be treated as an element to be retrofitted at a later date. Green infrastructure and landscaping form important and significant elements of the site infrastructure and can greatly enhance streetscapes and sense of place. A hard and soft landscape plan should therefore be submitted at the earliest opportunity. This is particularly important on a site affected by the BNG legislation, as well as where a landscape form not only important and significant elements of the site infrastructure but also greatly enhance the street scene and overall sense of place. As noted by the Council's Arboricultural Officer, the nature of the site's coastal frontage creates an important area for high quality tree planting and soft landscaping, and the layout of this frontage should allow this to be achieved.
54. There are three important trees to the northern end of the site which are to be retained. The agreed plans show that a large soakaway is no longer located in the retained trees' root protection areas. There will be a cellular confinement system for the driveway to prevent damage to tree roots. Such approach was considered by the Local Lead Flood Authority, which confirmed that the proposals are fully feasible.
55. Retention without harm of T1, T2 and T3 is important for the visual amenity they provide and any harm or loss of them will be harmful to visual amenities and will have implications for the new soft landscaping for this site and the BNG scheme for the site. Overall, the proposed works are not objected by the Council's Arboricultural and Landscape Officer, subject to compliance with the arboricultural method statement and tree protection plan for this site. Such requirement can be conditioned. Also, the officer assessed the revised soft landscaping scheme and soft landscaping maintenance scheme, and recommends their

approval. Such details would be further assessed at the reserved matters stage considering landscaping details. On this basis, the proposal would be compliant with Policy 4.25.

Impact on residential amenity

56. Section 3.7.1 of the adopted Residential Development: A Design Guide is relevant in terms of privacy and requires the following minimum distances:

3.7.1 Privacy

People's privacy is normally affected by the degree in which their property is overlooked. In most urban areas a degree of overlooking is inevitable, however new proposals should not cause an increase in harmful overlooking.

Criteria	Standard
Minimum back to back distance between parallel 2 or 3 storey buildings (with rear facing windows but no living room windows on upper floors).	21.0m
Minimum back to back distance for 3 storey buildings with rear facing living room windows on upper floors and for buildings of 4 or more storeys.	25.0m
Minimum back to side distance for 2 or 3 storey buildings with rear facing windows on the back elevation facing the side elevation of another property with no windows or obscure windows.	12.5m
Minimum front to front distances for 2 storey dwellings.	10.0m

57. Similar to the approved 5 storey block of flats granted by committee members in 2023, the current proposals show front facing balconies only, with marginal side outlook. There are proposed front balconies with an outlook over the frontage hence with a similar relationship with neighbouring properties as the existing balconies on site. The impact of the proposal on existing neighbouring amenity has been considered in relation to the following properties:

69-71 Boscombe Overcliff Drive

58. Nos. 69 and 71 is a former site of two-storey houses, which is now under construction following an approval for a block of 14 flats granted under a planning approval ref. 7-2020-12924-A.
59. With regards to the approved development, 4no floors have been approved on this neighbouring site, with the uppermost floor set in further away from the flank of Purbeck Court than its three lower levels. The windows in the flank elevations of the approved block of flats on 69-71 were so designed to avoid interface conflict, as Purbeck Court currently retains bedroom and kitchen windows along its eastern elevation. It is possible to condition the lower portions of the bedroom and kitchen windows within the proposed side elevation to prevent any overlooking of no 69. Although the proposals would result in a taller building

near the boundary with no 69, the existing Purbeck Court building already blocks sunlight and outlook to/from the rear of no 69. The proposed building will make little difference given the steep angles upwards involved. The committed/approved planning application for 14 flats does have bearing over the status quo and once built both buildings will, like the house at present, continue to receive sunlight from the south. The proposal would also move the built form on the application site 0.8 metres further away from no 69 as same as the approved scheme for a 5 storeys block of flats on site (ref. 7-2022-3914-C).

60. Whilst the proposal would be taller and have a shadowing impact on the rear of no 69 to an extent, the properties face south and flats in the approved 69-71 scheme all face due south. Subject to the above conditions, the proposed relationships to 69-71 are considered acceptable in the contexts of neighbouring amenity, privacy and daylight impacts, satisfying policies CS21 and 6.10.

63 Boscombe Overcliff Drive

61. This building comprises a flatted development approved in 2019. As approved, no.63 only incorporated high level and obscure windows facing this boundary. The eastern ends of the balconies to no.63 are also already angled and obscured to prevent overlooking from Purbeck Court flats. Subject to conditions to apply similar obscuration to balcony ends on the western end of the proposed balconies, and the lower portions of the proposed flank windows, the proposals would have a negligible impact on the privacy or amenities enjoyed by occupants of no 63. The relationships and offsets of the proposal with on 63 are considered acceptable.

62. In considering the design mitigation and possible harm to outlook is important to bear in mind that there is no right to a view across another owners' land (i.e. the site) and outlook from the balconies at 63 is primarily intended to be of the seaward view, not over this neighbouring site. The balconies within no.63, as a whole would still receive significant light due to their open south facing position post completion of the proposal. The proposal would respect the amenities of neighbouring residents within No.63 as required by policies CS21 and 6.10.

8 Rotherfield Road

63. The rear windows of 8 Rotherfield Road to the north are between 35 metres and 41 metres from the closest parts of the existing building. The proposal would place windows within 34 metres, 29.6 metres and 27 metres of those to the rear of the nearest Rotherfield Road houses. The distances are shorter than those currently experienced but with reference to s.3.7.1 (Privacy) of the LPA's 2008 Residential Design Guide, these distances exceed the minimum 25 metres guidance set out therein in respect of buildings having more than 4 floors and facing buildings having up to 3 floors. When comparing to the approved 5 storey scheme under 7-2022-3914-C, the current scheme is seen as an improvement as parking spaces to the rear would be fully replaced by soft landscaping. This would remove potential impact upon immediate neighbours caused by on site car users. Subject to conditions to secure landscaping and fencing details along the boundary with no 8, the proposal would respect the amenities of neighbouring residents within no.8 as required by policies CS21 and 6.10.

4 Rotherfield Road

64. The rear windows of 4 Rotherfield Road to the northwest are over 28 metres from the rear elevation of the existing flats. The four storey no 63 was approved with a 24.2 metres offset distance between its rear windowed elevation and the bungalow's rear wall. The proposal would bring windows within 25 metres of the bungalow's rear elevation, and although a

closer series of windows exist within approximate 24 metres, the angle of viewing would not permit direct overlooking. There exists a technical conflict with the Residential Design Guide but it is not considered material in view of the angle of viewing. Any interface distance between facing windows would again be 1-3m longer than these distances on account of the hypotenuse length of the angle upwards from ground level to vantage point. The distances exceed the distances approved in respect of no. 63 and staggers in the rear elevations would be such that no harmful overlooking of or impacts on privacy to occupants within no. 4 would ensue. The proposal would respect the amenities of neighbouring residents as required by policies CS21 and 6.10.

65. The proposed dwellinghouse would be separated from the nearest residential houses by 5.3 metres (west) and 6 metres (east), Nos. 4 and 8 Rotherfield Road respectively. There is no adopted minimum separation distance in terms of side to side elevations. The proposed separation distances are set at acceptable level and in keeping with the local area setting. There would be no side facing habitable windows above ground floor level proposed. However, 2no. west facing first floor windows serving en-suite bathrooms are proposed but those would be obscure glazed. In overall, given the proposed design and siting of the proposed detached dwelling, the proposed works would not result in overbearing impact or loss of privacy at immediate neighbouring properties.

Other neighbouring dwellings

66. All other neighbouring properties are sited at an appreciable distance from the proposal. On this basis, it is not considered that any significant adverse impact in residential amenity would be caused.

Shadowing

67. Any lengthened shadows are likely to be limited to a few minutes at sunrise and sunset, in winter. When the sun is higher overhead in spring, summertime, and autumn the additional storeys will have no discernible impact on shadows falling across nearby plots. The morning and afternoon shadow in winter will be slightly longer in its timing, but will fall over areas already shadowed by the 3 storey building. With regard for the preceding assessments the increased height would not result in any significantly detrimental impact in terms of loss of sun or daylighting. Again the earlier approved five storey building was a very similar height and mass.

Noise

68. To offset noise from the demolition and construction works a construction management plan would be conditioned. The construction management plan should outline the start and finish times; provide an indication of noisy works that are likely to be audible beyond the site boundary; and outline a community consultation strategy which includes how and when local residents will be kept informed during the development. A noise survey will be required to inform the CEMP and may necessitate the need for soundproof glazing to the frontage windows of the proposal.
69. Overall, it is considered that the combination of the building height, interface distances, window positions, set-ins and balcony screening in relation to adjacent plots would not oppress or be overbearing to those neighbouring properties, having an acceptable level of impact on outlook, daylight, sunlight and satisfying the aims of policies CS21 and 6.10.

Crime prevention

70. The consulted Crime Prevention Design Officer raised few concerns regarding the proposed design. The consultee suggested adding a security standard door, permanent location of wheelie bins on site, a security shutter/ gates to be installed at the underground garage, or introduction of CCTV cameras on site. Subject to conditions to secure a Crime Prevention Design mitigation plan, the proposed works are considered to be on balance acceptable.

Future living conditions

71. Aim 2 of the Neighbourhood Plan require 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. The Government's Technical Standards provide guidance on the size of accommodation that is proposed, and this is supported in policy by BAP7.
72. The Governments' Technical Standards provide guidance on the size of accommodation that is proposed. Each of the proposed flats will have rooms that would benefit from a window and natural light. The proposals would also need to provide acceptable living accommodation for future residents meeting the Governments' Technical Housing Standards (THS) as specified by the technical guidance. The Council uses the DCLG Technical Housing standards to inform the quality of internal living environment for new dwellings.
73. National space standards require the following gross internal floor area for a 2-bedroom and 3-bedroom units:
- 2 bedroom, 3 person dwelling set over 1 storey – 61 square metres
 - 2 bedroom, 4 person dwelling set over 1 storey – 70 square metres
 - 2 bedroom, 3 person dwelling set over 2 storey – 70 square metres
 - 2 bedroom, 4 person dwelling set over 2 storey – 79 square metres
 - 3 bedroom, 4 person dwelling set over 1 storey – 74 square metres
 - 3 bedroom, 5 person dwelling set over 1 storey – 86 square metres
 - 3 bedroom, 6 person dwelling set over 1 storey – 95 square metres
 - 3 bedroom, 4 person dwelling set over 2 storey – 84 square metres
 - 3 bedroom, 5 person dwelling set over 2 storey – 93 square metres
 - 3 bedroom, 6 person dwelling set over 2 storey – 102 square metres
 - 3 bedroom, 4 person dwelling set over 3 storey – 90 square metres
 - 3 bedroom, 5 person dwelling set over 3 storey – 99 square metres
 - 3 bedroom, 6 person dwelling set over 3 storey – 108 square metres
 - 5 bedroom, 6 person dwelling set over 1 storey – 103 square metres
 - 5 bedroom, 7 person dwelling set over 1 storey – 112 square metres
 - 5 bedroom, 8 person dwelling set over 1 storey – 121 square metres
 - 5 bedroom, 6 person dwelling set over 2 storey – 110 square metres
 - 5 bedroom, 7 person dwelling set over 2 storey – 119 square metres

- 5 bedroom, 8 person dwelling set over 2 storey – 128 square metres
- 5 bedroom, 6 person dwelling set over 3 storey – 116 square metres
- 5 bedroom, 7 person dwelling set over 3 storey – 125 square metres
- 5 bedroom, 8 person dwelling set over 3 storey – 134 square metres

74. The proposed accommodation schedule for flats is as following:

- Unit 1: 2-bedroom 115sq. metres
- Unit 2: 2-bedroom 139sq. metres
- Unit 3: 2-bedroom 143sq. metres
- Unit 4: 2-bedroom 88sq. metres
- Unit 5: 3-bedroom 132sq. metres
- Unit 6: 2-bedroom 142sq. metres
- Unit 7: 2-bedroom 140sq. metres
- Unit 8: 2-bedroom 126sq. metres
- Unit 9: 3-bedroom 132sq. metres
- Unit 10: 2-bedroom 142sq. metres
- Unit 11: 2-bedroom 140sq. metres
- Unit 12: 2-bedroom 126sq. metres
- Unit 13: 3-bedroom 132sq. metres
- Unit 14: 2-bedroom 142sq. metres
- Unit 15: 2-bedroom 140sq. metres
- Unit 16: 2-bedroom 126sq. metres
- Unit 17: 2-bedroom 120sq. metres
- Unit 18: 2-bedroom 142sq. metres
- Unit 19: 2-bedroom 140sq. metres
- Unit 20: 2-bedroom 126sq. metres
- Unit 21: 3-bedroom 173sq. metres
- Unit 22: 3-bedroom 169sq. metres

The proposed two and a half storey 5-bedroom house would cover 304sq. metres of floorspace.

75. Therefore, floorspace of the proposed detached house and residential flats would be well in excess of the minimum space standards set out by the Government's Technical Housing Standards 2015 and Neighbourhood Plan Policy BAP7. The proposals would also occupy a sustainable location within proximity to local services and amenities, as well as a local seafront public open space area. All flats would benefit from private amenity spaces in form of either ground floor patio areas of upper floor balconies, as well as will have dual-aspect windows. Also, most flats proposed would benefit from extensive open views across the clifftop to the south.
76. The proposed detached dwelling is of a generous space with dual aspect windows. There is proposed large garden amenity space to the front of the dwelling, as well as further garden amenity space to the rear. It is considered that the level of internal and external amenity spaces would be satisfactory for a modern 5-bedroom family house in this location.
77. Given the above, it is considered that the proposed works would comply with provisions of Policy 6.8 of the Bournemouth District Wide Local Plan 2002 (the Local Plan), Policies CS21 and CS41 of the Bournemouth Local Plan Core Strategy 2012 (the Core Strategy),

Highway Safety

78. The proposal includes underground parking for the flats, associated bin and cycle storage and the erection of a detached dwelling fronting Rotherfield Road with associated access and parking.

Proposed dwellinghouse

79. The layout serving the proposed dwellinghouse is considered to be acceptable by the Local Highway Authority (LHA) regarding the provision of car and cycle parking. Where redundant, the dropped kerb will be reinstated with full height kerb to the Council's specification and satisfaction and at the applicant's expense. The provision of pedestrian inter-visibility splays at both sides of the widened access represents a betterment of the existing access arrangement.
80. The principle of reversing movements to/from Rotherfield Road is acceptable given it is a minor residential road and this arrangement mirrors those of many neighbouring properties. Consequently, the traffic generated by a single dwelling is not considered to prejudice the safe operation of the highway network in this location.
81. The agreed site plan shows amendments to the initially submitted width of the pedestrian access paths to/from the cycle stores. These have been widened to 2 metres at the rear of the flatted building and measure between 1.8 to 2 metres to the side of said building, before narrowing slightly upon the site frontage. On balance, the access arrangement is considered acceptable.
82. Submitted plans suggest that the proposed access arrangement will require the relocation of an existing highway asset (lamp post). This matter is covered by Highways Act legislation, a separate process to planning permission. It is important for the applicant to note that if the current planning permission were granted it does not automatically mean permission to remove the highway asset would be granted under the Highways Act. If permission to remove the asset is not secured/approved despite being required, the applicant would not be able to implement the current proposal.
83. Whilst the integral garage for the house is of substandard size to be considered a formal parking space (section 3.2 of the BCP Parking Standards SPD (2021) refers), there is ample 'external' space to provide parking for multiple cars which therefore meets the SPD requirement of 2 spaces. The size of the parking spaces (2.6 metres x 4.8 metres) can be secured by condition. The provision of 3 cycle stands within the garage offers secure, covered, purpose-built parking for 6 cycles, sufficient for the proposed dwellinghouse.

Proposed flats

84. Vehicular access to the site is proposed from Boscombe Overcliff Drive, a 30mph single carriageway road running parallel to the coast. This section of the highway network experiences an uplift in vehicular movements across the summer months however, it is a non-classified road with no recorded strategic status and good forward visibility thus the formation of a new access is acceptable in principle.

85. The revised site plan also shows 54 cycle parking spaces across 3 cycle stores. The majority of spaces are now provided as 'Sheffield' type stands whilst 2 spaces are specified for non-standard cycles. The design of all stores is considered to enable the parking and manoeuvring of cycles.
86. The revised site plan shows amendments to the width of the pedestrian access paths to/from the cycle stores. Following a request from the LHA Officer, these have been widened to 2 metres at the rear of the flatted building and measure between 1.8 to 2 metres to the side of said building, before narrowing slightly upon the site frontage. On balance, the revised access arrangement is considered acceptable.
87. Final revisions are not objected by the LHA subject to conditioning details of footway crossing; vehicle access, parking and turning; cycle parking; and a construction management plan. Consequently, the proposals would comply with the aims of Policies CS16, CS17, CS18 and CS41 of the Bournemouth Local Plan: Core Strategy (2012), as well as aims of paragraphs 116 and 117 of the National Planning Policy Framework (2024) which seek new development to provide safe and suitable access for all, and to give priority first to pedestrian movements.

Sustainable energy

88. Policies CS2 and CS3 of the Core Strategy require developments to be sustainable and to embrace the use of renewable/low carbon energy generations. The Applicant has failed to provide information which outlines how the building will be energy efficient. However, a condition could be introduced to outline the final design in this respect and meet the requirements of the relevant policies, including the guidance set out in Policy CS2, the Town Centre Development Design Guide 4.2 and the Residential Design Guide 3.10 in terms of the careful use of natural resources.

Cliff Stability

89. Policy 3.25 requires from developments '*within 200 metres of cliffs and chines, or in proximity to steep embankments, to incorporate measures necessary to demonstrate such development will have no adverse effect upon existing cliffs, chines or steep embankments*'. As stated within paragraph 3.58 of the saved local plan '*the stability of the ground is so far as it affects land use, is a material consideration which should be taken into account in determining a planning application*'. Paragraph 3.60 goes further that 'the stability of the land can have significant implications as to what form of development is appropriate or could be considered.
90. Given that the development is in the order 100 metres from the adjacent cliff frontage, a cliff stability appraisal was submitted with the application. The slope stability assessment highlighted the recommendations for appropriate site drainage. The Cliff Stability Engineer commented that this approach appears sufficient hence in line with Policy 3.25, subject to appropriate conditions to resolve drainage. Those would be in respect to the demolition of the existing structures; the drainage design; the ground investigation, as well as the basement structure and sea cliff stability.

Land Contamination

91. As this site has a domestic history away from commercial uses, potential contamination issues are likely to be confined to the fabric of the existing buildings rather than ground below.

Ecology

92. An Ecology Report has been submitted. No evidence of nesting birds, bats or any other protected species has been recorded on the site. To enhance the site for ecology, eight bird nesting boxes, four bat boxes and six bee bricks will be installed within the new block of flats and the new dwelling. The Council's Ecology Officer raised no objections to the proposed works subject to conditioning full compliance with the biodiversity recommendations as given in section 5 and appendix H of the submitted 'Ecology & Biodiversity Net Gain Assessment (BNGA) Report'. Furthermore, the consultee suggested that vegetation clearance on this site should be carried outside the bird breeding season of 1st March to 31st August inclusive. Also, an informative note should be supplied that if bats are found during demolition that all work to cease.
93. Overall, it is considered that the proposals comply with relevant provisions of the NPPF, which further seeks net gains for biodiversity, Policy CS30 which seeks to promote green infrastructure and Policy CS35 which seeks to promote the Borough's biodiversity and geodiversity interests.

Biodiversity Net Gain (BNG)

94. The Biodiversity Net Gain (BNG) requirement in England became effective on 12 February 2024, compelling all planning permissions to positively impact biodiversity. The BNG requirement means that, for all planning applications made after 12 February 2024, every planning permission will have a BNG Condition attached. This condition requires a Biodiversity Gain Plan to be submitted and approved by the Planning Authority prior to commencement of the development (Paragraph 13 Schedule 7A TCPA 1990). The biodiversity gain objective/condition is met if the development increases the biodiversity value of the site by at least 10%, relative to the pre-development value of the onsite habitat, this percentage subject to change by the Secretary of State.
95. However, exemptions apply to certain development. Those could be developments below a de minimis threshold and applies to development that does not impact a [priority habitat](#) and impacts less than 25 square metres (e.g. 5 metres by 5m metres) of non-priority onsite habitat (such as modified grassland) or 5 metres for non-priority onsite linear habitats (such as native hedgerows). This exemption is designed to ensure that BNG does not apply to either very small-scale development or development which does not impact habitat, through loss or degradation within the red line boundary.
96. Initially, a BNG consultee raised concerns due to a lack of a draft Habitat Management and Monitoring Plan. Such details were requested in order to determine whether or not the

biodiversity gain condition can be discharged in accordance with the biodiversity gain hierarchy, and whether the proportion of onsite habitat proposed would be satisfactory.

97. As noted above, a 10% biodiversity net gain (BNG) is required as per the Environment Act 2021. An ecological impact assessment and Biodiversity Metric has been submitted with the application. The metric demonstrates that -16.86% BNG will be achieved (a net loss on site). However, the applicant intends to make up through the purchase of offsite biodiversity units and such approach is not objected by the BNG consultee as it is considered to be in line with the BNG hierarchy because they have demonstrated that they are retaining as much on site habitat as possible, including the existing trees and providing replacement habitat where possible.
98. The consulted BNG Officer also confirmed that the baseline habitats recorded in the revised metric received are considered to be acceptable. The proposed habitats and trees shown on the revised Landscape Plan (2381/11) are acceptable and achievable for this site. The Council's Tree Officer has considered tree protection details and confirmed that he is satisfied that the trees indicated for retention would not be harmed by the development. The area of verge to the front of the site which is outside the application site red line must be protected. The BNG Officer noted if the habitat were to be impacted by the development, it would need to be included within the red line boundary.
99. A number of the proposed habitat parcels represent 'significant' biodiversity gain habitats, and therefore a detailed Habitat Management and Monitoring Plan (HMMP) is required when discharging the statutory condition. A HMMP condition has also therefore been added. The applicant also agreed on the offsite units requirement prior to purchase to reduce delays post decision. The correct number of units will need to be purchased prior to submitting the Biodiversity Gain Plan in order to discharge the statutory condition. BNG monitoring fees of £3,748.00 are suggested to cover the costs of the council checking the monitoring reports which the applicant is required to submit over the statutory 30 year period, and this will be secured by Section 106 Agreement. Additionally, the management and maintenance of communal areas is proposed to be secured by Section 106 Agreement
100. Finally, suitable conditions to secure protection of retained trees within the site and protection of habitat and trees outside the site, as well as the informative advising the applicant about the statutory condition are required. Subject to an appropriately worded conditions, the submitted metric has been completed correctly and that the development would be capable of achieving the mandatory 10% net gain onsite.

Drainage

101. The application site qualifies as major development and therefore requires the involvement of the Lead Local Flood Authority (LLFA) as a technical consultee. All (major) development proposals have to be supported by a (conceptual) strategy of surface water management in accordance with the National Planning Policy Framework (NPPF), which demonstrates both that the proposed development and any adjoining property or infrastructure are not to be placed at risk, or to suffer from any worsening. The site sits at the top of the cliff within Flood Risk Zone 1, where low risk of flood exists. The land is previously developed with a drainage system connected to the sewer network. The clifftop location prohibits the use of a simple into-the-ground drainage-system on stability grounds.

102. The consulted LLFA raised no objection to agreed drainage details subject to conditioning full compliance with details and recommendations set with the agreed Surface Water Drainage Strategy and Flood Risk Assessment Report.

Waste and Recycling

103. A waste management officer reviewed the proposed works and raised no objections. For a development of 22 x flats provision should be made for 5 x 1100L recycling bins and 3 x 1100L refuse bins. The proposed dwelling would utilise a 240 litre capacity bin for recycling, 180 litre capacity bin for refuse and a 23 litre capacity bin for food waste. Residents may also subscribe for the garden waste collection service, via a 240 litre wheeled bin. The bin stores for flats were a suitable size to accommodate the number of containers required. Also, the bin store for flats is within 10 metres of the public highway to facilitate collections. The collection vehicle would not enter the development in order to service the bins of the dwellings. Residents should present their bins at Rotherfield Road and return them to their property boundaries once they have been emptied. The plans are suitable from a Waste Collection Authority perspective.

Heathland Mitigation

104. 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 dwelling(s) resulting in increased population and domestic animals should be undertaken with regard to the requirements of the Habitat Regulations 1994. It is considered that an appropriate assessment could not clearly demonstrate that there would not be an adverse effect on the integrity of the sites, particularly its effect upon bird and reptile habitats within the SSSI.
105. Therefore, as of 17th January 2007 all applications received for additional residential accommodation within the borough is subject to a financial contribution towards mitigation measures towards the designated sites. A capital contribution is therefore required and in this instance is £3,990, plus a £199.50 administration fee as per April 2024 rates. A legal agreement has been processed by the Council at the time of writing this report although needs to be finalised prior issuing a final decision.

New Forest SAMM

106. The site lies within the 13.8km zone of influence of the New Forest National Park. Natural England have formally advised BCP that in the light of the significant evidence relating to recreational pressure on the New Forest designated sites, all new residential development within the zone of influence of the New Forest SAC, New Forest SPA and New Forest Ramsar will be required to secure appropriate mitigation. Such appropriate mitigation must enable the conclusion that development coming forwards will not lead to an adverse impact on the Integrity of the New Forest Designated sites.
107. The zone of influence defines where additional housing growth would trigger likely significant effects on the New Forest SAC/SPA/Ramsar from recreation and as such where mitigation would be required. In this instance, the application site is located within the zone of influence. As such, mitigation is required.

108. The contribution required for this site in this instance is £2,255, plus a £112.75 administration fee (£205 per flat, including flats plus 5% admin fee). The required mitigation will be secured through a legal agreement to overcome that issue and make it acceptable.

Affordable Housing

109. All applications proposing residential development in excess of 10 units net will be subject to the Council's adopted affordable housing policy. The affordable housing DPD sets out an approach to achieving contributions towards the delivery of affordable housing in Bournemouth. Policy AH1 contained within DPD requires all residential development to contribute towards meeting the target of 40% affordable housing. When considering residential development, the Council will seek a 40% contribution except where it is proven to not be financially viable. The DPD was revised in November 2011 and sets out in greater detail how the DPD will be implemented as well as including an indicative contribution table which applicants can agree to rather than submit viability information.
110. In this case the applicant has agreed to pay the 40% policy compliant affordable housing contribution. The contribution consists of the following:
- 40% Policy compliant contribution for those 22 units (£13,867 per unit) would be **£305,074**, plus **£53,250** for the detached house.
111. The applicant has agreed to pay such amount to cover affordable housing associated with this site. The affordable housing contribution figures will be included into a final S106 agreement. This is a significant benefit of the proposed development.

Community Infrastructure Levy

112. The development proposal is liable to a community infrastructure levy charge.

Planning Balance / Conclusion

113. As outlined above, the public benefit of extra 11 residential units into the area (23 in total) where a sufficient housing supply provision cannot be demonstrated, is considered to outweigh the visual perception of the 6 storey development against buildings with fewer storeys within vicinity. Given the shortfall of the number of homes delivered in the Local Plan area, the balance is tilted in favour of sustainable development and granting 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 tilted balance approach forms a material consideration in this case.
114. The proposal would make efficient use of a brownfield site and provide 11 additional dwellings in a highly sustainable location in terms of public transport, local amenities including shops and a short distance to seafront. This has significant weight in terms of the substantial social and economic benefits of 11 additional dwellings, during both construction and in the future.

115. A positive aspect of the proposal is that all flats would benefit from balconies and outdoor patio/garden areas. They are also of good size and exceed the Nationally Described Space Standards. Also, a proposed dwellinghouse is of a generous size and blend in well within its immediate setting. A contribution is proposed towards affordable housing, which represents a further benefit.
116. The proposal therefore delivers a form of sustainable development in accordance with the development plan, when a balanced judgement is made. The proposed scheme is considered to represent on balance a good quality design that would enhance the character of the locality. Therefore, having considered the appropriate development plan policy and other material considerations, including the NPPF, it is considered that subject to compliance with the conditions attached to this permission, the development would be in accordance with the Development Plan, would not materially harm the character or appearance of the area or the amenities of neighbouring and proposed occupiers and would be acceptable in terms of traffic safety and convenience. The Development Plan Policies considered in reaching this decision are set out above.

Recommendation

Conditional Permission

RECOMMENDATION I - That delegated authority be granted to the Head of Planning Operations to Grant Conditional Permission subject to:

- a) satisfactory completion of a Legal Agreement necessary to secure the mitigation of the impact of the proposed residential development on Dorset Heathlands and New Forest SAMMS by securing the payment of financial contributions and conditions (below)

RECOMMENDATION II - That delegated authority be granted to the Head of Planning Operations to add/amend conditions where necessary.

RECOMMENDATION III - That delegated authority be granted to the Head of Planning Operations to refuse planning permission if a Legal Agreement has not been satisfactorily completed within three months of the date of this resolution.

Section 106 terms

- Financial contribution of £3,990 plus a £199.50 administration fee towards Heathlands Mitigation.
- Financial contribution of £2,255 plus a £112.75 administration fee towards the mitigation of the adverse effects arising from the development on the New Forest SAC, New Forest SPA and New Forest Ramsar site.
- As the development would include habitats that are considered 'significant' biodiversity gains, an HMMP will be required when discharging the statutory condition and therefore the HMMP condition should be added.

- BNG monitoring fees of £3,748.00 to cover the costs of the council checking the monitoring reports which the applicant is required to submit over the statutory 30 year period must be secured by Section 106 Agreement.
- The management and maintenance of communal areas must be secured by Section 106 Agreement.
- Affordable Housing contribution of **£358,324** plus £200 administration fee.

Conditions

1. Standard conditions

a) Before any development is commenced details of “reserved matters” (that is any matters in respect of which details have not been given in the application and which concern the landscaping of the site shall be submitted to the Local Planning Authority for their subsequent approval.

Reason: This condition is required to be imposed by the provisions of Article 3 (1) of the Town and Country Planning (General Development Procedure) Order 1995.

b) Application for approval of landscaping must be made not later than the expiration of three years beginning with the date of this permission.

Reason: This condition is required to be imposed by Section 92 of the Town and Country Planning Act 1990.

c) The development to which this permission relates must be begun not later than whichever is the later of the following dates:-

- i) the expiration of three years from the date of grant of outline planning permission, or
- ii) 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.

Reason: This condition is required to be imposed by Section 92 of the Town and Country Planning Act 1990.

; and to the following condition(s):

2. Approved Plans

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

- Proposed House Floor Plans And Elevations, drawing number 9753/208 rev. B;
- Existing Floor Plans drawing number 9753/210 rev. A
- Existing Elevations drawing number 9753/211;
- Proposed Bin and Cycle Stores and Stairwell drawing number 9753/207 rev. D;
- Site Block And Location Plans drawing number 9753/200 rev. I;
- Basement and Ground Floor Plans drawing number 9753/201 rev. F;
- Proposed First and Second Floor Plans drawing number 9753/202 rev. F;

- Proposed Third and Fourth Floor Plans drawing number 9753/203 rev. E;
- Proposed Fifth Floor and Roof Plans drawing number 9753/204 rev. D;
- Proposed Front (South) and Side (East) Elevations drawing number 9753/205 rev. F;
- Proposed Rear (North) and Side (West) Elevations drawing number 9753/206 rev. G;
- Proposed Street Scene drawing number 9753/209 rev. G;
- Indicative Drainage Plan 9753/212 rev. C;
- Drainage Strategy Overall Layout 24058-GAP-XX-XX-DR-C-9000 rev. P07;
- Drainage Strategy Ground Floor Layout 24058-GAP-XX-XX-DR-C-9001 rev. P07;
- Drainage Strategy Basement Layout 24058-GAP-XX-XX-DR-C-9002 rev. P07;
- Drainage Areas Pre-Development 24058-GAP-XX-XX-DR-C-9010 rev. P01;
- Drainage Areas Post-Development 24058-GAP-XX-XX-DR-C-9011 rev. 01;
- Drained Areas Post Development 24058-GAP-XX-XX-DR-C-9011 rev. P02;
- DS/9272424/AC Tree Survey and Arboricultural Method Statement;
- Tree Protection Plan & Arboricultural Method Statement DS/92724/AC;
- Landscape Comparison Study drawing number 9753/213;
- Landscape Proposals 2381/11.

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

3. The demolition of the existing structure(s)

Before the demolition of existing structures on the site is undertaken, a 'demolition statement' and related temporary works design detailing the proposed demolition method, shall be submitted to the planning authority and approved in writing prior to commencement.

Reason: To ensure compliance with the requirements of Construction (Design and Management) Regulations 2015 (CDM 2015) and to allow consideration of the suitability of the demolition method being proposed for the structure, to review potential risks due to the sites location within an urban area and being close to a main road i.e. Boscombe Overcliff Drive.

4. Construction Management Plan – Major Developments

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

5. Ground Levels

Prior to the commencement of any below ground development, a plan indicating the finished site levels above Ordnance Datum of the building, and the finished site levels shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be completed in accordance with these approved details.

Reason: To ensure that the development relates satisfactorily to its surroundings in the interests of visual amenity and in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

6. Significant LEMP condition

No part of the development hereby permitted shall be commenced unless a Landscape and Ecology Management Plan ("LEMP") has first been submitted to and approved in writing by the local planning authority. The LEMP shall accord with the Biodiversity Gain Plan approved for the purposes of the development and the approved HMMP required in accordance with the conditions forming part of this permission ("the agreed HMMP"). The LEMP shall in particular include:

- (a) details of all ecological matters (including species enhancements) and landscaping associated with the development not otherwise identified in the agreed HMMP including identification of what is to be retained as well as all proposed creation and enhancement;

- (b) details of all proposed works relating to such ecological matters and landscaping together with any relating to on-site habitat not otherwise identified in the agreed HMMP including any proposed hard landscaping and all boundary treatments;
- (c) a timetable for the provision of all such ecological matters, landscaping and works; and
- (d) details and arrangements as to future on-going retention, management and maintenance of all such ecological matters, landscaping and works including provision for the replacement of any plant or tree found damaged, removed, dead or dying.

The approved LEMP shall at all times be accorded with and the identified ecological matters, landscaping and works at all times retained, managed and maintained in accordance with the approved LEMP.

Reason: to ensure there is adequate protection for the existing habitats and provide suitable external amenity space for future occupiers and to ensure 10% Biodiversity Net Gain can be provided in accordance with the Biodiversity Gain Hierarchy as per paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 and the Environment Act 2021.

7. Habitat Management and Monitoring Plan condition

- (a) No part of the development hereby permitted shall be commenced unless a Habitat Management and Monitoring Plan ("HMMP") has first been submitted to and approved in writing by the local planning authority.
- (b) The HMMP shall accord with the Biodiversity Gain Plan approved for the purposes of the development hereby permitted.
- (c) The HMMP shall in particular include:
 - (A) a background section; including:
 - (i) a high level summary of all relevant matters identified in the HMMP;
 - (ii) details of the person(s) who have written the HMMP and who will be responsible for delivery and maintenance of all Habitat Provision; and
 - (iii) the metric used for the purposes of the HMMP; and
 - (B) a section setting out all planned habitat activities, including:
 - (i) overarching aims and objectives;
 - (ii) design principles informed by all relevant baseline information;
 - (iii) full details of the Habitat Provision;
 - (iv) a Condition Target for each habitat forming part of the Habitat Provision together with targets required to meet every Condition Target including timelines against which progress against those targets can be assessed;
 - (v) details of all protective, management and maintenance measures in relation to the Habitat Provision to cover a period of at least thirty years from the Completion of Development; and
 - (vi) details of any identifiable risk relating to the Habitat Provision and also the meeting of any Condition Target together with initial identified remedial measures relating to any such risk; and
 - (C) a monitoring schedule section including:
 - (i) a monitoring strategy;
 - (ii) details of monitoring methods to be used for a Monitoring Report together with intervals for the provision of every Monitoring Report to the local planning authority; and

- (iii) details of how Adaptive Management will be incorporated into meeting every Condition Target; and
- (D) plans and details reasonably necessary for each section.
- (d) No part of the development shall be occupied unless the local planning authority has approved in writing the Completion of Development Report.
- (e) The approved HMMP shall at all times be accorded with. If at any time it is identified that any Condition Target specified in the approved HMMP may not be, or is no longer being, met then Adaptive Management shall be implemented without unreasonable delay sufficient to ensure that the Condition Target will be met or continues to be met (as the case may be) in accordance with the approved HMMP.
- (f) Whenever a Monitoring Report is submitted to the local planning authority in accordance with the approved HMMP, in addition to any other information, it shall in particular include:
 - (i) a progress summary;
 - (ii) details of the person(s) responsible for compiling the information in the monitoring report;
 - (iii) details identifying the success or failure of the Habitat Provision both generally and in particular as against every relevant Condition Target;
 - (iv) progress toward every Condition Target including any identified barrier(s) to such progress;
 - (v) any Adaptive Management required to ensure that the Habitat Provision is on track to meet each Condition Target and continues to meet every Condition Target once achieved;
 - (vi) a register of activity; and
 - (vii) any identified need to vary the approved HMMP together with relevant explanation.

For the purposes of this condition:

“Adaptive Management” means procedure(s) whether originally identified in the approved HMMP, a Monitoring Report or otherwise including a timetable for delivery to ensure that the Condition Target(s) are achieved and thereafter maintained.

“Condition Target” mean the minimum acceptable targeted level of habitat condition in relation to each habitat type situated on the application site including a time by when that habitat condition will be reached where it is not already being met;

“Completion of Development” means the date on which the local planning authority issue an approval of the Completion of Development Report;

“Completion of Development Report” means a written report submitted to the local planning authority for the purposes of this condition identifying the date on which the development hereby permitted has been completed together with evidence of such completion and also of compliance with all targets applicable on or before that date identified in the approved HMMP;

“Habitat Provision” means all habitat situated on the application site to which this permission relates to be retained, created and enhanced

“Monitoring Report” means a report containing monitoring and survey information to be submitted to the local planning authority in relation to the Habitat Provision including person(s) responsible for undertaking all such monitoring and surveys and submission of the report to the local planning authority.

Reason: to ensure there is adequate protection for the existing habitats and to ensure 10% Biodiversity Net Gain can be provided in accordance with the Biodiversity Gain Hierarchy as per paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 and the Environment Act 2021.

8. Management of surface water

No development (including demolition) shall take place until detailed proposals for the management of surface water (including the provision of final and substantiated drainage designs), which strictly accord with the approved flood risk assessment and drainage strategy ("Surface Water Drainage Strategy and Flood Risk Assessment Report," Godsell Arnold Partnership Ltd, Revision F, 17/06/25 ref 24058-GAP-ZZ-ZZ-RP-C 9000_F, including Drainage Overall Layout Drawing 24058-GAP-XXX-XX-DR-C 9000 P07 17/06/25), have 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.

9. Surface Water Management scheme

Prior to the first occupation of the development, a scheme for the maintenance and management of the Surface Water Management scheme required via condition 8 shall 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.

10. The ground investigation

Prior to the commencement of development, a site-specific ground investigation following the recommendations of BS EN 1997- 2: 2004 Eurocode 7 shall be undertaken, which is to include appropriate testing, factual and interpretative reporting. A Ground Investigation Interpretative Report (GIR) is required to provide an appropriate ground model and information on material parameters for detailed design of the structure(s). The report shall be submitted to the Local Planning Authority for approval in writing prior to commencement of development and development carried out in accordance with the approved details.

Reason: To safeguard the health, well-being and amenities of users of the site and the locality and avoid the migration of contaminants in general.

11. The basement structure and sea cliff stability

The Ground Investigation Interpretative Report (GIR) shall inform the production of a Geotechnical Design Report (GDR) which shall be prepared in accordance with BS EN 1997-1: 2004 Eurocode 7 and the UK national annex, relevant standards and codes of practice, shall consider all the geotechnical issues of the site, and shall be submitted for the

written approval of the Local Planning Authority prior to the commencement of development on site.

The GDR shall include (but not necessarily be limited to) consideration of both the temporary and permanent works, global stability; the potential for induced ground movement during construction (due to excavation/ lateral displacement/ wall relaxation) the potential impacts of dewatering if undertaken, and how ground movements shall be maintained within tolerable limits.

The GDR shall provide a 'basement impact assessment' to demonstrate that the temporary and permanent works will not adversely impact on adjacent services and structures. Furthermore the report shall demonstrate that the global stability of the Sea Cliff is not adversely impacted by the proposed development.

The GDR shall provide a supervision and monitoring plan, the assumed construction methodology; the sequence of development/ construction; details of backfilling and reprofiling where required, as well as the provision of a geotechnical risk register and supporting calculations. Once agreed, the recommendations of the report shall be implemented in full.

Reason: To ensure that the structural stability of the site is maintained, to minimise the risk of instability to the adjacent structures, services, and Sea Cliff.

12. Contaminated Land Remediation (Watching Brief)

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

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

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).

13. Samples of materials

Notwithstanding the annotations on the approved plans, no development above damp roof course level shall take place until details/samples of the materials to be used on the external surfaces of the proposed development including the bricks, glazing, walls, balconies, roof areas, balcony railings including any colour finish and texture have been submitted to and approved in writing by the Local Planning Authority. 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).

14. Compliance with the submitted arboricultural method statement and tree protection plan

The Arboricultural Impact Assessment & Method Statement ref. DS/92724/AC prepared by Treecall Consulting Ltd and dated 17 June 2025, as well as the submitted Tree Protection Plan & Arboricultural Method Statement drawing number DS/92724/AC dated 17 June 2025, shall be implemented in full, including the tree protection measures and compliance with the required arboricultural supervision, and shall be undertaken in accordance with the approved timetable and maintained and supervised until completion of the development.

Reason: To ensure that trees and other vegetation to be retained are not damaged during construction works and to accord with Policy 4.25 of the Bournemouth District Wide Local Plan (February 2002).

15. Noise

No development shall take place until a detailed acoustic report on the existing noise climate at the development site has been submitted to and been approved in writing by the Local Planning Authority.

The report shall include a scheme of noise insulation measures for the proposed residential accommodation. The noise insulation measures shall be designed to achieve noise insulation to a standard that adverse amenity impact will not be caused to the occupiers of the residential accommodation by noise from road traffic on Boscombe Overcliff Drive.

The report shall have been undertaken by suitably qualified acoustic consultant/engineer, shall include 2no periods for daytime as 0700-2300 hours and 2no. for 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 day time: 55 dB LAeq,16 hours
- Inside bedrooms at night-time: 30 dB LAeq,8 hours (45 dB LAm_{ax})
- Outside bedrooms at night-time: 45 dB LAeq,8 hours (60 dB LAm_{ax})

The noise assessment shall be carried out by a suitably qualified acoustic consultant/engineer and shall take into account the provisions of BS4142: 2014 "Method of rating industrial noise affecting mixed residential and industrial areas" and BS 8233: 2014 "Sound Insulation and Noise Insulation for Buildings - Code of Practice".

The approved scheme shall be implemented prior to the first occupation of any of the residential units hereby approved and be permanently retained thereafter.

Reason: In order to safeguard the amenities of future occupiers of the noise sensitive development.

16. Crime prevention scheme

The details of a Crime Prevention Scheme to be implemented within the development shall be submitted to and approved in writing by the Local Planning Authority in conjunction with Dorset Police. The approved scheme shall be implemented prior to the occupation of the development hereby approved and permanently retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of Crime Prevention.

17. Climate Change Mitigation

Prior to the first occupation of the development, full details of any sustainability mitigations for the site, including rooftop areas shall be submitted to the Local Planning Authority in writing for approval. Details shall set out how the development will achieve the Core Strategy Policy CS2 requirement that at least 10% of the energy to be used in development will come from decentralised and renewable or low carbon sources. No installation or instatement of the details shall be undertaken until approval is given for them, in writing, by the Local Planning Authority. The equipment and/or planting shall then be installed in accordance with the approved details before the first occupation of any of the dwellings hereby approved.

See informative note on climate change mitigation

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).

18. Off-Site Works a Pre-Requisite of Development – Footway Crossing

Before the development is occupied or utilised, a scheme for the provision of pedestrian visibility splays across the highway verge and the exact position for the relocation of the bench currently fronting the site, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the construction specification and surface treatment of the splay areas and shall comply with the standards adopted by the Local Highway Authority. The agreed scheme shall then be implemented prior to first residential occupation of any of the residential units hereby approved and no obstruction to visibility over 0.6m in height above ground level shall be erected within the area of the splays at any time.

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

19. Vehicular Access, Parking & Turning

Before the development is occupied or utilised, the proposed access, including the provision of a gradient no steeper than 1 in 12 for the first 5m, and the parking and turning areas, shall be constructed and arranged in accordance with approved plans and permanently retained and kept available for their intended purpose, at all times.

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

20. Cycle Parking

Before the development is occupied or utilised the cycle parking facilities and associated access arrangements shown on the hereby approved plans must have been constructed. Thereafter, these facilities 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.

21. Servicing and Waste Management Plan

Prior to the first occupation of the development a Servicing Management Plan, incorporating a Waste Management Plan (CWMP) shall be submitted to the Local Planning Authority for approval in writing. The plan shall include

- 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, including a weekly timetable with hours;
- details of procedures waste collection operatives will adhere to when faced with cyclists seeking to use the basement cycle store via the lift; and
- drawings showing the provision of 2m wide clearance across proposed footways immediately adjacent to the approved lift door opening serving the basement bin stores; and
- No bins or waste shall be stored within the bin collection point other than on the collection day the bins are due to be collected, commencing four hours before collection is due and returned to basement bin store within 6 hours.

No installation or instatement of the details shall be undertaken until approval is given for them, in writing, by the Local Planning Authority. None of the dwellings hereby approved shall be first occupied until the servicing and waste management plan has been approved AND any approved dropped kerbing, path widening and demarcation has also been fully implemented on site in accordance with the approved details. The approved details within sections (a), (b), (c) and (d) shall remain in situ and complied with at all times while the building is occupied by any residents.

Reason: To ensure that the business meets its duty under Environmental Protection Act 1990 (section34) 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

22. Biodiversity Enhancement Mitigation

Prior to the first occupation of any part of the development hereby permitted all biodiversity enhancement recommendations as given in section 5 and appendix H of 'Ecology & Biodiversity Net Gain Assessment (BNGA) Report' by ABR Ecology Ltd shall be implemented in full.

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 (2024)

23. Bird nesting months

All work to trees and/or hedgerows on the site shall be carried out outside of the bird nesting season which runs from 1st March to 31st August inclusive, unless it can be sufficiently checked by an ecologist to show that nesting birds are not present.

Reason: To safeguard the active nests of all wild birds which in England are protected under the Wildlife & Countryside Act 1981

24. Obscure Glazing (windows)

Prior to the first occupation of any of the dwellings hereby approved:

a) The lower portions of all habitable windows in the eastern elevation facing the flank of no.69 Boscombe Overcliff Drive, serving flats nos. 4, 8, 16 and 20, as well as the en-suite within no.22; and shown on approved floor plans (9753/201 rev. F, 9753/202 rev. F, 9753/203 rev. E, 9753/204 rev. D) and elevation drawing (9753/205 rev. F) shall be fitted with obscure glazing to a point at least 1.6m above finished floor level within each unit; to Pilkington Level 3 obscuration or above (or the nearest equivalent standard) and shall be permanently retained as such.

b) The lower portions of the bedroom windows in the northern elevation facing rear, and lighting flat nos. 1, 2, 3 and 4; and shown on approved floor plan (9753/201 rev. F) and elevation plan (9753/206 rev. F) shall be fitted with obscure glazing to a point at least 1.3m above finished floor level within each unit; to Pilkington Level 3 obscuration or above (or the nearest equivalent standard) and shall be permanently retained as such.

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

25. Obscure Glazing (balconies)

Prior commencement of the proposed works, full details of 1.8 metre high balcony privacy screens fitted to the eastern and western sides up to the curved end edges of the building frontage to flat nos. 5, 8 9, 12, 13, 16. 17, 20, 21 and 22, facing nos.63 and 69-71 Boscombe Overcliff Drive as shown on the approved floor plans (9753/202 rev. F, 9753/203 rev. E, 9753/204 rev. D) and elevations plans (9753/205 rev. F and 9753/206 rev. F) proving at least Pilkington Level 3 obscuration (or the nearest equivalent standard) shall be provided to and agreed in writing with the Local Planning Authority. The agreed details shall be permanently retained as such.

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

26. Lighting (Light Spill)

Before the development hereby approved is first occupied, the external lighting across the site must be installed and maintained with connections to a timer so that it is extinguished overnight between 23.00h and 06:00h daily. Any additional overnight security lighting provided to building entrances and pathways shall operate by PIR sensor and extinguish by timer after 5 minutes of no activity. Any lighting installed to the exterior of the building or within the site (including that operated by the PIR) shall point downwards at an angle of no more than 30 degrees perpendicular from a point above the ground, not be mounted above the internal ceiling height of first floor level and not face any neighbouring residential windows within or outside the site.

The approved lighting scheme shall installed and thereafter at all times retained and maintained in full working order.

Reason: In the interest of highway safety and neighbouring amenity and in accordance with Policies CS14 and CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

27. No permitted development rights for enlargements

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no enlargements of the dwelling(s) including alterations shall be constructed without the grant of further specific planning permission from the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain control over the development of the site in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

28. No permitted development rights for outbuildings

Notwithstanding the provisions of Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no outbuildings including garages shall be constructed within the curtilage of the dwelling hereby approved without the grant of further specific planning permission from the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain control over the development of the site in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

Informative Notes:

1. Informative note: Bats

If bats are found during demolition that all work to cease and if possible, part of structure that was removed and exposed bats put back into place. A bat ecologist employed to address situation and Natural England contacted.

2. Informative note: 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.

3. Informative note: Highway and 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.

4. Informative note: Dropped kerb

The applicant is advised that notwithstanding this consent, Section 184 of the Highways Act 1980 requires the proper construction of vehicle crossings over kerbed footways, verges or other highway land. Normally this work will be undertaken at the expense of the applicant by the Highway Authority although on occasions there might be instances where the applicant under supervision can undertake this work. A Section 171 (Highways Act 1980) licence application form is available within the Roads and Transport section of the council's website (www.bcpccouncil.gov.uk).

5. Informative note: Car Parking Permit Schemes

The applicant should note and inform future residents that residents may be excluded from being able to purchase permits associated with existing or future parking permit schemes controlled by the Council in the area. This is to encourage the use of sustainable modes of travel amongst future residents in line with Council aims to promote sustainable travel.

6. Informative note: Streetworks

Prior to construction commencing on site, the applicant/site developer is strongly advised to contact the Streetworks Team on 01202 128369 or streetworks@bcpccouncil.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.

7. Informative note: Building Control

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

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

8. Informative note: No burning

No burning of demolition/construction waste materials shall take place on site at any time.

9. Informative Note: BNG Approval Required

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 is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed are considered to apply.

10. Informative note: Drainage proposals

Detailed drainage proposals 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)

11. Informative note: Drainage maintenance and management

Drainage maintenance and management information may typically include:

1. Drainage ownership/responsibility layout
2. Maintenance schedules
3. Maintenance agreements
4. Adoption agreements
5. Schedules for replacement of drainage components (where design life is less than the lifetime of the proposed development)
6. Operation and maintenance manuals

12. Informative Note: Good acoustic design

A good acoustic design process should be followed in accordance with the 'Professional Practice Guidance on Planning and Noise: New Residential Development' (May 2017 or later versions) to ensure that the noise criteria are achieved with windows open. Any design measures that are used to control the ingress of noise must be consistent and compatible with the requirements of Approved Documents O and F.

13. Informative Note: Waste Collection

The Council, under section 46 of the Environmental Protection Act 1990, can specify the type of bin provided for waste collections, where bins are to be placed for emptying, the emptying frequency, the items that may or may not be put into bins and the steps to be taken by occupiers to assist the collection of waste.

The EPA s46 (4e-g) state that collection arrangements (including the time when receptacles must be placed for collection and subsequently removed) can be set by the Council. With regard to these collection arrangements, the Council's website provides clear instructions of when and where bins need to be put out for collection and returned to your property

<https://www.bcpccouncil.gov.uk/Bins-waste-and-recycling/Bins/Household-rubbish-bin-collections.aspx>

Regarding bin placement on the highway, the Highways Act 1980 section 130 imposes a duty on the Highway's Authority to assert and protect the rights of the public to use and enjoy the highway. This general duty is reinforced by s.130 (3) which states that the Highway Authority have a duty to prevent, as far as possible, the obstruction of the highway.

The comments in this response relating to capacity, collections and site compliance apply to this application exclusively. Should any alterations be made to the final build that differ from the plans available at the date of this consultation, a further consultation will be necessary.

The WCA's views and refer them to the planning guidance document available here

<https://www.bcpccouncil.gov.uk/Planning-and-building-control/Planning-policy/Current-Local-Plans/Bournemouth/Docs/waste-and-recycling-services-planning-guidance.pdf>

Statement required by National Planning Policy Framework

In accordance with paragraph 39 of the 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,
- 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/agent was updated of any issues after the initial site visit, the applicant/ agent responded by submitting amended plans, which were found to be acceptable, and permission was granted.

Background Documents:

7-2024-3914-D

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