

# Planning Committee



Application Address	Southbourne Crossroads Car Park Southbourne Coast Road Bournemouth BH6 3NH
Proposal	Variation of Conditions 1 & 8 of Planning Permission 7-2025-28119-C (Minor material amendment application to vary condition no .2 for internal and external alterations to Blocks A-D, erection of a new cycle store for Block A and re wording of conditions 4,5,7,8 and 9 (Application ref. 7-2021-28119, original description - Erection of 4 blocks (total of 27 flats) with bin and cycle stores and formation of vehicular access and associated under croft car parking) to allow for changes to Block D to form a privacy wall and roof terrace (part retrospective).
Application Number	P/25/04045/CONDR
Applicant	Mr E. Fitzsimmons
Agent	Mr Chris Miell MRTPI Pure Town Planning
Ward and Ward Member(s)	East Southbourne & Tuckton Cllr Bernadette Nanovo Cllr Judy Richardson
Report status	Public
Meeting date	19 February 2026
<b>Summary of Recommendation</b>	<b>Grant in accordance with the details set out below</b>
Reason for Referral to Planning Committee	A call-in request from Cllr Bernadette Nanovo (Cllr Judy Richardson notified). The member considers that the proposed works are contrary to paragraphs 96 to 108 of the NPPF, which emphasise that planning decisions should aim to achieve inclusive, safe, and healthy environments  Also, 60no.objections have been received from properties located within a 1-mile radius form the site
Case Officer	Piotr Kulik
Is the Proposal EIA Development?	No

## **Description of Proposal**

1. The application is a Section 73 Variation of Condition (“minor material amendment”) application to vary conditions 1 and 8 associated with an approved scheme ref. 7-2025-28119-C to allow changes to the approved Block D to form a privacy wall and roof terrace serving Flat D3 (part retrospective).
2. It should be noted this application would not amend the originally approved number of residential units on site. The proposed changes to the planning conditions would be as follows:
  - Condition 1 – Approved Plans;
  - Condition 8 – Compliance with landscaping and lighting proposals as set out in approved plans.

Also, it should be noted that this application does not alter the approved landscaping details or lighting proposals.

## **Description of Site and Surroundings**

3. The application relates to the former Southbourne Crossroads Car Park site which is situated on the cliff top adjacent to the roundabout linking Southbourne Overcliff Drive with Southbourne Coast Road and St Catherine’s Road. The site is currently under construction following the allowed planning appeal dated 3<sup>rd</sup> March 2023, and a follow-up approval ref. ref. 7-2025-28119-C. The site is bound to the north by St Catherine’s Terrace which forms a vehicular access to properties fronting St Catherine’s Road, to the south by Southbourne Overcliff Drive and to the west the by the roundabout.
4. Development around the site is generally 3-4 storeys in height and is predominantly in residential use with some commercial uses at ground floor level around St Catherine’s Road and Belle Vue Road. The architectural style within the locality varies with the traditional Victorian era terraces to the north and a variety of more modern development including a number of blocks of flats along the coast road

## **Relevant Planning History**

5. P/25/04139/NMA: Non-Material Amendment following the approval of 7-2025-28119-C for amendments to Penthouse Terraces and Balcony Block B – Refused.
6. P/25/03243/NMA: Non-Material amendment following approval of 7-2025-28119-C for additional screen wall to terrace on Block D – Refused.
7. P/25/01362/FUL: Installation of new substation and re-positioning of existing foot path – Approved.
8. P/25/01254/ADV: Proposed 5no. 11 metres by 2.44 metres advertisement signs attached to the existing hoarding – Approved.

9. 7-2025-28119-D: Erect a temporary sales office for a period of 48 months – Approved.
10. 7-2025-28119-C: Erection of 4 blocks (total of 27 flats) with bin and cycle stores and formation of vehicular access and associated undercroft car parking – Approved.
11. 7-2024-28119-B: Non-Material amendment to application 7-2021-28119 for internal and external alterations to Block A and erection of a new cycle store – Application Withdrawn.
12. 7-2021-28119-A: Erection of 4 blocks (total of 24 flats) with bin and cycle stores and formation of vehicular access and associated undercroft car parking – Non determination, Appeal Allowed.
13. 7-2021-28119: Erection of 4 blocks (total of 27 flats) with bin and cycle stores and formation of vehicular access and associated undercroft car parking – Refused, Appeal Allowed.

### **Constraints**

- Cliff top location
- Proximity of neighbouring terraces

### **Public Sector Equalities Duty**

14. 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**

15. 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.
16. 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**

17. Ecologist - No objection.
18. Local Lead Flood Authority (LLFA) – The proposed alterations will have no impact on the drainage strategy for Block D or the development as a whole and as such we offer no objection to these proposals.
19. Local Highway Authority (LHA) Officer – No objection
20. Urban Design Officer – Concerns raised. Following comments have been provided:  
  
*‘The main impact of the introduction of the roof terrace and privacy wall will be on neighbours closest to Block D on the opposite side of St Catherine’s Terrace. The case officer is best placed to judge this.*  
  
*In terms of appearance the stepped elevation to St Catherine’s Terrace would be somewhat disjointed and less successful than the approved scheme in my view, with a bigger expanse of brickwork and no additional detailing to break it up’.*
21. Waste Management Officer – No objection due to no impact on the waste management collection.

## **Representations**

22. Site notices were posted in the vicinity of the site on 25/06/2025 with an expiry date for consultation of 16/07/2025. This application was also press advertised on 06/06/2025 with an expiry date of 27/06/2025.
23. 97 representations have been received, all raising objection. However, only 60 objections have been received from properties located within a 1-mile radius from the site. The grounds of material planning objection are as following:
  - Visual impact
  - Bulky design
  - Overbearing and overdevelopment
  - Loss of privacy and overlooking
  - Impact on amenity space (noise nuisance, smells and fumes)
  - Lack of transparency
  - Setting an undesirable precedent

## **Key Issue(s)**

24. The key issue(s) involved with this proposal are:
  - Housing Delivery Test
  - Principle of the proposed works
  - Impact on character and appearance of the area
  - Amenities for future occupiers
  - Impact on neighbouring properties

- Highways/Parking
- New Forest SAMMs
- Legal Agreement

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

### **Policy Context**

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

#### **Local documents:**

#### **Bournemouth Local Plan: Core Strategy (2012)**

CS1 Sustainable Development  
 CS2 Sustainable Homes and Premises  
 CS3 Sustainable Energy and Heat  
 CS4 Surface Water Flooding  
 CS6 Delivering Sustainable Communities  
 CS14 Delivering Transport Infrastructure  
 CS15 Green Travel Plans and Transport Assessments  
 CS16 Parking Standards  
 CS17 Encouraging Greener Vehicle Technologies  
 CS18 Increasing Opportunities for Cycling and Walking  
 CS22 Housing Outside Preferred Locations  
 CS33 Heathlands Mitigation  
 CS35 Nature and Geological Conservation Interests  
 CS38 Minimising Pollution  
 CS41 Quality Design

#### **Bournemouth District Wide Local Plan (2002)**

3.25 Coastal Zone Management  
 6.9 Development on Brownfield Land  
 6.10 Flats Development  
 8.22 Parking

#### **Supplementary Planning Documents:**

Dorset Heathlands Planning Framework SPD 2020  
 Residential Development: A Design Guide – PGN (2008)  
 Sustainable Urban Drainage Systems (SUDS) - PGN  
 Parking Standards – SPD  
 Waste and Recycling Services Planning Guidance Note

National Planning Policy Framework 2024 ("NPPF"/"Framework")

## Section 2 – Achieving Sustainable Development

### Paragraph 11 –

“Plans and decisions should apply a presumption in favour of sustainable development.

.....

For **decision-taking** this means:

- (c) approving development proposals that accord with an up-to-date development plan without delay; or
- (d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
  - (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of this Framework taken as a whole.”

## Section 11 – Making Effective Use of Land

## Section 12 – Achieving well-designed places

## Section 14 – Meeting the challenges of climate change, flooding and coastal change

## Section 15 – Conserving and enhancing the natural environment

### **Planning Assessment**

#### Principle of the proposed works

27. The construction of 4no. blocks of flats on site has been allowed under the appeal of application ref. 7-2025-28119-C. This application follows a recent refusal ref. P/25/03243/NMA which tried to secure a non-material amendment for creation of approximately 5 metres long and 1.8 metres high solid brick privacy walland to create an open outdoor terrace space serving Flat D3 at Block D.
28. The current application proposes the exact same works, although now being considered under a Section 73 minor material planning application. It should also be noted that this application solely relates to the assessment of any potential impacts caused by the proposed new roof terrace area brick privacy wall serving flat D3. The brick privacy wall has already been erected without planning permission along the north elevation of Block D hence a reference to part-retrospective works within this application's description.
29. Contrary to assumptions received from numerous objectors, works being interpreted as a 'material' do not automatically trigger a planning refusal. Section 73 of the Town and Country Planning Act allows applicants to make changes to approved schemes by varying the conditions, including the condition referencing the approved plans. The current application seeks a formal planning approval for both a terraced amenity space set on a previously approved roof

space with associated 5 metre long and 1.8 metre height solid brick privacy wall serving a new outdoor amenity space.

#### Impact on character and appearance of the area

30. The case officer agrees with the Council's Urban Design Officer that the terrace wall serving flat D3 at Block D appears to be disjointed and less successful than the approved scheme ref. 7-2025-28119-C. However, while looking at the impact of the terrace wall on the overall scale and massing of the approved development of 4no. block of flats on site, the visual impact appears to be minor. The privacy wall would not exceed the height of the original block D, in fact, it is set approximately 1.5 metres below the main ridge height of the Block D and is also set at the back of the building such that it is not overly prominent from the street. The privacy wall also appears to be subservient in scale and blends well into the approved design not adversely affecting the street scene.
31. The submitted Block D – Plans & Elevations drawing number 1820 84C indicates an additional 1 metre high glass balustrade separating the terrace area from the rest of the roof at Block D. The glass balustrade appears to be subservient in scale and matching this serving another terrace space serving the Flat D3, which was granted in the original approval.
32. Given the above, the proposed brick wall is not considered overbearing or out scale when compared to the approved scale and massing of Block D. Furthermore, the proposed terrace area serving flat D3 would not affect agreed solar PV panel provision, as the approved drawing number 1820 CO07-5B shows PV panels set on the roof above flat D3.
33. Overall, the proposals would not alter the original permission to a degree that would be harmful to the character and appearance of the area and is in line with planning policies CS21, CS41 of the Core Strategy and policies 4:25 and 6.10 of the District Wide Local Plan, 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.

#### Amenities for future occupiers

34. The proposed works would not alter the originally approved number of units nor their internal floor layout within the wider site setting. The proposed terrace space would further improve the quality of amenity space serving Flat D3.
35. Given the above, it is considered that the proposed works would comply with provisions of policy 6.10 of the Bournemouth District Wide Local Plan 2002, policies CS21 and CS41 of the Bournemouth Local Plan Core Strategy 2012, Part 3 of the Residential Development – A Design Guide SPG 2008 (the Design SPG) and Residential Development: A Design Guide.

#### Impact on neighbouring properties

36. The proposed works would not affect the footprint of the originally approved building. There will not be any material alterations to the fenestration arrangements. The proposal relates to the (already erected) 5 metres long and 1.8 metres high solid brick wall along the north facing, which is subject of the

current application. The proposed wall, as well as the proposed additional outdoor amenity space serving Flat D3, requires planning assessment in terms of their potential impacts upon neighbouring properties.

37. The privacy wall is set opposite the rear of No. 35 St Catherine's Road. Such arrangement would result in a loss of some sea views directly to the rear from the first-floor windows and roof terrace, which is regrettable although not a material planning consideration. The proposed privacy wall is set approximately 7 metres away from the nearest rear facing windows, which are at ground floor level and mostly obscure glazed. The proposed wall is approximately 10 metres from the rear of the first-floor conservatory structure at No. 35, which has an outdoor amenity space adjacent. However, assessment of the impacts of the privacy wall should not be disjointed from the overall scale and massing of the approved Block D. The privacy wall although creating additional bulk and mass directly to the rear of this property is seen as a subservient addition in the context of the overall scale of the building. Given the distance of 7-10 metres, it would be unlikely to cause adverse loss of light to No. 35 to an extent which would warrant a planning refusal and neither would it be overbearing.
38. The privacy wall would not lead to a loss of privacy. In fact, the role of such wall is to protect privacy between the application site and nearest neighbouring amenities. Nuisance caused by residential activities at the proposed outdoor amenity space would be controlled by Environmental legislation. Councils must investigate complaints that could be considered as a 'statutory nuisance' and this is covered by the Environmental Protection Act 1990. The proposed roof terrace, as a residential use is in planning terms not considered to be incompatible with other residential uses.
39. Other residential properties that may be affected by the proposed terrace area are flats with their balconies facing a seafront at No. 37 St. Catherine's Road. However, those flats are set at the angle to the application site, located in excess of 30 metres away and for these reasons these neighbours are not considered to be affected in terms of loss of light or privacy.
40. Overall, some modest visual impact is recognised to 35 St Catherine's Road, but it is not considered to be materially harmful. As such and on balance, the relationship between the development and the adjacent residential properties would not result in a material loss of privacy, or have an overbearing impact and the proposal would therefore comply with Policies CS21, CS41, saved LP Policy 6.10 with regards to protecting the amenities of neighbouring uses.

#### Highways/Parking

41. Proposed alterations to the approved scheme include fenestration changes to the eastern elevation of Flat D3 and the construction of a first-floor privacy wall and roof terrace for said flat, all of which have no material impact upon highway matters.
42. Consequently, the Local Highway Authority have no objection to the variation of condition Nos. 1 and 8 of the approved scheme to change the approved plans list to reflect the proposed changes. The proposed works would therefore comply with planning policies CS16, CS17, CS18 and CS41.



### Biodiversity Net Gain (BNG)

43. 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.
44. 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.
45. It should be noted that biodiversity net gain does not apply to section 73 permission where the original permission which the section 73 relates to was either granted before 12 February 2024 or the application for the original permission was made before 12 February 2024. Therefore, in case of the current application no BNG is required as the application for the original permission ref. 7-2021-28119 was made on 3<sup>rd</sup> March 2023.

### Legal agreement

46. The original legal agreement included contributions towards affordable housing, as well as Heathlands contributions. The planning obligations contained within the S106 legal agreement have not been fully covered by the applicant at the time of writing this report. On 5<sup>th</sup> December 2025, the applicant confirmed that the Heathlands SAMM and SNCI Contributions have been paid (Heathlands - £7,008.00 plus £350 admin fees; SNCI - £10,187.75).
47. As per clause 9.10 of the legal agreement, in the event that a Section 73 Permission is granted this Deed shall apply to development pursuant to the Section 73 Permission as well as to development pursuant to the Planning Permission without the need for a further agreement to be entered into pursuant to Section 106 of the 1990 Act. Therefore, no changes are required to the original S106.
48. However, since approval ref. 7-2025-28119-C, 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.

49. The site lies within the 13.8km zone of influence of the New Forest National Park and 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.
50. 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.
51. The contribution required for this site in this instance for 27 flats is £5,535, plus a £277 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.

### **Planning Balance**

52. The proposed amendments are minor and are considered acceptable on balance. The proposed changes do not result in any detrimental impacts over and above the approved scheme. The scheme would not be harmful to the character and appearance of the area and it will not have a materially harmful impact on neighbouring residents. The proposals will be in keeping with other recent developments in the area, as well as with the original permission's condition requirements.
53. 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 local 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**

#### **54. Conditional Permission**

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

1. satisfactory completion of a Legal Agreement necessary to secure the mitigation of the impact of the proposed residential development on New Forest SAMMS by securing the payment of financial contributions; and
  - the following planning 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 £5,535, plus a £277 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.

## **Conditions**

### **1. Time condition**

The development hereby permitted shall be begun before the 3<sup>rd</sup> March 2026.  
Reason: As required by Section 91 of the Town and Country Planning Act 1990 (as amended).

### **2. Approved Plans**

The development hereby permitted shall be carried out in accordance with the following approved plans, except insofar as they include indicative details:

- Foundation Strategy drawing number 0000 TEC V0 00 DR S 0100;
- Location and Block Plan 1820 70 rev. B;
- Site Plan drawing number 1820 71;
- SITE PLAN SHOWING ROOF PLAN drawing number 1820 72 rev. D;
- BLOCK A PLANS AND ELEVATIONS drawing number 1820 73 rev. B;
- BLOCK B PLANS drawing number 1820 75 rev. A;
- BLOCK B PLANS drawing number 1820 76 rev. A;
- BLOCK B ELEVATIONS drawing number 1820 79;
- Ecology drawing number 1820 93;
- Drainage Layout compressed drawing number C1539\_100 rev. P4;
- Landscape Proposals drawing number PA-2356-1F;
- Living wall proposals drawing number PA-2356-3A;
- BLOCK A PLANS AND ELEVATIONS drawing number 1820 74 rev. D;
- BLOCK D PLANS AND ELEVATIONS drawing number 1820 84 rev. C;
- BLOCK B ELEVATIONS compressed drawing number 1820 77 rev. D;
- BLOCK B ELEVATIONS drawing number 1820 78 rev. A;
- BLOCK C FLOOR PLANS drawing number 1820 80 rev. B;
- BLOCK C FRONT AND REAR ELEVATIONS compressed drawing number 1820 81 rev. C;
- BLOCK C SIDE ELEVATIONS drawing number 1820 82 rev. A;
- BLOCK C SIDE ELEVATIONS drawing number 1820 83 rev. A;
- STREETSCENE compressed drawing number 1820 85 rev. C;
- Comparative - Elevations E drawing number 1820 10;
- Comparative - Elevations S/ N-E drawing number 1820 20;
- Comparative - Elevations E drawing number 1820 30;
- Comparative - Elevation N drawing number 1820 40;
- Lighting Plans Block A drawing number 1820 01;
- Lighting Plans Block B drawing number 1820 02;
- Lighting Plans Block C drawing number 1820 03;
- Lighting Plans Block D drawing number 1820 04;
- SITE PLAN Landscaping drawing number 1820 DOC 8C;

- MATERIALS drawing number 1820 CO07-01;
- Details of built-in features for nesting birds and bees drawing number 1820 CO07-02 rev. A;
- Details of built-in features for nesting birds and bees 1820 CO07-03;
- Details of built-in features for nesting birds and bees 1820 CO07-04;
- Details of built-in features for nesting birds and bees 1820 CO07-05 rev. B.

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

### **3. On site working hours**

Works, deliveries and servicing undertaken in relation to implementation of the development hereby permitted shall only take place between the hours of 08:00 – 18:00 Monday to Friday, and 08:00 – 13:00 on Saturdays. No works, deliveries or servicing shall take place on Sundays and Public/Bank Holidays.

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

### **4. Land stability Report**

The development hereby permitted shall be carried out in accordance with the recommendations contained within Section 5.0 of the submitted Slope Stability Report prepared by BE Willis Partnership and the Geotechnical Design Report and Foundation Strategy by Thorpe Engineering Consultants. Ref. 23214-GDR dated 18/12/2024.

Reason: To comply with Policy 3.25 and avoid adverse effect upon the cliff stability.

### **5. Contamination**

Prior to first occupation, a phased risk assessment shall be carried out by a competent person in accordance with relevant British Standards and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR11) (or equivalent British Standards and Model Procedures if replaced). The contamination risk assessment shall be submitted to, and approved in writing by the local planning authority. including the following components: Phase 3: a remediation strategy, validation plan, and monitoring plan. The validation plan shall provide details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The development shall then be implemented in accordance with approved risk assessment.

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.

## **6. Unexpected contamination**

Any unexpected contamination that is found during the implementation of the development hereby permitted shall be reported immediately to the local planning authority. Development on that part of the site affected shall be suspended and a risk assessment carried out by a competent person and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development (or relevant phase of development) is resumed or continued.

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.

## **7. Detailed specification of the materials**

The development hereby permitted shall only be constructed of materials the details of which are set out in approved plan reference 1820 CO07-01.

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).

## **8. Landscaping scheme**

The development hereby permitted shall strictly comply with landscaping and lighting proposals as set out in approved plans of the original permission ref. 7-2025-28119-C:

- Landscape Proposals drawing number PA-2356-1F;
- Living wall proposals drawing number PA-2356-3A;
- SITE PLAN Landscaping drawing number 1820 DOC 8C;
- Details of built-in features for nesting birds and bees drawing number 1820 CO07-02 rev. A;
- Details of built-in features for nesting birds and bees 1820 CO07-03;
- Details of built-in features for nesting birds and bees 1820 CO07-04;
- Details of built-in features for nesting birds and bees 1820 CO07-05 rev. B.
- Lighting Plans Block A drawing number 1820 01;
- Lighting Plans Block B drawing number 1820 02;
- Lighting Plans Block C drawing number 1820 03;
- Lighting Plans Block D drawing number 1820 04;

The approved landscaping scheme shall then be implemented in accordance with the approved timetable and shall thereafter be maintained in accordance with the approved plan.

Reason: To ensure that the proposed development includes a properly designed and suitably landscaped amenity area in the interests of visual amenity and to accord with Policy 4.25 of the Bournemouth District Wide Local Plan (February 2002) and Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

## **9. Drainage scheme**

Prior to the first occupation of the development hereby permitted, the drainage scheme detailed within the Surface Water Drainage Report Rev.P1 Ref. C1539 and shown on plan C1539-100-Rev.P4 shall be fully implemented. The scheme shall thereafter be maintained in accordance with the details set out within the Surface Water Drainage Report.

Reason: To provide satisfactory drainage for the development in accordance with Policy CS4 of the Bournemouth Local Plan: Core Strategy (October 2012) and in order to achieve the objectives set out in the Local Planning Authority's Planning Guidance Note on Sustainable Urban Drainage Systems. To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site.

## **10. Bat-sensitive external lighting strategy**

This application should fully comply with details agreed with the LPA as per formal discharge letter dated 8 December 2025.

Reason: to be compliant with National Planning Policy Framework (2024) paragraph 187 "Planning policies and decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity"; policy CS30 "enriches biodiversity and wildlife habitat".

## **11. Energy Strategy**

This application should fully comply with details agreed with the LPA as per formal discharge letter dated 8 December 2025.

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with the requirements of Policy CS2 of the Core Strategy.

## **12. Visibility splays**

Prior to the first occupation of the development hereby permitted the visibility splays shown on the approved plans shall be cleared/excavated to a level not exceeding 0.6 metres above the level of the adjacent carriageway. The splays shall thereafter be maintained and kept free from all obstructions.

Reason: To ensure the proper and appropriate development of the site and to ensure that highway safety is not adversely impacted upon in accordance with Policies CS16 and CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

## **13. Cycle stores, vehicular parking and turning spaces**

Prior to the first occupation of each of the blocks hereby permitted the related cycle stores and vehicular parking and turning spaces shown on the approved plans shall be completed and made available for the storage of cycles, and the parking and turning of vehicles respectively. The cycle stores and vehicular

parking and turning spaces shall thereafter be retained and kept available for such uses at all times.

Reason: In the interests of promoting sustainable development and active travel including the cycling mode of transport, in accordance with Policy CS18 and CS41 of the Bournemouth Local Plan Core Strategy (October 2012).

#### **14. Refuse Management Plan**

This application should fully comply with details agreed with the LPA as per formal discharge letter dated 8 December 2025.

Reason: To ensure that the proposed development includes a long-term management plan for the collection of refuse in the interests of visual and residential amenities, and to accord with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

#### **15. PV panels**

Notwithstanding the approved plans, prior first occupation the proposed solar panels shall be laid flat on stub legs/rail system and permanently retained as such unless otherwise agreed in writing by the Local Planning Authority.

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).

#### **16. Bin store location**

This application should fully comply with bin store details serving Block A as shown on the approved drawings number 1820 71; 1820 73B; and 1820 74D of the original permission ref. 7-2025-28119-C. The agreed location shall be retained unless otherwise agreed in writing by the Local Planning Authority.

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).

#### **17. Panels**

Notwithstanding the approved plans, within 3 months from granting this permission, details of the decorative, perforated panels to be provided shall be submitted to and approved in writing by the Local Planning Authority. The location for the panels shall be agreed and then thereafter the panels shall be provided, maintained and retained in the agreed location unless otherwise agreed in writing by the Local Planning Authority.

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).

## **18. Living Wall and Brown Roof Scheme**

Notwithstanding the approved details, a scheme for the proposed Living Wall on the site frontage and Brown Roof on Block A shall be submitted to and approved in writing by the Local Planning Authority. Both the Living Wall and Brown Roof shall be implemented as approved prior to first occupation of the development and thereafter be maintained and retained for the lifespan of the development.

Reason: To ensure that the proposed development includes a properly designed and suitably landscaped amenity area in the interests of visual amenity and to accord with Policy 4.25 of the Bournemouth District Wide Local Plan (February 2002) and Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

### **Informative Notes:**

#### **1. 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.

#### **2. 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.

#### **3. 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) requires the proper construction of 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](http://www.bcpccouncil.gov.uk)).

#### **4. Informative Note: Kerb and Footway Re-instatement**

As a consequence of vehicle access closure, the applicant is advised that it will be necessary for the kerb to be raised and the footway (and verge if appropriate) restored. Normally the Highway Authority will undertake this work at the expense of the applicant although on occasion 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](http://www.bcpccouncil.gov.uk)).



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

## **6. Informative Note: Car Parking Permit Restriction**

The applicant should note and inform future residents that they may be excluded from being able to purchase permits associated with parking permit schemes controlled by the Council in the area. This is to reduce the impacts from the development due to the lack of car parking provision being proposed and to encourage sustainable modes of travel amongst future residents.

## **7. Informative: BNG – Approval not 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 does not require the approval of a biodiversity gain plan before development is begun because one of the statutory exemptions or transitional arrangements listed is relevant”.

### **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.

P/25/04045/CONDR

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.