

THE RT. HON. SIR CONOR BURNS MP

Bournemouth West



HOUSE OF COMMONS

LONDON SW1A 0AA

The Rt Hon Michael Gove MP
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Department for Levelling Up, Housing & Communities
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26 February 2024
BWC/CB76989/JM

**Planning Application for development of land South of Gillett Road, Poole,
Undetermined by BCP Council**

BCP Council Reference: APP/22/01455/F

Planning Inspectorate Reference: APP/V1260/W/23/3334527

I mentioned to you briefly at the margins of our meeting in the Department last Thursday with the Leader and Chief Executive of BCP Council that I was going to write to you about the planning application affecting the Talbot Village area of my constituency. I apologise for misunderstanding that you were already aware of this in the light of your confirmation that Councillor Philip Broadhead has never raised this with you verbally. I hope therefore that the following letter will now make sense in the light of our brief conversation.

I request your consideration of a planning application submitted by the Talbot Village Trust (TVT) to develop land which it owns adjacent to Talbot Heath and to Bournemouth University in my constituency. The application remains undetermined by BCP Council beyond the statutory deadline. An appeal has therefore been lodged with the Planning Inspectorate by TVT. This is to be decided by the Inquiry Procedure, commencing 30 April 2024.

The application is recorded as: *Major hybrid application for: Full application for the construction of a new 11,606 sq. metre Nuffield Health Hospital with provision of access, servicing and car parking, cycle and pedestrian provision and landscaping, Outline planning application for the provision of 13,394 sq. metre of employment, healthcare and university-related floorspace, including ancillary uses and a Growing Hub, and Change of Use of 12 hectares of grazing land to create a Heathland Support Area for the lifetime of the Innovation Quarter.*



Application Site

The site incorporates parts of Talbot Heath and is thus part of the Bourne Valley SSSI; the Dorset Heathlands SPA; the Dorset Heaths SAC; Dorset Heathlands RAMSAR site; and a Site of Nature Conservation Importance.

Following planning applications in 1995 (rejected), this is the second major application to develop the site in the 21st century. The first, which featured student residential accommodation, academic floor space and 378 housing units, was called in by the Secretary of State in 2011 at my request because of my concern for its impact on the protected Talbot Heath. After a public inquiry, in February 2012 the Secretary of State accepted the recommendation of the Planning Inspectorate that the application be rejected because he was unable to conclude that the proposed development would not have a significant adverse effect on the integrity of international sites and because he considered the visual impact of the mitigation was excessively intrusive. The impact of the residential units was fundamental to the argument to reject, albeit that the application was ostensibly in line with guidance in the then-Local Plan.

The central issue now is whether it can be established confidently, beyond reasonable scientific doubt, that the development proposed of a hospital and other employment space, with all the associated public access and facilities, will not have a significant adverse effect on the integrity of the designated European sites.

Poole Local Plan 2018

The current applicable Local Plan, adopted by the then-Poole Council on 13 November 2018 before the merger of Bournemouth, Christchurch and Poole local authorities, identifies the land in question as suitable for development. A copy of pages 73 and 74 of the Plan is attached but in summary the Plan states:

Talbot Innovation Quarter (TV2)

- Highmoor Farm and surrounding land is identified as having potential to bring forward development where creative and digital industries can cluster close to the universities as part of an innovation quarter.
- The final mix of uses should therefore include B1 with a particular focus on ICT; creative/ digital industries; environmental technologies; bio-medical and health care facilities (a private hospital or a care home for instance). Other ancillary uses demonstrated as necessary to support the social and business environment functions of the innovation quarter could also be appropriate.
- In all cases, development in the Highmoor Farm area will need to be compatible



with being within the 400m heathland buffer to Talbot Heath, as well as appropriate in relation to adjacent residential areas.

The allocation of the land in question was supported by the Local Plan Examination Inspector.

TVT has stated that the application fully complies with the extant Local Plan.

Public concerns about the current application include the point that BCP Council agreed in Cabinet on 27 July 2022 to delay the adoption of a consolidated Local Plan for the BCP area to 2026, two years later than planned and beyond the Government deadline of five years. The BCP Local Plan, when adopted, will therefore have no impact on this application.

The point has been made to me that the Poole Local Plan 2018, while extant in the absence of one for the conurbation, is based on a Supplementary Planning Document for Talbot Village issued in 2015. It is my understanding that this creates a "tilted balance" in favour of development.

On Highmoor Farm, the SPD states "*fields of the former Highmoor Farm ... will be managed as natural recreational spaces*" which in part conflicts with the planning application now submitted. The Poole Local Plan 2018 could not pre-judge the impact of recent changes - the local authority merger, the adoption of current national policies to tackle climate change, and the importance to public health of local green space for recreation and exercise in the light of lessons learned from the pandemic and as a means of reducing pressure on the NHS.

This delay has led to grievance on the part of some local residents that an outdated Poole Local Plan adopted more than five years ago by a now-abolished local authority is the basis of a decision on an application of this size and importance, on a site adjacent to the boundary with the former Borough of Bournemouth which had its own Local Plan at the time.

Opposition to the Proposals

Many in the community of Talbot Village (formerly Borough of Poole) and of Talbot & Branksome Woods (formerly Bournemouth Borough) oppose the application because of the impact of the hospital on their local amenity, and residents across wider areas of the conurbation oppose what is seen as "development on Talbot Heath" albeit no development on the Heath is proposed. Highmoor Farm, the last urban farm in the conurbation which residents seek to protect, is not on designated land.

TVT has consulted at length before submitting its formal application. Natural England and



the RSPB, which initially opposed the application and whose concerns were central to the case against the 2010 proposal, have withdrawn their objections subject to conditions being imposed in planning consent.

That said, Amphibian and Reptile Conservation, a national wildlife charity committed to conserving the UK's amphibians and reptiles and saving the disappearing habitats on which they depend. The charity states that Highmoor Farm acts as a buffer to the SSSI and some of these fields are functionally linked to it. They believe there is insufficient information to prove beyond reasonable doubt that the application will not cause further net biodiversity loss within this landscape or to the SSSI and object to this application.

Much of opposition has centred on use of the site for a private hospital (Nuffield) which proposes to move from a local premises that is too small. Two points have been made in response; first, that the new hospital will increase capacity to treat NHS patients, and second that the inclusion in the Local Plan of "a private hospital or care home" means that if the Nuffield were to withdraw, then another provider would be encouraged by the developer to take its place.

My role during the prolonged period has been to ensure that TVT has been fully aware of the views of all interested parties, but I have been careful to advise constituents of the need to identify "planning reasons" for the application to be refused. The proposal has attracted a large number of objectors, as well as some who have registered the view that it is sensitive and sensible use of a valuable development site.

I very much share concerns about the impact of traffic along the adjacent Wallisdown Road – a point that I also made to the Inspector on the previous application in 2012. The volume of traffic across the conurbation is extremely high, and Wallisdown Road is one of the worst affected.

Delays for vehicles have been exacerbated by the recent installation of wide cycle lanes with support from the Transforming Cities fund which limit the width of the carriageway.

BCP Council

The Planning function within the three former local authorities and now within the merged BCP Council has been challenging for some years. The Planning Department is exceptionally slow to issue determinations. One notable recent example was due to the long-term illness of a Planning Case Officer when the requisite planning permissions for a large capital school project in the north of my constituency were delayed for many months. The challenges with the Planning process in BCP Council have further exacerbated public sensitivity on this particular application.



In 2022, the Council refused planning consent to the Heathland Support Area now part of the subject application. The reason for refusal was the proposed scheme would result in the over-intensification of public access to the area, which would, in turn, cause significant material adverse impacts upon the site and the adjacent heathland. In lieu of testing that refusal through the Appeal process, the applicant has sought consent by way of this fresh hybrid application.

BCP Planning Committee voted by a majority decision in October 2023 to refuse the application. It is my understanding, however, that Officers of the Planning Department recommended that it be approved in the absence of "planning reasons" why it could be refused. Officers have, I understand, alerted the Committee to the potential cost of the Inquiry Procedure requested by the appellant and agreed by PINS, particularly if PINS were to reach the conclusion that refusal of the application could not be justified in law.

After several meetings of the Committee, it has been acknowledged that deadlock has been reached with a conclusion of non-determination of the application within the statutory timescale.

Much of the advice given to me is that the application complies with all relevant planning guidance and is correct in law. Opposition may therefore be both futile and potentially very costly. My concern is for all my constituents in Bournemouth West who potentially face increased Council Tax charges to cover the cost of a public Inquiry.

That said, constituents campaigning against the application have requested me to draw this controversial matter to your attention. As I say above, a previous Secretary of State rejected an application for development on this site despite that application appearing to be in compliance with the Local Plan, because he was unable to conclude that it would not have a significant effect on the integrity of international sites. It is their wish to see a similar outcome in 2024 in order to protect residents and wildlife.

I invite you to review this application in the light of the above and consider your powers of call-in.

With all good wishes.

Yours ever,
