



Eastern Area Planning Committee

Date: Wednesday, 3 July 2019

Time: 2.00 pm

Venue: The Hub, Brock Way, Verwood, BH31 7QE

Membership: (Quorum 6)

Toni Coombs (Chairman), Shane Bartlett (Vice-Chairman), Alex Brenton, Cherry Brooks, Robin Cook, Mike Dyer, Beryl Ezzard, Barry Goringe, David Morgan, David Tooke, Bill Trite and John Worth

Chief Executive: Matt Prosser, South Walks House, South Walks Road, Dorchester, Dorset DT1 1UZ (Sat Nav DT1 1EE)

For more information about this agenda please telephone Democratic Services on 01305 251010 or Elaine Tibble on 01305 838223/224202 - elaine.tibble@dorsetcc.gov.uk



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A G E N D A

Page No.

1 APOLOGIES

To receive any apologies for absence.

2 MINUTES

5 - 18

To confirm the minutes of the meeting held on 29 May 2019

3 DECLARATIONS OF INTEREST

To receive any declarations of interest.

4 PUBLIC PARTICIPATION

To receive questions or statements on the business of the committee from town and parish councils and members of the public.

PLANNING APPLICATIONS

5 WEST LULWORTH C OF E PRIMARY SCHOOL, SCHOOL LANE, WEST LULWORTH, WAREHAM, BH20 5SA

19 - 32

Proposal: Change of use of existing buildings, conversion of existing school building, demolition of extensions and erection of 1 1/2 storey extension to form 3 dwelling houses and erection of 6 dwelling houses with associated parking and landscaping.

6 LAND TO THE SOUTH OF HOWE LANE, VERWOOD, DORSET, BH31 6JF

33 - 56

Proposal: Approval for Reserved Matters of Landscape, Appearance and layout. Application 3/13/0674/OUT (granted on appeal) for construction of 29 residential dwellings.

7 FRAMPTON'S YARD, HOLT, WIMBORNE, DORSET, BH21 7DX

57 - 76

Proposal: Demolish existing outbuildings and erect three single storey dwellings, convert existing offices to three flats and improve vehicular

access junction with the highway

8 URGENT ITEMS

To consider any items of business which the Chairman has had prior notification and considers to be urgent pursuant to section 100B (4) b) of the Local Government Act 1972. The reason for the urgency shall be recorded in the minutes.

9 EXEMPT BUSINESS

To move the exclusion of the press and the public for the following item in view of the likely disclosure of exempt information within the meaning of paragraph 3 of schedule 12 A to the Local Government Act 1972 (as amended).

The public and the press will be asked to leave the meeting whilst the item of business is considered.

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DORSET COUNCIL - EASTERN AREA PLANNING COMMITTEE

MINUTES OF MEETING HELD ON WEDNESDAY 29 MAY 2019

Present: Cllrs T Coombs (Chairman), A Brenton, C Brooks, R Cook, M Dyer, B Goringe, D Morgan, B Trite and J Worth

Apologies: Cllrs S Bartlett, B Ezzard and D Tooke

Also present: Cllr D Walsh

Officers present (for all or part of the meeting):

Lynda King (Development Management Manager), Alan Davies (Development Manager), James Brightman (Senior Planning Officer), Elizabeth Adams (Principal Planning Officer) and Elaine Tibble (Democratic Services Officer)

1. Election of Vice Chair for the meeting

Proposed by Cllr Coombs, seconded by Cllr Trite.

Decision: that Cllr Brooks be appointed Vice Chair for the duration of the meeting.

2. Declarations of Interest

No declarations of disclosable pecuniary interests were made at the meeting.

3. 3/18/0996/OUT - Land to the north of Pardy's Hill, West of Sleight Lane, Corfe Mullen, BH21 3HW

The report detailing an outline application for a development of 9 affordable dwellings and associated access onto Pardy's Hill with all matters reserved was presented by the Senior Planning Officer.

He verbally reported the contents of the Update Sheet which had been circulated prior to the committee meeting.

An application for the site had previously been submitted for 12 dwellings and subsequently refused in 2017, on appeal the Inspector dismissed the appeal and the reasons were incorporated within the report. The revised application for 9 new homes was considered acceptable as there had been a 25% reduction in the number of dwellings and the reasons for the previous refusal had been addressed, the smaller application area was considered appropriate for the Green Belt area.

Oral representation in opposition to the application was received from Mr J Goddard, Mr R Lee and Cllr D Sowry-House on behalf of Corfe Mullen Parish

Council. Their main concerns focussed on the site not being in a sustainable area which would necessitate the ownership of cars as public transport in the area was poor. They also voiced opposition to building on the Green Belt.

Mr R Henshaw the Agent and Mr K Hodder the Applicant both addressed the committee in support of the application.

In response to speaker comments the Development Management Manager addressed the committee. Although the application site was not the best location for affordable housing, the Appeal Inspector was clear that the site met the exception requirements and this had not been a reason for refusal. Recommended conditions had been included to ensure that the flood risk was suitably dealt with and she urged the committee members to approve the development.

To clarify the Parish Council's comments that they were in the process of investigating alternative sites for affordable housing, the Development Management Manager reported that there had been no affordable housing delivered in the area for c15 years, the application before committee now was policy compliant and should be determined in accordance with the Local Plan and the Inspector's decision.

Members did have some concerns about the location, access to local amenities and flooding, however they accepted that the Appeal Inspector had not specified these as reasons to refuse the application.

Proposed by Cllr Dyer, seconded by Cllr Cook

Decision: that the application be delegated to the Development Management Manager to grant subject to the successful completion of a S106 Legal Agreement to secure;

1. All the dwellings to be affordable in perpetuity and to meet the NPPF's definitions of social-rented and low-cost housing
2. Strategic Access Management and Monitoring contribution in relation to mitigation for the proposal's impact on Heathland Sites of Special Scientific Interest.

And the conditions outlined in the appendix to these minutes.

Or

If a Section 106 Legal agreement and other information set out below are not secured by 30th July 2019, Refuse planning permission as the proposal would:

- Fail to secure the appropriate affordable housing provision in accordance with Core Strategy affordable housing exceptions site Policy LN4

- Fail to provide avoidance measures identified as necessary to mitigate the impact of the development, in combination with other plans and projects, on the integrity of the designated site as set out in the Dorset Heathlands Planning Framework Supplementary Planning Document (SPD) 2015-2020

4. **3/19/0667/FUL - Barrington Centre, Penny's Walk, Ferndown, Dorset, BH22 9TH**

The Principal Planning Officer presented the application which had been called to the Planning Committee in line with the Council's Constitution as it was an application submitted on behalf of the Council. The proposal sought approval to provide posts and sails of coloured material adjacent to the entrance and restaurant, an accessible slope and steps for access to the restaurant door together with modifications to the pavement to the east of the Barrington Centre to wrap the works around the permitted restaurant extension. Members did not raise any concerns with the proposal. It was noted that additional landscaping in the area would be welcomed but approval was proposed.

Proposed by Cllr Cook, seconded by Cllr Morgan.

Decision; that approval be granted subject to the conditions outlined in the appendix to these minutes.

5. **Appeal Decisions**

The Development Management Manager presented a summary of notified appeals and appeal decisions for members to take into account as material considerations in the Planning Committee's future decisions.

Appendix

Duration of meeting: 2.00 - 3.18 pm

Chairman

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APPLICATION NUMBER: 3/18/0996/OUT

APPLICATION SITE: Land to the north of Pardy's Hill, West of Sleight Lane, Corfe Mullen, BH21 3HW

PROPOSAL: Development of 9 affordable dwellings and associated access onto Pardys Hill. Outline application with all matters reserved.

As amended by plans received 7/11/2018

Decision:

That the application be delegated to the Development Management Manager to;

A) Grant planning permission subject to the successful completion of a S106 Legal Agreement to secure;

1. All the dwellings to be affordable in perpetuity and to meet the NPPF's definitions of social-rented and low-cost housing
2. Strategic Access Management and Monitoring contribution in relation to mitigation for the proposal's impact on Heathland Sites of Special Scientific Interest

And the following conditions:

1. (a) Before any development is commenced details of all 'Reserved Matters', that is the following matters in respect of which details have not been given in the application and which relate to Layout, Scale, Appearance, Landscaping and Means of access shall be submitted to and approved in writing by the Local Planning Authority.

(b) An application for approval of any 'Reserved Matters' must be made not later than the expiration of three years beginning with the date of this permission.

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

Reason: (a) This condition is required to be imposed by the provisions of Article 5(1) of the Town and Country Planning (Development Management Procedure) Order 2015: (1) of the (b) and (c) These conditions are required to be imposed by Section 92 of the Town and Country Planning Act 1990.

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

Ellis Belk Drawing 14121-02 E: 3D View and Street scene

Ellis Belk Drawing 14121-03 B: Site & Location Plans Ellis

Belk Drawing 14121-01 G: Proposed Site Plan

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

3. No development of the site or clearance of the site shall take place unless and until an updated Biodiversity Mitigation & Enhancement Plan (BMEP) has been submitted to and approved by the Local Planning Authority (LPA) in conjunction with Natural England (NE). Thereafter, the development shall be undertaken in accordance with the approved BMEP.

Reason: To ensure the effective protection and enhancement of the site's biodiversity during and after the development.

4. The dwellings and their curtilages; internal access roads; access onto Pardys Hill and parking and turning areas shall be located outside of the surface water flood risk areas as denoted on the GOV.UK website:- <https://flood-warning-information.service.gov.uk/long-term-flood-risk/map>

Reason: To safeguard the development against surface water flooding.

5. No development shall take place until a detailed surface water management scheme for the site, based upon the hydrological and hydrogeological context of the development, and including clarification of how surface water is to be managed during construction, has been submitted to, and approved in writing by the local planning authority. The surface water scheme shall be implemented in accordance with the submitted details before the development is completed.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity.

6. No development shall take place until details of maintenance and management of the surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter 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.

7. The development shall not be commenced until a foul water drainage strategy is submitted and approved in writing by the local Planning Authority in consultation with Wessex Water acting as the sewerage undertaker. This shall include appropriate arrangements for the agreed points of connection and the capacity improvements required to serve the proposed development phasing, and the foul water drainage strategy shall be completed in accordance with the approved details and to a timetable agreed with the local planning authority.

Reason: To ensure that proper provision is made for sewerage of the site and that the development does not increase the risk of sewer flooding to downstream property

8. Before planning permission is implemented, other than in respect of demolition works, a scheme shall be submitted to the Local Planning Authority to deal with potential contamination of the site. Such scheme shall include the following actions and reports, which must be carried out by appropriately qualified consultant(s):
- (a) A Site History Report, which shall, by reference to site layout drawings of an appropriate scale, include a history of the site, past land uses, current and historical maps, site plans, locations of any known spillages or pollution incidents and the location and condition of old tanks, pits, fuel or chemical storage areas. (Please note it is the responsibility of the landowner, developer or consultant to provide and disclose all relevant information).
 - (b) Before any works commence on site, should (in the opinion of the Local Planning Authority) remedial works be required, consultants appointed to carry out intrusive site investigation work must submit their sampling strategy to the Local Planning Authority for approval.
 - (c) A Site Investigation Report (based on the information contained in the site history report), will be required where the appointed consultant and/or the Local Planning Authority anticipate that contamination may be present in, on or near the proposed development area. The site investigation report must characterise and identify the extent of contamination, identify hazard sources, pathways and receptors and develop a conceptual model of the site for purposes of risk assessment.
 - (d) Where contamination is found which (in the opinion of the Local Planning Authority) requires remediation, a detailed Remediation Statement, including effective measures to avoid risk to future and neighbouring occupiers, the water environment and any other sensitive receptors when the site is developed, shall be submitted to the Local Planning Authority. Any remediation scheme(s) or part(s) thereof recommended in the remediation statement, shall require approval to be obtained in writing from the Local Planning Authority.
 - (e) Development shall only take place in accordance with the approved Remediation Statement.
 - (f) If, during works on site, contamination is encountered which has not previously been identified, the additional contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Planning Authority. Any such scheme shall require approval to be obtained in writing from the Local Planning Authority.
 - (g) On completion of all the works detailed in the agreed Remediation Statement, a Remediation Completion Report must then be completed by the environmental consultant(s) who carried out the remediation work confirming that they have supervised all the agreed remediation actions. This report is to be submitted to the planning authority confirming that all works as specified and agreed have been carried out to the point of completion. Until the Planning Authority is in receipt of said Remediation Completion Report and is

satisfied with the contents of the statement and the standard of work completed, it will be viewed that the remediation of the site is incomplete.

Reason: To ensure that any contamination of the site is properly dealt with during development.

9. No development shall take place, including any works of demolition, until a Construction Management Plan (CMP) has been submitted to, and approved in writing by, the local planning authority. The approved CMP shall be adhered to throughout the construction period. The CMP shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: This information is required prior to commencement to safeguard the amenity of the locality and in the interests of road safety.

10. Before the development is occupied or utilised the first 15.00 metres of the vehicle access, measured from the rear edge of the highway (excluding the vehicle crossing – see the Informative Note below), must be laid out and constructed to a specification submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that a suitably surfaced and constructed access to the site is provided that prevents loose material being dragged and/or deposited onto the adjacent carriageway causing a safety hazard.

11. No development must commence until details of the access, geometric highway layout, turning and parking areas have been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure the proper and appropriate development of the site

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any subsequent re-enactment thereof, no extensions, fences/walls/means of enclosure exceeding 1 metre in height, dormer windows, or outbuildings (excluding glasshouses/greenhouses) shall be constructed without express planning permission first being obtained.

Reason: To control the visual impact of the development on the Green Belt

and countryside.

13. The installation of protection measures for trees to be retained shall be undertaken in accordance with the approved plan 3670 TPP Rev A dated 04/03/19 and arboricultural method statement reference KB/SleightLaneCorfeMullen/Impact-Rev-A/3670dated 4th March 2019 before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason: In order to prevent damage during construction to trees that are shown to be retained on the site

14. Notwithstanding details already submitted within the Arboricultural Impact Appraisal and Method Statement, full plans and particulars showing the final siting of the services and soakaways shall be submitted to the Local Planning Authority for written approval prior to commencement of works on site. These shall show no drainage, soakaways or other structures (except a fence) in the root protection areas as shown on the approved Tree Protection plan KB/SleightLaneCorfeMullen/Impact-Rev-A/3670dated 4th March 2019.

Reason: To demonstrate that the proposed development can be implemented without detriment to the existing trees that are to be retained on the site.

15. Plans and particulars showing the finished floor levels, related to ordnance datum or fixed point within the site, of the ground floor of the proposed building(s), (and as appropriate the closest adjacent building beyond the site) shall be submitted to, and approved in writing by the Local Planning Authority and development shall not be commenced until these details have been approved, unless otherwise agreed in writing. All works shall be undertaken strictly in accordance with the details as approved.

Reason: This information is required prior to occupation of the development hereby approved in order that the Council may be satisfied with the details of the proposal having regard to the existing site levels and those adjacent hereto.

Informatives:

1. The applicant is advised that, notwithstanding this consent, if it is intended that the highway layout be offered for public adoption under Section 38 of the Highways Act 1980, the applicant should contact Dorset County Council's Development team. They can be reached by telephone at 01305 225401, by email at dli@dorsetcc.gov.uk, or in writing at Development team, Dorset Highways, Environment and the Economy, Dorset County Council, County Hall, Dorchester, DT1 1XJ

2. The vehicle crossing serving this proposal (that is, the area of highway land between the nearside carriageway edge and the site's road boundary) must be constructed to the specification of the County Highway Authority in order to comply with Section 184 of the Highways Act 1980. The applicant should contact Dorset Highways by telephone at Dorset Direct (01305 221000), by email at dorsetdirect@dorsetcc.gov.uk, or in writing at Dorset Highways, Dorset County Council, County Hall, Dorchester, DT1 1XJ, before the commencement of any works on or adjacent to the public highway.
3. This grant of permission is to be read in conjunction with the S106 Legal Agreement dated INSERT REQUIRED entered into between East Dorset District Council and INSERT REQUIRED to provide affordable housing and pay the appropriate contribution in relation to Heathland mitigation as required by the Dorset Heathlands Planning Framework 2015-2020 - Supplementary Planning Document (SPD)
4. Wessex Water advise the developer that;

Wessex Water will need to agree new connections to the public foul sewer and public water mains.

Wessex Water will not permit the build over of public shared sewers by new properties

A private survey of the site is required to determine the precise location of the existing rising main sewer which crosses the site. Easements are usually 6 metres either side of public sewer.

One of Wessex Water's main priorities in considering a surface water strategy is to ensure that surface water flows, generated by new impermeable areas, are not connected to the foul water network which will increase the risk of sewer flooding and pollution. Wessex Water advise that a further detailed plan is submitted to the planning authority to show the surface water strategy for the proposed site following the SuDS hierarchy, which is subject to building regulations.

There is a surface water sewer connection from site to the existing surface water sewer in Broadmoor Lane. There must be no land drainage connections from site to the surface water network. Points of connection and attenuation rates for surface water connections to be agreed with Wessex Water.

5. Given the proximity of the site to an Ordinary Watercourse, any works, whether temporary or permanent, offering an obstruction to flow within this channel i.e. diversion, realignment, culverting or connection, will require prior Land Drainage Consent from DCC's FRM function, in accordance with s23 of the Land Drainage Act 1991.
6. In respect of Condition 5, detailed proposals and further supporting calculations are required, and any detailed designs supplied must demonstrate that the recommendations of the National Planning Policy Framework and best practice are fully complied with, and that no off site

worsening in surface water runoff will result.

B) If a Section 106 Legal agreement and other information set out below are not secured by 30th July 2019, Refuse planning permission as the proposal would:

- Fail to secure the appropriate affordable housing provision in accordance with Core Strategy affordable housing exceptions site Policy LN4
- Fail to provide avoidance measures identified as necessary to mitigate the impact of the development, in combination with other plans and projects, on the integrity of the designated site as set out in the Dorset Heathlands Planning Framework Supplementary Planning Document (SPD) 2015-2020

APPLICATION NUMBER: 3/19/0667/FUL

APPLICATION SITE: Barrington Centre, Penny's Walk, Ferndown, Dorset, BH22 9TH

PROPOSAL External works to the community centre:

A. Sails

B. Accessible slope & steps to restaurant

C. Pavement modification at restaurant extension (All related to Application No. 3/18/3538)

Decision; that approval be granted subject to the conditions outlined below:

1. The development to which this permission relates must be begun 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 91 of the Town and Country Planning Act 1990.

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

2116.1-04A

2116.1-05A

2116.01A

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

3. Samples and/or a colour schedule of all materials and finishes to be employed in the provision of the sails and external landscaping, hereby permitted, shall be submitted to and approved by the Local Planning Authority before any on-site work is commenced. All works shall be undertaken strictly in accordance with the details as approved.

Reason: This information is required prior to commencement of development to ensure that the Council is satisfied about the details of the external appearance of the building

4. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in

writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: This information is required prior to commencement to safeguard the amenity of the locality.

Informatives: N/A

Background Documents: N/A

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

The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.

Application details

Ref: 6/2018/0653	Case officer: Peter Walters
Applicant: Willton Homes Ltd	
Address: West Lulworth C of E Primary School, School Lane, West Lulworth, Wareham, BH20 5SA	
Proposal: Change of use of existing buildings, conversion of existing school building, demolition of extensions and erection of 1 1/2 storey extension to form 3 dwelling houses and erection of 6 dwelling houses with associated parking and landscaping.	
Ward Member(s): Cllr Laura Miller & Cllr Peter Wharf	

1. Recommendation:

2. To grant planning permission subject to conditions as set out in the report.

Reason for the recommendation:

All significant planning matters have been appropriately and adequately addressed. Officers are recommending approval.

- The location is considered to be sustainable and the proposal is acceptable in its design and general visual impact.
- There is not considered to be any significant harm to neighbouring residential amenity.
- There are no material considerations which would warrant refusal of this application

2. Key planning issues

Issue	Conclusion
Principle of development	Acceptable – within the settlement boundary of West Lulworth.
Scale, design and impact on the character and appearance of the area and the Dorset AONB	Acceptable – AONB team are satisfied with the proposal.
Impact on the living conditions of the occupants of neighbouring properties	Acceptable – there will be no demonstrable harm to neighbours.
Access and parking	Acceptable – subject to appropriate conditions.
Biodiversity	Acceptable – subject to the implementation of the biodiversity mitigation plan.
Flood Risk & Drainage	Acceptable – subject to conditions
Land Contamination	Acceptable – subject to planning conditions.

Impact upon protected trees	Acceptable – subject to a more detailed arboricultural method statement being provided before construction. This is dealt with by a planning condition.
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3. Description of Site

The application site is a 0.2 hectare site, incorporating the former West Lulworth Primary School, to the south of School Lane. Within the site are the two-storey former primary school buildings, the oldest of which was constructed in 1860 and feature a natural slate roof. The building features two gable ends facing onto School Lane, the left hand side being the old school building and the right hand side being the old schoolhouse. The site also includes a temporary classroom, and the concrete base that formerly sited another classroom. The majority of the rest of the site is covered in tarmac, forming the old playground. Access is provided to the site through gates entering from School Lane, as well as the former pedestrian entrance into the school building itself. To the south east of the site is an Ash tree which is the subject a Tree Preservation Order (TPO). A new primary school has been constructed on land to the east of School Lane.

The site is within the settlement boundary of West Lulworth. It is bounded to the east by residential properties. Similarly, to the west, although not immediately adjacent, are residential properties. To the north, on the opposite side of School Lane are residential properties. To the south is open countryside, sloping upwards towards Bindon Hill, giving prominent views of the site. The site is situated within the Dorset Area of Outstanding Natural Beauty (AONB).

4. Description Of Proposal

The applicant is seeking planning permission to erect a pair of two bedroom semi-detached houses, four terraced three bedroom houses and the conversion of the existing school building into three houses, demolishing the later extension to the west of the building and erecting a replacement extension. The three houses in the converted school building would also be three bedroom properties. The proposal also includes the formation of a new access road through the site, leading to two open-sided car ports and a parking area, providing a total of 17 parking spaces to the rear of the existing building. Four other parking spaces are also proposed adjacent to some of the terraced properties and the pair of semi-detached properties.

5. Relevant Planning History

The site ceased to be used as a school in 2016. Subsequently, an application for the redevelopment of the site was submitted in 2017. The proposal was for the change of use of the school buildings to houses, along with the erection of 5 dwellinghouses with associated parking and landscaping (6/2017/0513). The application was refused by the Purbeck District Council Planning Committee held on 28 February 2018 due to the impact of the overall scale, form and layout of the development on the AONB and was also considered to be overdevelopment of the site, as well as failing to positively integrate with its surroundings.

Following the refusal, the applicant entered into pre-application discussions with Purbeck District Council. Amendments to the refused scheme were put forward by the applicant. Notably, the revised scheme focusses the housing towards the street, which follows the pattern of development on School Lane more closely. The AONB Officer confirmed that he was happy with the proposals in principle. Officers advised that subject to more detailed designs being submitted they could support the proposal, which includes an additional house to the refused scheme.

This revised application was presented to the Purbeck District Council Planning Committee on 27 February 2019. The Committee resolved to defer the application as a late representation raised the issue of surface water flooding. The Committee deferred making a decision on the proposals to allow the applicant and officers time to respond to this late representation. The applicant has commissioned a Flood Risk Assessment and officers have checked this and are satisfied that it addresses the concerns raised about flooding by the representation.

In procedural terms, whilst the proposals would now fall under the scheme of delegation to officers in Dorset Council, for reasons of transparency, the Development Manager has referred this application to be determined by the Dorset Council East Planning Committee in whose administrative area the proposals are situated.

6. Relevant Constraints

- Within settlement boundary
- Within the Dorset AONB
- Within 5km of a SSSI heathland
- Within the Purbeck Heritage Coast
- Tree Preservation Order on site
- Flood at property – caused by run off from fields
- Historic Contaminated Land - Description: Rubble from previously demolished buildings on site that could contain contaminants.

7.Consultations and responses received

All consultation responses can be viewed in full on the website.

Who	Relevant Points	Case Officer Response
Wessex Water	No objections, advise that further details regarding surface water drainage should be provided to the Council.	Suggested conditions put forward in the list of recommended conditions.
AONB Management Team	No objection to the proposal subject to conditions relating to details of materials being provided and an appropriate planting plan.	Suggested conditions put forward in the list of recommended conditions.
Highways Team	No objection, subject to conditions regarding visibility splays and the turning and parking area being constructed as shown.	Suggested conditions put forward in the list of recommended conditions.
Public Health Team	No objections subject to conditions outlined in the main report.	Suggested conditions put forward in the list of recommended conditions.
Drainage Engineer	Initial objections due to flooding history have been overcome with the submission of a suitable flood risk assessment subject to conditions regarding further details of the surface water drainage scheme and subject to the implementation of the recommendations of the Flood Risk Assessment.	Suggested conditions put forward in the list of recommended conditions.
Tree Officer	No objection subject to the submission of a detailed arboricultural method	Suggested conditions put forward in the list of recommended conditions.

	statement.	
West Lulworth Parish Council	Object to the proposals on the grounds of concerns regarding flooding, drainage, biodiversity, archaeology, the lack of affordable housing and concerns that the homes will be second homes. They also queried some of the statements in the Design and Access Statement relating to the use of the layby opposite for parking, the fact that the school remains split over two sites and that the school has not been used for 6 months in the past 3 years, therefore not benefitting from vacant building credit for CIL.	Flooding and drainage and biodiversity are addressed in the main body of the report. In line with the national Planning Practice Guidance, officers cannot require an affordable housing contribution as the scheme is below the threshold of ten new houses. Officers have taken account of policy H14 from the emerging Purbeck Local Plan 2018-2034 and are recommending that a condition is applied prohibiting the houses being sold as second homes. The points raised with regards to the Design and Access Statement with regards to the school remaining split over two sites and the amount of CIL liable to be paid are not material to the application. The parking provision is addressed in the main body of the report.

8. Representation

The Council received 2 comments from neighbours and residents about this planning application. Both are objections. The following table sets out a summary of the key issues from the comments as well as the case officer's response to them. All responses can be seen in full on the Council's website.

Issue	Case officer response
High density of development – overdevelopment of the site	This is considered in the main body of the report.
Highway safety due to increased traffic and positioning of the parking spaces	The Dorset Council Highways Team requested the repositioning of two of the parking spaces to address highway safety concerns and are now satisfied that the proposal does not compromise highway safety.
Inadequate services/ infrastructure to support further development	The development will be liable to the Community Infrastructure Levy which contributes towards infrastructure. The size of the development is below a threshold where the Council can reasonably demonstrate that any impact on local services is demonstrably harmful requiring a further financial contribution.

9.Relevant Policies

Purbeck Local Plan Part 1:

Policy LD: General Location of Development

Policy LHH: Landscape, Historic Environment and Heritage

Policy D: Design

Policy IAT: Improving Infrastructure and Transport

Policy BIO: Biodiversity and Geodiversity

Policy FR: Flood Risk

Emerging Purbeck Local Plan

Policy H14: Second Homes

NPPF

Chapter 4: Decision-making

- Paragraphs 47 & 48 – Determining applications
- Paragraphs 54 & 55 – Planning conditions and obligations

Chapter 9: Promoting sustainable transport

- Paragraphs 108, 109 & 110 – Considering development proposals

Chapter 12: Achieving well-designed places

- Paragraphs 124, 127 & 130 - Achieving well-designed places

Chapter 14: Meeting the challenge of climate change, flooding and coastal change

- Paragraphs 155 & 163 – Planning and Flood Risk

Chapter 15: Conserving and enhancing the natural environment

- Paragraphs 170, 172 & 173 - Conserving and enhancing the natural environment
- Paragraph 175 – Habitats and biodiversity

Other material considerations

Dorset AONB Management Plan 2019-2024

Dorset AONB Landscape Character Assessment & Management Guidance 2008.

Purbeck District design guide supplementary planning document adopted January 2014.

Bournemouth, Poole and Dorset residential car parking study May 2011.

Dorset biodiversity appraisal and mitigation plan.

Strategic Flood Risk Assessment 2018.

British Standard 5837:2012 Trees in relation to design, demolition and construction – recommendations.

10.Human Rights

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property

This Recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

11. Public Sector Equalities Duty

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:-

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED.

Access: Footpath links are proposed from the car park to the street, negating the need for residents with mobility needs or buggies to walk in the road.

12. Financial Benefits

The approximate resource implications if this application is granted are:

Material Planning Considerations	
What	Amount / value
Affordable housing	N/A
Quantum of green space	N/A
Play areas	N/A
Contributions to health care etc	N/A
Jobs created	N/A
CIL	£108,487
Other section 106 contributions	N/A
Non Material Planning Considerations	
What	Amount / value
Council Tax	*£16,919
Business rates	Loss of £3,560
New Home Bonus	£10,530 paid for 6 years

*based upon average Council Tax of band C.

13. Planning Assessment

Principle of development

The site is situated within the settlement boundary of West Lulworth. Policy LD of the Purbeck Local Plan Part 1 states that development should be focussed within villages and towns that have a settlement boundary. The policy also provides a hierarchy of settlements within the village, of which West Lulworth is identified as a Local Service Village. The principle of development of the site is therefore considered to be acceptable, subject to other material planning considerations.

Scale, design and impact on the character and appearance of the area and the Dorset AONB

The site is situated in the Dorset AONB, with prominent views available of the site, particularly from the south from the footpath that runs up towards the top of Bindon Hill. It is therefore essential that the proposal does not have a detrimental impact on the special characteristics of the AONB. The proposal submitted differs from the previous application that was refused. The proposed new houses are now focussed towards School Lane. The pattern of development along the road, particularly on the south side, is consistent with this approach, with houses generally being situated in close proximity to the road. While the houses are not set flush against the road, they all relate to it, with principal elevations fronting onto School Lane. Officers consider this to be a more appropriate design solution than that of application 6/2017/0513, in which some houses fronted the new access road. In terms of the impact on the AONB, this scheme focusses the proposed houses towards the existing development, therefore making them less prominent in wider views.

The applicant proposes two car ports to the southern periphery of the site. The car ports are open sided and constructed of wood with slate tile roofing. They are therefore clearly ancillary in their nature to the main buildings and are less obtrusive in wider views. The AONB Management Team are satisfied that this design approach is appropriate and will have less of an impact on the wider views of the houses. The AONB Management Team have requested that an appropriate planting plan should be provided. This will be the subject of a condition.

While an additional house is proposed compared to application 6/2017/0513, the layout of the site is such that there is adequate amenity space provided for each of the houses. For this reason, despite a larger number of houses being proposed for the site, officers do not consider that the site would be overdeveloped by the proposal.

The scale of the houses is reduced from the previous scheme. The houses are all two or three bedrooms and of a modest size. Officers consider this to be a more appropriate scale for houses in the area. Officers note that the Parish Council have raised concerns about the housing becoming second homes. The emerging Purbeck Local Plan 2018-2034 includes policy H14: Second Homes. Given that the Local Plan has been submitted for examination by an Inspector, it carries some weight. In light of this, officers propose a condition prohibiting new homes becoming second homes.

In terms of materials, the applicant is proposing to use brickwork, render and reconstituted stone. Given the palette of materials evident in the area, the proposal is in principle acceptable. However, given the wider views within the AONB, the AONB Management Team have requested that the further details of the materials will need to be considered. Therefore, a condition will be applied requiring full details of the proposed materials to be used to be submitted to and approved in writing by the Council.

The proposal includes converting the school building to three houses. There are relatively few new openings proposed and the character of the original building is largely retained. The later extension to the west of the school is to be demolished and rebuilt. The replacement building will be taller, with a roof ridge that is aligned with the eastern part of the old school building. Due to the

topography of the site, the replacement extension will be more prominent. However, given that the houses on the opposite side of the road are situated at a significantly higher level, the increased height will not result in the replacement building being overly dominant within the street scene. The proposed windows in the new part of the building take their design cues from the existing building. This element of the proposal is therefore considered to be acceptable.

Taking account of all the above, the proposal is considered not to have a detrimental impact upon the character and appearance of the area, or the AONB.

Impact on the living conditions of the occupants of neighbouring properties

The conversion of the existing school building largely makes use of the windows that are already present in the north elevation, facing towards School Lane. The houses to the north of the site, across School Lane, are at a higher elevation than the school building itself. Consequently, the first floor of the proposed houses are at approximately the same height as the ground floor of the existing houses to the north of the site. Officers note that the distance between the two existing gable ends on the school and the houses opposite, is in excess of 21m from the school buildings. While the terrace 17-20 School Lane is significantly closer (approximately 13m), no first floor windows are proposed, and therefore there is no harmful impact. The relationship between the existing building (and the replacement extension) and the houses opposite is therefore considered to be acceptable by officers.

The terrace of four houses is staggered, with units 4 and 5 being set further back from the street. As well as contributing to the parking provision for the site, this maintains a distance of at least 21m between the proposed houses and the terrace 9-12 School Lane. The semi-detached houses would be located opposite the entrance to Moreys Close and therefore, while being situated closer, the houses will not have an impact on properties to the north of the site. The pair of semi-detached properties are approximately 29m from the nearest residential property to the west, Hillside House. This exceeds the 21m distance between properties recommended in the Purbeck District Design Guide adopted January 2014 to prevent window to window overlooking and therefore is not harmful.

The most significant relationship between the proposed development and neighbouring properties is between the existing school building and Fyles, to the east of the site. A large window is present in the east elevation of the existing school building, which is on the boundary between the site and the neighbouring property. The school building is at a lower level than the neighbouring residential property. The applicant does not propose a first floor level in this part of the building. Therefore, taking account of the fact that the window is already present and that there will be no first floor windows, the relationship between the two properties is considered to be acceptable. Officers have considered whether it would be appropriate to remove permitted development rights for the insertion of other windows on this elevation. However, first floor side windows are required by the Town and Country Planning (General Permitted Development) Order (England) 2015 (as amended) to be obscurely glazed and fixed shut below a height of 1.7m above the first floor finished floor level. Officers are satisfied that this provides sufficient protection to the occupants of the neighbouring property without the need to introduce an additional condition.

Access and parking

The proposal includes two allocated parking spaces per house along with three unallocated parking spaces. Based on the Bournemouth, Dorset and Poole Residential Parking Study, this level of parking provision is considered to be appropriate. This being the case, officers do not consider that there is likely to be a harmful impact on the amenity of neighbours by means of impact on the existing parking provision in the area.

The Council's Highways Team have provided feedback in terms of highway safety. They raised an initial objection to the proposals due to the parking spaces allocated for Unit 4, which directly accessed the road. Given the position of the existing school building and the replacement extension, the Highways Officer was concerned about visibility for traffic approaching the site from

the east who would not see traffic entering or leaving the parking spaces until they were close to the spaces. This increased the likelihood of an accident occurring. The applicant has subsequently submitted a revised proposal, orientating the two parking spaces to be access from the new access road, which overcomes this concern. The parking spaces allocated to Unit 9 have been set back into the garden area. This is also to improve visibility and therefore improve highway safety.

In light of the changes that the applicant has made, the Highways Officer has now withdrawn his objection subject to the implementation of conditions requiring the visibility splays to be constructed as shown. Another condition requires that turning and parking area is constructed as shown on the plans. Subject to these conditions, the proposal is not considered to have a detrimental impact upon highway safety.

Biodiversity

The site is 0.2 hectares in size and therefore in accordance with the Dorset Biodiversity Protocol a survey has been undertaken. The survey established that the existing school building is a day roost for Soprano pipistrelle bats and an occasional roost for Grey Long-eared bats. Therefore a mitigation plan has been produced. This has been approved by the Dorset Council Natural Environment Team. A condition will be applied requiring the agreed details of the mitigation plan to be implemented.

Flood Risk & Drainage

The site is situated within Flood Risk Zone 1 according to the Environment Agency mapping systems. However, evidence was provided by a member of the public to suggest that there has been an incident of surface water flooding occurring resulting in surface water run-off from the surrounding hills overflowing a drainage ditch to the south of the site and entering the site. The water travelled across the hard surfacing and entered the public highway to the north of the site (School Lane).

There are no other known incidents of this occurring and the agent for the application notes that the suspected event that caused the flooding caused a number of similar one-off events across the region. As such, it is difficult to determine whether the likelihood of a recurrence of the event is high or low. In addition, since the event is believed to have occurred (2014) the new primary school has been built on a site to the east of the application site. A new drainage scheme has been installed for the school. Given that the flooding event included the site now occupied by the school, it is unclear whether the drainage scheme approved for that site would exacerbate or reduce the risk of flooding on the applicant's site. Therefore, as the situation leading to the flooding event has now materially changed, officers believe that it cannot be assumed that such an incident would necessarily reoccur. For this reason, officers are satisfied that a sequential test is not required for this site. However, as a precautionary measure, a flood risk assessment has been prepared and submitted for the proposal.

The Council's Drainage Engineer has considered the flood risk assessment and is satisfied that it will be acceptable in terms of flooding and surface water drainage, subject to the recommendation of the flood risk assessment – to raise the finished floor levels above the street level being implemented and subject to a full surface water drainage scheme being provided. Both of these measures will be achieved by means of a condition.

Land Contamination

Potential land contamination of the site has been considered by the Dorset Council Public Health Team. It has been identified that there is the possibility of some contaminated land on this site and consequently the need for further investigations. The Public Health Officer has therefore advised that conditions with regards to the provision of an investigation, submission of a remediation scheme and the reporting of any unexpected contamination should be applied to any approval. This condition has been added to the list of recommended planning conditions.

Impact upon protected trees

There is a protected ash tree on the south east of the site. The applicant submitted outline details relating to the retention of the tree. The Council's Tree Officer is supportive of the retention of the tree, however requires further details to be provided with regards to a more detailed arboricultural method statement. This will be resolved by means of a condition. A further condition will be added requiring the agreed method statement to be implemented in full.

Appendix – Recommended planning conditions

1. The development must start within three years of the date of this permission.
Reason: This is a mandatory condition imposed by Section 91 of the Town and Country Planning Act 1990 to encourage development to take place at an early stage.
2. The development permitted must be carried out in accordance with the following approved plans: 5841-WLA-ZZ-XX-DR-A-0010 Rev C, 5841-WLA-ZZ-XX-DR-A-0009 Rev B, 5841-WLA-ZZ-XX-DR-A-0011 Rev A, 5841-WLA-C1-XX-DR-A-0102 Rev B, 5841-WLA-C1-00-DR-A-0100 Rev B, 5841-WLA-C1-01-DR-A-0101 Rev B, 5841-WLA-H2-ZZ-DR-A-0201 Rev B, 5841-WLA-H2-00-DR-A-0200 Rev A, 5841-WLA-H1-ZZ-DR-A-0303 Rev B, 5841-WLA-H1-00-DR-A-0300 Rev A, 5841-WLA-H1-01-DR-A-0301 Rev A & 5841-WLA-H1-02-DR-A-0302 Rev B
Reason: For the avoidance of doubt and in the interests of proper planning.
3. Before the development is occupied the visibility splay areas as shown on Drawing Number 5841-WLA-ZZ-XX-DR-A-0010 Rev C must be cleared/ excavated to a level not exceeding 0.60 metres above the relative level of the adjacent carriageway. The splay areas must thereafter be maintained and kept free from all obstructions.
Reason: To ensure that a vehicle can see or be seen when exiting the access.
4. Before the development is occupied the turning and parking shown on the submitted plans must have been constructed. Thereafter, these areas must be permanently maintained, kept free from obstruction and available for the purposes specified.
Reason: To ensure the proper and appropriate development of the site and to ensure that highway safety is not adversely impacted upon.
5. The manufacturers name, product name and colour of all external facing and roofing materials must be submitted to and approved in writing by the Council before they are used on the proposal. The development must then be implemented using the approved materials.
Reason: To ensure satisfactory appearance of the development and in order to ensure that the materials used do not have a detrimental impact upon the Dorset AONB.
6. The new dwellings must not be occupied until the Council has approved a scheme of landscaping. This needs to include
 - i. A survey plan, showing existing cables, pipes and ducts above and below ground, existing levels, and all existing trees, shrubs and hedges on the land, plus details of any to be retained together with measures for their protection during the course of development
 - ii. A landscape proposals plan showing proposed levels, and details of hard landscape (cables, pipes and ducts above and below ground, surfacing/paving, surface water drainage, walls, fences and other structures, lighting, CCTV etc.) and soft landscape (trees, shrubs, herbaceous plants and grassed areas);
 - iii. Planting plans which must show the species of trees, shrubs and herbaceous plants to be planted and where they will be planted, the size that the trees/shrubs/plants will be on planting, and the number that will be planted;
 - iv. Information, which complies with BS 7370 Part 1 1991 and Part 4 1993 Grounds Maintenance, regarding how the planting will be maintained for the first five years following planting. This should include detail of watering, weed control and pruning.
Reason: These details are required to be agreed prior to the start of any work on the site, in order to protect existing trees, hedges and biodiversity which may exist on the site. Also to ensure the satisfactory landscaping of the site, and to enhance the biodiversity, visual amenity and character of the area.

7. The drainage scheme outlined in the document Flood Risk Assessment & Drainage Strategy ref VD19044 prepared April 2019 must be implemented. It must be maintained and managed in accordance with the agreed details.
Reason: In order to alleviate the possible risk of flooding to this site and adjoining catchment land.
8. The finished floor level of the new houses must be set above the surrounding ground levels and above the adjacent levels in School Lane as detailed in the Flood Risk Assessment VD19044 prepared April 2019. Precise details of the height must be agreed in writing by the Council prior to the construction of the houses and then implemented at the agreed height.
Reason: To reduce the risk of the properties being the subject of flooding.
9. All works impacting on the retained trees during the demolition/development must be carried out as specified in the approved Arboricultural Method Statement.
Reason: To prevent trees on site being damaged during construction works.
10. Before any ground work starts, the developer must submit for the written approval of the Council:
 - i) A 'desk study' report documenting the former uses of the site.
 - ii) A site investigation report detailing ground conditions, a 'conceptual model' of all potential pollutant linkages, and incorporating risk assessment.
 - iii) A detailed scheme for remedial works and measures to be taken to avoid risk from contaminants / or gases when the site is developed.
 - iv) A detailed phasing scheme for the development and remedial works.The remediation scheme, as agreed in writing by the Council, must be fully implemented before the development is first occupied. Any variation to the scheme must be agreed in writing with the Council in advance of works beginning.
Within one calendar month of completion, the developer must provide written confirmation that all works were completed in accordance with the agreed details.
Reason: Starting the works before investigation and mitigation is carried out may result in the release/disturbance of contaminated material which may present a risk to public health. It is also required to ensure any issues relating to the possible contamination of the land are adequately dealt with.
11. Where remediation is necessary as identified under condition 10, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared and approved in writing by the Council. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
Reason: To ensure that any contamination present on the site is adequately and appropriately dealt with.
12. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Council. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 10 and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 11 which is subject to the approval of the Council.
Reason: In order to safeguard residents of the new houses if unexpected contamination is discovered.

13. The properties shall only be occupied by a person as his or her only or principal home. The occupier shall supply to the Council (within 14 working days of the Council's request to do so) such information as the Council may reasonably require in order to determine compliance with this condition.
Reason: To ensure that the approved properties are not used as second homes, which would harm the sustainability of local communities and would not contribute towards meeting local housing need.
14. Informative Note - Dorset Council Highways. The applicant is advised that Section 184 of the Highways Act 1980 requires the proper construction of vehicle crossings over kerbed footways, verges or other highway land. Before any works start on the public highway, Dorset Council's Dorset Highways must be consulted to agree on the detailed specification. They can be contacted by telephone at Dorset Direct (01305 221000), by email at dorsetdirect@dorsetcouncil.gov.uk, or in writing at Dorset Highways, Dorset Council, County Hall, Dorchester, DT1 1XJ.
15. Informative Note - Community Infrastructure Levy. This permission is subject to the Community Infrastructure Levy (CIL) introduced by the Town and Country Planning Act 2008. A CIL liability notice has been issued with this planning permission that requires a financial payment. Full details are explained in the notice.
16. Informative Note - Matching Plans. Please check that any plans approved under the building regulations match the plans approved in this planning permission. Do not start work until revisions are secured to either of the two approvals to ensure that the development has the required planning permission.
17. Informative Note - Superfast broadband
Please give some thought to how your new development will be ready to connect to superfast broadband for use by the occupants. Find out more about BT Openreach and the Home Builders Federation cost sharing approach via this website link
<http://www.newdevelopmentsopenreach.co.uk/>. BT Openreach and Virgin Media also have the following guides: <http://www.newdevelopments-openreach.co.uk/developers-and-architects/developershandbook.aspx>
https://keepup.virginmedia.com/Content/networkExpansion/doc/New_Build_Developers_Guide.pdf Dorset Council has also produced information for developers about providing fibre broadband in new housing developments at:
<https://www.dorsetcouncil.gov.uk/business-consumers-licences/superfast-dorset/about-superfastdorset/guidance-for-property-developers.aspx>
18. Informative Note - Wessex Water. The point of connection to existing public sewage must be agreed with Wessex Water Services Ltd.
19. Statement of positive and proactive working: In accordance with paragraph 38 of the National Planning Policy Framework, the Council takes a positive and creative approach to development proposals focused on solutions. The Council works with applicants/agents in a positive and proactive manner by; offering a pre-application advice service, and as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

For this application: pre-application advice was provided; the applicant/agent was updated of any issues after the initial site visit; the opportunity to submit amendments to the scheme/address issues was given which were found to be acceptable.

REPORT SUMMARY

REFERENCE NO.	3/19/0019/RM		
APPLICATION PROPOSAL	Approval for Reserved Matters of Landscape, Appearance and layout. Application 3/13/0674/OUT (granted on appeal) for construction of 29 residential dwellings.		
ADDRESS	Land to the South of Howe Lane, Verwood, Dorset, BH31 6JF		
RECOMMENDATION - Grant, subject to conditions: (see Section 11 of the report for the full recommendation)			
REASON FOR REFERRAL TO COMMITTEE The application has been called to Committee at the request of the Development Management Manager in accordance with the provision of the Constitution.			
SUMMARY OF REASONS FOR RECOMMENDATION <ul style="list-style-type: none">The proposed is acceptable for reserved matters in relation to landscape, layout, and appearance for 29 dwellingsThe proposed is in accordance with the S106 Agreement signed 15 January 2016			
INFORMATION ABOUT FINANCIAL BENEFITS OF THE PROPOSAL The following are considered to be material to the application: Contributions to be secured through Section 106 legal agreement: N/A (outline approval was granted prior to the introduction of SAMM payments) Contributions to be secured through CIL: Unknown at this stage The following are not considered to be material to the application: Estimated annual council tax benefit total: approx. £57647 total. Estimated annual new homes bonus per residential unit, per year (for first 4 years): £1,200 approx. (NB. based on current payment scheme, the assumption that the 0.4% housing growth baseline is exceeded and assuming this baseline is reached through the delivery of other new homes)			
APPLICANT	Mr J A Spencer	AGENT	N/A
WARD	Verwood	PARISH/ TOWN COUNCIL	Verwood
PUBLICITY EXPIRY DATE	22 May 2019	OFFICER SITE VISIT DATE	08 February 2019
DECISION	28 March 2019	EXT. OF	5 July 2019

DUE DATE		TIME	
RELEVANT PLANNING HISTORY			
App No	Proposal	Decision	Date
88/1086/OUT	Outline: Residential Development, As amended by plans received 4 Apr 1989	Withdrawn	29/10/03
3/13/0674/OUT	Construct residential development of 29 homes comprising 15x4 bedroom houses, 7x3 bedroom houses, 2x2 bedroom houses, 2x2 bedroom flats and 3x1 bedroom flats with access from Howe Lane as amended by plans rec 25th Nov 13 and amended application form rec 14.02.14 and as amended by plans rec'd 8.3.14.	Refused	25/02/15
		Allowed on Appeal	13/01/16
3/13/0513/FUL	Construction of 3 No. chalet bungalows and access road as amended by plans and additional information received 5th August 2013 and 25th November 2013.	Granted	28/05/15
		Appeal on condition dismissed	29/04/19
Appeal Decision (APP/U1240/W/15/31339) 20/01/16: Appeal Allowed: <ul style="list-style-type: none">Outline planning permission was granted for 29 dwellings (PA 3/13/0674/OUT) on the application site at appeal on 20 January 2016. 14 conditions were imposed including the need to apply for reserved matters for appearance, layout and landscaping (condition 1).			
Appeal decision (APP/U1240/W/18/3210122) 10/04/19: Appeal Dismissed: <ul style="list-style-type: none">Further to the outline planning permission submitted for the 29 dwellings, an additional full application was submitted for 3 of the 29 dwellings as PA 3/13/0513/FUL. The dwellings in this application are the 3 chalet bungalow dwellings to the north of the site. Planning permission was granted 28/05/2015, subject to condition including condition 9: <i>Notwithstanding details already submitted with the application, no development shall commence on site until the final construction method statement and specification for the proposed driveway have been submitted to and approved in writing by the Local Planning Authority. The driveway shall then be installed as per the approved documents and this condition shall not be discharged until an arboricultural supervision statement is submitted to and approved in writing by the Local Planning Authority on completion of its installation.</i> <i>Reason: To prevent trees on site from being damaged .</i>			
<ul style="list-style-type: none">The applicants submitted a Discharge of Condition application but officers			

considered that there was insufficient information submitted to enable the condition to be discharged. This decision was appealed but was dismissed as per appeal decision APP/U1240/W/18/3210122 dated 10 April 2019 where the Inspector considered that the TPO trees were of sufficient merit to require full details of how they were to be protected to enable the access to be constructed, and that the details submitted by the applicants failed to do this.

- The inspector noted “these TPO trees are of significant amenity value and their protection from the impacts of the proposed development are reliant on ensuring that the new driveway is constructed to an agreed design and specification than minimises any threat to the future health and value of these TPO trees.”

1.0 DESCRIPTION OF SITE AND SURROUNDINGS

- 1.1 Oak Tree Cottage is a Grade II Listed one and a half storey thatched dwelling with vehicular access from Howe Lane. Howe Lane is characterised by single and two storey detached dwellings of varying designs which are generally aligned parallel to Howe Lane on plots at a right angle to the road.
- 1.2 The 1.24 hectares application site comprises a small field fronting Howe Lane to the side of Oak Tree Cottage, and a large paddock field at the rear/south of Oak Tree Cottage. The large paddock field drops approx. 2m from north to south and is bounded to the south by a woodland (Heathy Howe), which is located in the river valley to the south of the site.
- 1.3 The western boundary is marked by a drainage ditch which separates the site from open space associated with the adjacent school grounds and south of Howe Lane Education allocation in the Core Strategy (Policy VTSW2). The eastern boundary is shared with two storey residential properties in the Summer Fields cul-de sac. The other site boundaries of the application site are shared with detached bungalows in the Mandalay Close cul-de-sac and detached two storey dwellings fronting Howe Lane.
- 1.4 There are a number of mature trees along the southern boundary of the site. A small group of trees in the south western corner of the site, a line of trees along the northern boundary of the paddock and a group of preserved trees adjacent to Oak Tree cottage are subject of tree preservation orders.

2.0 PROPOSAL

- 2.1 Following the grant of outline planning permission 3/13/0674/OUT at appeal this application relates to condition 1 of the inspectors appeal decision:

‘Details of the appearance, landscaping and layout, (hereinafter called the ‘reserved matters’) shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.’

- 2.2 Layout: The proposed layout is similar to that approved in the outline permission. Access is from Howe Lane, adjacent to Oak Tree Cottage, with the main access road continuing south through the south to form a 't' shaped cul-de-sac. Three chalet bungalows approved under planning application 3/13/0513/FUL are shown to be located to the north of the site. 21 detached and semi-detached houses are located to the south and an apartment block with 5 flats is located to the south east.
- 2.3 Appearance: A range of dwelling types are proposed from 2 – 4 bedroom houses and 1 – 2 bedroom flats. The buildings are of a typical volume house builder design with repetition in simple plans and elevations. Materials proposed are brick, tile and uPVC.
- 2.4 Landscaping: The proposed landscaping scheme will retain the existing protected trees on the site and add a small number of additional small trees. The site will be surrounded by proposed closed board fencing, post and rail fencing and some hedging. Hard and soft landscaping has been provided throughout the proposed scheme.
- 2.5 It should be noted that information has also been provided in relation to the following conditions of APP/U1240/W/15/31339 dated 13 January 2016:
- Drainage (condition 8)
 - Trees (condition 9)
 - Construction management (condition 10)
 - Biodiversity (condition 11)
 - Renewable energy (condition 12)
 - Waste management (condition 13)
- 2.6 The officer has considered the information provided in relation to appearance, landscaping and layout as set out in section 5.4 'Appraisal' but conditions other than condition 1 are not considered to be discharged by the granting of this application.
- 2.7 Due to lack of information provided in relation to drainage, trees and construction management, these conditions cannot be discharged until matters are resolved and works cannot commence on site. Sufficient information has been provided in relation to biodiversity, renewable energy and waste management and can be discharged following the grant of this reserved matters application.

3.0 SUMMARY OF INFORMATION

	Proposed
Site Area (ha)	1.17ha
Use	Residential
Number of residential units	29
Number of parking spaces	46
Number of market units	Houses – 3x4 bed, 3x3 bed, 12x4 bed Total - 18
Number of affordable units	Houses - 4X3 bed, 2x2 bed Flats – 2x2 bed, 3x1 bed Total - 11

4.0 RELEVANT PLANNING CONSTRAINTS

Heathland 5km Consultation Area - 0.00m
Main Urban Area - 0.00m
Tree Preservation Order - 0.00m

5.0 POLICY AND OTHER CONSIDERATIONS

Development Plan:

Christchurch and East Dorset Local Plan: Part 1 Core Strategy 2014 (Local Plan)

- KS1 Presumption in favour of sustainable development
- KS12 Parking Provision
- HE1 Conserving the Historic Environment
- HE2 Design of new development
- HE3 Landscape Quality
- LN1 Size and Type of Dwellings
- LN2 Design, Layout and Density of New Dwellings
- LN3 Provision of Affordable Housing
- ME1 Safeguarding Biodiversity
- ME2 Protecting Dorset Heathlands
- HE2 Design of New Development
- HE3 Landscape Quality

National Guidance

The National Planning Policy Framework (NPPF February 2019)

National Planning Practice Guidance (NPPG)

Supplementary Planning Documents:

- Housing and Affordable Housing Supplementary Planning Document (SPD)
- Dorset Heathlands Planning Framework 2015-2020 (DHPF)

6.0 LOCAL REPRESENTATIONS

- 6.1 The application was advertised by means of a site notice and a press advert displayed on 8 February 2019. Letters were also written to neighbours on 1 February 2019 and a re-consultation letter dated 3 May 2019.
- 6.2 It should be noted due to a clerical error re-consultation letters from 3 May 2019 were delayed by 1 week and a further letter offering an additional week for comments was sent to neighbours 14 May 2019.
- 6.3 Two letters of objection were received with the following concerns:
- Increased traffic movements and congestion on Howe Lane
 - Access for refuse collection and emergency services
 - Noise and pollution during construction
 - Increase flood risk for surrounding properties
 - Impact on the new road on protected trees
- 6.4 It is noted comments received from neighbours relate to matters dealt with under the outline planning application. Therefore they have not formed part of the officer's assessment for this reserved matters application.

7.0 CONSULTATIONS

7.1 - Verwood Town Council

07/02/2019	Object - The proposed is considered contrary to Policy HE2 as follows: <ul style="list-style-type: none">- Illustrated car parking spaces are very small- Architectural style, materials & visual impact - All properties made of the same materials- Landscaping - Landscaping shown is minimal, needs improving.
16/05/2019	Object - Due to minimal changes previous concerns still apply.

7.2 - DC Trees

05/02/2019	<p>Tree Protection: In relation to condition 9 of the Appeal Decision:</p> <ul style="list-style-type: none"> - Detailed design and specifications are absent. There is a reference in 9.3 to some third party documents. These have not been submitted but in any case they do not comprise a detailed design and specification. - The location of the route for the services, to the east of Oak Tree Cottage as shown on the Tree Survey and Tree Protection Plan dated 19/12/2018 is acceptable. - The detail in the submission about meetings is acceptable. <p>Landscaping: In relation to condition 1 and & of the Appeal Decision:</p> <ul style="list-style-type: none"> - The landscape proposals contained in Site plan 1 of 2 drwg no. 005 dated 11/12/2018 and site plan 2 of 2, drwg no. 6 dated 25/11/2018 and Landscape proposals specification plan no. 007 dated 25/11 2018 are acceptable to comply with conditions 1 and 7 <p>The outstanding issue is the specially designed and engineered road structure that is required to allow access for construction vehicles and all subsequent traffic into the site. I believe this matter is currently the subject of a planning appeal. Whatever, the submissions in 19/0019 do not supply the information specified by the Inspector in the appeal decision notice.</p>
15/03/2019	<ul style="list-style-type: none"> - The plan should use the Richard Coleman and Partners Ltd 391751-101 Revision B plan dated 23/10/2017 as a base because it has a repositioned road and greater area of specially engineered surface - <i>This has not been complied with. The area of specially engineered surface on the Engineers plan is more practical than that shown on the arboriculturists plan as it will allow the special surface to tie in more easily with the conventional built surface</i> - The position of the service run into the site from Howe Lane needs to be positively identified on the plan (currently it is marked as 'potential'). Failing this and if a thrust boring solution is proposed , the position of the entry and exit holes and the depth of bore needs to be set out in the plan and document - <i>The mains water into the site and surface water has been shown. Nothing shown for gas, electricity or telecoms. Will they share a common trench?</i>
16/05/2019	<p>This Reserved Matters application relates to 03/13/0674/FUL landscape, appearance and layout only, as stated in Condition 1 of the Inspector's decision letter. It does not cover those other matters that fall within the Tree and Landscape remit, namely Condition 6</p>

	<p>Finished Floor levels in relation to other structures or Condition 9 the arboricultural and engineering matters relating to the access into the site. The Inspector on the recent appeal against non-determination of conditions on 03/13/0513 has re-stated the view that the current level of submissions in this regard are not sufficient.</p> <p>So for the avoidance of doubt and based on the description of the submitted application, the following are not considered and must be submitted as a separate discharge of condition application:</p> <ul style="list-style-type: none"> - Plan 391751-101 rev B Richard Coleman and Partners; - Plan 2830-04-19 Tree Survey and Tree Protection Plan M Hinsley dated 26/4/2019; - Arboricultural Method Statements 2830-12-18 Plots 4-29/JC/MTH/12/18 and 04/19 dated 19/12/2018 and 26/4/2019 in particular paragraph 9.3. - Technical Recommendation TR17-2127 RUR CEL Oak Tree Cottage V3 dated 3/10/2018 Geosynthetics. - Attenuation layout 1248 202 rev P1 Wills Design Partnership <p>Landscape:</p> <p>For 3/19/0019/RM the following are acceptable:</p> <ul style="list-style-type: none"> - Landscape specification 17 004 dated 25 11 2018 Rengadesign is acceptable. - Landscape proposals Rengadesign Site plan 1 of 2 revision d and 2 of 2 revision c both dated 7/5/2019 are acceptable. <p>Layout:</p> <p>The layout as shown on the latest tree protection plan impacts on the nominal root protection areas as drawn. This means that the garages for plots 5-8 and 29, and a section of the road in front of plot 27 will need to be specially engineered. Garage construction is covered in paragraph 9.4 of the arboricultural method statement and the road section outside plot 27 in section 10 of the same document. Planning conditions will need to be added to approve the technical details before work begins on site, including location of site services; road specification; tree protection; and excavations by hand in root protection areas.</p>
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7.3 - DC Lead Flood Authority

01/03/2019	<p>Discretionary comments:</p> <p>DCC/FRM suggest that further information required regarding the</p>
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	proposed drainage strategy and surface water into existing sewer system and clarification be sought from the applicant at this RM stage and prior to any agreement of the proposed Layout.
30/04/2019	<p>Discretionary comments:</p> <p>DCC/FRM suggest that further information required regarding the proposed drainage strategy and surface water into existing sewer system and clarification be sought from the applicant at this RM stage and prior to any agreement of the proposed Layout.</p>

7.4 - Wessex Water

11/02/2019	<p>Existing sewer:</p> <ul style="list-style-type: none"> - The site is crossed by an existing 375mm public sewer which conflicts with the development proposals. Development in proximity of public sewers is restricted with no building or structure within 3m either side of the sewer and no trees within 6m. - The existing sewer on site needs to be marked clearly on proposed plans, clearly showing the 3m easement offset, to demonstrate that the housing layout does not conflict with the sewer easement. - A diversion of the existing sewer is possible but needs to be agreed with Wessex Water. <p>Fouls Drainage:</p> <ul style="list-style-type: none"> - Wessex Water can provide network capacity for domestic foul flows from this development. The foul strategy is to connect to the diverted public foul sewer, which is acceptable in principle, but will be subject to satisfactory diversion works as detailed above. The applicant should contact our local development engineer and submit details for technical review prior to construction. <p>Surface water drainage:</p> <ul style="list-style-type: none"> - Surface water to be disposed of in accordance with Building Regulations Hierarchy and NPPF Guidelines with discharge to local land drainage systems. - The surface water drainage strategy shows an off-site sewer connection to the existing 1350mm to the west. A Section 98 off-site sewer requisition may be required across third party land. - Connection to the public surface water sewer will only be considered as a last resort where it is proven that infiltration or a connection to the local ditch is not viable. - The maximum discharge rate from the site must be agreed with the Lead Local Flood Authority in consultation with
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	<p>Wessex Water.</p> <ul style="list-style-type: none"> - The proposals shown on the preliminary surface water drainage layout place proposed sewers in enclosed private gardens and within 3m of the buildings. Also, the existing foul sewer and sewer diversion route has not been shown on the surface water plan and it is not clear if the surface water storage proposals and diversion routes can all be achieved in this south west corner. <p>A drainage strategy drawing which shows both the diverted foul sewer route and surface water attenuation systems (with all associated easements where sewers are located outside of public areas) should be provided to demonstrate the drainage strategy is achievable within this site layout.</p>
14/05/2019	<p>Foul Drainage:</p> <ul style="list-style-type: none"> - We are satisfied that a foul sewer diversion route could be achieved and that a minimum 3m offset from buildings or structures will be observed where sewers are located outside of public highway. <p>Surface Water Drainage:</p> <ul style="list-style-type: none"> - We have previously advised that connection to the surface water sewer will only be considered where infiltration or discharge to the local watercourse / ditch is proven unviable. - We support the Dorset Council Flood Risk Engineer in questioning why discharge to the local watercourse has been overlooked? - If the applicant wishes to connect to the public sewer we will expect evidence that discharge to local land drainage systems has been fully explored and proven not viable. - The applicant should also be able to demonstrate that the off-site sewer route between their site and the public surface water sewer is technically viable. - The maximum discharge rate from the site must be agreed with the Lead Local Flood Authority in consultation with Wessex Water. We would expect to see maximum discharge rate restricted to less than greenfield Qbar rate.
24/05/2019	<p>The current RM layout does not preclude an offsite connection to the watercourse. Wessex Water is satisfied that the applicant has demonstrated proposed foul and surface water routes could be achieved.</p>

7.5 - Dorset NET

07/02/2019	Biodiversity information is out of date. Updating survey and updated BMEP with necessary amendments required
16/05/2019	Minor changes required to updated BMEP, once resolved no further comment. [Officer note: required changes submitted 17/05/2019]

7.6 - Dorset Wildlife Trust

19/02/2019	<ul style="list-style-type: none"> - Biodiversity information is out of date. Updating survey and updated BMEP with necessary amendments required - Natural England to be consulted given proximity to Heathland - Planting schemes should maximise the use of native species in hedges and shrubs to increase the biodiversity value of the soft planting, and should avoid the use of invasive non-natives such as <i>Amelanchier</i> species and Cherry Laurel. - Measures should be incorporated to allow the movement of hedgehogs
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7.7 - East Dorset Environment Partnership

25/02/2019	<ul style="list-style-type: none"> - Biodiversity information is out of date. Updating survey and updated BMEP with necessary amendments required - The proposed development lies within 400m – 5km of internationally designated heathlands: mitigation should comply with the Dorset Heathlands Planning Framework. - EDEP objects to the proposed use of <i>Amelanchier grandiflora</i> and Cherry Laurel in the planting proposals for the development. Both are invasive non-native species.
15/05/2019	<ul style="list-style-type: none"> - Welcome the exclusion of invasive non-native plants and gaps in boundaries to allow hedgehogs through - Some lighting proposals are out dated in relation to bats - BMEP notes not houses will be built within 2m of trees - this doesn't consider root protection areas - Tawny Owls visit the area and Dorset NET should advise if lighting proposals are appropriate.

7.8 - DC Conservation

12/03/2019	The proposed 29 dwellings will have a neutral effect on the setting, which has been largely compromised already. Therefore no further comments to offer.
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7.9 - Airport Safeguarding

11/02/2019	No objection
08/05/2019	No objection

7.10- Natural England

19/02/2019	No comments
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7.11 - Environment Agency

22/02/2019	No objection
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7.12 - DC Highways

19/03/2019	<p>As previously stated during the original application the estate road is unsuitable for adoption from approximately 12m into the estate. This was recognised during the application process and is recognised in the applicant's supporting statement. The access road will therefore remain private and an Advanced Payments Code notice issued. However, two safety issues for the internal layout need to be addressed:</p> <ul style="list-style-type: none"> - The drive access serving unit 28 is on the corner of T-junction vehicle movements from which may lead to collisions. Handing the unit and its parking is perhaps the best solution of overcoming this hazard. - There is nothing to safeguarding forward visibility around unit 2 for drivers leaving the estate from being obscured. Perhaps the best way of ensuring the required visibility (see Manual for Streets) I maintained is by incorporating it in a crescent shaped verge as part of the access road. <p>Upon receipt of a satisfactorily revised plan it is suggested that a turning and parking condition and relevant informatives are applied.</p> <p>[Officer note: required changes submitted 29/04/2019]</p>
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7.13 - Dorset Waste Partnership

27/03/2019	<ul style="list-style-type: none"> - The site will be serviced by a 26T vehicle and not a smaller collection vehicle as noted in the submitted WMP. - Concerns regarding collection from units 7-10 and 24-27.
24/05/2019	<ul style="list-style-type: none"> - DWP note the waste management plan is acceptable except where it states - "Discussions have taken place with DWP to secure bin collection services within the site, it has been

	<p>suggested by DWP that a small waste collection vehicle is utilised on this site. DWP are confident these discussions will be successfully concluded.</p> <ul style="list-style-type: none"> - However, in the unlikely event that an agreement is not reached, we will secure the services of an alternative waste disposal operative (such as Serco) prior to occupation of the dwellings, the costs of which will be covered within the wider servicing and management fee” - DWP are not aware of any discussions and do not have any capacity with small refuse collection vehicles, however if there is a tracking plan that will allow full size vehicles access and all bins will be presented within our guidelines then there is no grounds to object but will refuse if we can’t gain access and will hold them to their statement above.
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8.0 APPRAISAL

8.1 The main considerations involved with this application are:

- Proposed layout and parking arrangements
- Proposed landscaping
- The design of the proposed dwellings
- The impact on the listed building
- The impact on trees

These are considered below, however it should be noted the 3 chalet bungalows to the north have been approved under PA 3/13/0513/FUL and no changes are proposed to these dwellings. The principle of the layout and appearance of these 3 dwellings has already been found to be acceptable subject to any conditions set out in PA 3/13/0513/FUL. However this consent has now technically lapsed due to the failure to submit the details in respect of Condition 9, as set out in section 5.1 above. Therefore these 3 units fall to be considered as part of this reserved matters application.

Proposed layout and parking arrangements

8.2 The proposed layout includes the already approved 3 no. chalet bungalows to the north and a further 26 dwellings to the south, which includes 5 flats. The 26 dwellings to the south are accessed via a ‘t’ shape cul-de-sac with the 11 affordable housing units (5 flats and 6 semi-detached dwellings) located to the south west of the site.

8.3 It is noted that the proposed housing mix is as per agreed in the section 106 for PA 3/13/0674/OUT.

- 8.4 While the general layout is considered acceptable in planning terms, the officer raised concerns regarding the location of all the affordable housing to the west, where it would be preferable for it to be dispersed throughout the site. However, the applicant has provided evidence that the proposed location of affordable housing was agreed in writing by the LPA at outline stage. Given the low number of units to be provided, the officer acknowledges that the proposed location of affordable housing units is acceptable.
- 8.5 DC Highways has been consulted regarding the proposed layout. Concerns were raised initially in relation to the layouts of units 2 and 28. DC Highways have raised no further comments subject to the revised layout submitted and turning and parking conditions. A revised layout has been submitted and highway safety concerns in relation to units 2 and 28 have been addressed. It is noted the Town Council has raised concerns regarding the size of parking spaces. The officer confirms the parking spaces provided are in accordance with the Dorset Council parking standards.
- 8.6 Dorset Waste Partnership (DWP) has also been consulted regarding the proposed layout. Concerns were initially raised in relation to the proposed waste management plan where a smaller waste collection vehicle is proposed and collection distances from properties 7-10 and 24-27 were considered too far. A revised site plan has been submitted which shows tracking information for full size waste collection vehicles. DWP note that if full size vehicles can access required areas and all bins will be presented within their guidelines there are no grounds to object. If access cannot be gained the services of a private waste collection company will need to be secured.

Proposed landscaping

- 8.7 Proposed landscaping plans were submitted for plot numbers 4-29. Landscaping for plots 1-3 now fall under this application permission for PA 3/13/0513/FUL has lapsed. Proposed landscaping for plots 1-3 have been amended as per the site plan for this application but have not been consulted on as they were approved under PA 3/13/0513/FUL.
- 8.8 A number of concerns were raised in relation to the initially proposed landscaping. Concerns included that proposed landscaping was minimal and that invasive non-native plant types have been proposed. The officer also raised concerns that there was a particular lack of landscaping in and around proposed affordable housing units that impacted the 'tenure blindness' of the proposed.
- 8.9 As a result a revised landscaping proposal has been submitted. The officer acknowledges the Town Council's concerns regarding the minimal changes that have been made - some additional landscaping added to affordable housing units and non-native invasive plants removed. However, while more landscaping would be preferred the proposed landscaping is now considered adequate in planning terms.

Design of the proposed dwellings

- 8.10 Proposed plans were submitted for plot numbers 4-29. Designs for plots 1-3 now fall under this application as permission for PA 3/13/0513/FUL has lapsed. Proposed plans for plots 1-3 have not been consulted on as they were approved under PA 3/13/0513/FUL.
- 8.11 The design and detailing of the proposed dwellings are considered to be as expected from a typical volume house builder. Concerns have been raised by the Town Council regarding a lack of detailing and variation and the officer raised concerns in relation to the blank facades visible from the street scene at plots 4 and 28. Design concerns were also raised in relation to the proposed apartment block.
- 8.12 As a result of concerns raised, proposed elevations have been revised in response to these comments. Given the number of units proposed and number of house types the officer considers the variation in design of the dwellings to be acceptable. With the revised changes to the detail design the proposed design and detailing of dwellings is considered adequate in planning terms.
- 8.13 Proposed materials of red brick, grey tile and uPVC are considered acceptable in the surrounding context.

The impact on the Listed Building

- 8.14 The proposed 29 dwellings are considered to have a neutral effect on the setting of the listed building, Oak Tree Cottage, which has been largely compromised already by the surrounding development. The DC Conservation Officer was consulted and had no further comments to offer.

The impact on trees

- 8.15 This RM application does not cover those other matters that fall within the tree and landscape remit, namely condition 6 (finished floor levels in relation to other structures) or condition 9 (the arboricultural and engineering matters relating to the access into the site). The Inspector on the recent appeal against non-determination of conditions on PA 3/13/0513 has re-stated the view that the current level of submissions for condition 9 are not sufficient.
- 18.16 However, in relation to the reserved matters of landscape and layout the proposed landscape drawings and specification are considered acceptable.
- 18.17 The DC Tree Officer notes the layout as shown on the latest tree protection plan impacts on the nominal root protection areas as drawn. This means that the garages for plots 5-8 and 29, and a section of the road in front of plot 27

will need to be specially engineered. Garage construction is covered in paragraph 9.4 of the arboricultural method statement and the road section outside plot 27 in section 10 of the same document. However it is considered necessary to condition that technical details be submitted and approved in writing by the LPA prior to commencement (Condition 6).

Other

18.18 As noted previously information has also been provided in relation conditions of APP/U1240/W/15/31339 dated 13 January 2016 including drainage (condition 8), trees (condition 9), construction management (condition 10), biodiversity (condition 11), renewable energy (condition 12) and waste management (condition 13). Again, the officer has considered the information provided in relation to appearance, landscaping and layout but conditions other than condition 1 are not considered to be discharged by the granting of this application.

18.19 Due to lack of information provided in relation to drainage, trees and construction management, these conditions cannot be discharged until matters are resolved and works cannot commence on site. Sufficient information has been provided in relation biodiversity, renewable energy and waste management and can be discharged following the grant of this reserved matters application.

Matters not dealt with previously in this report are as follows:

The impact on biodiversity:

18.20 Biodiversity impacts are not a reserved matter, however, matters in relation to landscape, layout and appearance have been considered. Dorset NET, EDEP and the Dorset Wildlife Trust have been consulted. Comments were received that the previous survey and Biodiversity Mitigation and Enhancement Plan (BMEP) information was out of date and updated information was required. Updated information was submitted. EDEP raised some concerns regarding lighting in relation to bats and Tawny owls. Dorset NET are satisfied that the updated information is sufficient and biodiversity will not be negatively impacted as a result.

Renewable energy:

18.21 Photo voltaic cells have been proposed as part of the renewable energy requirements for the approved outline application. These have been considered as part of the proposed elevations for the relevant plots and are considered acceptable in relation to appearance.

Proposed drainage:

- 18.22 Drainage information has been provided as part of this reserved matters application, despite this not being within the scope of reserved matters. Wessex Water and the Lead Flood Authority have been consulted. Initial comments from consultees required further information regarding foul drainage and surface water drainage. Revised information provided has satisfied consultees in relation to foul drainage, however, further surface water drainage information is still required. Clarification is required as to why connection to the surface water sewer is proposed and not discharged to the local watercourse; the applicant should also be able to demonstrate that the off-site sewer route between their site and the public surface water sewer is technically viable; the maximum discharge rate from the site must be agreed with the Lead Local Flood Authority in consultation with Wessex Water.

Notwithstanding concerns raised regarding surface water drainage, Wessex Water has confirmed the proposed layout does not preclude an offsite connection to the watercourse and proposed drainage is therefore considered acceptable in relation to this reserved matters application.

Construction Management:

- 18.23 A construction management plan has been submitted but lacks key information required as part of condition 10 of the appeal decision. Notwithstanding this construction management is not a matter for the reserved matters application and has not formed part of the officer's assessment.

Conclusion

- 18.24 Based on the above it is considered the proposed layout, appearance and landscaping of the 29 dwellings accords with the policies of the Local Plan and approval is recommended. The pre-commencement conditions set out below 7 and 8 have been agreed with the applicant by e-mail dated 19.06.19.
- 18.25 The proposal is in accordance with the S106 Agreement signed 15 January 2016 entered into between East Dorset District Council, and Carolyn Anne Macy, John Andrew Spencer and David Ian Spencer in respect of the delivery of affordable housing from the site, and the scheme is CIL liable.

9.0 HUMAN RIGHTS

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property

- 9.01 This Recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

10.0 PUBLIC SECTOR EQUALITIES DUTY

- 10.01 As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:-

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

- 10.02 Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED.

11.0 RECOMMENDATION –

Grant, subject to the conditions set out below.

Conditions: (the Pre-commencement conditions have been previously agreed with the applicant by email 18.06.19, as required)

1. The development to which this permission relates must be begun not later than the expiration of two years beginning with the date of this permission.

Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Block and Location Plan 9019/103
 - Full Site Plan 9019/102 C
 - Site Section Indicating Retaining Walls and Raised Patios 9019/126 A
 - Street Scenes and Site Sections 9019/127 A
 - Affordable Housing Allocation Plan 9019/128 A
 - Landscape Proposals – Site Plan Sheet 1 of 2 17004/005 C
 - Landscape Proposals – Site Plan Sheet 2 of 2 17004/006 B
 - Landscape Proposals – Specification 17004/007 C

- Floor Plans and Elevations Plot 1 8238/102 B
- Floor Plans and Elevations Plot 2 8238/103 B
- Floor Plans and Elevations Plot 3 8238/104 B
- Floor Plans and Elevations Plot 4 9019/107 A
- Floor Plans and Elevations Plot 5 9019/108
- Floor Plans and Elevations Plot 6 9019/109
- Floor Plans and Elevations Plot 7 9019/110
- Floor Plans and Elevations Plot 8 9019/111
- Floor Plans and Elevations Plot 9 9019/112
- Floor Plans and Elevations Plot 10 9019/113
- Floor Plans and Elevations Plot 11 9019/114
- Floor Plans and Elevations Plot 12 9019/115
- Floor Plans and Elevations Plot 13 9019/116
- Floor Plans and Elevations Plot 14 9019/117
- Floor Plans and Elevations Plot 15-16 9019/118
- Floor Plans and Elevations Plot 17-21 9019/119 A
- Floor Plans and Elevations Plot 22-23 9019/120 A
- Floor Plans and Elevations Plot 24-25 9019/121
- Floor Plans and Elevations Plot 26-27 9019/122
- Floor Plans and Elevations Plot 28 9019/123 A
- Floor Plans and Elevations Plot 29 9019/124

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

3. No development above DPC (damp proof course) shall take place until details and samples of all external facing and roofing materials have been provided on site, and approved in writing by the Local Planning Authority (LPA). All works shall be undertaken strictly in accordance with the details as approved, unless otherwise agreed in writing with the LPA.

Reason: This information is required prior to above ground work commencing to ensure satisfactory visual relationship of the new development to the existing.

4. All hard and soft landscape works shall be carried out in accordance with the approved plan Landscape Scheme:
 - Landscape Proposals – Site Plan Sheet 1 of 2 17004/005 C
 - Landscape Proposals – Site Plan Sheet 2 of 2 17004/006 B
 - Landscape Proposals – Specification 17004/007 C

The works shall be carried out prior to the occupation of any part of the development and the planting carried out in the first planting season following completion of the development. Any planting found damaged, dead or dying in the first five years following their planting are to be duly replaced with appropriate species.

Reason: To ensure the implementation of the scheme is carried out in accordance with the approved plans and to accord with Policies HE2 and HE3

of the Local Plan and Government Guidance contained in the National Planning Policy Framework.

5. Notwithstanding details already submitted within the Arboricultural Impact Appraisal and Method Statement, full plans and particulars showing the final siting of the services and soakaways shall be submitted to the Local Planning Authority for written approval prior to commencement of works on site.

Reason: To demonstrate that the proposed development can be implemented without detriment to the existing trees that are to be retained on the site.

6. Notwithstanding details already submitted within the Arboricultural Method Statement, no development shall commence on site until the final design and specification of a) the section of road outside plot 27, including cross sections showing the existing and proposed levels and b) the garages for plots 5-8 and 29 including cross sections showing the existing and proposed levels, have been submitted to and approved in writing by the Local Planning Authority. All structures shall then be installed as per the approved documents.

Reason: This information is required prior to commencement of development in the interests of tree protection and to accord with Policies HE2 and HE3 of the Core Strategy.

7. The installation of tree protection, both fencing and ground protection for the protection of any retained tree shall be undertaken in accordance with the approved plans (Plan 2830-04-19 Tree Survey and Tree Protection Plan M Hinsley dated 26/4/2019) and particulars (Arboricultural Method Statements 2830-12-18 Plots 4-29/JC/MTH/12/18 and 04/19 dated 19/12/2018 and 26/4/2019) before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason: In order to prevent damage during construction to trees that are shown to be retained on the site

8. Any excavation work undertaken within the rooting area of trees relating to the application proposals shall be hand dug and no roots in excess of 25mm in diameter shall be severed without the prior consent of the Local Planning Authority.

Reason: In order to prevent damage to trees.

9. Notwithstanding details already submitted with the application, no development shall commence on site until the final construction method

statement and specification for the proposed driveway have been submitted to and approved in writing by the Local Planning Authority. The driveway shall then be installed as per the approved documents and this condition shall not be discharged until an arboricultural supervision statement is submitted to and approved in writing by the Local Planning Authority on completion of its installation.

Reason: To prevent trees on site from being damaged

10. Before the development hereby approved is occupied or utilised the turning and parking shown on the submitted plans 'Full Site Plan 9019/102 C' must have been constructed. Thereafter, these areas must be permanently maintained, kept free from obstruction and available for the purposes specified.

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

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any subsequent re-enactment no further windows or doors shall be constructed in the side and rear elevations (such expression to include the roof and wall) of the buildings hereby permitted, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To avoid loss of privacy to adjoining properties.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any subsequent re-enactment thereof no extensions or outbuildings shall be constructed without express planning permission first being obtained.

Reason: In the interests of controlling matters which may be detrimental to the original visual concept and the balance of private space provision, and in order to protect the amenities of adjacent residential properties and in order to ensure an appropriate relationship between built form and trees.

13. Before any other operations are commenced the visibility splay areas as shown on Drawing Number 8238/105B shall be cleared to a level not exceeding 06 metres above the relative level of the adjacent carriageway. The splay areas shall thereafter be maintained and kept free from all obstructions.

Reason: In the interests of road safety.

14. The development hereby permitted shall not be occupied or utilised until provision has been made to ensure that no surface water drains directly from the site onto the adjacent public highway.

Reason: In the interests of road safety.

15. Before the development is commenced the proposed access crossing from the nearside edge of the carriageway to the boundary of the highway shall be laid out and constructed to a specification submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of road safety.

16. Plans and particulars showing:

- the finished floor levels, related to ordnance datum or fixed point within the site, of the ground floor of the proposed building(s), (and as appropriate the closest adjacent building beyond the site); and
- the finished levels of the access road relative to the levels of the land adjacent to the access road shall be submitted to, and approved in writing by the Local Planning Authority and development shall not be commenced until these details have been approved, unless otherwise agreed in writing. All works shall be undertaken strictly in accordance with the details as approved.

Reason: In order that the Council may be satisfied with the details of the proposal having regard to the existing site levels and those adjacent hereto.

Informatives:

1. The applicant needs to be aware that the Community Infrastructure Levy (CIL) will be applied to this development. The Council will shortly be issuing a CIL Liability Notice following the grant of this permission which will provide information on the applicant's obligations.
2. The applicant is informed that this decision constitutes an approval of reserved matters under Condition 1 of the planning permission granted by notice dated 20 January 2016; under Appeal Decision ref APP/U1240/W/15/31339; and does not, by itself, constitute a planning permission.
3. The applicant is informed that this decision constitutes an approval of reserved matters under Condition 1 of the planning permission granted by notice dated 20 January 2016; under Appeal Decision ref APP/U1240/W/15/31339; only and does not discharge other conditions listed in this Appeal Decision.
4. This grant of permission is to be read in conjunction with the S106 Agreement signed 15 January 2016 entered into between East Dorset District Council, and Carolyn Anne Macy, John Andrew Spencer and David Ian Spencer.
5. For the avoidance of doubt and based on the description of the submitted application, the following are not considered and must be submitted as a separate discharge of condition application:
 - Tree Root Protection Plan 391751-101 rev B

- Tree Survey and Tree Protection Plan 2830-04-19 (dated 26/4/2019)
 - Arboricultural Method Statements 2830-12-18 Plots 4-29/JC/MTH/12/18 and 04/19 dated 19/12/2018 and 26/4/2019 in particular paragraph 9.3.
 - Technical Recommendation TR17-2127 RUR CEL Oak Tree Cottage V3 dated 3/10/2018 Geosynthetics

 - Proposed Plan showing Impermeable Areas 1248/201 P1
 - Indicative Attenuation Layout 1248/202 P1
 - Scheme 2895808 PLOTS 2-27 Oak Tree Cottage Site, Howe Lane, Verwood BH31 6JF (dated 15/11/2017)
 - Drainage Calculation Sheet 1248 (dated December 2018)

 - 1248 Construction Phase Plan Wills Design Partnership Dec 2018
6. The applicant is advised that, notwithstanding this consent, if it is intended that the first 12 metres only of the highway layout be offered for public adoption under Section 38 of the Highways Act 1980, the applicant should contact Dorset Council's Development team. They can be reached by telephone at 01305 225401, by email at dli@dorsetcc.gov.uk, or in writing at Estate Road Construction (adopted or private) Development team, Dorset Highways, Environment and the Economy, Dorset Council, County Hall, Dorchester, DT1 1XJ.
7. As the new road layout beyond the first 12 metres does not meet with the Highway Authority's road adoption standards for public adoption under Section 38 of the Highways Act 1980, it will remain private and its maintenance will remain the responsibility of the developer, residents or housing company.
8. The applicant should be advised that the Advance Payments Code under Sections 219-225 of the Highways Act 1980 may apply in this instance. The Code secures payment towards the future making-up of a private street prior to the commencement of any building works associated with residential, commercial and industrial development. The intention of the Code is to reduce the liability of potential road charges on any future purchasers which may arise if the private street is not made-up to a suitable standard and adopted as publicly maintained highway. Further information is available from Dorset Council's Development team. They can be reached by telephone at 01305 225401, by email at dli@dorsetcc.gov.uk, or in writing at Development team, Dorset Highways, Environment and the Economy, Dorset Council, County Hall, Dorchester, DT1 1XJ.

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REPORT SUMMARY

REFERENCE NO.	3/19/0826/FUL
APPLICATION PROPOSAL	Demolish existing outbuildings and erect three single storey dwellings, convert existing offices to three flats and improve vehicular access junction with the highway
ADDRESS	Frampton's Yard, Holt, Wimborne, Dorset, BH21 7DX
RECOMMENDATION - Grant, subject to conditions (or refuse if unilateral undertaking not received by 31 st July 2019) (see Section 9 of the report for the full recommendation)	
REASON FOR REFERRAL TO COMMITTEE <ul style="list-style-type: none"> At the agreement of the Chair, following the objection by the Parish Council, as the site lies within the Green Belt. 	
SUMMARY OF REASONS FOR RECOMMENDATION <ul style="list-style-type: none"> The application will contribute to housing supply which is currently below the 5-year housing land supply levels. The proposed redevelopment of the site can take place without a greater impact on the openness of the Green Belt than the existing use and is therefore appropriate development in the Green Belt. The number of residential units and the mix of unit sizes are considered to be appropriate for this site and the scale, layout and design would respect the context of the site and preserve visual amenities of the locality. There is not considered to be any significant harm to neighbouring residential amenity. The traffic movements generated by the development can be accommodated without detriment to highway safety Other issues raised by consultees have been assessed and there are not any which would warrant refusal of the application. 	
INFORMATION ABOUT FINANCIAL BENEFITS OF PROPOSAL <p><u>The following are considered to be material to the application:</u></p> <p>Contributions to be secured through Section 106 legal agreement: £1326 for Dorset Heathland Strategic Access Management and Monitoring (SAMM)</p> <p>Contributions to be secured through CIL: approx. £63,000</p> <p><u>The following are not considered to be material to the application:</u></p> <p>Estimated annual council tax benefit total: approx. £10,500</p> <p>Estimated annual new homes bonus per residential unit, per year (for first 4 years): £1,200 approx. <i>(NB. based on current payment scheme, the assumption that the 0.4% housing growth baseline is exceeded and assuming this baseline is reached through the delivery of other new homes)</i></p>	

APPLICANT	Mr Andrew Etchingham	AGENT	Mr Paul Harrington
WARD	West Moors and Holt	PARISH/ TOWN COUNCIL	Holt
PUBLICITY EXPIRY DATE	23 May 2019	OFFICER SITE VISIT DATE	29 April 2019
DECISION DUE DATE	27 May 2019	EXT. OF TIME	4 July 2019

RELEVANT PLANNING HISTORY

App No	Proposal	Decision	Date
3/13/0358/FUL	Conversion of existing warehouse building to office use and rationalisation of existing office and storage buildings on site with erection of new B1/B8 Unit.	Granted	25/6/13
3/12/0197/CLU	The use of the land edged in red on the attached plan for the mixed purposes of...Open Storage, Vehicle and Plant parking and manoeuvring, and as an HGV operating centre; and the use of the buildings on the land for B1, B2 and B8 purposes, as annotated on the attached plan, other than in compliance with Planning Conditions and/or without the benefit of planning permission.	Granted	04/12
3/90/0485/FUL	Extension To Store Building, As amended by plans received 6 June 1990	Granted [building now offices]	15/6/1990
3/77/1239	Erect builders office, workshop and store	Granted	24/02/1978

1.0 DESCRIPTION OF SITE AND SURROUNDINGS

- 1.01 The application site lies in the hamlet of Holt Wood within the area designated as South East Dorset Green Belt. The site lies to the east of the highway behind three detached dwellings that face onto the highway. It is accessed via a driveway south of a chalet bungalow called 'Everdene'. Agricultural fields lie to the east and south. To the north is a riding stables. Trees lie along the northern boundary.
- 1.02 The application site is relatively level. It currently has a mixed use. There is a two storey modern office block in the southeast corner and extant consent for

a new B1/B8 building along the eastern boundary. An older building with a lawful B2 use lies adjacent to the vehicular access. Former B1 offices have been demolished but the open store structure remains on the eastern boundary and the yard continues to be used for outdoor storage. There were no HGVs on site at the time of the officer visit but the site has a lawful use as a HGV operating centre.

2.0 PROPOSAL

- 2.01 It is proposed to convert the existing two storey office building to three flats and erect three single storey dwellings following the demolition of the workshop and remaining storage building. The existing storage use will cease. The proposed residential accommodation will be served by a revised access.

3.0 SUMMARY OF INFORMATION

All measurements approximate	Existing	Extant scheme (3/13/0358/FUL)	Proposed	Change/net gain: From Previous scheme
Site Area (ha)	0.28ha	0.28ha	0.44ha	+0.16ha
Use	Business	Business	Residential	
More detailed use	1 x B1 Office block 1 x B2 workshop Open sided storage building External storage and containers Potential HGVs	1 x B1 Office block, 1 x B2 workshop 1 x B1/B8 storage building External storage Retained HGV Centre	1 existing 1 x 3 flats 3 x dwellings	
Ridge Height (m)	Offices = 6.5m B2 workshop = 4m Open sided storage building = unknown	Offices = 6.5m B2 workshop = 4m B1/B8 building = 4.5m	Offices = 6.5m Dwellings= 3.8m	0 -0.2-0.5m
Eaves Height	Offices=	Offices =	Offices =	0

(m)	5.3/3.3m B2 workshop = 2.8m Open sided storage building = unknown	5.3/3.3m B2 workshop = 2.8m B1/B8 building = 2.4m	5.3/3.3m Dwellings = 2.2m	-0.2-0.4m
Depth (m)	Offices =14.5m B2 workshop= 9m Open sided storage building = 5.5m	Offices =14.5m B2 workshop= 9m B1/B8 building = 7m	Offices = 14.5m Dwellings = 14.5m	0 +7.5/5.5m
Width (m)	Offices = 14.3m B2 workshop= 17m Open sided storage building = 17.5m	Offices = 14.3m B2 workshop= 17m B1/B8 building = 36.6m	Offices = 14.3m Dwellings A&B = 28.8m Dwelling C = 14.5	0 -2.5m/-7.8m
Distance from west site boundary	B2 workshop= 0m Open sided storage building = 17.5m	B2 workshop= 0m B1/B8 building = 25.5m	Dwelling A 1m Dwelling C 1.5m	+1.5m -24.5m
Distance from east site boundary	Open sided storage building = 1.7m	B1/B8 building = 1m	Dwelling B 3.2m	+2.2m
No. of Storeys	1 except offices	1 except offices	Dwellings 1 Apartments 2	
Parking Spaces	unallocated	unallocated	Dwellings 3, Visitors 1, Apartments 7	
No. of Residential Units	0	0	7	+7

4.0 RELEVANT PLANNING CONSTRAINTS

SSSI Impact Risk Zone
Green Belt
Heathland 5km Consultation Area
Contaminated Land - Medium Risk

5.0 POLICY AND OTHER CONSIDERATIONS

Development Plan:

Christchurch and East Dorset Core Strategy 2014

- KS1: Presumption in favour of sustainable development
- KS2: Settlement hierarchy
- KS4: Housing Provision in Christchurch and East Dorset
- KS11: Transport and development
- KS12: Parking provision
- LN1: The size and type of new dwellings
- LN2: Design, layout and density of new housing development
- HE2: Design of new development
- HE3: Landscape Quality
- ME1: Safeguarding biodiversity and geodiversity
- ME2: Protection of the Dorset Heathlands
- ME6: Flood Management, Mitigation and Defence

Supplementary Planning Documents:

- Dorset Heathlands Planning Framework SPD 2015

The National Planning Policy Framework (2019)

Paragraph 11 sets out the presumption in favour of sustainable development. Development plan proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent or relevant policies are out-of-date then permission should be granted unless any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF or specific policies in the NPPF indicate development should be restricted.

Relevant NPPF sections include:

- Section 12 Achieving well-designed places
- Section 13 Protecting Green Belt land

6.0 LOCAL REPRESENTATIONS

- 6.01 In addition to letters to neighbouring properties, a site notice was posted on the site on 29 April 2019 with an expiry date for consultation of 23 May 2019.

Three responses were received which raised the following issues:

- Overdevelopment of the site
- Compatibility with oak trees in northern boundary hedge- shading and detritus
- Impact on highway safety from access visibility and additional vehicle movements, incompatible with use by horses from adjacent stables
- Impact on neighbouring amenity- overlooking of adjoining dwellings
- Impact on surface water drainage

7.0 CONSULTATIONS

- 7.01 Holt Parish Council (10 May 2019)
OBJECTION: whilst it is a good scheme and well considered, the majority view of the council is the proposal involves too many dwellings and is an over development of the site particularly in reference to the nearby SSSI.
- 7.02 DC Environmental Health (8 May 2019)
The applicants' comments and Sitecheck report are noted but as the site has had unspecified uses over the years, a condition is found necessary to protect future occupants (Condition 3).
- 7.03 Dorset Council Highways (29 April 2019)
No objection subject to conditions to secure vehicle access construction to appropriate specification and turning and parking in perpetuity (conditions 10 & 11).
- 7.04 Natural England (8 May 2019)
Mitigation measures in line with Dorset Heathlands SPD would be necessary to positively conclude an appropriate assessment. Implementation of Biodiversity Mitigation and Enhancement Plan to be secured by condition (condition 12).
- 7.05 Lead Flood Authority (16 May 2019)
Minor development so no comment. Refer to engineers.

8.0 APPRAISAL

- 8.01 The main planning considerations are:
- The impact on the Green Belt
 - The impact on the character of the area including trees
 - The impact on neighbouring amenity
 - The impact on highway safety
 - The impact on Dorset Heathland and biodiversity
 - The impact on occupants health

These and other considerations are set out below

The impact on the Green Belt

8.02 Inappropriate development?

The NPPF identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open (para 133-134). Local Plan policy KS3 provides the Council's overall approach to Green Belt, including maintaining open land around the conurbation.

8.03 The construction of new buildings is inappropriate in the Green Belt but there are exceptions set out in NPPF para 145 and other forms of development that are not harmful are listed in para 146. Those relevant to this application are para 145 criteria (d) and (g) and para 146 criterion (d).

8.04 In respect of the proposed change of use of the office building to three flats, the modern building is of permanent and substantial construction and could accommodate the proposed level of development. It is proposed that the land immediately adjacent to the building would provide a garden for the two ground floor flats, which is shown to be enclosed by fencing. The fencing would not project forward of the building and the land to the east (rear) and south is already in effect enclosed by the boundary hedging.

8.05 The use of the buildings for residential purposes is associated with domestic paraphernalia but in this case the impact would be limited by the modest size of the gardens and no permitted development rights would exist. Existing informal parking would be formalised such that re-use of the building would not significantly impact on openness or conflict with the purposes of including land within it. It is proposed to infill the existing void on the front elevation at first floor level with a balcony. This would modestly increase the bulk of the building, albeit beneath the existing roof, but benefits from NPPF para 145 criterion (c) as it is a proportionate extension.

8.06 In respect of the remainder of the site, as it is proposed to replace existing and already demolished industrial buildings with residential units it is necessary to consider whether the proposed limited infilling is acceptable under criterion (g) which states that the proposal is only appropriate if it would not have a greater impact on the openness of the Green Belt than the existing development. In this respect it is necessary to consider both the spatial and visual aspects.

8.07 The site is previously developed land in continuing use for open storage and as a HGV operating centre. There are two existing buildings on the site in addition to the offices; a pitched roof building in B2 use with a northern extension located immediately to the rear of Everdene Cottage and an open sided wooden storage building along the eastern boundary. Two other buildings shown in pink on the location plan have already been demolished as required by extant consent 3/13/0358/FUL, which allows the erection of a larger replacement building for B1/B8 purposes. As there does not appear to

be anything to prevent the replacement building from being constructed, it can be considered to represent the legitimate fall back position from which to assess impacts on openness.

- 8.08 It is proposed that the two buildings and other uses of the site would be replaced with three single storey dwellings, their associated access and turning area and curtilages.

	Extant	Proposed	Difference
Floor Area (m ²)	Offices = 460sqm B1/B8 = 254sqm B2 = 170sqm Total = 884sqm	Offices = 460sqm Dwellings A&B = 283sqm Dwelling C = 141sqm Total = 1025sqm	+16%
Volume (m ³)	Offices = 1068 B1/B8 = 871(inc overhang) B2 = 480 Total = 2419m ³	Offices = 1068 Dwellings A&B = 900 Dwelling C = 452 Total = 2420m ³	+0%

- 8.09 When considering volumetric calculations the extant buildings have a footprint of approx. 884m² and a volume of approx. 2419m³. The proposal would represent a modest spatial increase in floor area of 16% but the volume of built form would remain constant avoiding a reduction in the openness of the GB.
- 8.10 When considering the visual or perceived impact on openness, the site is set back from the highway behind existing residential units and also benefits from screening from hedgerows which include mature trees.
- 8.11 The two storey office block has a visual presence from the adjacent properties and highway but longer distance views, from Public Footpath E45/47 280m to the east, would be limited by intervening planting and the form of the building which has a lower eastern eaves height. As the extant B1/B8 building is to lie in close proximity to the office building along the eastern boundary, the existing development would be perceived as three buildings along the south and east of the site, enclosing a yard.
- 8.12 The B1/B8 building has an apex form with a long range (36.6m) but a 2.4m eaves and 4.5m ridge height has previously been judged to restrict its visual prominence. The yard area bound by the buildings is hard surfaced and used for the siting of storage containers and open storage as well as parking of vehicles including HGVs. This visually distinguishes the site from the agricultural land to the east and south in close range views.
- 8.13 The proposed bungalows have ridge heights of 3.8m which is lower than the existing B2 building and the extant B1/B8 building. Units A and B would face south, so the built form on the eastern boundary would be reduced to the offices and their modest gable end together with the rear gable projection which is set a further 3m into the site. The proposal would improve site

permeability by opening up views into the site from the adjoining agricultural land and although the area in front of the properties would provide open parking, the size of the vehicles and the balance of hardstanding and garden would represent an improved level of visual openness compared to the existing yard use.

- 8.14 Overall it is judged that the proposal meets the criteria (g) of NPPF paragraph 145 such that the development is not inappropriate.

Impact on the character of the area including trees

- 8.15 Policy HE3 requires that development protects and seeks to enhance the landscape character of the area. The site lies within an Area of Great Landscape Value (AGLV) so the siting, design, materials, scale and landscaping should be sympathetic to the particular landscape quality.
- 8.16 The Local Planning Authority previously determined (app 3/13/0358/FUL) that replacement of several storage buildings and a porta cabin office with a single building, wooden clad and with a traditional apex form, together with the opportunity to secure hedging along the eastern boundary, represented an improvement on the lawful status quo.
- 8.17 The current proposal would completely replace the existing mixed commercial use of the site, including the unrestricted and often unsightly open storage and an industrial (B2 use) building, with a low density residential use. As the site adjoins existing residential development the change of use would represent a planning gain.
- 8.18 There are several large oak trees bordering the site which contribute to the character of the area. As the site has been hard surfaced for many years, the re-greening of the northern part of the site as gardens would benefit the northern trees although they will need to be protected during the development.
- 8.19 Concerns have been raised about the incompatibility of the proposed dwellings with the trees' retention. Units A and B would lie 9 and 10m respectively from the boundary and the tree canopies would overhang their rear gardens but the trees lie to the north thereby limiting overshadowing potential such that any future pressures to have them reduced or removed could be resisted. Trees along the southern boundary lie adjacent to the access which is to be re-surfaced but the Council's tree officer is satisfied that these can also be protected by condition during the construction phase (condition 4).
- 8.20 Policy HE2 requires that the design of development should be high quality and compatible with or improving its surroundings in relation to 11 criteria including layout, scale, architectural style, materials, landscaping and visual impact.

- 8.21 The proposal would retain the existing, somewhat uncharacteristic two storey built form of the former office/commercial building but alterations are minimal and would not result in harm; these comprise the formation of a front elevation, central first floor balcony replacing an existing lobby and ground floor, the replacement of a garage style door (serving the secure store) with windows, additional ground floor south facing windows and other minor fenestration adjustments.
- 8.22 The layout enables views into the site from the adjoining agricultural land to reduce the visual impact of the development. The proposed dwellings are single storey in form in keeping with dwellings in this part of Holtwood and their low ridge height appropriately limits their bulk. Integral garages avoid the need for outbuildings which would add clutter to the scheme.
- 8.23 A condition controlling permitted development rights for extensions and outbuildings would be reasonable and necessary to maintain control of the impact of the development within the Green Belt (condition 9).
- 8.24 The proposed materials are an acceptable mix of traditional and modern; Clay stock facing brick in Flemish bond and timber boarding (cedar or similar) with natural slate roofs but window frames in dark grey aluminium to match the office building.
- 8.25 The southern boundary of the site currently benefits from a hedge which lies beyond the applicant's ownership. The floor plans for the office-to-flats conversion appear to show fencing to demarcate the proposed gardens. Hedging would be more appropriate in this location but, within the confines of the site boundaries, a post and rail fence or other visually permeable boundary could be acceptable and should be secured by condition (condition 8). Further reinforcement of the existing hedgerow along the remainder of the eastern and the southern boundaries is proposed which this will assist with the visual assimilation of the scheme which borders open countryside and a commercial stables. The hedging species within the landscaping scheme accord with the ecological report and the other planting, including the proposed trees are appropriate and can be secured by condition (condition 7).
- 8.26 Overall it is judged that the proposal will not result in harm to the character of the area and the replacement of the lawful commercial uses with residential use represents a planning gain, subject to conditions.

Impact on neighbouring amenity

- 8.27 Policy HE2 requires that development should be compatible with neighbouring properties including minimising general disturbance to amenity. Although it is apparent that current operations are limited to office hours, there is currently no restriction on working hours or on the level of noise emanating from the site which includes a B2 industrial building and storage where delivery vehicles and HGVs have potential to produce significant noise and disturbance in close proximity to existing properties.

The proposed residential use for 6 units will be associated with vehicle movements but overall is associated with a reduced likelihood of harm to neighbouring amenity in terms of noise and disturbance than the unfettered lawful use.

- 8.28 Concerns have been raised about the potential for harmful levels of overlooking from the proposed first floor flat. There are no changes proposed to the first floor fenestration on the front (west) elevation which faces the rear elevations and gardens of 'Orchard Cottage', 'Ashlea' and 'Everdene Cottage'.
- 8.29 A balcony is to be created but this will not extend forward of the existing building line. The residential use as a flat has the potential to increase the intensity of use of the building, but the main living area is identified in the southern part of the building and the separation distances of approx. 38m building to building and 20m building to boundary are sufficient to avoid demonstrably harmful overlooking.
- 8.30 The single storey form of the dwellings will avoid any harmful overbearing or overshadowing of existing properties.
- 8.31 Overall, no harm to neighbouring amenity has been identified.

Impact on highway safety

- 8.32 Policy KS11 requires (inter alia) that development provides a safe access onto the existing transport network. Concerns have been raised about the safety of the site access and it is acknowledged that the access currently offers substandard visibility to the south.
- 8.33 The Council's highway engineers have confirmed that the removal of HGVs from the rural highway network as a result of the proposed change of use of the site is a highway benefit. They are satisfied that the existing access, which has current unrestricted lawful use by HGVs and other commercial vehicles, can be improved by the proposed slight realignment northwards (to be secured by condition) such that it is acceptable for vehicles associated with the proposed residential use (condition 10).
- 8.34 Concerns have also been raised by the potential for increased trip rates having implications for other road users including pedestrians and horses in this area where there are no pavements. Whilst it is reported that trip rates associated with the current use of the site are relatively low, the lawful uses could in the future be intensified without reference to the LPA. The residential proposal would not represent a significant increase in road use which would have any demonstrable harm to highway safety. The application site location means that future occupants will be reliant upon private vehicles but the more limited opportunities to maximise sustainable travel in rural areas compared to urban is recognised and accepted in the NPPF (para 103). Given the

existing use of the site, the limitations of the location in relation to this aspect of sustainability would not reasonably prevent redevelopment.

- 8.35 The proposal includes 14 parking spaces and 3 garages which represents sufficient parking provision to serve the needs of future occupants in line with policy KS12 requirements. (Condition 11)

Impact on Dorset Heathland and Biodiversity

- 8.36 The application site lies within 5km but beyond 400m of Dorset Heathland which is designated as a Site of Special Scientific Interest and as a European wildlife site. The proposal for a net increase in residential units, in combination with other plans and projects and in the absence of avoidance and mitigation measures, is likely to have a significant effect on the site. It has therefore been necessary for the Council, as the appropriate authority, to undertake an appropriate assessment of the implications for the protected site, in view of the site's conservation objectives.
- 8.37 The appropriate assessment (separate document to this report) has concluded that the likely significant effects arising from the proposal are wholly consistent with and inclusive of the effects detailed in the supporting policy documents, and that the proposal is wholly compliant with the necessary measures to prevent adverse effects on site integrity detailed within the Dorset Heathlands Planning Framework SPD.
- 8.38 The mitigation measures set out in the Dorset Heathlands 2015-2020 SPD can prevent adverse impacts on the integrity of the site. The SPD strategy includes Heathland Infrastructure Projects (HIPs) and Strategic Access Management and Monitoring (SAMM). In relation to this development the Council will fund HIP provision via the Community Infrastructure Levy but SAMM, which forms the second strand of the strategy, requires that contributions be secured via s106 from all development where there is a net increase in dwellings. The strategic approach to access management is necessary to ensure that displacement does not occur across boundaries.
- 8.39 The current application is accompanied by draft unilateral undertaking which is intended to secure the necessary contribution towards Strategic Access Management and Monitoring (SAMM) in accordance with the Dorset Heathlands SPD but is yet to be fully completed by mortgage companies. The SAMM contribution does not relate to the provision of infrastructure so it is not subject to pooling restrictions, is reasonable and necessary; the contribution complies with Regulations 122 and 123(3) of the Community Infrastructure Levy Regulations 2010 (as amended). With the mitigation secured, the development will not result in an adverse effect on the integrity of the designated site so in accordance with regulation 70 of the Habitats Regulations 2017 planning permission can be granted as the application accords with policy ME2. Without the completed unilateral the application

would fail an appropriate assessment. It is judged reasonable to provide the applicant with some additional time to secure the completion of the unilateral undertaking until 31st July following which it would be necessary to refuse the application.

- 8.40 Policy ME1 seeks to protect, maintain and enhance the condition of nature conservation sites, habits and species and secure net gains for nature where possible which accords with NPPF para 175. The application is accompanied by a biodiversity mitigation plan approved by Dorset Natural Environment Team. This proposes limits on lighting levels, the planting of new native hedgerow and the installation of two integral bat tubes on the dwellings and a bat box on a tree. Compliance with the BMP can be secured by condition to accord with policy ME1 (Condition 12).

The impact on occupants health

- 8.41 Due to the former mixed use of the application site, the Council's Public Health officers have recommended that a contamination investigation is undertaken and any necessary remediation secured as a precautionary measure to ensure that the health of future residents is protected. This can be secured by condition (condition 3).

Other issues

- 8.42 Policy ME6 and NPPF para 163 requires that development should avoid increasing flood risk. The site lies within Flood Zone 1 and is less than 1ha in area. Details of surface water drainage have been provided which show that the proposal will increase permeability thereby reducing surface water flows generated from the site by 34% for 100yr, 6 hr event. The outfall for surface water is through the existing drainage field with an overflow to a blind ditch. It is important to ascertain how the ditch will be maintained so condition 13 requires maintenance details to be submitted.
- 8.43 It is proposed that the development is served by a sewage treatment works which will discharge into the watercourse to the west of the site. Details of maintenance and access rights are also required by condition. (Condition 14)
- 8.44 As the access to the proposed properties will not be adopted, the occupiers will need to place their bins close to the curbside for collection. A bin collection point has been provided on the pre-existing hardsurfacing which can be achieved without impacting on visibility splays.
- 8.45 The proposal will result in the loss of office and industrial accommodation, open storage and a HGV centre which has potential implications for the economy but the loss of such facilities in the countryside is not constrained by policy. The six proposed residential units will contribute to the housing

requirement set out at policy KS4 Housing. The proposal for three bedroom dwellings and two bedroom flats accords with the requirement for market housing identified in the Strategic Housing Market Assessment in accordance with policy LN1; this weighs in favour of the proposal.

Conclusion

- 8.34 As the Council currently lacks a 5 year housing land supply, the provision of additional dwellings weighs in favour of the proposal. Having considered the policies in the NPPF that protect areas or assets of particular importance, there is no clear reason for refusing the proposed development. In accordance with NPPF paragraph 11 it is recommended that the development be granted.

9.0 HUMAN RIGHTS

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property

- 9.01 This Recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

10.0 PUBLIC SECTOR EQUALITIES DUTY

- 10.01 As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:-

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

- 10.02 Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED

11.0 RECOMMENDATION –

- 11.1 Delegate to Development Management Manager to either:

- A) Grant**, subject to the conditions set out below and the successful completion of a S106 Legal Agreement to secure the necessary contribution towards Strategic Access Management and Monitoring in accordance with the Dorset Heathlands SPD.

Conditions: (the Pre-commencement conditions have been previously agreed with the applicant, as required)

1. The development to which this permission relates must be begun 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 91 of the Town and Country Planning Act 1990.

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

18141-11 D Location, Block and Site Plan
18141-13 A Houses A & B Floor Plans
18141-14 A Houses A & B Elevations
18141-15 A Houses A & B Elevations
18141-16 A House C Floor Plans
18141-17 A Houses C Elevations
18141-20 A Proposed Office Conversion Plans
18141-21 A Proposed Office Conversion Elevations

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

3. Before the change of use is implemented a scheme shall be submitted to the Local Planning Authority to deal with potential contamination of the site. Such scheme shall include the following actions and reports, which must be carried out by appropriately qualified consultant(s):

(a) A Site History Report, which shall, by reference to site layout drawings of an appropriate scale, include a history of the site, past land uses, current and historical maps, site plans, locations of any known spillages or pollution incidents and the location and condition of old tanks, pits, fuel or chemical storage areas. (Please note it is the responsibility of the landowner, developer or consultant to provide and disclose all relevant information).

(b) A Site Investigation Report (based on the information contained in the site history report), will be required where the appointed consultant and/or the Local Planning Authority anticipate that contamination may be present in, on or near the proposed development area. The site investigation report must characterise and identify the extent of contamination, identify hazard sources, pathways and receptors and develop a conceptual model of the site for purposes of risk assessment.

(c) Before any works commence on site, should (in the opinion of the Local Planning Authority) remedial works be required, consultants appointed to carry out intrusive site investigation work must submit their sampling strategy to the Local Planning Authority for approval.

(d) Where contamination is found which (in the opinion of the Local Planning Authority) requires remediation, a detailed Remediation Statement, including effective measures to avoid risk to future and neighbouring occupiers, the water environment and any other sensitive receptors when the site is developed, shall be submitted to and approved in writing by the Local Planning Authority. Any remediation scheme(s), or part(s) thereof recommended in the remediation statement, shall require approval to be obtained in writing from the Local Planning Authority.

(e) No development shall occur until the measures in the approved remediation scheme have been implemented in accordance with the remediation statement to the satisfaction of the Local Planning Authority.

(f) If, during works on site, contamination is encountered which has not previously been identified, the additional contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Planning Authority. Any such scheme shall require approval to be obtained in writing from the Local Planning Authority.

(g) On completion of all the works detailed in the agreed Remediation Statement, a Remediation Completion Report must then be completed by the environmental consultant(s) who carried out the remediation work confirming that they have supervised all the agreed remediation actions. This report to be submitted to the planning authority confirming that all works as specified and agreed have been carried out to the point of completion. Until the Planning Authority is in receipt of said Remediation Completion Report and has approved the contents of the statement and the standard of work completed in writing it will be viewed that the remediation of the site is incomplete.

Reason: To protect the health of future occupants.

4. Before any equipment, materials or machinery are brought onto the site for the purposes of development, a pre-commencement site meeting between the Tree Officer, Arboricultural Consultant and Site Manager shall take place to confirm the protection of trees on and adjacent to the site in accordance with the Arboricultural Impact Appraisal and Method Statement prepared by Barrell Tree Consultancy, ref: 18338-AA-PB dated 18th December 2018. The tree protection shall be positioned as shown on the Tree Protection Plan, ref: 18338-BT1, before any equipment, materials or machinery are brought onto the site for the purposes of the development. The tree protection shall be retained until the development is completed and nothing shall be placed within the fencing, nor shall any ground levels be altered or excavations made without the written consent of the Local Planning Authority. This condition shall not be discharged until an arboricultural supervision statement, the contents of which are to be discussed and agreed at the pre-commencement

meeting, is submitted to and approved in writing by the Local Planning Authority on completion of development.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area.

5. Prior to commencement of works (including site clearance and any other preparatory works) a plan showing service routes, including the position of any soakaways outside of the identified Root Protection Areas shall be submitted and agreed with the LPA.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area.

6. The development hereby permitted shall be constructed entirely of the materials details of which are shown on the approved plans unless otherwise agreed in writing by the Local Planning Authority.

Reason: This is required to ensure the satisfactory visual relationship of the new development to the existing

7. All planting shown on the landscaping plan drawing no. 10151 shall be completed before the end of the planting season following completion of the development. Any such plants that are removed, die or become, in the opinion of the Local Planning Authority seriously damaged or defective, within five years of planting shall be replaced with specimens of similar size and species as originally planted.

Reason: To safeguard the amenities of the area and ensure the enhancement of the development.

8. Details of the proposed hard landscaping of the site including hard surfacing and boundary enclosure shall be submitted to and approved in writing by the Local Planning Authority. The approved landscaping relevant to each residential unit shall be implemented prior to the first occupation of that unit.

Reason: In the interests of neighbouring amenity, visual amenity and to control aspects which may impact on drainage.

9. Notwithstanding the provisions of Part 1 Classes A and E of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 or any subsequent re-enactment thereof, there shall be no extensions to the dwellings hereby approved nor shall any garage or car port be erected.

Reason: To control development which would impact on the openness of the Green Belt.

10. Before the development is occupied or utilised the access improvements and first 10.00 metres of the vehicle access, measured from the rear edge of the highway (excluding the vehicle crossing – see the Informative Note below), must be laid out and constructed to a specification submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that a suitably surfaced and constructed access to the site is provided that prevents loose material being dragged and/or deposited onto the adjacent carriageway causing a safety hazard.

11. Before the development hereby approved is occupied or utilised, the turning and parking shown on Drawing Number 18141.11 C must have been constructed. Thereafter, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, or any subsequent re-enactment thereof, the garages shall be maintained for the parking of vehicles and the turning and parking areas must be permanently maintained and kept free from obstruction and available for the purposes specified.

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

12. The development hereby approved shall not be first brought into use unless and until the protected species mitigation and enhancement measures as detailed in the approved mitigation plan KP Ecology Ecological Report (19 December 2018) have been completed in full, unless any modifications to the agreed mitigation plan as a result of the requirements of a European Protected Species Licence or the results of subsequent bat surveys have first been submitted to and agreed in writing by the Local Planning Authority. Thereafter approved enhancement and mitigation measures shall be permanently adhered to, maintained and retained in accordance with the approved details, unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of biodiversity

13. No development approved by this permission shall be occupied or brought into use until a scheme for the future responsibility and maintenance of the surface water drainage system has been submitted to and approved by the Local Planning Authority (LPA). The approved drainage works shall be completed in accordance with the Surface Water Concept details submitted with the application and maintained in accordance with the details agreed with the LPA.

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

14. No development approved by this permission shall be occupied or brought into use until a scheme for the future responsibility and maintenance of the foul water drainage system has been submitted to and approved by the Local

Planning Authority (LPA). The approved drainage works shall be completed in accordance with the Foul Drainage Concept details submitted with the application and maintained in accordance with the additional details agreed with the LPA.

Reason: To prevent ensure that the development is properly serviced and does not increase the risk of flooding downstream

15. The development hereby approved shall be undertaken in accordance with the Construction Management Plan submitted with the application unless modifications are first approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and neighbouring amenity

Informatives:

1. Unilateral undertaking
2. Dorset highways vehicle crossing
3. CIL Liable

Or

If a Section 106 Legal agreement are not secured by 31th July 2019:

B) Refuse permission as the proposal would :

- Fail to provide avoidance measures identified as necessary to mitigate the impact of the development, in combination with other plans and projects, on the integrity of the designated site as set out in the Dorset Heathlands Planning Framework Supplementary Planning Document (SPD) 2015-2020.

Background Documents:

Case Officer: Elizabeth Adams

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

The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.

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