

REPORT SUMMARY

REFERENCE NO.	3/19/0545/RM		
APPLICATION PROPOSAL	Approval of all reserved matters in respect of Outline Planning Permission 3/15/0332/OUT to construct 3 detached bungalows with garaging and bin store with access off Stour View Gardens. Part demolish 24A Stour View Gardens and Workshop.		
ADDRESS	Land off Stour View Gardens/ 91 Wimborne Road Corfe Mullen Wimborne BH21 3DS		
RECOMMENDATION	- Grant, subject to conditions: (see Section 9 of the report for the full recommendation)		
REASON FOR REFERRAL TO COMMITTEE			
The applicant, Mr Derek Burt, is a former East Dorset, Dorset County Councillor and an Alderman of the Dorset Council			
SUMMARY OF REASONS FOR RECOMMENDATION			
<ul style="list-style-type: none"> • Proposal accords with outline planning permission 3/15/0332 granted in 2016 • would have no adverse impact on the character and appearance of the locality • Proposal would have no adverse impact on the occupants of adjacent dwellings • appropriate levels of on-site parking • no adverse impact on road safety • no adverse effect on biodiversity 			
INFORMATION ABOUT FINANCIAL BENEFITS OF PROPOSAL			
<p>The following are not considered to be material to the application:</p> <p>Estimated annual council tax benefit total: £1933.95 per property. Total £5801.85</p> <p>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)</p>			
APPLICANT	Mr Derek Burt	AGENT	Thornes
WARD	Corfe Mullen	PARISH/ TOWN COUNCIL	Corfe Mullen
PUBLICITY EXPIRY DATE	25 May 2019	OFFICER SITE VISIT DATE	1 May 2019

DECISION DUE DATE	21 June 2019	EXT. OF TIME	N/A
RELEVANT PLANNING HISTORY			
App No	Proposal	Decision	Date
3/15/0332/OUT	Part demolish 24A Stour View Gardens and Workshop. Form access off Stour View Gardens with alteration to access of 24A Stour View Gardens and construct three detached bungalows with garaging and bin store	Approved	18/8/16

MAIN REPORT

1.0 DESCRIPTION OF SITE AND SURROUNDINGS

- 1.1 The application site is in the urban area of Corfe Mullen and currently in use as rear garden area to 91 Wimborne Road.
- 1.2 The site has an approx. area of 0.16 hectares to include 24a Stourview Gardens, and involves splitting the rear garden of No.91.
- 1.3 The site is relatively level and has large and small pitched roof outbuildings near the NW boundary.
- 1.4 The property at 24a Stourview Gardens is a detached bungalow that fronts the cul-de-sac turning head of Stourview Gardens. Access to the bungalow is from Stourview Gardens with parking provided at the side (S) of the dwelling.

2.0 PROPOSAL

- 2.1 The application is for consideration of Reserved Matters (RM) pursuant to Outline Planning Permission 3/15/0332/OUT (with all matters reserved), which was granted in August 2016
- 2.2 The Reserved Matters application includes details of the proposed means of access, layout, appearance, scale and landscaping.
- 2.3 The proposal is for 3 detached, two bedroom bungalows, together with garaging and bin store with access from Stourview Gardens. The bungalows would be sited in a row behind 4 Stourview Gardens and to the rear of 91, 93 & 93A Wimborne Rd. There would be no access to the site from Wimborne Rd.
- 2.4 The application includes partial demolition of the side (S) elevation of the low-level bungalow and the detached garage at 24a Stourview Gardens as well as the construction of a new single storey extension. The proposed side

extension is set back from the front elevation to allow for a new access road to be constructed to serve the new dwellings.

- 2.5 The proposal also shows the demolition of the outbuildings near the site's boundary with the rear of 4 Stourview Gardens.

Community infrastructure Levy (CIL)

- 2.6 The outline permission was granted on the 18/8/2016. CIL was adopted by the then East Dorset District Council on the 5/9/2016. As outline application was granted prior to the introduction of CIL, the proposal is not liable for CIL.

Affordable Housing

- 2.7 NPPF states (para 63) that only major development (i.e. schemes for 10 dwellings or more (or 1000sq metres floor area or more) require affordable housing provision.

The proposal for 3 additional dwellings falls below this threshold.

3.0 SUMMARY OF INFORMATION (FOR THE APPLICATION SITE)

	Existing	Proposed
Site Area (ha)	approx. 0.13ha	0.13ha
Use	Residential curtilage	Residential dwellings, curtilages and access roads
Number of residential units	Single dwelling at 24a Stourview Gardens partly within the application site	3
Number of parking spaces	None	8 external parking spaces to serve all dwellings with 4 garages.

4.0 RELEVANT PLANNING CONSTRAINTS

SSSI Impact Risk Zone
Groundwater Protection Zone
Highways Inspected Network - 1.77m
Heathland 5km Consultation Area
Main Urban Area
Source Protection Zone

5.0 POLICY AND OTHER CONSIDERATIONS

Development Plan:

Christchurch and East Dorset Core Strategy 2014

East Dorset Local Plan 2002 (saved Policies)

HE2 Design of new development
KS1 Presumption in favour of sustainable development
KS2 Settlement Hierarchy
ME1 Safeguarding biodiversity and geodiversity
ME2 Protection of the Dorset Heathlands
KS11 Transport and Development
KS12 Parking Provision

Supplementary Planning Documents:

Dorset Heathlands Planning Framework SPD 2015- 2020

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

The requirement for good design set out in section 12; paragraph 127 requires that development should add to the overall quality of the area. Permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area and the way it functions (para 130).

6.0 LOCAL REPRESENTATIONS

6.1 In addition to letters to neighbouring properties, a site notice was posted outside the site on 1.05.2019 with an expiry date for consultation of 25.05.2019.

6.1 One local representation has been received. The issues raised comprise the following:

- road safety
- inadequate on-site parking and turning.

7.0 CONSULTATIONS

1. Corfe Mullen Parish Council (received 15.05.2019)

No objection

2. Natural England (received 15.05.2019)

No objection - On the condition that the appropriate level of heathland mitigation contribution is secured as set out in the Dorset Heathlands Planning Framework SPD 2015-2020, to ensure that the effect of increased recreational pressure on the protected heathlands is mitigated by any permission.

In respect of biodiversity enhancement, Natural England advise that at least one generic bird box per dwelling is provided to be built into the structure of the development walls to provide a net gain in biodiversity consistent with paragraph 8, 170 and 175 of the National Planning Policy Framework and East Dorset Council Local Plan.

3. Dorset Council Highways (received 21.05.2019)

No Objection, subject to conditions to ensure the vehicle access crossing is constructed to the correct specification (Condition 3). An informative note is also advised to this effect (Informative note 3).

8.0 APPRAISAL

- the principle of the development
- the proposed mix of units
- Impact on the character and appearance of the area
- Impact on the amenities of the occupants of adjacent properties and future occupiers of the proposed dwellings

- Impact on protected heathland
- Impact on bats
- Impact on road safety

These points will be discussed as well as other material considerations under the headings below

The Principle of Development

- 8.1 Both paragraph 14 of the NPPF, and KS1 of the Local Plan place a presumption in favour of sustainable development. This site falls within the urban area of Corfe Mullen, identified as a main settlement in Policy KS2 of the Local Plan, being a sustainable location where development is supported. A previous proposal for residential development on this site was approved under application 3/15/0332/OUT. The site is therefore a suitable location for residential development.

Impact on the character and appearance of the area

- 8.2 The details submitted for the Reserved Matters show 3 detached , two bedroom bungalows and garaging (plot 1 has an attached single garage and plots 2 &3 have detached single garages). A fenced bin store is also proposed as part of the application.

Development in the vicinity of the application site is a mixture of single and two storey development with a predominance of red brick and grey slate or concrete roof tiles.

The proposed bungalows would be sited in a row behind 4 Stourview Gardens and to the rear of 91, 93 & 93A Wimborne Rd with access from Stourview Gardens. Materials are not specified as part of the application, however the Design and Access statement accompanying the application states that the proposed bungalows “will have a conventional appearance using materials as used on developments in the locality” (A materials condition is recommended Condition 5)

The proposed detached would sit comfortably on the site with appropriate space between them and adjacent properties. The pitched and gabled roof design and low ridge heights would ensure the dwellings respected the character of the development in the immediate area. The proposed extensions to 24a Stourview Gardens are also appropriate, given their subservient scale and design to respect that of the existing bungalow.

- 8.3 The new access from Stourview Gardens is be acceptable in the street scene and would result in a relatively low-key entrance to the site. The timber fence enclosing the refuse store is acceptable as this is to be located inside the site entrance adjacent to the site's boundary with 24 Stourview Gardens, and would not be readily seen from the cul-de-sac given its set back position from the cul-de-sac and the screening provided by the hedge on this boundary.
- 8.4 The low-level form and modest scale of the proposed dwellings would prevent them being visually prominent when viewed from Stourview Gardens to the south, and they would not have an adverse visual impact when seen from Wimborne Rd to the east.
- 8.5 For these reasons the proposed development is considered acceptable in respect of its layout, scale and appearance and the areas for landscaping are appropriate. The proposal accords with Core Strategy Policy HE2 as it would be compatible with its surroundings.

Impact on the amenities of the occupants of adjacent properties and future occupiers of the proposed dwellings

- 8.6 The closest dwellings to the east of the site are predominately two storey houses in Wimborne Rd, with the exception being 93A Wimborne Rd, which is an attached bungalow. Dwellings to the south and west in Stourview Gardens are detached bungalows.
- 8.7 The proposed bungalows are sited an acceptable distance from the existing properties closest to them, and there would be no adverse effects on the occupants of these adjacent dwellings from the physical presence of the proposed dwellings, garages and the extensions to 24a Stourview Gardens.
- 8.8 The site is relatively flat and the proposed dwellings are single storey and there would be no overlooking of the adjacent properties from the new dwellings. Condition 6 is necessary to ensure the finished floor levels of the bungalows are acceptable in respect of existing ground levels and the height of adjacent boundary fencing.
- 8.9 There would be no adverse overlooking of the proposed dwellings from the adjacent house at 91 Wimborne Rd, given the distance between first floor windows in this dwelling and the rear garden of Plot 3 (some 13m between the rear of the house at No.91 and the side boundary of Plot 3).
- 8.10 The dwelling to the south at 4 Stourview Gardens that would be at the rear of Plots 1 & 2 would not be overlooked by the proposed dwellings due to the separation distance between the proposed dwellings and this property, and fact that these proposed dwellings are bungalows.

- 8.11 The proposed dwellings would not be adversely overlooked by the houses at 87 & 89 Wimborne Road, given the relationship between these properties and the proposed dwellings and the separation distance involved.
- 8.12 The proposal complies with Core Strategy Policy HE2 as it would be compatible with its surroundings.

Impact on protected heathland

- 8.13 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 of 3 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.
- 8.14 The impact of the 3 new dwellings on the Dorset Heathlands has been considered under the Outline application and it is not necessary to reconsider this matter further under the reserved matters application.
- 8.15 A completed Unilateral Planning Obligation to pay the required SAM contribution as mitigation for the proposal's impact on the Dorset Heathlands in accordance with the Dorset Heathlands strategy was submitted as part of the outline application (29th April 2015).

Impact on bats

- 8.16 The application includes a negative bat certificate dated 26/4/19. Policy ME1 of the Core Strategy is complied with in this respect.
- 8.17 English Nature has advised that the development should provide for biodiversity enhancement and advises that one generic bird box should be built into the walls of each new dwelling, The application is recommended for approval in this respect subject to condition (Condition 4)
- 8.18 With negative bat survey and the imposition of a condition to secure the provision of bat boxes (Condition 4), the proposal is considered to comply with the Dorset Biodiversity Protocol, and Policy ME1 of the Core Strategy, as it would avoid harm to existing priority habitats in respect of bats. For these reasons It also accords with National Planning Policy Guidance (NPPF paragraph 8)

Impact on road safety

- 8.19 The site is in an urban area. The proposal shows 1 parking space and 1 garage space for 24a Stourview Gardens. Plot 1 has an integral garage (3m x 6m) as well as one parking space.

- 8.20 Plots 2 and 3 are shown to have 3 parking spaces each as well as detached single garages (internal measurements of 2.6m x 4.8m)
- 8.21 The on - site parking provision complies with Policy KS12 of the CS as it would provide adequate vehicle parking facilities in accordance with the Local Transport Plan and the Dorset Residential Car Parking Study
- 8.22 Dorset Highways has raised no objection to the proposal as the proposal has adequate on-site parking provision. For these reasons the proposal is considered acceptable, and unlikely to result in an adverse impact on road safety, and accords with Policy KS11 of the CS.

Conclusion

- 8.23 This reserved matters application accords with the outline planning permission, and the submitted reserved matters demonstrate that the development would sit comfortably in the context of the site, have no adverse impact on the character and appearance of the immediate area, the amenities of occupants of adjacent properties, biodiversity, road safety and is compliant with development plan policy in relation to these aspects. Approval is recommended.

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

- 9.1 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

- 10.1 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.

- 10.2 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 following:

Conditions:

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

Location Plan rec'd 18/6/19

J.Burgess & Associates Ltd Drawing No. 6172-08: Site Plan rec'd 18/6/19

J.Burgess & Associates Ltd Drawing No. 6172-01: Proposed Floor Plan for 24a Stourview Gardens

J.Burgess & Associates Ltd Drawing No. 6172-02: Proposed Elevations (S & W) for 24a Stourview Gardens

J.Burgess & Associates Ltd Drawing No. 6172-03: Proposed Elevations (N & E) for 24a Stourview Gardens

J.Burgess & Associates Ltd Drawing No. 6172-04: Proposed Floor plans Plot 1

J.Burgess & Associates Ltd Drawing No. 6172-05: Proposed Elevations Plot 1

J.Burgess & Associates Ltd Drawing No. 6172-06: Proposed Floor plans & Garage plans Plots 2 & 3

J.Burgess & Associates Ltd Drawing No. 6172-07: Proposed Elevations Plots 2 & 3

J.Burgess & Associates Ltd Drawing No. 6172-09: Proposed Driveway/Access; Refuse Area and Fencing

J.Burgess & Associates Ltd Drawing No. 6172-10: Landscaping

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

2. No development shall take place until full details of the hard and soft landscape works shown on the submitted site plan have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include means of enclosure; hard surfacing materials, species, density and planting size of new planting. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any

part of the development or in accordance with a programme agreed with the local planning authority.

Reason: In the interests of visual amenity and to ensure the approved landscaping scheme is implemented correctly.

3. Before the development is occupied or utilised the first 5.00 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.

4. Prior to the occupation of the new dwellings hereby approved, one generic bird box shall be built into the walls of each new dwelling and these shall be retained thereafter for the lifetime of the development.

Reason: To provide a net gain in biodiversity consistent with paragraphs 8, 170 and 175 of the National Planning Policy Framework.

5. Before they are used in the development, details of all external facing and roofing materials (to include colour, type and manufacturer) shall be submitted to 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: To ensure the development has an appropriate appearance.

6. Plans and particulars showing the finished floor levels, related to a fixed point within the site (that could be the finished floor level of the dwelling at 24a Stourview Gardens), of the ground floor of the proposed new dwellings shall be submitted to, and approved in writing by the Local Planning Authority and the construction of the new dwellings shall not be commenced until these details have been approved. All works shall be undertaken strictly in accordance with the details as approved.

Reason: To ensure the dwellings relate appropriately to the adjacent development.

Informatives:

1. The applicant is advised that given this permission is a Reserved Matters application, the development to which this permission relates must be begun not later than the expiration of two years from the approval of this application for Reserved Matters. Please see the decision notice relating to Outline Planning Permission 3/15/0332/OUT.

2. The outline permission was granted on the 18/8/16 and the Community Infrastructure Levy (CIL) was adopted by the then East Dorset District Council on the 5/9/16. Therefore the application is not eligible for CIL as approval of the 3 new dwellings was given before CIL was adopted.
3. 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 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 Council, County Hall, Dorchester, DT1 1XJ, before the commencement of any works on or adjacent to the public highway.
4. The applicant is reminded of the requirement of Condition 4 of the Outline Planning Permission relating to the application, namely that; The development hereby permitted shall not commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall incorporate proposed working hours and contractors' arrangements including site compound, storage, parking and turning. The development shall be carried out strictly in accordance with the approved Construction Management Plan.

Background Documents:

Case Officer: James Brightman

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.