

Officer Report

Application Number:	P/RES/2023/03735		
Webpage:	https://planning.dorsetcouncil.gov.uk/		
Site address:	Land at E373160 N117864 Pond Walk Stalbridge DT10 2PY		
Proposal:	Erect 9 No. dwellings. (Reserved matters application to determine access, appearance, landscaping, layout and scale, following the grant of Outline Planning Permission No. 2/2018/0372/OUT).		
Applicant name:	Baddow Estates Limited		
Case Officer:	Jennie Roberts		
Ward Member(s):	Cllr Carr-Jones		
Publicity expiry date:	22 August 2023	Officer site visit date:	18 October 2023
Decision due date:	31 December 2023	Ext(s) of time:	31 December 2023
No of Site Notices:	6		
SN displayed reasoning:	6 notices were displayed on lampposts, signposts and telegraph poles adjacent to the entrance to the site and in surrounding roads, to ensure maximum visibility for members of the public.		

1.0 The application site is within Dorset Council's ownership and the application is therefore referred to Committee in accordance with Dorset Council's Constitution.

2.0 Summary of recommendation:

GRANT, subject to conditions

3.0 Reason for the recommendation:

- The principle of residential development on this site has already been established
- Para 11 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise

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- The proposal is acceptable with regard to its access, design, scale, layout and landscaping
- There is not considered to be any harm to residential amenity
- There is not considered to be any harm to heritage assets
- There is not considered to be any harm to the natural environment, including biodiversity and important trees
- There are no material considerations which would warrant refusal of this application.

4.0 Key planning issues

Issue	Conclusion
Principle of development	The principle of development is established by the outline planning permission (2/2018/0372/OUT).
Layout	The layout is acceptable.
Scale	The proposal is of an acceptable scale.
Appearance	The materials palette and design of the dwellings is acceptable.
Landscaping	The scheme will protect key veteran trees within the site and mitigate against the loss of other less valuable specimens through a well-considered planting scheme. Hard landscaping measures are considered appropriate.
Access, highway safety and parking	The proposal is suitable and safe for all road users, and satisfactory provision has been made for parking, turning and access by a refuse vehicle.
Residential amenity	The proposal will have an acceptable impact on the residential amenity of neighbouring properties. It will also provide an acceptable level of residential amenity for the proposed dwellings themselves.
Heritage assets	The proposal will preserve the character and appearance of the conservation area and will not impact negatively upon the neighbouring listed buildings.
Biodiversity	The proposal is acceptable in relation to its impact upon biodiversity and a revised biodiversity plan has been approved by the Natural Environment Team.

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Flood risk and drainage	Pre-commencement condition no.5 of the outline permission requires the submission to and approval by the LPA of a scheme for the disposal of foul and surface water drainage on the site. This condition will need to be complied with prior to the commencement of development.
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5.0 Description of Site

The c. 0.71ha site is located in the north-western part of Stalbridge, within the Stalbridge Conservation Area. Stalbridge is a small town situated in the Blackmore Vale area of North Dorset, close to the border with Somerset. It lies on the A357 north west of Sturminster Newton.

The site is bounded to the south by Local Authority allotments. At the existing end of Pond Walk is a small area of tarmac providing car parking for the use of the allotment holders. To the west of the site is the rear of properties facing Park Grove. To the north of the site is Grove House (Grade II Listed), to the east is the rear of properties facing Grove Lane and the rear garden of Glebe Court (Grade II Listed), and to the south-east is the rear of properties in the older part of Pond Walk.

Mature trees of high amenity value are located to the north east part of the site and are covered by Tree Protection Orders.

The site is currently open space, predominantly grass and is bounded by hedgerows, with a band of mature trees between. The ground level rises, with the existing end of Pond Walk being the low point and the furthest north-western point of the site being the high point. A public footpath (N51/4) runs along the east side of the site from Pond Walk to Grove Lane.

6.0 Description of Development

The site has an extant outline planning permission (application no. 2/2018/0372/OUT) to '*Develop land by the erection of 9 No. dwellings (with all matters reserved)*'. Permission was granted by the planning committee on 9 July 2020, subject to 12 conditions. This established the principle of nine residential dwellings at this location. An indicative sketch proposal accompanied the outline application.

This current reserved matters application seeks approval for layout, scale, appearance, landscaping and access.

Layout

Units 1-3 are two-storey, four-bedroom houses within the southern portion of the site. The remaining units are a mix of two and three-bedroom bungalows, all situated within the northern portion of the site. Each dwelling has two parking spaces, a garage and garden.

Scale

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The proposed gross floor area of the proposed dwellings proposed is c. 0.11ha; this equates to around 16% of the overall plot.

Appearance

The proposed dwellings have been designed having regard to existing development in the surrounding conservation area. They will be constructed from a mix of traditional building materials found in the locality, including local Stalbridge Stone, clay bricks and plain clay tiles. Windows and doors frames will be foil-wrapped uPVC with a grained finish.

Landscaping

The site is currently undeveloped and covered with rough grassland with hedgerows along the site boundaries. Three mature Horse Chestnut trees are to be retained within the site and would be unaffected by the proposed development and safeguarded using protective fencing. Additional native hedgerows, trees and shrubs will be planted within the site, and hard surfaces include a mix of different stone sets, paving slabs and permeable tarmac.

Access

Access is derived from Pond Walk, with an access road running through the site, terminating in a turning head in front of Units 6 and 7.

7.0 Relevant Planning History

2/2018/0372/OUT - Decision: GRA - Decision Date: 09/07/2020

Develop land by the erection of 9 No. dwellings. (Outline application with all matters reserved).

8.0 List of Constraints

- Within the Settlement Boundary
- Grade II Listed Buildings: GLEBE COURT & GROVE HOUSE (statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990)
- Within the Stalbridge Conservation Area (statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990)
- Rights of Way: Footpaths N51/4 & N51/89
- Groundwater – Susceptibility to flooding
- Site of Special Scientific Interest (SSSI) impact risk zone

9.0 Consultations

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

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Consultees

1. Dorset Police Architectural Liaison Officer

No comments received.

2. Stalbridge TC

No objection, subject to: use of local stone; that there is a robust construction traffic management plan in place; footpath 4 is 2.5 metres wide, as detailed in 2/2018/0372/OUT 2611-P-03D; there is plan for the future maintenance of the hedge at the boundary with footpath 4. Should there be an opportunity to reconsider the access from Park Grove, members would strongly support this.

3. Stalbridge and Marnhull Ward Member

Objects: Considers that the outline consent lets Stalbridge down and that the access via Barrow Hill and Pond Walk is “beyond comprehension” when a successful land transfer has been made with Grove House and the Council.

4. Rights of Way Officer

No objection. However, requests that footpath N51/4 to east of site is of 2m unobstructed width and a plan put in place to maintain hedges and fences bordering RoW. RoW may need to be temporarily closed for the development to take place which can be applied for through RoW office.

5. Highways

No objection, subject to the same conditions previously imposed upon the Outline permission. The estate road layout provides a low-speed environment that is considered suitable and safe for all road users. Satisfactory provision has been made for parking, turning and access by a refuse vehicle.

6. Dorset Waste Team

No objection; turning circle must be kept clear

7. Conservation Officer

No objection (following submission of revised plans).

8. Trees

No objection (following submission of revised plans).

9. Environmental Services – Protection

Notes pre-commencement condition 11 (Submission of Construction Method Statement (CMS)) of outline permission – advises what CMS should include

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within it. Requests noise assessment conditions relating to electrical substation and Air Source Heat Pumps.

10. Building Control North Team

No comments received

11. Historic England

Advises the Council to seek the views of the conservation officers.

12. Ramblers Association

No comments received

13. Arboricultural Team

No comments received

14. Outdoor Recreation (Natural Environment Team)

No objection. LEMP to be secured by pre-commencement condition.

15. Asset & Property

No comments received

Representations received

1 letter of support received:

- Impressed with contribution development will bring to area.
- Design of properties together with use of local materials, suppliers and labour is an asset to Stalbridge.
- Variety, quantity and planting of mature trees and plants will have positive input to area.

4 objections received:

- Limited access
- Disruption to wildlife
- Noise pollution
- Could restrict access to allotments and public right of way
- Concerns about:
 - o Security/integrity of boundary of Glebe Court and access for maintenance, as proposed plot nearest to Glebe Court appears to have a shared boundary with our outbuildings.
 - o Protection of horse chestnuts and other trees within development area.
 - o Increased noise, light and traffic pollution in a conservation area which borders two grade 2 listed buildings.
 - o Loss of natural wildlife habitat in a conservation area.

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- Area would better serve community of Stalbridge as enlargement of existing allotments

Total - Objections	Total - No Objections	Total - Comments
4	1	0

10.0 Duties

s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

The Planning (Listed Buildings and Conservation Areas) Act 1990- section 16 requires that in considering whether to grant listed building consent, special regard is to be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

11.0 Relevant Policies

North Dorset Local Plan Part 1 (2016)

- Policy 1 - Presumption in Favour of Sustainable Development
- Policy 2 - Core Spatial Strategy
- Policy 3 - Climate Change
- Policy 4 - The Natural Environment
- Policy 5 - The Historic Environment
- Policy 6 - Housing Distribution
- Policy 7 - Delivering Homes
- Policy 23 - Parking
- Policy 24 - Design
- Policy 25 - Amenity

Material Considerations

National Planning Policy Framework:

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

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when assessed against the NPPF or specific policies in the NPPF indicate development should be restricted.

Other relevant NPPF sections include:

- Section 4 'Decision making': Para 38 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- Section 5 'Delivering a sufficient supply of homes' outlines the government's objective in respect of land supply with subsection 'Rural housing' at paragraphs 82-83 reflecting the requirement for development in rural areas.
- Section 12 'Achieving well designed and beautiful places' indicates that all development to be of a high quality in design, and the relationship and visual impact of it to be compatible with the surroundings. In particular, and amongst other things, Paragraphs 131 – 141 advise that:

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.

Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

- Section 14 'Meeting the challenges of climate change, flooding and coastal change'
- Section 15 'Conserving and Enhancing the Natural Environment'- In Areas of Outstanding Natural Beauty (National Landscapes) great weight should be given to conserving and enhancing the landscape and scenic beauty (para 182). Decisions in Heritage Coast areas should be consistent with the special character of the area and the importance of its conservation (para 184). Paragraphs 185-188 set out how biodiversity is to be protected and encourage net gains for biodiversity.
- Section 16 'Conserving and Enhancing the Historic Environment'- When considering designated heritage assets, great weight should be given to the asset's conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance (para 205). The effect of an application on the significance of non-designated heritage assets should also be taken into account (para 209).

Emerging Dorset Council Local Plan:

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Paragraph 48 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

The Dorset Council Local Plan Options Consultation took place between January and March 2021. Being at a very early stage of preparation, the relevant policies in the Draft Dorset Council Local Plan should be accorded very limited weight in decision making.

Other material considerations

Dorset Council Interim Guidance and Position Statement Appendix B: Adopted Local Plan policies and objectives relating to climate change, renewable energy, and sustainable design and construction. December 2023.

North Dorset Strategic Landscape and Heritage Study Stage 2 Assessment: Stalbridge. October 2019.

National Design Guide. Updated January 2021.

12.0 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.

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.

13.0 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

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- 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 Public Sector Equalities Duty. There are no known impacts on persons with protected characteristics.

14.0 Financial benefits

What	Amount/Value
Material Considerations	
Employment created during construction phase	The proposal will support local jobs in the construction sector and will bring about ‘added value’ in the local area through associated spending and economic activity.
Spending in local economy by residents of proposed dwellings	The proposal will support the local economy, providing housing required to support the long-term economic growth in the area with new residents spending on goods and services as they move in.
Non-Material Considerations	
Contributions to Council Tax revenue	According to the appropriate charging bands

15.0 Environmental Implications

The submitted Planning Statement sets out that the new dwellings will, where possible, be constructed using sustainably and locally sourced materials, and that recycled materials will be utilised where practicable and possible. The new dwellings will also be built to the modern standards of energy efficiency required under Building Regulations.

16.0 Planning Assessment

Principle of Development

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The principle of development was agreed through the grant of Outline planning permission (2/2018/0372/OUT).

Layout

The site comprises two distinct 'portions' – two fields bounded by hedgerows with a band of mature trees in between. Units 1-3 are two-storey, four-bedroom houses within the southern portion of the site. The remaining units are a mix of two and three-bedroom bungalows, all situated within the northern portion of the site. Each dwelling has two parking spaces, a garage and garden. Access derives from Pond Walk with an access road running through the site, culminating in a turning head to the front of units 6 and 7. The public right of way to the east will remain. It is considered that the proposed layout for this scheme of nine dwellings is appropriate within the context of surrounding development.

Scale and appearance

The proposed gross floor area of the proposed dwellings proposed is c. 0.11ha; this equates to around 16% of the overall plot and the density is considered appropriate for this area. The proposed dwellings have been designed having regard to existing development in the surrounding conservation area (see also 'heritage assets', below). They will be constructed from a mix of traditional building materials found in the locality: the proposed two-storey dwellings will be constructed of local Stalbridge Stone with clay brick quoins, under a plain clay tile roof. The bungalows will be constructed of clay bricks and plain clay tile roofs. Windows and doors for all dwellings will be foil-wrapped uPVC with a grained finish. Having regard to the surrounding context and the size of the proposal site, the scale and appearance of the dwellings is considered to be acceptable.

Landscaping

Key trees to be retained on the site are four veteran horse chestnuts, which are considered highly important due to their size, age and condition. The Tree Officer is satisfied that the measures set out in the submitted Arboricultural Method Statement (AMS) are acceptable and if adhered to will protect these trees – this will be secured by condition.

Other trees on the site are not considered to be of the quality or importance of the veteran horse chestnuts, and the Tree Officer does not, therefore, object to their removal, subject to appropriate mitigation for the losses being provided within communal areas and domestic gardens. Submitted planting plan (391–2–R4) shows the proposed boundary treatment, and domestic and communal area landscaping; there is a mix of six hedgerow species proposed, which the Tree Officer considers to be well-conceived and diverse, all of which are native and suitable for the site conditions.

Initially it was proposed to plant new young horse chestnut trees, however, as they are prone to several diseases and have a high mortality rate until they reach a stem

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diameter of 30cm or greater when measured at 1.5m from ground level, the Tree Officer did not support this. The new tree species proposed instead are small to medium sized species, and the Tree Officer is supportive of this revised approach, as they will not over-dominate the gardens or communal/open spaces and will not conflict with the existing veteran horse chestnuts.

In addition to the soft landscaping, the hard surfaces include a mix of different stone sets, paving slabs and permeable tarmac, which, it is considered, will contribute positively to the character of the area.

Access and Parking

Access is to be derived from Pond Walk, and the access road, with its estate road layout, will lead through the site, culminating in a turning head to the front of Units 6 and 7. Parking spaces for the existing allotments are provided to the north of plot 2 (with a new path and gate constructed to allow access to the allotments). Each dwelling will have two parking spaces and a garage. The Highway Authority considers that the layout provides a low-speed environment that is suitable and safe for all road users, and that satisfactory provision has been made for parking, turning and access by a refuse vehicle. As such, it raises no objection, subject to the same conditions previously imposed upon the outline consent – as these are already on the outline consent, there is no need to repeat them. Dorset Waste Team have raised no objections but stated that the turning head must be kept clear; however, this was discussed with the Highway Authority, who consider that this should not be made a condition of the reserved matters permission, as it would not be enforceable.

Residential amenity

Having regard to the layout, scale and fenestration of the proposed dwellings, it is considered that they would not be overbearing upon, nor overlook neighbouring properties. It is also considered that there is sufficient amenity space for each property, and that the proposed scheme can be accommodated on the site without a detrimental impact on residential amenity for existing and future occupants. The proposal would comply with policy 25 of the Local Plan.

Heritage assets

Based on the context of the application site and its presentation within the localised townscape setting, assets most likely to be affected by the scheme have been limited in identification to Grove House to the north and Glebe Court to the east, both Grade II Listed Buildings, and the Stalbridge Conservation Area, within which the site lies.

Initially, the Conservation Officer raised concerns about the proposed building materials (including artificial slate, render and concrete tiles) and the design of the dwellings, considering that they were not reflective of the local vernacular style, and that they did not preserve nor enhance the character or appearance of the Conservation Area. Amended plans were submitted to address these concerns, and a more quality material palette of local natural stone, clay bricks and plain clay tiles was instead proposed, which the Conservation Officer considers appropriate. Details such as uncharacteristic external chimneys were amended to more traditional internal chimneys, thus improving the appearance of the two-storey dwellings. The

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form of the proposed bungalows in the northern section of the site was amended to a more sympathetic design, and the Conservation Officer is now satisfied that they will preserve the character and appearance of the conservation area. Furthermore, the proposed bungalows, being of an appropriate low-level scale, do not interrupt views to the listed properties to the north and east. While the proposed development would be viewed from these heritage assets it is considered that it would not result in harm to these assets.

The Conservation Officer commented that the windows and doors should be timber, rather than the uPVC proposed. However, it is considered that the proposed foil-wrapped uPVC would have an acceptable appearance that would not be detrimental to the character or appearance of the conservation area. A condition can be attached to require details of the precise design of the windows and doors.

Having regard to the above, it is considered that the proposed development has an acceptable impact upon the setting of the adjacent listed buildings and the character and appearance of the conservation area. No harm would be caused, and the proposal complies with policy 5 of the Local Plan.

Biodiversity

An updated Biodiversity Plan (BP) has been provided, as requested by the Council's Natural Environment Team (NET), as the BP conditioned as part of the outline permission is now out of date. The revised BP has been approved by NET and its implementation will be secured via condition, in accordance with policy 4 of the Local Plan.

Flood risk and drainage

The site is in an area identified as being susceptible to groundwater flooding. Pre-commencement condition no.5 of the outline permission requires the submission to and approval by the LPA of a scheme for the disposal of foul and surface water drainage on the site, to minimise the risk of flooding and/or pollution. This condition will need to be complied with prior to the commencement of development.

Other

Noise

The proposed site plan shows a possible electrical substation to be located in the south east corner of the site and the Environmental Health Officer (EHO) considers that such plant has the potential to cause noise to nearby residential properties. The EHO considers that if the substation is to be constructed, the applicant should submit a noise assessment report that concludes the likely external noise impact on sensitive receptors in the area and provide mitigation to prevent an adverse effect. However, if a substation is required (which is not currently known), it will be the Statutory Undertakers that would undertake this, and it is therefore considered that this condition is not reasonable.

The EHO also considers that if Air Source Heat Pumps (ASHPs) are proposed, a condition requiring the applicant to submit a noise assessment should be imposed. However, as ASHPs are by their nature designed for domestic installations, it is considered that such a condition would not be reasonable or necessary.

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Glebe Court

The occupant of Glebe Court notes the eastern boundary to Plot 9 is immediately adjacent to the rear of their outbuildings, and is concerned about access for their maintenance. However, this is not a material planning consideration and would be a private civil matter.

17.0 Conclusion

The principle of development was established by outline planning permission granted in June 2020, subject to the details of reserved matters relating to access, layout, scale, appearance, and landscape, all of which make up this current application. The proposal accords with the approved outline parameters and is Development Plan-compliant, and as such, the reserved matters should be approved, subject to conditions.

18.0 Recommendation

Grant approval of the reserved matters, subject to conditions.

1. The development to which these reserved matters and accompanying details relate shall be begun not later than two years from the date of this permission.

Reason: To comply with the provision of Section 92(2) of the Town and Country Planning Act 1990 (as amended).

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

9719/100 C Location Plan
9719/101 L Proposed Site Plan
9719/102 G Plot 1 - Proposed Floor Plans & Elevations
9719/103 G Plot 2 - Proposed Floor Plans & Elevations
9719/104 G Plot 3 - Proposed Floor Plans & Elevations
9719/105 F Plot 4 - Proposed Floor Plans & Elevations
9719/106 F Plot 5 - Proposed Floor Plans & Elevations
9719/107 F Plot 6 - Proposed Floor Plans & Elevations
9719/108 F Plot 7 - Proposed Floor Plans & Elevations
9719/109 F Plot 8 - Proposed Floor Plans & Elevations
9719/110 F Plot 9 - Proposed Floor Plans & Elevations
9719/111 D Proposed Garages
RNapc/439/TPP 3 Tree Protection Plan
5930/302 D Proposed Highway Entrance Details
391-2 R4 Planting Plan
391-3 R4 Tree Plan
391-1 R5 Landscape Plan

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

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3. The detailed biodiversity mitigation, compensation and enhancement/net gain strategy set out within the approved Biodiversity Plan or Landscape Ecological Management Plan (LEMP) certified by the Dorset Council Natural Environment Team on 12/12/2023 must be implemented in accordance with any specified timetable and completed in full (including photographic evidence of compliance being submitted to the Local Planning Authority in accordance with section J of the Biodiversity Plan/ the LEMP) prior to the substantial completion, or the first bringing into use of the development hereby approved, whichever is the sooner. The development shall subsequently be implemented entirely in accordance with the approved details and the mitigation, compensation and enhancement/net gain measures shall be permanently maintained and retained.

Reason: To mitigate, compensate and enhance/provide net gain for impacts on biodiversity.

4. The external facing materials for the walls and roofs of the development hereby approved shall be in accordance with the details listed on the approved plans and further detailed within the Materials Schedule (Rev 3), submitted on 04/12/2023

Reason: To ensure a satisfactory visual appearance of the development.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) (with or without modification) no enlargement(s) or alterations of the dwellinghouse hereby approved, permitted by Class A, Class B or Class C of Schedule 2 Part 1 of the 2015 Order, shall be erected or constructed.

Reason: To protect amenity and the character of the area.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) (with or without modification) no garages, sheds or other outbuildings permitted by Class E of Schedule 2 Part 1 of the 2015 Order shall be erected or constructed.

Reason: To protect amenity and the character of the area.

7. The development hereby approved shall proceed only in accordance with the details set out in the Arboricultural Method Statement dated 15/11/2023 setting out how the existing trees are to be protected and managed before, during and after development.

Reason: To ensure thorough consideration of the impacts of development on the existing trees

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8. The soft landscaping works detailed on approved drawing 391-1-R5 must be carried out in full during the first planting season (November to March) following commencement of the development or within a timescale to be agreed in writing with the Local Planning Authority. The soft landscaping shall be maintained in accordance with the agreed details and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced (and if necessary, continue to be replaced) in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the satisfactory landscaping of the site and enhance the biodiversity, visual amenity and character of the area.

9. All hard landscape works shall be carried out in accordance with the approved drawing numbered 391-1-R5. No part of the development shall be occupied until work has been completed in accordance with the approved details.

Reason: In the interests of visual amenity.

10. Prior to their installation detailed drawings and specifications showing the design and construction of external doors and windows (at a scale no less than 1:10) shall be submitted to the Local Planning Authority and agreed in writing. Thereafter, the development shall be carried out in accordance with the agreed details.

Reason: To preserve or enhance the character and appearance of the conservation area.

Informative Notes:

1. National Planning Policy Framework Statement

In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

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.

In this case:

- The applicant/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.

2. The applicant is reminded of their responsibility to submit photographic evidence of compliance with the Biodiversity Plan or LEMP to Dorset Natural Environment Team in order to comply fully with requirements of condition 3.

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3. The Council's Environmental Health team advises the following (see consultation response on Council's website, dated 17/07/2023):

The Construction Method Statement (CMS) required to discharge condition 11 of the associated outline permission should set out steps to manage any possible adverse effects associated with the development, to include protection of nearby receptors from dust arising from construction and vehicle movements and storage of waste materials prior to removal from site. The CMS should also include mitigation measures to reduce noise during the build.

4. The free passage of the public on all rights of way must not be obstructed at any time. If the public are unlikely to be able to exercise their rights on the public footpath (N51/4) adjoining the proposed development, then a Temporary Path Closure Order must be obtained. This can be applied for through the Council's Rights of Way team but the application must be completed and returned at least thirteen weeks before the intended closure date. It should be noted that there is a fee applicable to this application.