

Agenda Item:

7

# Regulatory Committee

**Dorset County Council**



Date of Meeting	27 November 2014
Officer	Head of Economy
Subject of Report	To consider planning application 3/14/0844/CPO for the construction of a new section of highway to provide a link between Springfield Road and Spring Close at Springfield Road, Verwood, Dorset.
Executive Summary	This application seeks planning permission for a new section of distributor road at Springfield Road, Verwood, Dorset.
Impact Assessment:	Equalities Impact Assessment: The report concerns the determination of an application for planning permission and not any changes to any new or existing policy with equality implications.
	Use of Evidence: The recommendation has been made after consideration of the application and supporting documents, the development plan, government policy and guidance, representations and all other material planning considerations as detailed in the main body of the report.
	Budget/Risk Assessment: No budget/risk assessment implications.
Recommendation	Grant planning permission subject to the conditions set out in paragraph 8.1 of the Report.
Reason for Recommendation	The reasons for granting planning permission are summarised in paragraph 6.18 .

Appendices	1. Location Plan. 2. Block Plan 3. Sections.
Background Papers	PA File 3/14/0844/CPO
Report Originator and Contact	Name: Mr Chris Stokes Tel: 01305 224263 Email: <a href="mailto:c.stokes@dorsetcc.gov.uk">c.stokes@dorsetcc.gov.uk</a>

## **1. Background**

- 1.1 The application seeks planning permission for a new section of distributor road to provide a link between Springfield Road and Spring Close, Verwood.

## **2. Site Description**

- 2.1 Springfield Road is an unmade road within a residential area to the south-west of Verwood town centre. The unmade road runs south-west from a roundabout on Manor Road at its junction with the B3072 and terminates at a strip of overgrown land adjoining the garden fence of No. 2 Springfield Close.

- 2.2 The strip of land measures approximately 11m x 75m and runs between the rear fences of properties in Springfield Close and Manor Lane. It links Springfield Road and Spring Close. Most of the site is covered by grass and brambles but there are mature and semi-mature trees. Both sides of the strip of land are formed by garden fences of adjoining residential properties.

## **3. The Proposal**

- 3.1 It is proposed to remove the vegetation and trees from the strip of land and construct a highway linking Springfield Road with Spring Close. The proposed highway would be 6.7 metres wide with a tarmac finish with footways 1.8 metres on each side.

- 3.2 The application is accompanied by a tree survey, an ecological report, a biodiversity mitigation plan, sections, drainage design and a design and access statement.

## **4. Consultations and Representations**

### **4.1 East Dorset District Council**

Raise no objection for the following reasons:-

- The section of road would be essential to complete the Springfield Distributor Road which was first proposed in the Verwood Village Informal Plan in 1972.
- Vehicle speeds will be restricted to 30mph as is usual throughout Verwood.
- The proposal would be unlikely to raise significant objections or have a significant impact on residential amenities.

### **4.2 Verwood Town Council**

No objection, but comment that lighting policy must follow best practice to minimise light pollution in this sensitive location near Dewland Common and the River Crane, which is known to be used by bats (Core Strategy HE3).

### **4.3 Highway Liaison Engineer**

No objection subject to conditions.

### **4.4 Natural England**

No objection. Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the site

has been notified. Local knowledge of this area has highlighted that this site is a known location for stag beetle. A plan should include the biodiversity mitigation and enhancement measures that will be incorporated into the development.

#### 4.5 **Other Representations:**

The application was advertised in the local press and by site notice and nine letters of representation were received which make the following comments:-

- The scheme will destroy the peace and quiet of residential gardens.
- The development will detract from the character and appearance of the area.
- The reserved land has been left vacant and badgers have occupied the land with extensive damage to adjoining gardens.
- There will be an increase in noise for residential properties.
- Traffic will run to the front and back of residential properties.
- A brick wall is required to prevent vehicles crashing into gardens.
- No environmental impact assessment has been submitted.
- There is no significant increase in traffic in the area justifying a distributor road.
- The scheme promotes the use of motor vehicles and will create a rat run.
- Traffic speeds will increase as a result of the road.
- Manor Road should be made up to standard as promised.
- Has a traffic assessment taken place?
- Road safety has not been considered in this application.
- The area will become busier and pedestrians will be at greater risk.
- What type of traffic will be using the road?
- What are the plans for streetlighting.
- 17 trees require removal including a large 20m high oak which would result in a significant loss of amenity. Will tree planting take place?
- Is Manor Lane to become an access lane only?
- When will land clearance take place?
- What is the timetable for construction?
- The ecology of the area would be adversely affected – the badger sett would be disrupted as well as birds and wildlife throughout the season.
- Have the original plans for the scheme been retained?

#### 5. **Planning Policy Framework:**

5.1 Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan includes the Christchurch and East Dorset Local Plan Part 1 Core Strategy adopted in April 2014 and the saved policies of the East Dorset District Local Plan originally adopted in 2002. The most relevant policies are listed below: The term 'other material considerations' is wide ranging, but includes national and emerging planning policy documents.

#### 5.2 **The Development Plan**

##### **Christchurch and East Dorset Local Plan Part 1 Core Strategy (April 2014)**

- Policy HE2 Design of New Development
- Policy ME1 Safeguarding Biodiversity and Geodiversity

East Dorset District Local Plan (2002)

- Policy V30 Springfield Road Local Distributor Road.
- Policy DE7 Removal Trees and Hedgerows.

5.3 Other Material Considerations

National Policy Planning Framework

- Paragraph 69 (Promoting Healthy Communities).

**6. Planning Assessment**

6.1 Having regard to the provisions of the development plan, the information submitted in support of the application and the representations received, the main planning considerations are:-

- The acceptability in principle of the proposed development;
- Environmental Impact; and
- Impact on residential amenity.

Principle of Development

6.2 The Springfield Local Distributor Road forms part of the East Dorset District Local Plan.

6.3 The southern section of the Springfield Distributor Road has been constructed as part of the Spring Close development. The western half of Howe Lane has been improved between Spring Close and the schools and community facilities campus opposite Magards Lane. Only two sections need to be put in place; namely Springfield Road (under the Private Streets Works Code) and the link between Springfield Road and Spring Close (the application site). Currently access to schools and residential areas are via estate to the north, which are not suitable in their design to serve as distributor roads.

6.4 Springfield Road is an unmade road which constitutes a highway and its improvement and surfacing falls within the Highways Act. Planning permission is not required for this section. However, the link between the south-western end of Springfield Road and the northern end of Spring Close is not a highway and planning permission is required for the works.

6.5 Subject to the impact on the character and amenities of the area the completion of this stretch of the Springfield Local Distributor Road would be in accordance with the saved policy of the East Dorset District Local Plan and therefore acceptable in principle.

Environmental Impact

6.6 The area of the site is relatively small and falls outside the scope of Schedule 2 of the Environmental Impact Assessment Regulations. An Environmental Statement is therefore not necessary.

6.7 Policy ME1 of the Christchurch and East Dorset Local Plan aims to protect, maintain and enhance the condition of all types of nature conservation sites, habitats and species within their ecological networks and requires assessment of effects on any existing habitats, species and/or features of nature conservation importance.

- 6.8 Since the application land has been reserved for delivery of the distributor road, natural regeneration has taken place. Trees have matured and consequently the construction of the road will require the removal of a number of trees including a fine specimen oak tree.
- 6.9 The applicant has submitted a detailed tree survey, an ecological report and a biodiversity mitigation plan. The specimen oak has been identified as a veteran tree but there is no alternative but to lose the tree. In compensation it is proposed to carry out enhanced management of Springfield Copse, which is in need of a significant programme of management and enhancement.
- 6.10 There is evidence of badgers on the site but these have been monitored by the County Ecologist and Natural England and an alternative sett has been provided in nearby woodland. Local residents have complained over a period of time about badgers causing damage to adjoining gardens. Natural England raise no objection to the proposals and endorse the inclusion of the biodiversity mitigation plan.
- 6.11 The proposal is therefore considered to be in accordance with the requirements of Policy ME1.

Impact on Residential Properties.

- 6.12 The area of land reserved for the new road was fenced off in 1992 and is covered in brambles nettles and scrub and wildlife has taken over the site. Consequently some neighbouring residents have become accustomed to there being a quiet strip of land adjoining their gardens. Some residents now question the need for the new road and object to the development on the grounds of the impact on the character and appearance of the area, noise and health and safety.
- 6.13 Policy HE2 of the Christchurch and East Dorset Local Plan provides that the design of development must be of a high quality, reflecting and enhancing areas of recognised local distinctiveness. To achieve this, development will be permitted if it is compatible with or improves its surroundings.
- 6.14 The predominant character of the area is suburban, forming part of a range of residential estates on the western side of Verwood. The residential areas are mainly served by metalled roads but some roads are unmade. Springfield Road, which is an unmade road, will be properly surfaced. The link between Springfield Road and Spring Close would be similar to the completed section at Spring Close. There is no evidence of complaints on grounds of safety or disturbance. Therefore it is not considered that the new road would have an adverse impact on the overall suburban character of the area.
- 6.15 The loss of a quiet strip of land between the properties would have a localised impact for those properties immediately adjoining the new section of road. The applicants will be required to erect 2m high fencing along the boundaries with residential properties, but it is not considered that boundary walls are needed. There is no evidence of vehicles crashing into gardens on the southern section of the link at Spring Close.

- 6.16 The construction of the road would involve the removal of trees and shrubs, and in such a tight space the opportunity for landscaping is limited. But the applicants have submitted a mitigation action plan to mitigate loss of trees.
- 6.17 Traffic currently travels the length of Springfield Road to gain access to the properties. Only the 75m strip is not used by traffic. The new road would involve diverting traffic from residential streets to the north, along Springfield Road. Hence there would be considerably more traffic with attendant traffic noise. Vehicle speeds would be restricted to 30mph and a 2m metre high fence would be constructed to mitigate the impact on adjoining properties. In this respect the new road would generate noise levels similar to other distributor roads in Verwood, and is not considered to create an unreasonable nuisance to the adjoining properties. Any disturbance to residents from noise needs to be balanced against the reduction of traffic on residential roads in the area which are not suitable as distributor roads. The creation of a distributor road to the correct standard would be an improvement to road safety in the wider area.

### Conclusion

- 6.18 Delivery of this section of the Verwod Distributor Road forms part of the East Dorset District Local Plan and the proposal is considered to be in accordance with the development plan. A conditional grant of planning permission is appropriate.

## **7. Human Rights Implications:**

- 7.1 The provisions of the Human Rights Act and the principles contained in the Convention of Human Rights have been taken into account in reaching the recommendation contained in this report. The articles/protocols of particular relevance are:
- i. Article 8 - Right to respect for private and family life; and
  - ii. The First Protocol, Article 1 - Protection of Property.
- 7.2 Having considered the impact of the development, as set out in the assessment above as well as the rights of the applicant and the general interest, the opinion is that any effect on human rights does not outweigh the granting of the permission in accordance with adopted and prescribed planning principles.

## **8. Recommendation**

- 8.1 That planning permission be granted subject to the conditions set out below:-

### Three Years - Full Planning Application

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

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).

Submitted Plans and Details

2. The development shall be carried out in strict accordance with the approved plans D2313/29/01/Orig; D2313/30/01/Orig; D2313/31/01/Orig; D2313/32/01/Orig and the Design and Access Statement dated August 2014.

Reason

To enable the County Planning Authority to deal with any development not in accordance with the approved plans.

Landscaping Scheme

3. No development shall take place until full details of both hard and soft landscape proposals have been submitted to and approved in writing by the County Planning Authority. These details shall include, as appropriate:

- i. Proposed finished levels or contours.
- ii. Boundary fencing.
- iii. Surfacing of vehicle and pedestrian access and circulation areas.
- iv. Hard surfacing materials.
- v. Implementation timetable.

Soft landscaping details shall include

- i. Planting plans.
- ii. Written specifications (including cultivation and other operations associated with grass establishment).
- iii. Schedules of plants, noting species, planting sizes and proposed numbers/densities, where appropriate.
- iv. Implementation timetables.

The development shall be carried out in accordance with the approved details

Reason:

To preserve and enhance the character and appearance of the area in accordance with Policy HE2 of the Christchurch and East Dorset Local Plan Core Strategy.

Tree Protection

4. All existing trees, shrubs and other natural features not scheduled for removal shall be fully safeguarded during the course of the site works and building operations (see guidance notes enclosed and BS 5837: 1991). No unauthorised access or placement of goods, fuels or chemicals, soil or other materials shall take place inside the fenced area.

Reason

To ensure the continuity of amenity afforded by existing trees having regard to Policies HE2 and NCON5 of the Christchurch and East Dorset Local Plan Core Strategy.

Biodiversity Mitigation Plan

5. Within 6 months of the date of this consent a programme for the implementation of the submitted biodiversity mitigation plan shall be submitted to and approved in writing by the County Planning Authority, and the programme shall be implemented as approved.



Reason

In the interests of biodiversity having regard to Policy NCON5 of the Christchurch and East Dorset Local Plan Core Strategy.

Lighting

6. No development shall take place until details of the lighting for the new section of road have been submitted to and approved in writing by the County Planning Authority. The development shall be carried out in accordance with the approved details.

Reason

In the interests of the character and appearance of the area having regard to Policies HE2 and NCON5 of the Christchurch and East Dorset Local Plan Core Strategy.

8.2 INFORMATIVES

Highway Authority Contact

1. Contact with the County Highway Authority should be made in connection with the above conditions through Ian Madgwick of the Transport Development Team.

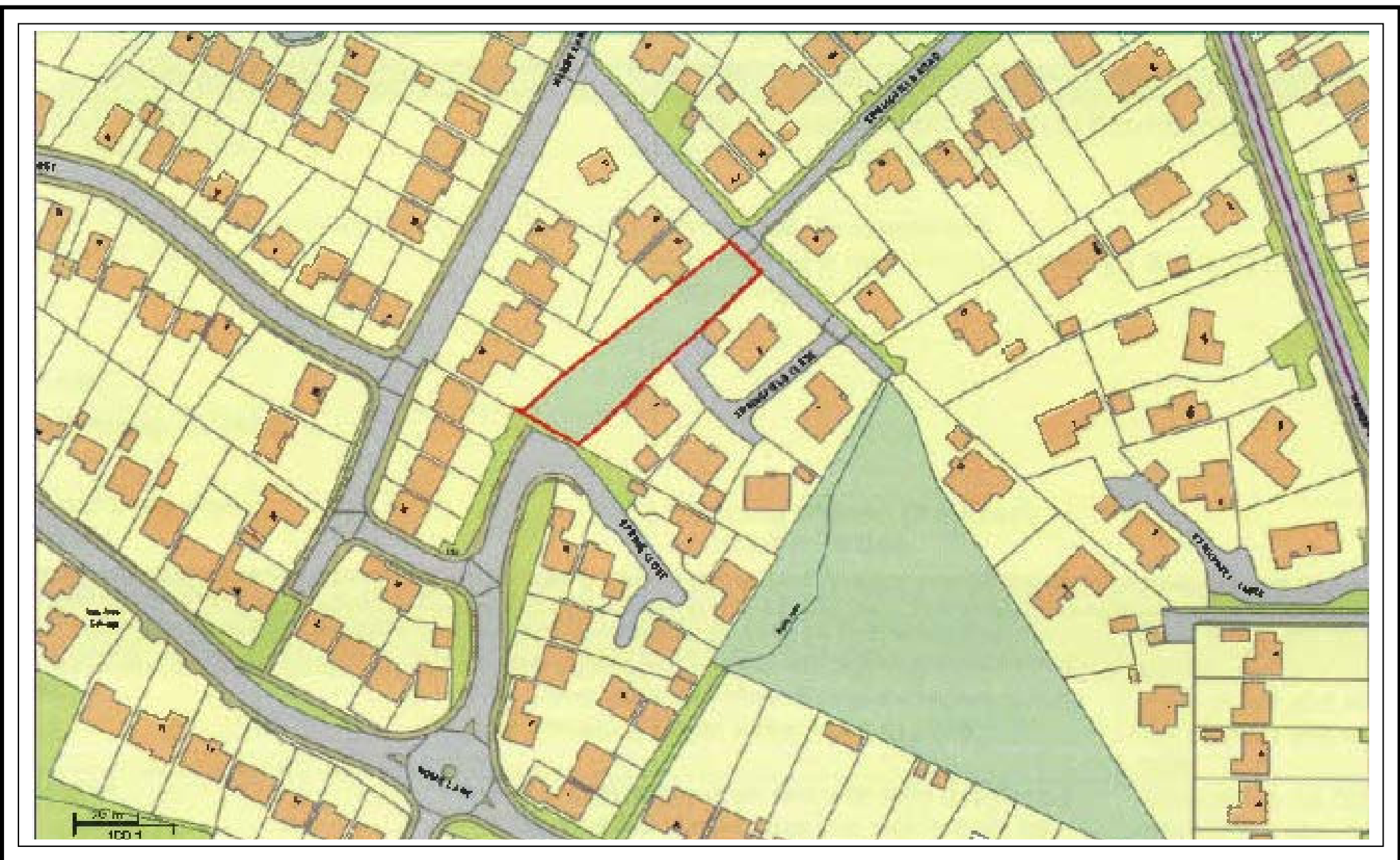
Statement of Positive Engagement

2. In accordance with paragraphs 186 and 187 of the NPPF, the Council, as local planning authority, takes a positive and proactive approach to development proposals focused on solutions. The Council worked with the applicant/agent in a positive and proactive manner by:
  - i. providing a pre-application advice service;
  - ii. updating the applicant's agent of issues as they arose in the processing of the application;
  - iii. discussing possible solutions to material concerns raised; and
  - iv. providing the applicant with the opportunity to address issues so that a positive recommendation to grant permission could be given.

**Matthew Piles**

Head of Economy

10 November 2014

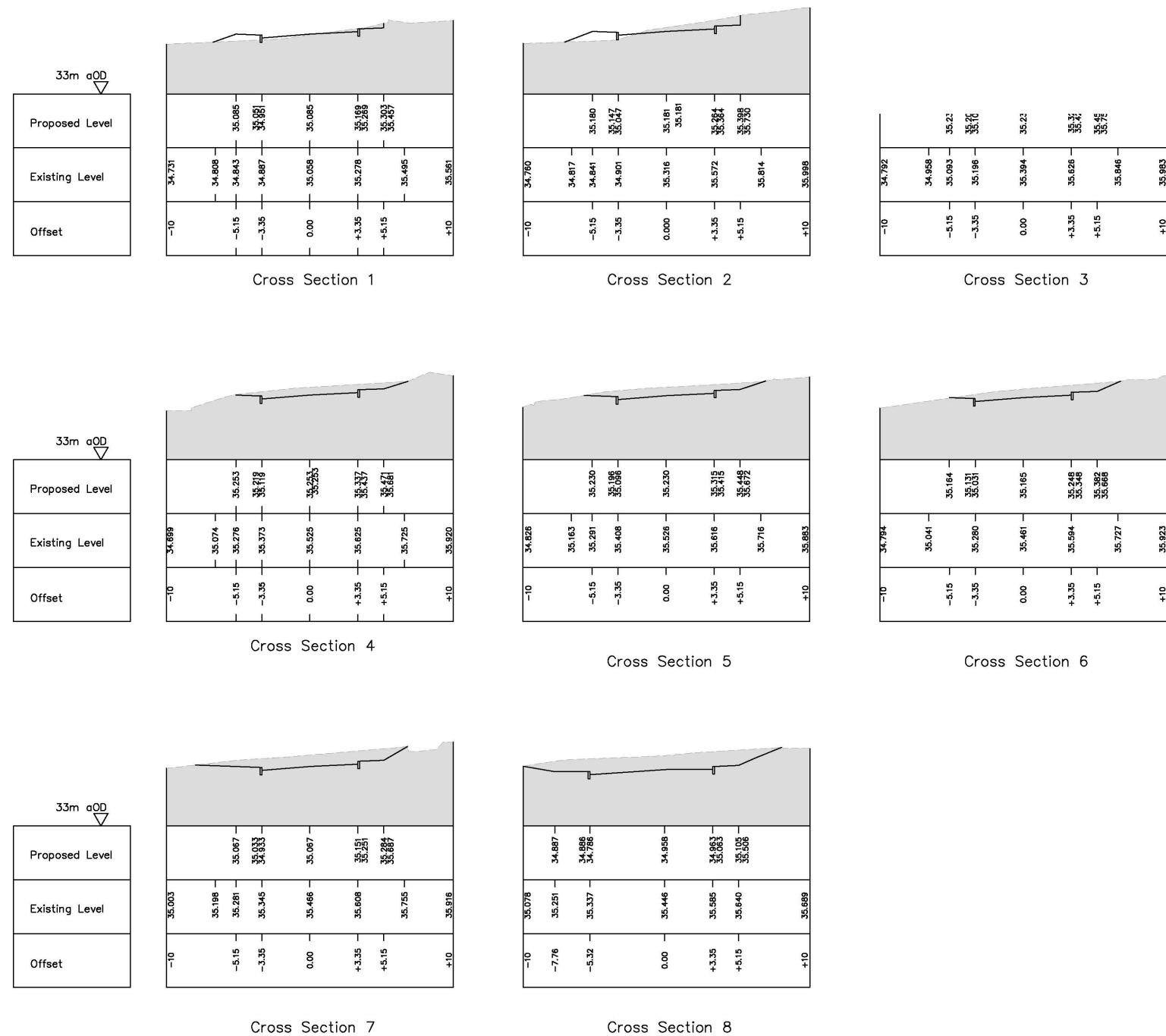


**APPENDIX 1: LOCATION PLAN**

**APPLICATION NUMBER (3/14/0844/CPO) – (Springfield Road and Spring Close at Springfield Road, Verwood.)**

**(Construction of a new section of highway to provide a link)**





Rev	Date	Issue / Remarks	Checked
Orig	03Dec13	-	SEP

**Dorset County Council**  
ENVIRONMENT DIRECTORATE  
Miles Butler Director for Environment

**DORSET HIGHWAYS**  
Michael Winter  
Head of Dorset Highways Management

Project Title  
SPRINGFIELD ROAD DISTRIBUTOR  
HIGHWAY IMPROVEMENT SCHEME

Drawing Title  
CROSS SECTIONS  
- PLANNING APPLICATION

Scale (A2 Size) | Drawn By | Date  
:200Hz,1:100V | SEP | 03 Dec 13

Drawing Number  
DC2313/31/01/Orig

Drawing Status  
-

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### Appendix 3: [Sections]

Application No: [3/14/0844/CPO] – [Springfield Road and Spring Close at Springfield Road, Verwood.]  
[Construction of a new section of highway to provide a link]