

SCHEDULE OF PLANNING APPLICATIONS

1. PURPOSE AND RECOMMENDATIONS

Purpose of Report:	To consider the planning applications contained within the schedule and to receive details of any withdrawn or requested deferred applications, if any.
Recommendations:	It is RECOMMENDED that: the applications contained in this schedule be determined or otherwise dealt with in accordance with the Development Manager's recommendation.
Lead Members:	Cllr S Tong
Contact Officer:	Neil Lancaster, Development Manager

2. Application Schedule

No.	Application No.	Site Address	Pg.
1.	3/11/0205/FUL	77 Pinehurst Road, West Moors, Ferndown	2
2.	3/11/0226/FUL	Ickle Angels Nursery Ltd, 1 Carroll Avenue, Ferndown	10
3.	3/11/0312/FUL	29 Award Road (Plot 4), Wimborne, Dorset	26
4.	3/11/0337/HOU	28 Earlswood Drive, Alderholt, Fordingbridge	30
5.	3/11/0405/HOU	30 Diana Way, Corfe Mullen, Dorset	33
6.	3/11/0432/OUT	300-302 New Road, West Parley, Ferndown	36
7.	3/11/0474/OUT	Green Cottage, 136 Church Road, Three Legged Cross	55
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9.	3/11/0540/FUL	Pure Drop Inn, 457 Wimborne Road East, Ferndown	67
10.	3/11/0546/FUL	East Dorset District Council, Council Offices, Furzehill	71
11.	3/11/0551/OUT	Dudsbury Golf Club, 64 Christchurch Road, Ferndown	75

Item Number:	1.	Ref:	3/11/0205/FUL
Proposal:	Demolition of existing external commercial structure to the rear of 77 Pinehurst Road and the erection of 2 x 3-bedroom bungalows and 3 x 3-bedroom houses (revised scheme layout).		
Site Address:	77 Pinehurst Road, West Moors, Ferndown		
Constraints	Bournemouth International Airport Heathland 5km or 400m Consultation Area NATS Technical Sites Urban Areas LP		
Site Notice expired:	28 April 2011		
Advert expired:			
Nbr-Nfn expired:	21 April 2011		

West Moors Parish Council Comments: Objection, overdevelopment of site

Consultee Responses:

EDDC Design And Conservation No objections

EDDC Tree Section My comments are the same as those given for the previous application, ref: 3/10/1185/FUL.

The protected trees located within the side / rear garden of 79 Pinehurst Road are at a sufficient distance from the proposed dwellings to ensure that they would not be adversely affected should planning permission be granted. There are no other trees located within, or adjacent to, the curtilage of this site that merit being considered as a material constraint within this proposal.

I therefore have no arboricultural objections.

County Highways Development Liaison Officer No objection, subject to conditions.

Neighbour Comments: None

Officers Report:

The application is put to the planning Committee as the views of the Parish Council vary from the officer recommendation.

Site Description

The application site which until recently operated as a nursery /market garden is located in the urban area of West Moors and is presently used as nursery / market garden.

The premises comprises a range of older style glass houses and associated area of planting; to the western side of the nursery is a short access track for service vehicles while parking for customers is provided on a forecourt with direct access to Pinehurst Road. The business has now ceased trading but was originally serviced by a chalet bungalow (no 77 Pinehurst Road); the premises now appear dilapidated and in need of attention. The site itself is 0.25 in area and relatively flat with Leylandii hedging on the north (2m high) and eastern (3m high) boundaries. A number of large trees subject to a TPO (WM118G) overhang the south east corner of the site.

The immediate area is residential in character with a mix of houses, chalet bungalows and bungalows. To the east is No. 79 Pinehurst Road a large chalet type bungalow, while to the west are a number of houses. To the north east of the site are bungalows on Hardy Road, while to the north is an open recreational area and Scout Hut.

Planning History

In 2007 a planning application (3/07/1297/FUL) for the 'Erection of 6 Dwellings' was approved by the Planning Committee. This involved the demolition of the chalet bungalow to the front of the site and greenhouse to the rear, before the development of 6 new houses.

A revised application (3/10/1185/FUL) for the erection of 5 dwellings submitted in 2010 was withdrawn following advice from officers.

An application to extend the life of the earlier 2007 permission by a further three years was granted earlier this year (3/11/0148/ETL). The intention of the applicant was to extend the permission to protect their position and allow a revised scheme to be negotiated.

The principle of the development of 6 dwellings on this site has been established.

Proposal

The application seeks to demolish the greenhouses and re-develop the site with 5 dwellings in total. Whereas in the approved scheme the existing chalet bungalow at the front of the site was to be replaced, the applicant has now opted to retain this and erect 5 properties on the land to the rear.

The existing chalet bungalow will be refurbished and a new window and door will be formed. Within the rear garden a single double garage will be provided.

Access to the site is via the existing service access with two parking spaces and a garage provided for each dwelling. As part of the proposal the trees to the south east will be protected while the hedges on the northern and eastern boundaries will be retained and/or reinforced or replanted.

Two 3 bedroom houses (Plots 1 and 2) are located to the north west corner of the site, these serviced by a detached garage each. These stand at 7.5m to ridge and 5m to eaves and are designed to complement other houses in West Moors that were built in the 1920-40's Inter War period. These will be finished in brick and hanging tile under a tiled roof. The principal windows to Plot 1 face east into the site and west into the proposed garden. The windows to Plot 2 face south into the site and west into the proposed garden.

Two 3 bed bungalows (Plots 3 and 4) will be developed in the north west corner, again served by garages. These are of a pyramidal type typical of the area and stand 5,5m to ridge. Again these will be finished in brick and tile. The principle windows face west into the site and east into the proposed gardens

A further 3 bedroom house (Plot 5) will be constructed in the centre of the site; this mirrors the design of Plots 1 and 2. The principal windows will face north and west into the site and east towards the proposed garden.

A soft and hard landscaping scheme has been submitted showing areas of planting within the site. A variety of surface materials will be used to differentiate between the access road and parking area.

Considerations

The site is within the designated urban area where residential development is acceptable in principle subject to normal material planning considerations being met. The principle of redevelopment of site for residential use has been established and there is an extant consent for the land. Whilst there have been changes to PPS3 (Housing) in relation to backland development, this particular site is a nursery business and as such is designated as 'Brownfield Land' (Previously Developed Land), which Local Planning Authorities are encouraged to develop.

Whilst the proposal will lead to the loss of a business it is accepted that the current use is not necessarily compatible with the residential area. This view is taken on the fact that the previous nursery was run as a low key business but that there would be nothing to stop a future purchaser of the site using the site for the same use albeit far more intensively, i.e. a garden centre.

Layout and Parking

The proposal has been designed to ensure a sense of place with each property having adequate parking and amenity space. The access utilises the existing service road culminating in a small parking court which is to be landscaped. The layout ensures there is no overmassing or overlooking of properties both within the development or adjacent properties (more commentary on this aspect is given later in the report).

In terms of highway safety the proposal is acceptable in terms of access/egress as well as proving adequate manoeuvring and parking space within the site. DCC highways have no objection subject to standard planning conditions.

Design and materials

The design of the properties is again well considered with the houses and bungalow taking cues from the existing houses on Pinehurst Road. The widths of buildings and

the pitches and ridge heights of roofs across the development are agreeable as is the choice of materials. Extra detailing in the form of brick arch lintels and plinths and quoins add quality to the scheme. Details of materials have been submitted along with a hard and soft landscaping plan showing areas of planting within the site.

It is considered that the proposal would complement the residential character of the area and the proposal meets Policies DES8 and HODEV1 of the EDLP.

Impact on neighbours

The proposal does not adversely impact on adjacent neighbours by way of overlooking or loss of light. Within the site itself the issues of overlooking and overmassing have been designed out.

Plots 1 and 2 comprise three bedroom houses. Whilst Plot 1 does utilise two rear windows at first floor that face west towards the rear gardens of 69 and 73 Pinehurst Road, it is considered that given the distances involved an objection on the loss of privacy could not be sustained. The positioning on plot ensures there is no overshadowing or overmassing of other properties.

Plots 3 and 4 to the north east of the site are now to be bungalows and as such there is no overmassing or overlooking of properties adjacent the site.

Plot 5 is a further three bedroom house whose principal aspect is into the site so eliminating any loss of privacy to other properties. With regard overshadowing the property will not cause an undue loss of daylight to the existing chalet bungalow nor the rear garden.

Access

The vehicular access to the rear of the site will utilise the existing delivery access between no. 77 Pinehurst Road and the adjacent property no. 75A.

Planning permission for this access was granted under the previous planning consent (3/07/1297/FUL) for six houses. The original scheme was however granted on the basis that no.77 Pinehurst Road was to be demolished and a new property built further to the east so increasing the width of the access and ensuring there was no impact by way of noise and disturbance from vehicles. In order to protect the amenity of the adjacent property No.75A Pinehurst Road a brick wall with fence above was required along the western boundary.

The revised scheme shows No.77 Pinehurst Road to be retained in its present position approximately 30cm from the proposed access. Whilst the amenity of 75A Pinehurst Road can again be protected by a brick wall with fence along the western boundary, little mitigation measures can be undertaken to reduce noise to No. 77 Pinehurst Road.

In normal circumstances the access could not be supported on the basis that the close proximity of the access to No. 77 Pinehurst Road would result in noise and disturbance from vehicles accessing the rear of the site which would adversely affect the amenity of the occupants.

The applicants argue that the owner of the site lives in the property so is well aware of the consequences, however in planning terms officers have a duty to protect the amenity of future occupiers. The applicants further argue that the site could be used as a nursery, at a higher intensity, and that large delivery lorries would pass by the property unregulated.

Officers have considered the issue of disturbance and balanced this against the current authorised use of the site, the potential for intensification of the existing use and existing planning permission. Whilst the access could give rise to disturbance to the occupants of No.77 Pinehurst Road it is considered that in this particular instance given the specific site circumstances an objection may be hard to sustain. Officers are of the view that on balance, no objection is raised to this element of the scheme.

The applicants have been requested to provide amended plans to make all windows on the flank elevation of 77 Pinehurst Road that face the access high level in order to reduce noise and glare from headlights. These are secondary windows and light a kitchen and living room.

Trees

A number of TPO trees overhang the south east corner of the site; these have been taken into account in the siting of the properties through an arboricultural survey and report. There is no objection to the proposal on tree grounds. The scheme is considered to be in accordance with Policy DES 8 of the EDLP.

Nature Conservation

A bat survey has been undertaken that demonstrates that there are no bats within the structures to be demolished. With regard the Dorset Heathland Interim Planning Framework (IPF) a Unilateral Undertaking has been signed by the land owners. The application meets policy NCON4 of the EDLP and guidance contain within PPS9 (Nature and Geological Conservation)

South East Dorset Transport Contributions Scheme

A Unilateral Undertaking agreeing to make the appropriate contributions has been signed by the land owners.

Summary

The proposal is in the main well considered and makes maximum and efficient use of a previously developed site. Whilst the loss of a business is regrettable, the use for residential purposes is more compatible with the area.

With regard to the access, whilst this may cause some loss of amenity to the parent property at No. 77 Pinehurst Road, an objection may be hard to sustain given the specific site circumstances. Overall, on balance, the proposal meets development plan policies within the East Dorset Local Plan.

Recommendation: GRANT – SUBJECT TO THE FOLLOWING CONDITION(S):-

Conditions/Reasons:-

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

2010-16-11 Location / Block / Site Plan
2010-16-12 Rev-C Plot 1 / Plot 2 / Plot 3
2010-16-13 Rev-C Plot 4 / Plot 5
2010-16-08 Rev-A Chalet As Proposed
ID480.01 Landscaping

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

- 3 The development shall be finished in the following materials, samples of which have been provided to the local planning authority:-

Roof:
Marley 'Smooth Grey' small
Marley 'Ludlow Plus Antique Brown' small.

Brick:
Freshfield Lane Brickworks: Lindfield yellow Multi Facings
Freshfield Lane Brickworks: First quality Facings

; or as otherwise agreed in writing by the local planning authority.

Reason: To ensure that the external appearance of the building(s) is satisfactory.

- 4 Both in the first instance and upon all subsequent occasions the

Plot 1- The staircase window in the north elevation and bathroom window in the south elevation.

Plot 2 -The landing window and bathroom window in the north elevation, and bathroom window on the south elevation.

Plot 5 - The landing window and bathroom window in the south elevation, and bathroom window on the north elevation.

shall be glazed with obscure glass and shall either be a fixed light or hung in such a way as to prevent the effect of obscure glazing being negated by reason of overlooking. Furthermore, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any subsequent re-enactment, no further fenestration or door shall be installed at first floor level (such expression to include the roof) in Plots 1, 2 and 5 without express planning permission.

Reason: To preserve the amenity and privacy of the adjoining property.

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any subsequent re-enactment thereof no extension to the dwelling, or other works permitted by Class A, B, C, and D, shall be constructed or erected without express planning permission first being obtained.

- 6 Upon approval such new planting (soft landscaping) as shown on the landscaping Plan ID480.01 submitted with the application shall be carried out during the planting season October/March inclusive, in accordance with the appropriate British Standards for ground preparation, staking, etc., in BS4428:1989 (1979), immediately following commencement of the development. The landscaping shall thereafter be maintained for five years during which time any specimens which are damaged, dead or dying shall be replaced and hence the whole scheme shall thereafter be retained. Unless otherwise agreed in writing by the Local Planning Authority; any variations agreed shall be carried out as per that written agreement.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and the locality.

- 7 Upon approval the hard landscaping of the site including the surface treatment of all access roads and parking areas as shown on the Landscaping Plan ID480.01 submitted with the application shall be carried out in accordance with the approved plans. Unless otherwise agreed in writing by the Local Planning Authority; any variations agreed shall be carried out as per that written agreement.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and the locality.

- 8 Prior to the commencement of works details showing a replacement boundary wall and fence on the western boundary of the site adjoining 75A Pinehurst Road shall be submitted to an agreed in writing with the Local Planning Authority. Works shall be completed in accordance with the agreed plans.

Reason: In the interests of amenity.

- 9 Prior to the commencement of development, the first 10 metres of the access crossing, measured from the nearside edge of the carriageway, shall be laid out, constructed, hardened and surfaced, to the specification of the Local Planning Authority in conjunction with the Local Highway Authority.

Reason: In the interests of highway safety.

- 10 The development hereby permitted shall not be brought into use until the access, turning space, garaging and parking shown on the approved plan has

been constructed and these shall be maintained and be kept available for that purpose at all times.

Reason: In the interests of highway safety.

- 11 There shall be no gates hung so as to form obstruction to the vehicular access serving the site.

Reason: In the interests of highway safety

- 12 Prior to the commencement of development and notwithstanding the provisions of Town and Country Planning (General Permitted Development) Order 1995 or any order revoking and re-enacting that Order, nothing over 0.600 metres in height above the level of the adjacent carriageway shall be permitted to remain, be placed, built, planted or grown on the land designated as visibility splays on the plan.

Reason: In the interests of highway safety.

- 13 Upon construction of the new access all other sections of the existing access to the site made redundant by this proposal shall be permanently stopped up and abandoned and the footway/verge reinstated.

Reason: In the interests of highway safety.

Informatives:

- 1 The applicant is advised that notwithstanding this consent, Section 184 of the Highways Act 1980 requires the proper construction of vehicle crossings over kerbed footways, verges or other highway land. Before commencement of any works on the public highway the Area Highways Manager (East) should be consulted to agree on the detailed specification for the access. He can be contacted at the Area Office (East), Stour Park, Blandford St Mary, Dorset, DT11 9LQ (Tel: 01258 452488)
- 2 In the interests of highway safety, provision shall be made to ensure that no surface water drains directly from the site onto the highway.
- 3 The applicants have provided a unilateral undertaking to pay the appropriate contribution in relation to Heathland mitigation as required by the Dorset Heathlands Interim Planning Framework 2006-2009 (as amended) and the Transport Infrastructure Contributions in accordance with the South East Dorset Transport Contributions Supplementary Planning Guidance.

Policy Considerations and Reasons

In reaching this decision the policies in the Development Plan for the area, which currently comprises the Bournemouth, Dorset and Poole Structure Plan 2000 and the East Dorset Local Plan, were taken into account. This includes specifically the following policies: DES8 HODEV1 NCON4

Item Number:	2.	Ref:	3/11/0226/FUL
Proposal:	Single Storey Rear Extension to Existing Building to Create an all Weather Covered Childrens Play Area.		
Site Address:	Ickle Angels Nursery Ltd, 1 Carroll Avenue, Ferndown, for Ickle Angels Nursery Ltd		
Constraints	Bournemouth International Airport Heathland 5km Consultation Area Historic Contaminated Land Historic Contaminated Land Heathland 5km or 400m Consultation Area NATS Technical Sites Special Character Area Urban Areas LP		
Site Notice expired:	15 April 2011		
Advert expired:			
Nbr-Nfn expired:	7 April 2011		

Ferndown Town

Council Comments:

Objection on planning grounds stated below:

- Detrimental to the surrounding properties and is at odds with the residential nature of the neighbours and is an inappropriate development
- Carroll Avenue is a narrow private road and the infrastructure cannot take any additional traffic
- Over-development of the site
- The enclosure of the play area would be detrimental to the amenity of the children

Consultee Responses:

EDDC Design And Conservation

No obvious design or Special Character Area issues. Site landscaping may need to be reinforced.

EDDC Tree Section

Located adjacent to the sites western boundary and Ringwood Road is a belt of trees which make a significant contribution to the sylvan characteristics of the locality. Whilst the proposed extension would encroach into the root protection areas (RPAs) of a couple of the closest trees, this encroachment would be minor and would not therefore have a significant adverse impact on their long term health. Although Scots Pine (T15) leans towards the proposed extension its crown would not overhang it, nor do the crowns of the adjacent trees. Whilst I am not entirely comfortable with this juxtaposition, it is not incongruous enough to recommend that the application is refused.

I therefore have no arboricultural objections, subject to a condition.

Neighbour Comments:

- Mrs Charlie Charlton 4 Support
Thames Close, I have 2 children that attend Ickle Angels Day Nursery
Ferndown and although they have a beautiful garden, there is currently no-where for the children to go and let off steam if the weather does not permit outside time. I could understand residents concerns around the road not managing with extra traffic if an increase in child intake would take place, but the managers have already commented they have no intention to increase the number of children attending. I dont see how this argument can be put forward as to me it is invalid in relation to what is being proposed....an inside play area for the EXISTING (not extra) children that attend.
I feel this extra space will add beautifully to an already perfect daycare establishment.
- Miss Rebekah White 3 Support
Saxon Way, Alderholt I have attended Ickle Angels day nursery for nearly 2 years and see this to be a massive benefit to the children. There has never been a traffic problem, the staff car share, cycle and walk as per the nursery travel plan. I see no reason why this should impact the street, but only give the children a fabulous opportunity to have good play space on those long rainy days. This is a good cause and it should go ahead. I see how this can have no negative impact to the street especially those who live at the other end of Carroll Avenue. This is a fantastic nursery which has grown strength to strength over the years.
- Miss Toni Nichol Flat 11 Support
Saffron Court, 23 Saffron As a Teacher at Ickle Angels and a Mother, who's
Way childs attends the Nursery. I fully support this application as I believe this will benefit all the children at the nursery. This will be great for the children and the staff to have an indoor/outdoor play area for education purposes.
- Mrs Catherine Gardiner 74 Support
Locksley Drive, Ferndown I have a child at Ickle Angels and as the entrance is the first in the private road the traffic does not pass any of the neighbouring houses to access the nursery. I have dropped off and picked up 4 days a week for the last year and I have never encountered any cars from the neighbouring properties in the road. As the garden is adjacent to the main road I would suggest that Ringwood Road creates more noise pollution than the children playing! As the nursery is not increasing the number of children, objections based on increased

traffic or noise are not relevant. The new building will not be visible from the road or the neighbouring properties. This business is key to the local community with young families and an undercover play area is a fantastic idea for the benefit of these children.

Mrs Carriann Spearing 95
Tarrant Road, Muscliffe

Support

My child attends Ickle Angels Day Nursery and although they have the garden, there is currently nowhere for the children to go if the weather does not allow outside time which this extension will allow. The management at Ickle Angels have confirmed they will not increase the number of children who attend once the extension is complete so this will not affect the traffic in and out the road. The extension will just benefit the children who attend so I cannot see why there is an objection to this. Also everytime I have been to the nursery I have never seen another car from the residential houses surrounding the nursery.

Mrs Margaret Stevens 3A
Wood View, Colehill

Support

As manager of Ickle Angels Day Nursery for a number of years I feel I must reiterate the fact that there is no intention to increase the number of registered children who attend the nursery on a daily basis. The purpose of the extension is to provide an area which gives the children the opportunity for physical development at all times which is essential for their well being. The extension will not be visible from Carroll Avenue therefore, along with the fact that there will not be any extra traffic movements I cannot see any reason why the application should not be supported.

Miss Johanna Grzonka 9
Brudenell Road, Poole

Support

I have attended Ickle Angels for some time now and have never experienced traffic problems nor heard of any traffic problems from other parents.

Ickle Angels Day Nursery is simply the best. Full of loving staff and very happy children.

I think an outdoor play area will be wonderful for all the children to give them extra space to play in. This is a very healthy decision which the nursery has made to benefit the children in all weathers. Over 60% of the year is wet, windy or too hot for children to go out. Therefore, this play area is a fantastic option for the children.

As all parents know children need to run everyday and I hope and pray that Ickle Angels gets this agreement.

- Mrs Tina Thompson 4 Support
 Markham Close, I have been using Ickle Angels 2-3 times a week for
 Bournemouth the past 7 years. The extension is vital for the
 childrens play and development, it will be invaluable
 during the colder, wetter and/or hotter days when
 outside play isn't really possible - it's why I'm having
 my own extension at home too! The only 'traffic' I
 have encountered lately is a very nice lady with a dog
 who I always wait for or she waves me past with a
 smile. If I were a resident of Carroll Ave. I would
 have no objections to a place where the only noise (if
 it can be heard) is the sound of children's laughter
 between the hours of 9am and 5pm, no noise in the
 evenings or at weekends, or traffic for that matter.
- Ickle Angels staff are always aware of the
 surrounding area and the owners have stressed that
 they have no intention of increasing in size - I was
 told this a while ago by the owner when talking about
 a completely unrelated matter, they want the nursery
 to be able to provide well for the level of children it
 currently has.
- Miss Rebecca Batts Flat 31 Support
 Bramble Court Park Way, My child attends Ickle Angels Nursery and I have
 West Moors never had a problem with traffic on Carroll Ave. An all
 weather covered play area will be a real bonus to the
 children at the nursery. The owners have stated they
 will not be increasing the number of children
 attending the nursery, therefore the new building will
 have no affect on traffic.
- Mrs Nadine Bowra 46 King Support
 Richard Drive, Bearwood The owners have made it clear that there will be no
 increase in the number of children attending the
 nursery; therefore this eliminates the neighbours
 concerns. Our daughter attends the nursery and the
 provision of additional all weather play space can
 only enhance her enjoyment at the nursery. We fully
 support Ickle Angels and their actions to benefit our
 childs physical development.
- Mr Robert Kieran McNeill 90 Support
 Wollaton Road, Ferndown Both my children attend Ickle Angels nursery most
 days of the week and enjoy the opportunity to spend
 time outdoors. This extension will extend that option
 throughout the year which will benefit all local
 children who will be attending the nursery in the
 future.
 As it is a single storey extension between two storey
 buildings already in situ within the current commercial

site this can only have minimal additional visual impact to the surrounding area.

As the planning application is for a play area only, without any additional children attending the nursery, I cannot see how there would be an increase in traffic to the site.

I hope the council approves this application.

Mrs Sarah Williams 160 East Howe Lane, Northbourne Support

I have been using Ickle Angels for 7 years now and agree that an indoor area for the children to use when the weather is either too hot or wet for them is a great idea. I disagree that it will attract more traffic as the building is to be added to the existing garden space and the owners have stressed that they are not increasing the number of children they will have registered. As a parent dropping off and picking up at a range of times during the day, I have never encountered traffic congestion or noise.

Mrs Chanine Boulton 1 Carroll Avenue, Ferndown

I feel that objections which are raised on this site needs to be true reasons. I note an objection which is raised by Martin & Gillian Eastwood is incorrect. "to attend the nursery which has been requested on numerous occasions in the past and declined".

I have owned the nursery for nearly 7 years and have only applied for an increase in our registration on ONE occasion, which was when we purchased the bungalow directly behind 1 Carroll Avenue.

We placed an application to increase the numbers from 35 children per day to 51 children per day, which was accepted. There has been no other application raised by ourselves to increase numbers.

I also note that we have never received a complaint nor has the council from members of Carroll Avenue for many years now regarding any traffic issues. We have a travel plan in place which works very well for our parents and also for our neighbours.

Mrs A Lovegrove 26 Carroll Avenue, Ferndown Object

Unnecessary elaborate extension.

Seems to be an excessive number of children who will require transport in and out into a private, residential road. It also seems an over large business to be run in an "area of outstanding character".

Martin & Gillian Eastwood 40 Object

Carroll Avenue, Ferndown

Public Notice 'sabotaged' in that it has not been displayed.

This request can only be a pre-cursor to a future request to increase the authorised numbers allowed to attend the nursery which has been requested on numerous occasions in the past and declined. On this basis we object to the proposal which will only add to the existing hazardous traffic problems we already face on a day to day basis in having a business operating in Carroll Avenue.

Miss Stacey Cobb 26 Allenby Rd, Poole

Support

I have attended Ickle Angels for nearly 3 years now, and this is a fantastic day nursery with happy children. Children need to be stimulated both indoors and outdoors. With this new building that will be provided it will allow the children to do all the garden activities in the dry on days when the weather is not nice throughout the winter months. Children are very physical, and physical education needs to be met for all children at all times. Children also like to be able to choose what they would like to do and have free flow. This new area will provide this for children as there will be a bigger area for them. The owners have stated that they will not be upping the numbers of the children that attend the nursery they are just making the space a lot more stimulating for the children that already attend. I do not see how the traffic and noise will be a problem as in the whole 3years that i have been at the nursery I have never seen bad traffic along Carroll Avenue. This building is the first building of the road so no cars that attend Ickle Angels go down the lane. This project is a fantastic idea and will benefit the children.

Mrs Elizabeth Richards 2 Fitzpain Close, West Parley

Support

This would be a wonderful addition to a lovely nursery which is greatly valued by many in the community. I can see no valid objections, as the objective is not to increase numbers attending the nursery, but to provide a stimulating and healthy outdoor environment in which they can play and learn. A fantastic idea, which should be supported for our children.

Mr Jon Dilling 107 Glenmoor Road, Ferndown

Support

It seems that some obvious confusion lies between those that are objecting and the plans that are being proposed since the plans are simply not to increase the number of children attending. They are to

increase the opportunities and play for the children that are currently attending. Furthermore, there have never been any sort of traffic problems on the times that i pick my child up from the nursery due to the small level of traffic from those collecting as well as from residents themselves, therefore there should really be no objection at all.

Mr Ron Crane Flat 5 Victoria
Place 138 Victoria Road,
Ferndown

Support

I write to support what I know to be the worthy cause of the proprietors Of "Ickle Angels" child nursery.

They are a professional, caring concern & simply wish to add a room to provide the children a much needed, sheltered play area.

Its my understanding that there will be no increase in the existing registered 51 children, so complaints of extra traffic etc. are groundless. Its human nature for near neighbours to be sensitive about any change in their environment, but they too were once kids with needs.

The childrens visits are staggered & not all 51 attend at any one time anyway.

I have never seen more than 3 parents cars in the car park there, at any one time...Your inspection will reveal this fact.

I suggest there will be no adverse impact on the surroundings or neighbours because of this proposed extra play room, especially considering the large grounds & 2 vehicular accesses the site has already.

This is not an application for a detached dwelling or a block of flats...Its just a simple play-room for the enjoyment of the existing children

Ickle Angels is a much loved & needed part of our local community here.

Ive been an N.H.B.C. registered builder for 40 years and frankly I cannot recall a more worthy cause than this one, with its least impact on its surroundings.

This small addition will be of great help to its small occupants there and indirectly will benefit the larger community. Sincerely Ronald A. Crane

Mr Raymond Stevens 3A
Wood View, Colehill

Support

As the gardener of the nursery I can confirm that the comments made by those objecting to this application are incorrect. The front hedge was removed after it had died. It was outside the front wall and had no effect on the car park size. The car park was already gravelled but it had become depleted, the new gravel improved the surface. Any other changes were simply a tidying up process. Any trees that have been

lopped or removed have been treated purely for safety reasons. I would add that I have never seen any traffic holdups caused by staff or parents entering or leaving Carroll Avenue in the six years I have been employed by Ickle Angels Day Nursery. I support the application as I feel it would be of benefit for the children in inclement weather.

Miss Katherine Franklin Flat Support

6 1710A Maxwell Court,
Wimborne Road

As a childcare professional I fully support the all weather covered play area to be built. It will benefit the children and enhance their learning. Having this new space will able the children to enjoy the garden at all times using all their senses developing their awareness of the outdoors. We all must consider that children have the right to the best learning environment possible and by going ahead with these plans we will be one step further to better their future education.

Mrs Helen Bradbury 15 Support

Chelsea Gardens,
Bournemouth

I believe that this will benefit the children. The importance of being able to have fun and act like children outweighs and argument that i can think of. It is so important for both the children and the parents for them to have an outlet to use their energy safely. i think this is a very wise idea.

Mr Michael Lock 38 Russel Support

Road, Bournemouth

My children have attended Ickle Angels for over two years; we shall continue to use Ickle Angels for at least another three years.

Having access to such a varied and spacious exterior is one of Ickle Angel's greatest assets; in contrast to other nurseries, where children remain indoors for large periods of the day, the outdoor space here allows the children to experience so much more in their days. An all-weather covered play area will be a further asset to the nursery and will continue to allow our daughter to develop her sensory stimulation across the year.

As parents with siblings, we have always minimised journeys to the nursery and have always respected the residents' right of access on Carroll Avenue. In turn, we hope that the residents will continue to support this business, which adds so much to the community. The proprietors have made assurances on traffic and minimising inconvenience to residents. We fully support this application.

Mr Rob Foster 75 Moorlands Road, West Moors	Support
	As Ickle Angels will not be accepting more children, they will keep to their existing limit, I see no reason why the application should be refused. They are key member of the business community, and by the nature of its business an integral part of many families across Ferndown and the surrounding areas. The play room is good example of enriching the care given to the children at the establishment, and I thoroughly commend this excellent addition to this establishment.
D J Williams 22 Carroll Avenue, Ferndown	Object
	Special Character Area Significant increase in traffic in Carroll Avenue due to the opening of a Nursery with staff and parents driving in and out of 1 Carroll Avenue, causing inconvenience and cost to other residents of the road - which is a private one and maintenance is a cost to the residents. Significant noise pollution If this project goes ahead it will result in more traffic and more noise Boundary hedging and tree issues
Mrs A Hinton 7 Carroll Avenue, Ferndown	Object
	I wish to object on the grounds that the structure is excessive in size, unsuitable for the site and area and there are no justifiable grounds for the extension other than as a means to eventually increase the Nursery's registered number of children. In addition the nursery has not complied with the Travel Plan condition of its existing planning consent.
W I & P L Howe 30 Carroll Avenue, Ferndown	Object
	An increase in the intake of children will increase traffic and create more problems for the residents of Carroll Avenue. The peaceful enjoyment of our amenity has already been encroached upon and will be further affected if approval is given.
J S & H J Crockett 84 Carroll Avenue, Ferndown	Object
	Increase in traffic movements is undesirable and unsuitable for Carroll Avenue because of the nature of the lane. Carroll Avenue is a narrow lane without separate space for pedestrians.
Mr D Benazon 12 Carroll Avenue, Ferndown	Object
	Proposed rear extension will allow for an increase in

the number of children at the nursery, and therefore traffic at the entrance to Carroll Avenue. Planning Committee are aware of continuing proposals to develop 1 Carroll Avenue, which is directly opposite and could involve building a large Nursing Home and further heavy traffic at the same point.

This development is at odds with private residential character of this private road. Commercial building that fails to conform to the provisions of Special Character Area.

Photograph of the front of building is misleading as it dates from an earlier period. At present there is a dying hedge which needs replacing. New hedge needs to be planted which should be allowed to grow to 6 feet high, would help to hide the car park and large dust bin area.

M J Smallshaw 8 Carroll Avenue, Ferndown Object

The proposed extension would more than double the footprint of the building and be visually unattractive and unacceptable in a Special Character Area.

Question whether this extension will be followed by an application to register even more children which would increase the already high noise levels and increase traffic on this single, privately maintained road.

K C Humphryes Pennwood, 5 Carroll Avenue Object

Notice of Proposed Development should have identified that the location of this project included 430 Ringwood Road within the development. I have a common boundary with both these properties.

Concern at the lack of having sight of a site development plan and a 5 or 10 year business plan as a positive means of identifying the longer term goals of the company. Holistic view of the insidious development at these two addresses should be taken. Note planning applications:- 90/0268, 97/0723, 06/1059, 11/0226 - the inferred location of this current application is 1 Carroll Avenue whereas I submit that 403 Ringwood Road should clearly be identified in the location title. Extension represents an increase of 80% in the existing footprint (nearly double).

The trend of these applications and apparent lack of openness of Nursery has led to this no longer being considered a neighbourhood friendly development by the residents of Carroll Avenue.

Proposed commercial development is in a designated SCA and fails to comply with several policies listed in the EDLP (2002).

It appears that since 1999 parking/traffic issues are not accepted as grounds for objection but they have led to a detrimental effect on site management and development. The impact of insufficient off-road parking has led to the loss of the roadside hedge (photo attached) and the entire garden area of 1 Carroll Avenue being demolished and coated with shingle causing a loss of sylvan features and failure to comply with the guidelines of EDLP Policy BUCON6. This development will exacerbate this loss - boundary hedging and shrubs as it extends into the 403 Ringwood Road site.

Development could not be achieved without incorporating land on an adjacent registered property. The scale creates a building whose bulk and site coverage is damaging to the amenities of neighbours and the character of the location. It is outside the scope of guidelines of SPG No.27. Form, mass and design fails to echo that of nearby dwellings. Development should be determined on its ability to be supported solely by the available land on the site of 1 Carroll Avenue.

A number of trees have been removed or heavily trimmed on both sites which removes a natural barrier that would otherwise deaden the traffic noise from Ringwood Road.

Other contributing factors for the objection:

Noise - periods of lengthy screaming; overall noise levels will increase. Objects thrown over the fence. Noise from compressors installed for the air conditioning.

Odours - smoking policy of nursery needs to be reviewed. On occasions, there are kitchen odours.

Waste Disposal and Site Cleanliness - A secure system was promised by the proprietor that would reduce the incidence of rubbish and soiled waste on or emanating from 1 CA which has not been put into practice.

Communications - There is a lack of reliable system for contacting the proprietors during the silent hours in an emergency.

Mr Stuart King 11 Carroll Avenue, Ferndown Object

This is yet another planning application in a long series of applications over the years to increase the size and capacity of the nursery. Each change causes more traffic coming in and out of Carroll Avenue, a residential single track road. It also causes more noise. The original nursery was for 20 places, then increased to 35, then 46 and now there

are 51 at any one time with a total of 91 attending daily. This equates to over 360 vehicle movements each day into and out of Carroll Avenue. The proposed extension is not small - it increases the building footprint by 59% - more than half as big again, an overdevelopment of the site. This is a designated Area of Special Character and this proposal does not comply with this planning regulation.

I urge the planning department to refuse this application.

Mr G D Hinton 7 Carroll Avenue, Ferndown

Object
They wish to double the size of the footprint of existing property - can only assume that if this extension is built then they will apply at a later date to increase the number of children attending from the present limit of 51. Would the owners guarantee that this will not happen.

They were only granted permission to increase the capacity to 51 on condition of an agreed Travel Plan. This has not been done.

Object to this application on the basis of noise and traffic movement.

Carroll Avenue and Orchard Close are single carriageway private roads maintained at a cost to the residents whose only access is past number 1 Carroll Avenue. Traffic movements affect all residents not just those in the immediate vicinity of the nursery and I therefore believe it is right and proper that the Council should inform all 60 properties of this application.

Officers Report:

This application comes to committee as the Officer recommendation is for approval and there have been 11 letters of objection and an objection from Ferndown Town Council. There have also been 21 letters of support received.

The proposal

The proposal is for a single storey extension to the rear of the existing children's day nursery at 1 Carroll Avenue, to create an all-weather covered play area. The extension varies in height between 2.9m and 5.5m, and there is no first floor accommodation. It will project some 19m from the rear of 1 Carroll Avenue, and its width will diminish with distance from this elevation.

The site lies in the New Road Area Special Character Area (SCA) as set out in the East Dorset District Council Supplementary Planning Guidance No.27 (SPG27). It also lies in the urban area.

The nursery benefits from a good sized outdoor space at the rear of 1 Carroll Avenue, where various areas have been provided for outdoor play. At present children are protected from the sun by suspended fabric canopies that provide shaded areas. A path provides a pedestrian link between 1 Carroll Avenue and 430 Ringwood Road.

The Design and Access Statement accompanying the application states that the extension will not result in any increase in the amount of children at the site, and it is solely to provide a sheltered play area.

The supporting statement puts the case forward for the extension in terms of the protection for the sun that it will offer, and the shelter it will afford the children given the amount of rainfall that occurs throughout the year.

The existing nursery evolved from the conversion of a house, and its rooms are relatively small. In this respect, the proposed play areas will provide larger open areas for the children to play in.

Relevant planning history

The application site includes 430 Ringwood Road, which was previously a dwelling. This was granted temporary planning permission for use as a children's day nursery in 2008 under application 3/06/1059, which expired on the 1st November 2009.

Planning application 3/09/1051 was then submitted for the permanent use of 430 Ringwood Road as a children's nursery. On the 2nd March 2010, Members resolved to grant planning permission for this use subject to a travel plan to reduce vehicular traffic movements to and from the site. This involved a Section 106 legal Obligation which has yet to be completed, and consequently planning permission has yet to be issued.

However, Dorset County Council's Travel Plan Co-ordinator has approved the travel plan for the nursery, and once the Obligation is complete, planning permission will be issued. It is hoped this will happen prior to the committee, and Members will be updated on this matter then.

If this does not occur, and if Members choose to support the Officer recommendation, it is advised that planning permission for the extension should not be issued until planning permission for application 3/09/1051 is granted.

Impact on the street scene and SCA

From Carroll Avenue, the extension will be largely screened by the existing building and trees, and it will not be readily viewed from this road. No adverse impact on the character of the street scene of Carroll Avenue will therefore occur.

Views of the extension will be possible from Ringwood Road, and these will be through the existing trees on the site's north west boundary, and from the driveway of 430 Ringwood Road from the north east. The extension will be set back from this boundary and views will be filtered by the trees, and the visual impact will be

minimised by the extension's single storey scale. No adverse impact on the street scene here is envisaged, however additional planting is advised along this boundary to strengthen this screening, and this could be achieved through a suitable condition.

SPG27 identifies that the SCA in this area has a sense of spaciousness with substantial buildings, generous landscaping and lawns, large plots and established building lines.

The proposal will have some impact on the spaciousness of the site due to its large footprint. However this impact will not be apparent from Carroll Avenue, and the spatial relationships between dwellings are little affected (430 Ringwood Road not being a dwelling).

When extended in the way proposed, 1 Carroll Avenue will be a substantial building, and have a larger footprint than other properties in Carroll Avenue. However, the extension will be subservient in scale to the main building, and the main building will appear unaltered from Carroll Avenue.

The depth of the extended building will be significantly greater than that of other properties in Carroll Avenue. However this depth will not be viewed from Carroll Avenue (within the SCA), but seen from Ringwood Road which is outside the SCA, and accordingly the overall impact on the SCA is not considered harmful. Reinforcement of the planting on this boundary as required by suggested condition 7 will further reduce the extension's visual impact.

The design and materials to be used for the extension are acceptable, and the Council's Design and Conservation Officer considers that the proposal will have no obvious design or SCA issues, and recommends reinforcement of the site's landscaping.

Other impacts

Despite the applicant's assurance that the proposal will not result in any extra children attending the nursery, local residents have raised concerns about traffic generation. As numbers of children will not alter with the proposal, the business's impact on highway safety and the traffic it generates is unlikely to be altered.

In the future, should the nursery want additional children, it would have to apply to vary the condition requiring the maximum number of children at the site at any one time to be 51. At this time the Council would be able to assess the impacts of any such proposal.

Other impacts were raised to include noise, poor vegetation screening on front boundary and need for the extension in relation to the nursery's latest Ofsted report.

As the number of children is not to be increased, it is not considered that there is likely to be any increase in noise from the nursery. The vegetation on the front boundary is sparse, and a condition to replant this is not considered necessary or reasonable in relation to the proposed extension, as this would not provide screening for it.

The supporting document that accompanies the application states that the extension is needed to meet Ofsted's recommendations as the nursery would be able to provide physical and mental stimulation throughout the day in any weather. However, there appears to be no such statement in the latest (2010) Ofsted report, and no weight can be given to this issue accordingly.

Although the extension has a substantial projection, it is a sufficient distance from the nearest property at 5 Carroll Avenue to prevent any adverse impact on the occupants of this dwelling.

Conclusion

The design of the extension is considered appropriate for this site, and although the proposal will have some impact on the SCA, this is not considered to be significant. There will not be any more children attending the nursery and therefore there will be no additional impact on traffic generation.

Recommendation: ON COMPLETION OF THE PLANNING OBLIGATION AND ISSUE OF PLANNING APPLICATION 3/09/1051/FUL, PERMISSION BE GRANTED – SUBJECT TO THE FOLLOWING CONDITION(S):-

Conditions/Reasons:-

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The number of children attending the Children's nursery at 1 Carroll Avenue and 430 Ringwood Road shall be limited to a maximum of 51 children at any one time.

Reason: In order to protect the amenities of the area and in the interests of highway safety.

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

Trinity Architecture Drawing No. 2239-05 dated 18.1.2011 - Proposed all weather covered children's play area - Site and Location Plan

Trinity Architecture Drawing No. 2239-06 dated 18.1.2011 - Proposed all weather covered children's play area - Floor and Roof Plan

Trinity Architecture Drawing No. 2239-07 dated 18.1.2011 - Proposed all weather covered children's play area - Elevations

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

- 4 The extension hereby permitted shall be used in conjunction with the children's day nursery that operates from the site, and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).

Reason: To allow the Local Planning Authority control over the use of the premises in the interests of the amenities of the occupants of adjacent dwellings, and to control traffic generation.

- 5 The extension hereby permitted shall not be used before 07:30 hrs nor after 18:30 hrs on Mondays to Fridays and not at any time at weekends or bank holidays, except for one Saturday each calendar year where the nursery may be used to hold a graduation ceremony for children who have attended it .

Reason: To protect the amenities of the occupiers of nearby dwellings.

- 6 Details and samples of all external facing and roofing materials shall be submitted to and approved in writing by the Local Planning Authority before any on-site work commences. All works shall be undertaken strictly in accordance with the details as approved.

Reason: To ensure that the external appearance of the building(s) is satisfactory.

- 7 Before the development is commenced, proposals for the reinforcement of the planting on the site's boundary with Ringwood Road, to include provision for the retention and protection of existing trees and shrubs thereon, shall be submitted to and approved by the District Planning Authority by means of a large scale plan and a written brief. All proposed and existing trees and shrubs shall be correctly described and their positions accurately shown. Upon approval such new planting shall be carried out during the planting season October/March inclusive, in accordance with the appropriate British Standards for ground preparation, staking, etc., in BS4428:1989 (1979), immediately following commencement of the development. The landscaping shall thereafter be maintained for five years during which time any specimens which are damaged, dead or dying shall be replaced and hence the whole scheme shall thereafter be retained.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and the locality.

- 8 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 the trees in accordance with the Soundwood Tree Consultancy Arboricultural Method Statement, ref: SW/AMS/103a/11 and dated the 23rd February 2011. The protection of the trees shall be carried out

in accordance with this Arboricultural Method Statement. The tree protection shall be positioned as shown on Tree Protection Plans SW3, appendix 2c to report SW/AMS/103a/11 and dated the 22nd February 2011, 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, nor shall any excavation be made without the written consent of the planning authority.

Reason: To protect trees during development.

Informatives:

- 1 In the determination of the application, regard was had to the advice set out in East Dorset District Council Supplementary Planning Guidance No.27 - Special Character Areas.

Policy Considerations and Reasons

In reaching this decision the policies in the Development Plan for the area, which currently comprises the Bournemouth, Dorset and Poole Structure Plan 2000 and the East Dorset Local Plan, were taken into account. This includes specifically the following policies:
BUCON6 DES8

Item Number:	3.	Ref:	3/11/0312/FUL
Proposal:	Erect Detached House (Revised Design to that Approved at Plot 4 in Planning Permissions 3/10/1137 and 3/08/1112)		
Site Address:	29 Award Road (Plot 4), Wimborne, Dorset, for Mr M Warwick		
Constraints	Bournemouth International Airport Green Belt LP Heathland 5km or 400m Consultation Area NATS Technical Sites Urban Areas LP		
Site Notice expired:	21 May 2011		
Advert expired:			
Nbr-Nfn expired:	11 May 2011		

Ferndown Town Council Comments:

Objection
The Committee believe that the proposed building will now be too close to the neighbouring property. In addition there would be a noise element which would come from the garage. There was also concern that the proposed house would be too close to the boundary line of neighbour's property.

Consultee Responses:

County Highways No objection
Development Liaison
Officer

EDDC Tree Section The proposed alterations would not have any adverse impact upon the significant trees located within and adjacent to this particular site. However, as a result of the proposed alterations the location of the protective fencing needs to be moved slightly. I have no objections to this.

Therefore, should you be minded to approve this application please include the following condition.

The protection of the trees shall be carried out in accordance with the submitted Mark Hinsley Tree Survey, Arboricultural Impact Assessment and Method Statement, dated the 13th December 2010. The tree protection shall be positioned as shown on the amended Tree Survey and Protection Plan, drawing no: 1016, revision B, dated the 13th December 2010, 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, nor shall any excavation be made without the written consent of the planning authority.

Neighbour Comments:

Mrs P E Bush 31 Award Object
Road, Wimborne The change in design of Plot 4 has brought it 3.8 metres closer to my rear fence - significant impact likely to result in planning terms.

Officers Report:

This application comes to Committee as the Officer recommendation is for approval and the Town Council has objected to the proposal. There has also been an objection from the occupants of 31 Award Road.

The proposal is for a revised design for the detached house that was approved at Plot 4 under Planning Permission 3/08/1112/OUT and 3/10/1137/REM. This application was for the demolition of the house at 29 Award Road and the construction of four new detached houses and associated garaging, and was approved under delegated powers on the 25th February 2011.

Work has commenced at the site and the existing dwelling and outbuildings have been demolished.

The alterations to the house now proposed at Plot 4 are as follows;

- 1) To provide a single storey extension on the east elevation that faces the rear boundary of 31 and 33 Award Road. This will project 3800mm and leave a distance of between 6100mm and 7000mm to this boundary. The extension will provide a single garage and will have a hipped roof to minimise its visual impact, and will join the ridge of the approved front projection.
- 2) To increase the depth of the rear projection (west elevation) by 1200mm to allow a larger inset balcony and ground floor area.
- 3) To increase depth of the single storey element on the side (south) elevation to enlarge the utility room. The building will be no closer to Plot 3 however.
- 4) To omit the flared walls of the external chimney breast and garage.
- 5) To insert a new ground floor window in the north elevation (to boundary with rear garden of 35 Award Road) in what was originally approved as a garage, but is now a disabled access bedroom suite.
- 6) To alter the size and design of rear facing windows.

The main issue is considered to be the additional impact that will arise from the proposal on the amenities of the occupants of the nearest properties in 31, 33 and 35 Award Road.

The Town Council and neighbour at 31 Award Road consider that the proposal will bring the house too close to neighbouring properties and their boundaries and the new garage would introduce noise.

The alterations will increase the footprint of the dwelling and enlarge it. However, the design remains appropriate, and the relationship with adjacent properties is acceptable, given the separation distances involved, fully hipped roof of the new garage section and intervening mature trees and vegetation on the site's boundary with 31 and 33.

The single garage will bring garaging closer to the rear boundary of 31 and 33. The previously approved design had a double garage with its door facing the boundary with these dwellings, at a greater separation distance.

The new design has a single and smaller garage with its door on the south elevation, which is no longer facing this boundary. Therefore this smaller garage, with its door no longer facing the boundary is not considered likely to result in greater noise than the approved scheme, despite being closer to this boundary.

The proposal will see an additional window at ground floor in the elevation facing the site's boundary with 35 Award Road. This will serve a bedroom and face an 1800mm high fence as shown on the site plan attached to the Arboricultural Method Statement accompanying the application. No adverse impact is expected for the occupants of 35 accordingly.

The application includes a Unilateral Planning Obligation dated 19th April 2011 that provides the necessary mitigation in terms of the proposal's impact on the Dorset protected heathlands.

There is no need to provide mitigation for the scheme's impact on transport infrastructure, given an extant planning permission for four dwellings existed at the site at the time the South East Dorset Transport Contributions Scheme 2010 was introduced.

Recommendation: GRANT – SUBJECT TO THE FOLLOWING CONDITION(S):-

Conditions/Reasons:-

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

tobias elliott architecture Drawing No. 1124/S01 dated March 2011 - Site Location Plan

tobias elliott architecture Drawing No. 1124/P1 dated March 2011 - Site Plan

tobias elliott architecture Drawing No. 1124/P2 dated March 2011 - Floor Plans and Elevations

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

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any subsequent re-enactment thereof no extension to the dwelling shall be erected nor any hard standing area extended without express planning permission first being obtained.

Reason: To protect the amenities of neighbouring properties and prevent undue disturbance to protected trees on the site.

- 4 The protection of the trees shall be carried out in accordance with the submitted Mark Hinsley Tree Survey, Arboricultural Impact Assessment and Method Statement, dated the 13th December 2010. The tree protection shall be positioned as shown on the amended Tree Survey and Protection Plan, drawing no: 1016, revision B, dated the 13th December 2010, 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, nor shall any excavation be made without the written consent of the planning authority.

Reason: To ensure trees are adequately protected during construction.

- 5 Unless otherwise agreed in writing by the Local Planning Authority, tarmac or bonded gravel shall be used to surface the access road that serves the 4 dwellings for the area shown on Drawing No. 1124/P1 Site Plan, and this shall be laid out and completed prior to the occupation of the dwelling.

Reason: In the interests of reducing disturbance to the occupants of the adjacent dwellings

- 6 Before the dwelling is occupied, proposals for the landscaping of the site, to include provision for the retention and protection of existing trees and shrubs thereon, together with any means of enclosure proposed or existing within or along the curtilage of the site shall be submitted to and approved by the District Planning Authority by means of a large scale plan and a written brief. All proposed and existing trees and shrubs shall be correctly described and their positions accurately shown. Upon approval such new planting shall be carried out during the planting season October/March inclusive, in accordance with the appropriate British Standards for ground preparation, staking, etc., in BS4428:1989 (1979), immediately following occupation of the dwelling. The landscaping shall thereafter be maintained for five years during which time any specimens which are damaged, dead or dying shall be replaced and hence the whole scheme shall thereafter be retained.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and the locality.

Policy Considerations and Reasons

In reaching this decision the policies in the Development Plan for the area, which currently comprises the Bournemouth, Dorset and Poole Structure Plan 2000 and the East Dorset Local Plan, were taken into account. This includes specifically the following policies:

HODEV1 HODEV2 DES8 NCON4 TRANS2 TRAN10

Item Number:	4.	Ref:	3/11/0337/HOU
Proposal:	Two Storey Front Extension		
Site Address:	28 Earlswood Drive, Alderholt, Fordingbridge, for Mr & Mrs R Goodchild		
Constraints	Bournemouth International Airport Historic Contaminated Land Heathland 5km or 400m Consultation Area NATS Technical Sites Open Space		
Site Notice expired:	17 June 2011		
Advert expired:			
Nbr-Nfn expired:	14 June 2011		

Alderholt Parish Council Objection

Comments:

This will compromise the visual amenity of the street scene. The neighbour's amenity and enjoyment of their property will be compromised because of lack of light. The extension appears to be built on the neighbour's wall and the guttering is overhanging the neighbour

Consultee Responses:

Nbr Comments: None

Officers Report:

This application comes before Committee because the recommendation is contrary to the parish council's objections.

The Site

28 Earlswood Drive is a semi-detached property within the urban area of Alderholt. The property has a partially integral garage which extends 3.3m forward of the dwelling and has a flat roof. No. 30, to which the property is attached, and nos. 32 and 34 have the same form. The eastern boundary of the property is bounded by a public footpath.

The proposal

It is proposed to demolish the garage and add a two storey extension to the front of the dwelling. The extension is 3.3m deep with a hipped roof. The front door is to be repositioned to the west (side) elevation and three new windows inserted to serve the stairs and bathrooms. A chrome flue is shown on the same elevation but this does not require permission as it accords with permitted development legislation.

Considerations

The main considerations are whether the proposal is compatible with adjacent properties and the townscape with reference to the requirements of design policy DES8 of the East Dorset Local Plan 2002.

The property is relatively prominent within the street scene as it rises above the bungalow form of no. 26 to the west and is forward of nos. 32 and 34, a semidetached pair to the west. However the degree of harm is limited by the fully hipped roof which has a subordinate ridge height and by the alignment of the extension with the forward projection of the existing garages. The parish council is concerned that the development will harm the visual amenity of the street scene but the scale of the extension is not so significant that it would appear overbearing and demonstrable harm is therefore avoided. The materials and fenestration are in keeping with the original property and the forward projection follows the existing street pattern where nos. 28 and 30 are forward of nos. 32 and 34 and so on. Although a hipped extension the full width of the property is not characteristic of the dwelling styles within the street scene it is, on balance, considered acceptable in this instance.

The Parish Council has also expressed concerns about the impact on the amenity of the adjacent occupiers but the adjacent first floor window serves a dressing room and the bedroom window further east will retain a 45 degree site line such that harmful overshadowing will be avoided. The property to the west (no. 26) is a bungalow set

further forward than the application site and separated from it by the public footpath. As the proposed windows serve bathrooms and the stairwell and are to be obscured glass no harmful overlooking is anticipated. No objections have been received from neighbours.

The proposal will result in the loss of one parking space within the garage but two off road spaces would be retained so there is no objection on highway safety grounds.

A bat check of the property has concluded that it is unlikely to be suitable for habitation by these protected species.

Conclusion

The proposal is found, on balance, to comply with the requirements of policy DES8 of the East Dorset Local Plan and it is therefore recommended for approval.

Recommendation: GRANT – SUBJECT TO THE FOLLOWING CONDITION(S):-

Conditions/Reasons:-

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: Drg nos 11/117/04, 11/117/02

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

Informatives:

- 1 The applicant(s) is (are) advised that the proposed development is situated in close proximity to the property boundary and "The Party Wall etc. Act 1996" is therefore likely to apply. An explanatory booklet relating to this Act is available free of charge from The DoE Publications Despatch Centre, Blackhorse Road, London SE99 6TT. Tel 0181 691 9191 (fax 0181 694 0099). Alternatively, copies of the booklet may be available from the District Council (subject to availability).

Policy Considerations and Reasons

In reaching this decision the policies in the Development Plan for the area, which currently comprises the Bournemouth, Dorset and Poole Structure Plan 2000 and the East Dorset Local Plan, were taken into account. This includes specifically the following policies: DES8

Item Number:	5.	Ref:	3/11/0405/HOU
Proposal:	Proposed ground floor extension and loft conversion, including first and second floor alterations over garage as amended by plans rec'd 7 June 2011 to reduce width of rear dormer.		
Site Address:	30 Diana Way, Corfe Mullen, Dorset, for Mr John Van Breda		
Constraints	Bournemouth International Airport Groundwater Source Protection Zone Historic Contaminated Land Heathland 5km or 400m Consultation Area NATS Technical Sites Urban Areas LP		
Site Notice expired:	5 June 2011		
Advert expired:			
Nbr-Nfn expired:	1 June 2011		

Corfe Mullen Parish Council Comments:

Objection
Object due to the height, bulk and dominance of the proposal which would be out of keeping with neighbouring properties. Also potential of overlooking.

**Consultee Responses:
Neighbour Comments:**

Mrs Laura Holm 28
Diana Way, Corfe Mullen

We have no objection to the proposed extensions to the building although the increased elevations and the size of the dormer may appear excessive for the size of the plot. The proposed alterations to the building will obviously impact on us by reducing the amount of light we receive in the late afternoon / evening.

However, our principle concerns relate to the physical construction of any extension given the very close proximity of the works to ours and neighbouring properties. Specifically we have concerns over the potential operating hours of contractors used on the site. We believe that this is something that should be controlled via the planning process and we would request that your authority include a condition restricting the working hours for this development to minimise the impact on the neighbouring properties. We do not believe that the imposition of a suitably worded condition, to restrict the construction to Monday - Friday between 08:00 - 17:00, would be onerous on the applicant but it would protect the local environment during the construction of the extensions.

Mr Dave O'Bryan 26 Our concerns follow those already made by our

Diana Way, Corfe Mullen neighbours regarding the size of the extension etc and how much it will encroach upon us, however our main concern is the introduction of the dormer which will almost certainly impede upon what little view we have as well as possibly reducing the available light.

Officers Report:

This application comes to committee as the Officer recommendation is for approval and the Parish Council has objected. There have also been two letters of objection, raising concerns over the impact of the extensions on their properties and noise from construction. These comments relate to the plans originally submitted and do not take account of the amended plans.

The proposal is to remove the existing rear conservatory and replace it with a single storey flat roofed extension; to construct a first floor extension above the existing garage on the side of the house; to convert the existing roof space to living accommodation, and construct a flat roofed box dormer window on the rear roof plane.

The application site incorporates a detached house with integral single garage. This dwelling is part of an estate of similar properties and is in the urban area for the purposes of the East Dorset Local Plan 2002.

The plans were amended on the 7 and 20 June 2011 to considerably reduce the size of the dormer window so that it now proposes to occupy about a third of the roofslope at the rear with one window compared with occupying almost the whole roofslope with three windows. Two rooflights are also proposed either side of the dormer in the rear elevation.

The single storey rear extension is to be built across most of the rear elevation, but will be set back from the side walls, and no encroachment onto adjacent land will occur. Its scale and design are acceptable for the site, and it will have no significant visual impact, given it will be partly screened by existing boundary treatment and set back in the site. Its modest height and distance from/relationship with adjacent properties will prevent any adverse impact on the occupants of these dwellings.

The first floor extension will be built on the side elevation that faces the rear of 26 and 28 Diana Way to the north east of the application site. This extension will have the same ridge height and span as the main part of the existing house, and will increase the bulk of the house. Whilst the additional bulk will have some impact on the rear outlook and natural light reaching these houses in the later part of the day, the existing relationship between the application dwelling and these properties already has some impact on light and outlook, and the additional impact arising from the proposed extension is not considered likely to be so significant as to warrant refusing the proposal.

The size of the rear dormer window is considerably smaller than originally proposed, where it was to occupy almost the entire length of the rear elevation and was taller and of greater projection than the amended dormer. Given these changes, the dormer will have a much smaller visual impact. Although it remains a sizeable

dormer, it should not have a great impact on the street scene or amenities of the occupants of adjacent dwellings. This is due to the central position on the roof plane, and position further from the site's side boundaries than originally proposed. The dormer now proposed has only one bathroom window and will be required to be obscure glazed other than the top fanlights, which prevents overlooking to neighbouring properties.

The design of the extensions and dormer window is considered acceptable, and these alterations will not have an adverse impact on the character of the area. The proposal therefore complies with Policy DES8 of the East Dorset Local Plan 2002, as it will be compatible with its surroundings.

Recommendation: GRANT – SUBJECT TO THE FOLLOWING CONDITION(S):-

Conditions/Reasons:-

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

Footprint Architects Drawing No. 7059 Drawing P001 dated March 2011 - Existing Site Location and Block Plan (the dormer shown on the 1:500 Block Plan is not approved - please see amended elevations).

Footprint Architects Drawing No. 7059 Drawing P002 dated March 2011 - Proposed Site Plan.

Footprint Architects Drawing No. 7059 Drawing P006 revision B dated 15.4.2011 - Proposed Ground Floor and First Floor Plans.

Footprint Architects Drawing No. 7059 Drawing P007 revision C dated 7.6.2011 - Proposed Second Floor and Roof Plan.

Footprint Architects Drawing No. 7059 Drawing P008 revision C dated 7.6.2011 - Proposed Elevations.

Footprint Architects Drawing No. 7059 Drawing P009 revision B dated 7.6.2011 - Proposed Sections.

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

- 3 The materials and finishes to be used for the external faces of the extension hereby permitted shall be as specified in the Materials Key on Footprint Architects Drawing No. 7059 P008 Revision C dated 7.6.2011 unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure satisfactory visual relationship of the new development to the existing.

- 4 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 or any re-enactment, there shall be no windows inserted into the east and west elevations of the single storey rear extension hereby permitted. Additionally the bathroom window in the rear dormer on the north elevation shall be obscure glazed to a height of 1.7 metres and the fanlight windows about this may be clear glazed. This window shall be retained in obscure glass and no further windows shall be added to the dormer.

Reason: To protect the privacy of the occupants of the neighbouring dwellings.

Policy Considerations and Reasons

In reaching this decision the policies in the Development Plan for the area, which currently comprises the Bournemouth, Dorset and Poole Structure Plan 2000 and the East Dorset Local Plan, were taken into account. This includes specifically the following policies:

DES8

Item Number:	6.	Ref:	3/11/0432/OUT
Proposal:	Erection of 2/3 storey building to form 9 flats, together with the erection of 9 car ports, a bicycle store, ancillary parking and creation of revised access (following demolition of existing dwelling)		
Site Address:	300-302 New Road, West Parley, Ferndown, for Mr And Mrs Sharman		
Constraints	Bournemouth International Airport Gas Pipeline Historic Contaminated Land Heathland 5km or 400m Consultation Area NATS Technical Sites Special Character Area Urban Areas LP		
Site Notice expired:	10 June 2011		
Advert expired:			
Nbr-Nfn expired:	27 May 2011		

West Parley Parish Council Comments:

Object

1. Overdevelopment of the site with 9 units replacing a single property resulting in many more vehicle movements and disturbance due to slamming of car doors.
2. Insufficient parking bays on site leading to parking on the busy and fast flowing A347 New Road.

3. Increased vehicular access and egress close to the bend of New Road and junction of New Road and Dudsbury Crescent.
4. Loss of established trees on the current boundary of 300 & 302 which would affect the integrity of the habitat.
5. Much hard paving for driveway and parking leading to excess surface water in an area already subject to ground flooding.
6. 10 windows on the North elevation that would overlook the adjacent property No.304.

Consultee Responses:

EDDC Tree Section

Prior to leaving, Jonathan Astill provided informal comments that implied this new scheme was an improvement on the previous scheme and that subject to a landscaping scheme and an amended arboricultural method statement being submitted, he was satisfied that the short term impact on the treescape would not be significant and that no arboricultural objections were therefore likely to be raised.

Taking this into consideration, should you be minded to approve this application please include a condition.

County Rights Of Way Officer No response received

Sembcorp Bournemouth Water Ltd.

Objections:
 Inappropriate relationship with the Strategic Raw Water Main
 Contrary to policy BUCON6- overly dominant and overbearing
 Harm to protected trees
 Detrimental to highway safety
 Contrary to heathland policy- appeal decision at 80 Golf Links Road is material

Safeguarding Officer

No safeguarding objection subject to conditions relating to landscaping and drainage to avoid bird strike hazard.

EDDC Design And Conservation

There has been a succession of revisions to this scheme in response to our design comments, culminating in the current proposals. These revised proposals represent a significant improvement over the previous submissions. The architect has successfully reduced the height of the block so that it relates better with the ridge and eaves heights of neighbouring properties. The roof configuration is a bit convoluted, but at least it helps to articulate the building's bulk.

Much will depend on the choice of materials and attention to detailing, which can be the subject of planning conditions.

County Highways
Development Liaison
Officer

No Objection to the proposal subject to conditions relating to the access, turning and parking, provision of a Construction Management Plan and visibility splays.

Ferndown Town Council To be reported to the Committee

Neighbour Comments:

Mr Peter Atfield
Goadsby, Director,
Town Planning

Object

My clients own a water supply main that is located under the application site, running between New Road, Golf Links Road and beyond.

Protection of Strategic Raw Water Main which is the main supply for the Bournemouth zone. It is critical that this water main is not disturbed. Building over water mains presents two principal problems:

1. They become completely inaccessible for maintenance and repair.

2. Should they burst, water discharging under pressure may cause significant damage to property and may endanger the structure of the building, possibly to the point of collapse. Even a small volume, undetected long-term leak on a built over main can erode foundations to the point of collapse. Accordingly:

Building over a water main is not permitted.

Building alongside a water main is permitted provided a minimum distance of 3.0 metres each side is maintained from any part of the structure. In the case of large mains, a distance of 5.0 metres is required.

Where development has taken place and build-over has occurred, it is likely that a diversion at the developer's/landowner's expense will be required.

When the applicant purchased the site, the conveyance transfer document stated that the new owner should keep a clear corridor five metres either side from the circumference of the water main. The proposal is approx. three metres from the circumference and therefore breaches the protection rules. For reasons of safety, maintenance and future liability, the proposed building must be re-sited further to the south. If this cannot be achieved, planning permission should be refused.

Site is situated within a SCA; development must comply with BUCON6, application is contrary to this policy. The layout, footprint, height and bulk fail to respect the spacing, scale, depth, massing and height of the adjacent dwellings. Building will be overly dominant in the streetscape and overbearing on the neighbouring

properties. There is no precedent for development with apartments.

Development would despoil the wooded, mature and established nature of the northern part of the site. The verdant character is apparent locally and further afield.

Out of character. The associated areas of car parking, car ports and hard surfaced areas are similarly incongruous in the SCA.

Seven trees are proposed to be felled (or partly felled) and seven others protected by special precautions. It is submitted that the felling as now proposed is an under estimate of what will occur if the development proceeds. The future growth of the trees will impact on the living amenities of residents and lead to pressure for felling in the longer term. Other trees have been re-categorised from 'affected' to being protected through 'special precautions'. This change of category, instigated by reference to a commercial root protection scheme, is unmerited. The access driveway is shown substantially beneath the canopy spread of many of the trees and in some cases very close to the trunk. Application is contrary to NCON5, HODEV2 and DES7.

Transportation policy TR.V should apply. This restricts vehicle movements onto and off New Road. Additional dwellings on the site will generate vehicle movements to the detriment of highway safety and impair the free flow of traffic on the strategic highway network.

Adverse impact on Parley Common SAC. Development will add to the recreational pressure on Parley Common to the detriment of the protected heathland.

Contrary to the adopted planning policy dealing with the quality of the built environment.

H Williams Flat 47,
Alexandria Court

Object

Vehicular access so close to nearby junction of New Road and Dudsbury Crescent which is already a very dangerous junction with traffic travelling at way over the 40mph speed limit. More potential hazards trying to exit the proposed site.

There are too many flat/apartment developments within this part of West Parley/Ferndown. A more active and forceful approach should be to try to develop the original Dormy Hotel site which is an unwelcome eyesore. Wooded area of proposed site is a good sanctuary for local wild life.

The erection of a large bungalow or updating the present bungalow on site would be more in keeping with the current buildings in the area.

Mr Stephen Wickenden
304 New Road,
Ferndown

Thankyou for your notification of the above planning application which, we note, is very similar to the former application 3/10/0822/OUT on the same site that was refused on 20th October 2010.

We have looked carefully at the proposed, revised plans for the development and conclude that there is very little material change from the earlier application and therefore our objection to it remains largely in accordance with our letter dated 27th September 2010 via our solicitors Horsey Lightly Fynn.

We have also examined the council's explanation of refusal of the first application to try to ascertain to what extent the applicant has addressed the refusal points in order to make his second application acceptable. We have found very little evidence that this second application offers significant improvement. In particular and taking the refusal letter paragraphs 1 to 5 in the order written;

1 Scale, Form and Proportions

The reduction from 10 flats to 9 does not materially change the size of the proposed building.

From the plans we note that the eastern wing has been reduced in footprint and that some of the rooflines have been lowered. However, the overall height and form of the building has hardly changed at all. In our opinion this proposal by virtue of its layout, footprint, height and bulk fails to respect the spacing, scale, depth, massing and height of adjacent dwellings and thus the proposal does not take cognisance of the requirements of SPG 27 for the Special Character Area of New Road. It certainly does not sit comfortably in relation to neighbouring dwellings.

2 Overlooking Neighbouring Properties

The refusal notice specifically cites the overlooking of 298 New Road but makes no mention of 304 New Road. However, as immediate next door neighbours we would also be overlooked by this proposal. We note that Flat 10 on the original plans has now been omitted from the revisions but that Flat 9 remains almost unaltered and it is Flat 9 that would directly overlook our property. In all there are ten windows shown on the North Elevation that would look directly over our house and garden.

3 Proximity to SSSI, SPA, SAC and Ramsar sites

The revised proposal from 10 flats to 9 will only reduce the potential occupancy by 10% which is still far in excess of the numbers associated with the current single dwelling that is a family sized house although currently only has two regular occupants. The original refusal stated that the September 2010 proposal would have 'significant adverse impact' on these special sites unless acceptable

associated mitigation proposals were to be incorporated. We believe that this new proposal (3/11/0432/OUT) will not materially change the impact from the original proposal (3/10/0822/OUT) unless such mitigation has been proffered.

4 Impacts on Transport Networks

Although reduced from 10 flats to 9 flats, the proposal will still have a much larger impact on the traffic in New Road than would a single dwelling as at present. The occurrences of entry and egress onto this busy arterial bus route (A 347) will undoubtedly increase significantly, thus increasing congestion and noise and decreasing road safety. This busy A road already has a continuous flow of traffic for most of the day and the site is very close to the busy Dudsbury Avenue junction. In addition, many people use the public footpath from Golf Links Road adjacent to the site and need to cross New Road at this point.

We note also that there is only one car port per flat and only four visitors parking spaces in the proposal which will inevitably result in on-road parking by both residents and visitors, thus exacerbating the increased traffic problem of access and egress noted above. As New Road is a busy A road, kerbside parking is discouraged.

5 Trees

Although the number of trees to be removed is less than in the original 2010 proposal, there will be an inevitable loss of mature trees. The proposed tree planting scheme does not appear to be much improved in the revised application. Therefore we conclude that the proposal will remain considerably harmful to the local amenities of the New Road Special Character Area and contrary to policies DES7 and BUCON6 of the East Dorset Plan.

In addition to these comments regarding the original grounds for refusal, we believe that some of our original reasons for objection not addressed above, remain valid. In reiteration, these are;

A) Loss of privacy

In addition to the fenestration issue noted above, the development's footprint will be nearer to our property. The inherent increase in the number of occupants will, by definition, significantly decrease our current degree of privacy.

B) Increased noise and disturbance

The provision of 13 car parking spaces within the application site resulting in vehicle movements 'deep' into

the site and up against the north and east boundaries will inevitably lead to increased noise and disturbance not only from car engines but from the opening and closing of doors. This type of activity is not prevalent in any development along the east side of New Road (nos 286 to 318) and is totally out of keeping with the character and appearance of this portion of the Special Character Area. This will lead to unacceptable loss of amenity to neighbouring properties, including 304 New Road and is therefore contrary to Local Plan Policy DES2. This locality is currently a quiet and peaceful area with little noise generated from neighbours' gardens.

C) Flooding

The current undeveloped plot at 302 New Road is the lowest part of the immediate area and as such houses a large diameter storm water main that crosses our garden adjacent to the electricity sub-station. In wet periods plots 300, 302 and 304 frequently suffer from waterlogged ground and standing water above ground level. At the time of construction of the double garage on plot 300, the present owner and applicant for this new development, constructed an open vee drainage ditch some 600mm deep to channel storm water away from number 300 to be absorbed by the grassed areas of plot 302. Any additional construction, of building footprint or hardstanding, that results in a loss of soft ground able to absorb rainfall will exacerbate an already significant problem.

Conclusion

In summary, we believe that the revised plans for 9 flats at 300-302 New Road is only a slight improvement on the original proposal for 10 flats, that there is no material change to the plans, that the proposal is entirely out of keeping with the locality and that the reasons given by East Dorset District Council for planning refusal of the original application are still valid.

Mr Barry Powis 298
New Road, West Parley

We object to the development next door to ourselves because of the size of the development close to our boundary and side of our house. We will lose a lot of privacy and this is a big issue to us when we have 4 growing children. We chose this location because of it's rural feel e.g. trees and it's private garden. How is it a developer can ignore TPO's on trees and the man on the street can't even cut a few branches off of said trees? There are 7 mature trees to be taken down and many more. A TPO is a Tree Preservation Order, does this not stand for anything? The ground floods in the Winter because the water table is so high. There is literally nowhere for surface water to drain. Soakaways are not

possible. The development will take trees away which help to keep the ground stable in these conditions. Also the main sewer running across our properties has flooded twice. We were told by the Water Board Inspector that the sewer is already beyond its capability and cannot cope with any additional connections. We are not against some kind of development for example an extension, but feel that this is not the place to build another block of flats therefore setting the precedence for more flats along New Road. We feel that Ferndown is losing family homes and families are the future. If this gets the go ahead in the future do we get an explanation as to why so many mature trees can be lost and it will take a generation before new ones would re-grow to any significance. I don't believe that we should lose one more tree. We have taken legal advice and just because it is stipulated that the boundary stay mature and of same height, it is not legally binding. If a developer decides to change things there is nothing much we can do.

- | | |
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| <p>HLF Planning On Behalf
Of Mr & Mrs Bucknell
140 Golf Links Road,
Ferndown</p> | <p>Object
No objection to the principle of flatted development at the application site. It is acknowledged that although there have been some positive amendments to previous scheme in terms of mass, scale, bulk and trees, there is still overlooking and loss of privacy to 138/140 Golf Links Road. Exacerbated by existing Bournemouth & West Hampshire Water wayleave which disallows any additional plantations along a 7m strip of land running through application site and 138 Golf Links Road. Second floor windows on east elevation of proposal will cause harmful overlooking however this could be mitigated against via additional landscaping along eastern boundary of site with new fencing scheme. This will also serve to reduce any noise impacts caused by vehicular movements associated with proposed car port bay in north-east corner of site. All of suggested landscaping and fencing could be dealt with by way of planning conditions.</p> |
| <p>R Porter Flat 5,
Woodstock Court</p> | <p>Object
Traffic speed and flow is already causing problems and I cannot accept the thought of more traffic activity so close to the bend by the Porsche garage. Also I do not agree with the taking down of so many trees to make way for this development.</p> |
| <p>Mrs Debra Kearney 159
Golf Links Road,
Ferndown</p> | <p>We use the footpath adjacent to this proposal daily. It is impossible to cross New Road during rush hour both morning and evening. The only way to cross this road is if cars stop in the road and wave for us to cross. As many parents we already fear this road due to the speed of the</p> |

traffic .There is no pelican/zebra/traffic lights so we really do have to take a dash across this road at our peril. If this proposal of 9 flats is to go ahead not only will we still have the fast traffic to contend with but now cars exiting this property trying to join this road ..will they stop for pedestrians? will they consider children crossing with bikes? I have my doubts as they will have to exit very quickly to join the fast flowing traffic to prevent accidents. .Is there any provision for a crossing along this stretch of road or are we still waiting till the old Dormy site is developed .

Mrs V Riddell 286 New Road, West Parley

Object

The addition of more cars plus visitors and service vehicles on the approach to this busy fast flowing stretch of road would add to the already existing dangers.

Mr & Mrs L J Fountain 296 New Road, West Parley

Object

The traffic on New Road is already so dense that crossing the road on foot is a major hazard, being particularly dangerous for the predominantly elderly residents of the area. This situation will be exacerbated by the addition of traffic entering and exiting the proposed development. Casual parking in the road will add to the hazards encountered by vehicles leaving adjacent properties. New Road is used many times each day as a main route for emergency services, the additional traffic generated by the proposal will increase the dangers.

Following the demolition of a bungalow adjacent to the nearby Car Showrooms, the area has been developed as a car park and the garden surface has been replaced by a non-porous material and now surface water flows into the lower properties. The rear garden of 296 was unusable for the first three months of 2010 and for a longer period during the winter of 2010/11. Are arrangements to be made to ensure that the contribution of the proposed development site to the removal of surface water will not be reduced?

There have been incidents of blockage and overflowing of the main sewer which serves the adjacent properties. It having been shown to be barely adequate for its purpose, adding more waste will create a severe health hazard.

Building a block of flats will destroy the character of the area. The loss of so many mature trees will effect the already dwindling wildlife.

Mrs N Hamp 312 New Road, Ferndown

Object

I wish to object to this planning application on the grounds of aesthetics, in particular the loss of mature trees from the plot. The insidious loss of greenery along this stretch of New Road is already changing the visual amenity of the

road, despite it being designated a Special Character Area. Two of the reasons stated for refusing the original application to develop this plot were in relation to loss of trees - I see no change to this situation with the reduction from 10 flats in the first application to 9 flats in this application. I therefore sincerely hope that the original refusal will be upheld.

Mrs Julia Baker 308
New Road, Ferndown

Object

Having looked at the new plans, I can see very little reduction in the bulk of the building, which was to my understanding a major factor in the first application being refused.

My other concern is the impact of more traffic onto New Road, which is already fast and very busy.

I see there are only 13 parking spaces on site, which in my opinion would be inadequate for a development of this size, and could lead to people parking on the road adding yet more hazards to New Road.

Mrs Paula Barnett 239
New Road, Ferndown

Object

I object to this application on the grounds that it bears a close similarity to the previous application, due to it's size, which I believe was a main factor in it's refusal.

This leads me to the other major concern I have for this proposal. A development of 9 units on 1 site will increase traffic on an already very busy and perilous road. Exiting my property is already a problem with the volume and speed of traffic. My 3 children frequently need to cross both New Road and the junction of Dudsbury Avenue, which is already extremely hazardous, and of great concern to myself and my husband. Adding to the traffic can only make this issue worst.

The hazard on the Dudsbury junction should be addressed in itself (traffic calming aids), so vehicular access so near to this will almost certainly increase the problem on a road where traffic travels at 40mph plus and is extremely dangerous.

With this in mind there should be no consideration of anymore large developments on New Road.

Mr & Mrs D R Shepherd
306 New Road,
Ferndown

Object

We write with reference to the above Outline Planning Application. We note that this application bears very strong resemblance to the earlier planning application on this site which was refused on 20th October 2010. We strongly object to this application for the following reasons:

Having studied the new plans, and compared them to the

previous ones, there is very little in the way of a reduction in the size and bulk of the building, which to our understanding was a major factor in the refusal of the first application. This is a Special Character Area and SPG 27 specifies that "New development must sit comfortably in relation to neighbouring dwellings and the depth of the proposed building must relate with adjacent buildings." This application differs by only 10% from the earlier one, which is not a significant reduction in our opinion.

The documented refusal of the previous application also states "the Local Planning Authority considers that a block of flats in this location, with the siting as proposed, is likely to have an adverse impact on the amenities of the occupiers of the adjacent dwelling number 298 New Road and is not convinced that this development can be accommodated without leading to overlooking and loss of privacy to adjacent dwellings, contrary to Policy DES8 of the East Dorset Local Plan." We feel we must stress that although we are not directly adjacent, but in fact next door but one, we too will suffer from loss of privacy into our garden and directly into windows on our south facing elevation from at least five first floor and roof windows.

The site lies in close proximity to SSSI, SPA, SAC and Ramsar sites, which was detailed in length on the earlier refusal as having a significant adverse impact on these areas, and the inevitable loss of mature 'protected' trees will contradict the policies DES7 and BUCON6 of the East Dorset Plan and the Special Character Area of New Road.

Another area of major concern to us is the impact of the additional traffic onto New Road (A347), which with a 40mph speed limit is already a very dangerous stretch of road. It is a major bus route and traffic flows continuously all day. The bus stops and the junction of Dudsbury Avenue already make it hazardous for entry and egress by car, and crossing on foot is perilous. We have no crossings or traffic calming in the area. The increase from one single dwelling to nine is going to increase the number of cars using the access to the site, therefore exacerbating existing problems.

We note the provision of 13 parking spaces on the plans, which is not nearly enough for a development of this size and could lead to people trying to park on the road. This again will add to the dangers stated above enormously. In addition the location of these parking areas will undoubtedly create noise pollution to the rear of ours and neighbouring properties. This would be out of character in this area and unwelcome.

We appreciate the owners of these two plots wish to develop the area, and we welcome any improvements, but this Special Character area of New Road is undeniably single dwellings and should remain so.

Mr Paul Timberlake 8 Brierley Avenue, West Parley
Object
As in the original application, the revised plans continue to show development straddling the common boundary of 300 and 302 New Road - the Application Site.

As Tree Warden, my main objection relates to the loss of some of the mature trees that provide a good visual amenity along the aforementioned boundary.

Although other trees are intended to remain, there would be a major break in this green infrastructure corridor, which I feel could affect seriously the integrity of this habitat.

I also have concerns about the amount of hard paving for use as driveway and parking. This also raises the question of water run-off and provision of SUDS.

A further concern relates to the access/egress on the busy and fast flowing A347 (New Road), with the potential for accidents occurring.

Officers Report:

This application comes before the Committee because the Officer recommendation for approval is contrary to the Parish Council's concerns and the 12 letters of objection received.

Outline permission is sought to replace an existing two storey dwellinghouse on the southern half of the plot with a two/three storey block of nine flats on an enlarged curtilage at 300-302 New Road in West Parley. Approval is sought for the access, landscaping, layout and scale of the building. The elevation and floor plans submitted are therefore only indicative as the appearance remains a reserved matter.

The site is within the New Road Special Character Area and is within 5km of Natura2000 sites.

Planning History

Outline application 3/10/0822 for a three storey block of ten flats on the site was refused in October, principally because the layout, footprint, height and bulk of the proposal and the loss of trees that it would necessitate was found to be harmful to the Special Character Area. The impact on neighbouring dwellings and failure to resolve impacts on heathland and the local transport system were also determining factors.

Since the refusal the agent has been in discussion with officers in relation to amendments which might overcome the reasons for refusal.

The Proposal

It is proposed to erect the block of 9 flats in a similar position but slightly forward of the existing house, 38m into the plot and adjacent to the southern boundary. The existing 6m wide highway access is to be enlarged two metres further south with an electric gate set 6m into the plot. Hard-surfacing would meander through the site, providing access to the 9 car port spaces in three blocks, four parking spaces, a bin store and a cycle store.

Since 3/10/0822 the following amendments have been made to the scheme:

- The depth of the building has been reduced by 5m
- The number of flats has been reduced by one and the number of bedrooms reduced from 2 one bedroom and 8 two bedroom flats to 4 one bedroom and 5 two bedroom flats.
- The indicative plans show third floor accommodation (within the roof space) has been reduced and the roof form altered to reduce its bulk on the east, south and western elevations.
- The indicative plans show a significant reduction in windows facing the southern boundary; there is now only one secondary bedroom rooflight at first floor.
- Parking provision has been altered to provide 9 car port spaces and 4 visitor parking spaces
- 7 protected trees are now shown for removal (4 category B and 3 category C) instead of the loss of 20 trees on the refused scheme.

The Site and Context

The site comprises two plots. No. 300 is a chalet bungalow with a pitched double garage and a large gravel drive which is well screened from the highway by established hedging and trees. No. 302 to the north is a more open, undeveloped site which was formerly owned by a local water company and through which a water main runs. The land slopes down to the east so the centre of the site is approximately 1.3m lower than New Road. A public footpath runs along the northern boundary providing access between New Road and Golf Links Road.

Properties on the east side of New Road, of which the application site forms a part, comprise two storey dwellings within spacious, sylvan plots. There are blocks of flats on the western side of the road but these are outside of the Special Character Area.

Impact on the Special Character Area

Policy HODEV2 of the East Dorset Local Plan (EDLP) specified that new housing will be permitted in urban areas where the proposed development will, inter alia, 'create places and spaces which are attractive and respect and enhance local character'. Supplementary Planning Guidance (SPG) No. 27 sets out the criteria for which the area has been designated a Special Character Area (SCA). New Road SCA is characterised by detached single or two storey family dwellings set back from the road, in large or very large plots. The number of mature trees, together with boundary hedges and understorey planting strengthen the feeling of enclosure and privacy between properties.

The SPG requires that new development should maintain the feeling of space and the quality of landscape of that space which characterises the local area and that it should improve the spatial relationships with neighbouring dwellings. The previous application was found to be of excessive scale, out of keeping with neighbouring properties. The revised scheme remains wider than adjacent properties (21m wide) but the indicative plans show that 9 flats can be accommodated within a building with a reduced depth and an articulated bulk which is proportionate with the size of the plot and will not adversely affect the street scene.

Property no. 298 to the south of the application site is on a narrower plot than no. 300, and at 13.5m wide it effectively spans the width of its plot and has a 7m high ridge. The ridge height of the roof adjacent to the southern boundary is now shown at 6.2m, rising to a maximum height of 10m 12.5m into the site. Although the building will be forward of no. 298, it is still set well back in the plot and the property to the north, no. 304 is much closer to the highway.

Many of the local objectors are concerned that allowing the development of flats on the site would harm the local character but the indicative elevation plans show that the block can relate to the ridge and eaves height of neighbouring properties and the site plan proposes retention of a large number of garden trees and soft boundary treatment which will allow the building and related outbuildings to be successfully absorbed into the Special Character Area without harm to the street scene.

Impact on mature trees and landscaping

There are a large number of trees within the site and along the boundaries which are very important to the visual amenities of the area and are one of the key characteristics of this SCA. The revised scheme requires the removal of seven protected trees and an area of laurel hedge and also proposes to fell a further five trees which are judged to be in poor health or are dead. A scheme of replanting is proposed to mitigate the loss of the trees which includes 2 semi-mature trees (at least 6m high) at the front of the site and 10 additional trees to bolster boundary screening.

Part of the hedge along the frontage will still need to be removed to improve the access but a landscaping scheme has been submitted which proposes a new laurel or rhododendron hedge behind 1.2m high railings along the front boundary north of the access where there is currently limited screening. The scheme also includes additional shrub planting to soften views of the car ports. Much of the garden will remain as lawn and permeable resin bound gravel is proposed for the driveway where it is in close proximity to root protection areas.

Impact on neighbouring amenity

The amended illustrative plans show that the development can be accommodated on the site without significant harm to neighbouring amenity. A single first floor rooflight is shown in the south elevation facing no. 298 and the level of oblique overlooking from windows on the rear elevation would not result in significant harm to the occupants of that property. The illustrative plans also show that the bulk of the building can be pulled away from the boundary and potential dominance limited by the use of hipped roofs.

Objections have been received from nos. 304 and 306 to the north in relation to overlooking. The illustrative plans show three first floor windows, two of which serve bedrooms, and one second floor rooflight shown in the northern elevation. These windows are 18m from the southern boundary of no. 304 and although the five Scots Pines between the two will provide only limited screening, the degree of overlooking that could result would not be demonstrably harmful.

The owners of 138/140 Golf Links Road to the rear of the site have requested that the landscaping along the eastern boundary with their land be bolstered to ensure privacy is retained. The landscaping scheme shows the retention of an existing laurel hedge at 2m high and a proposed evergreen hedge along the remainder of the boundary. Given the tree retention and 20m deep rear garden, the provision of additional fencing is not judged necessary subject to the timely implementation of the landscaping scheme.

Impact on nature conservation

As the site falls within 400m-5km of heathland which is designated as a Natura2000 site there is no guarantee that the increased occupancy density of the site would not result in harm to protected heathland and as such the development would fail an appropriate assessment. The applicants are aware of the need to submit a completed unilateral undertaking by the date of the Committee which will secure mitigation measures to reduce the potential cumulative impact of development in this area such that the local planning authority is satisfied that there is no likelihood of harm arising.

A phase 1 habitat survey has been completed which concluded that development of the site would not result in harm to any protected species but advised that demolition and site clearance should take place outside of the bird nesting season.

Impact on the highway network

The impact of the development on highway safety was the main objection raised by local residents who are concerned that the parking provision is insufficient and the highway network is unable to cope with traffic associated with the 8 additional units that would be created on the site. Transportation Policy V of the Structure Plan refers to the management of the strategic highway network, which includes New Road, but the Dorset Country Highways Officer has not raised an objection to the proposed development.

One open-sided car port space would be provided for each of the flats, which are shown as 1 or 2 bedroom, with four additional spaces provided for visitors. The level of off-road parking provision is judged adequate to serve the development and it will not result in harm to highway safety. In addition the unilateral undertaking will include a commitment to contribute towards the provision of transport infrastructure in South East Dorset in accordance with policy TRANS10.

Other Issues

Sembcorp Bournemouth Water has raised an additional objection relating to the proximity of the building to the strategic raw water main which is situated beneath the application site. The applicants argue that the land transfer specified a 3m corridor either side of the water mains but the water company maintains that a 5m separation from any part of the structure is required because the main is of strategic importance.

It is therefore suggested that an informative note be appended to any decision stating that the decision by the local planning authority does not influence resolution of this private matter between the two parties.

The issue of ground water flooding has been raised by the parish council and several objectors. The area is known to have a high water table. The enlarged footprint of the proposed development and associated outbuildings will reduce the permeability of the site but Building Control regulations will control the removal of water via soakaways or other drainage systems and the use of permeable hard surfacing will help to reduce run-off onto adjacent sites.

Conclusion

The revised proposal has demonstrated that the site is capable of accommodating a development of 9 flats without demonstrable harm to the sylvan nature of the Special Character Area, neighbouring amenity or highway safety. The proposal is recommended for approval subject to conditions.

Recommendation: GRANT – SUBJECT TO THE FOLLOWING CONDITION(S):-

Conditions/Reasons:-

- 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 the shall be submitted to and approved in writing by the Local Planning Authority for their subsequent approval and shall be carried out as approved.
(b) An application for approval of any 'Reserved Matters' shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
(c) The development hereby permitted shall be begun before 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 3 (1) of the Town and Country Planning (General Development Procedure) Order 1995. (b) & (c) These conditions are required to be imposed by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 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: 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.

- 3 The development hereby permitted shall not be commenced until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority, in conjunction with the Local Highway Authority. The Plan shall include contractors' arrangements including site compound details, areas for deliveries and storage, parking and turning. The development shall be carried out strictly in accordance with the approved Construction Management Plan.

Reason: In the interests of highway safety.

- 4 Details and samples of all external facing and roofing materials shall be submitted to and approved in writing by the Local Planning Authority before any on-site work commences. All works shall be undertaken strictly in accordance with the details as approved.

Reason: To ensure that the external appearance of the building(s) is satisfactory.

- 5 No development shall commence until final details of the surface water drainage have been approved in writing by the Local Planning Authority through consultation with Bournemouth Airport

Reason: To ensure any potential bird attractants are mitigated in the interest of aviation safety.

- 6 Before the development commences visibility splays at the access with an X dimension of 2.4 metres and a Y dimension of 79 metres such that a vehicular user of the access can see the entire road width for the entire distance of Y, shall be constructed. Thereafter the visibility splay areas shall be maintained and kept free from obstruction.

Reason: To provide adequate visibility for road users, in the interests of highway safety.

- 7 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 the trees in accordance with the Barrell Tree Consultancy Arboricultural Impact Appraisal and Method Statement, ref: 10046-AIA2-AS and dated the 18th April 2011. The protection of the trees shall be carried out in accordance with this Arboricultural Method Statement. The tree protection shall be positioned as shown on the tree protection plan, ref: 10046-BT2, 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, nor shall any excavation be made without the written consent of the planning authority.

Reason: To protect trees that contribute to the visual amenities of the area in line with policies DES8 and BUCON6 of the East Dorset Local Plan 2002.

- 8 The development hereby permitted shall not be occupied until the access, turning space and parking shown on the drawing number 2110-101 Rev A received on 16 May 2011 has been constructed. Thereafter, the access, turning space and parking areas shall be maintained, kept free from obstruction and available for the purposes specified.

Reason: In the interests of highway safety.

- 9 Before the development is occupied the access crossing, from the nearside edge of the carriageway to the back edge of the footway, shall be laid out, constructed, hardened and surfaced, to the specification of the Local Planning Authority in conjunction with the Local Highway Authority.

Reason: In the interests of highway safety.

- 10 The proposal for the landscaping of the site, as shown on the submitted plans and detailed in the TGD Landscape Ltd Landscape Maintenance Plan dated 10.08.10, including the planting of additional trees and shrubs, and the provision of walls and fences, shall be carried out during the planting season October/March inclusive, (in accordance with the appropriate British Standards for ground preparation, staking, etc., in BS4428:1989 (1979)) immediately following commencement of the development. Any plants found damaged, dead or dying in the first five years are to be duly replaced and the whole scheme thereafter retained.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and the locality.

- 11 Should vegetation clearance of the site occur in the months from March to September (inclusive) then the precautions to avoid harm to nesting birds set out in the Lindsay Carrington Ecological Services Ltd Phase 1 Habitat Survey dated July 2010 shall be followed.

Reason: To avoid harm to nesting birds protected under the Conservation of Habitats and Species Regulations 2010

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

2225/04G, 2110-101 Rev A

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

Informatives:

- 1 In addition to the policies listed below in reaching this decision the Council has had regard to national planning policy, namely Planning Policy Statement 1: Sustainable Development, Planning Policy Statement 3: Housing and Planning Policy Statement 9: Biodiversity and Geological Conservation

- 2 This application is accompanied by a unilateral planning obligation dated
- 3 The applicant is advised that notwithstanding this consent, Section 184 of the Highways Act 1980 requires the proper construction of vehicle crossings over kerbed footways, verges or other highway land. Before commencement of any works on the public highway the Area Highways Manager (East) should be consulted to agree on the detailed specification for the access. He can be contacted at the Area Office (East), Stour Park, Blandford St Mary, Dorset, DT11 9LQ (Tel: 01258 452488)
- 4 In the interests of highway safety, provision shall be made to ensure that no surface water drains directly from the site onto the highway.
- 5 The applicant is advised that this consent does not influence resolution of the siting of the development relative to the water main at no.302 New Road.
- 6 The applicant is advised that bats are protected in the UK by Schedule 5 of the Wildlife and Countryside Act 1981 and Schedule 2 of the Conservation (Natural Habitats etc). Regulations 1994, and they are also protected by European and International Law. Therefore, even though the bat survey found no evidence of bats or bat roosts within the existing dwelling, demolition work should proceed with caution and if any bats are found, all work should cease, the area in which the bats have been found should be made secure and advice sought from Natural England.
- 7 Whilst this consent is an outline permission regard has been had to the specific design elements of the illustrative plans when considering the acceptability of the scheme within the Special Character Area. For the avoidance of doubt the architectural style, scale, bulk, height and window arrangements shown in the illustrative plan should inform any future reserved matters application.
- 8 The applicants are advised that any works involving tall constructional plant / cranes are promulgated to the Airport as per the Aerodrome Operators Association Advice note 4 (Cranes & Construction), and British Standard Institute Code of Practice BS7121 in order to forward necessary information to Air Traffic Control (ATC) and to safeguard the maximum boom height.
- 9 Due to the proximity of the site Bournemouth Airport would welcome further details on the proposed demolition at the site, in order to safeguard the process and also to notify Air Traffic Control.

Policy Considerations and Reasons

In reaching this decision the policies in the Development Plan for the area, which currently comprises the Bournemouth, Dorset and Poole Structure Plan 2000 and the East Dorset Local Plan, were taken into account. This includes specifically the following policies: HODEV1 HODEV2 BUCON6 DES7 DES8 TRAN10 NCON4

Item Number:	7.	Ref:	3/11/0474/OUT
Proposal:	Erect dwelling		
Site Address:	Green Cottage, 136 Church Road, Three Legged Cross, for Mrs Fiona King		
Constraints	Article 4 Directions Bournemouth International Airport Green Belt LP Historic Contaminated Land Heathland 5km or 400m Consultation Area NATS Technical Sites		
Site Notice expired:	16 June 2011		
Advert expired:			
Nbr-Nfn expired:	13 June 2011		

Verwood Town Council Comments: Object
Green Belt Policy applies. Contrary to Policy GB2

Consultee Responses:

County Highways Development Liaison Officer No objection

Natural England
Natural England objects to this application proposal unless the applicant contributes to the mitigation set out in the Dorset Heathland Interim Planning Framework in accordance with the levels and procedures for this contribution. If there should be any failure to follow the Framework, government advice arising from the Waddenzee judgement set out at paragraph 21 in Circular 06/2005 to PPS9 would be relevant and we advise that planning permission should not be given.

Neighbour Comments:

Mrs Sue Maidment Support
Francesca, Hightown
Road
My daughter has ridden regularly at the stables and when I have to work I can confidently leave her in the care of Fiona King who is on hand to supervise the children and where necessary administer first aid. Fiona offers a first class livery service and knowing that she is available 24 hours onsite gives horse and pony owners peace of mind. My daughters pony had an accident and Fiona was on hand to manage her care, enabling her to recover without complications, this would have been difficult if she was not onsite.
In these hard economic times we should be supporting small businesses to survive especially those who provide a service to the local and wider community.
The King family plan to build a forever home which would also give additional work to local builders who are also

struggling at this time.

Robert & Jill Reed Spring In support
Cottage, 47 Church Road

Mrs Tracy Head The Support
Orchard Three Cross Mrs King, in addition to standing her stallion at stud offers
Road, West Moors a foaling service. Mrs King's Requirement to live on the
premises of her successful stud business is absolutely
essential during the foaling season. Many mares foal in the
middle of the night and often encounter problems. If she
did not live on the premises she would not be able to
attend to Clients Mares during foaling and would run the
risk of losing not just the foal but also the client's mare.
Mrs King would not be able to do this if she had to drive in
the middle of the night from a different location, as she
would not be able to leave her young family.

Green Cottage Riding stables is an important part of the
community having taught thousands of children to ride and
raising awareness of care & stable management over the
years. Clients from a large radius ride here as it has an
excellent reputation for being reliable and caring. Many of
her clients are young children and for whatever reasons
there have been many many occasions when parents are
late and Fiona King has been relied upon to supervise the
children until they are collected., again a service that Fiona
King would not be able to offer if she was not on site at all
times. Her work for the RDA (Riding for the Dissabled) at
Green Cottage is another important feature of the
business.

In Truth if Mrs King and her young family are unable to live
on site, the business will be put into jeopardy as Mrs King
will not be able to offer the full, Varied and very committed
service that her clients have become accustomed too.

I strongly approve of the Planning application

Oliver C Davis, MRCVS In support
Whistlejacket Equine Surgery,
Fishmore Hill Farm

Ehsan Roudiani Flat 33 In support
Guildford Court, 29 Surrey
Road

Mrs Judy Martin 1 The In support
Curlews, Verwood

Mrs Janet Ainsworth 28 Cedar In support

Avenue, St Leonards

Miss Louise James GE7 San In support
Remo Towers, Sea Road

Mr & Mrs P T Biddle Green In support
Cottage, 136 Church Road

Mr Martin Vowles 123 Support
Church Road, Three
Legged Cross

We live within 200 yards of the proposed dwelling and would like to express our full support to this application. Green Cottage is an established family business within the local community and is dependent upon Mrs King's full time dedication to enable it to continue to operate successfully.

Our three daughters have all used the stables on a regular, almost daily, basis over the past 10 years and have all had Saturday and holiday jobs there. This has given them the opportunity to learn new skills and introduced them to the world of work in a safe, disciplined and supportive environment which is something that is given high priority by both local and national government at a time when young people face an uncertain future.

Mrs King personally supervised round the clock care for our pony when it became seriously ill during the last nine months which was only possible due to her close proximity to the stables. Without this the pony, who is used as part of the yard's commitment to Riding for The Disabled and is now making a good recovery, would almost certainly not have survived.

This new dwelling would be an important factor in allowing Mrs King to continue to run her business whilst bringing up her young family in the current hard economic environment. We do not feel that there would be any adverse effects on the immediate area but, on the contrary, feel that granting this planning permission would enhance Mrs King's ability to contribute to the welfare of the horses and the benefit of the local community.

Mrs Jan Hooper 85 Support.
King Richard Drive,
Bearwood

My daughter and I have kept a pony at Green Cottage for a number of years and have always been more than satisfied by the care and attention shown toward equine livestock and users of the facility. This is mainly due to the fact that Mrs Fiona King is able to reside on the property to suitably manage the establishment to a high standard.

It offers me great peace of mind as a working mother when it has been necessary for me to rely on Mrs Fiona King being able to supervise my daughter until such time as I am able to collect her from the stables. It offers me the

knowledge that the is always a first aid trained adult able to offer supervision to my daughter as required at these times.

Also Mrs Fiona King is able to offer a high standard of equine care and management during the day and night as required. Unfortunately my pony suffered a serious injury last year piercing through his eye with a stick resulting in uviitis. The vet prescribed a care regime involving a darkened stable, head covering and 2hourly eye drops throughout day and night for 48hours before reducing the frequency of drug administration. Mrs Fiona King was able to administer such a regime as she was resident at the property. Had this not been the case I would have incurred much greater vet fees and the possibility of a blind pony.

Mrs Fiona King offers a high standard of care to the equine livestock and the users of the facility because of her continual presence at Green Cottage. I therefore support the application for the erection of a dwelling at Green Cottage to continue the high quality of service offered to the community and within this equine establishment.

Mrs Lydia Brooks 36 Support

Aldridge Road,
northbourne

In 1996 - 2000 I trained with Fiona gaining qualifications to Level 3 in Riding and Stable management and my teaching Qualification.

I am now self employed within the horse industry and work with Fiona's top quality New Forest ponies. I am involved in breaking, training and Stud work. I gain business, via Fiona, from previous clients to the stud who send their youngstock for me to handle and produce. As a Riding Instructor I also teach some of Fiona's Livery Clients.

I have assisted Fiona with Late night foalings and sick ponies knowing that when I finish she is still there monitoring and administering medicines throughout the night.

The Green Cottage Stud and Livery would lose business if Fiona could not offer this service and in turn this would also affect my business, a disaster in this economic climate.

Mrs Ruth Parry Support

Mistleigh, Blandford
Road

Green Cottage Livery is an established business which enhances the local area. Fiona King needs to live on the premises in order to give a high standard of care to the ponies at livery there. For example, she will administer medicine at regular intervals throughout the night. I would be unable to do this for my ponies there as I live eighteen miles away. If Fiona were unable to live on the premises I would have to move my ponies. Most of Fiona's clients would be similarly affected, so the business could become

unviable.

A dwelling on the proposed site would not extend the village of Three Legged Cross in any direction as there are houses each side of the site; one adjacent house being Green Cottage, the other is a mid to late 20th century bungalow.

Zarra Lea WBI Co-ordinator/Assessor	Equine On Behalf Of, Kingston Maurward College	In support Mrs King, and historically her mother Mrs Biddle, have long had an association with Kingston Maurward College. They regularly take college students from us for valuable work experience which builds the students' practical skills and knowledge, they also employ apprentices which are co-ordinated through the College to meet Government targets for youth employment.
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Officers Report:

This application comes before the Committee at the request of the parish council and Councillor Richardson and because of the number of letters received in support of the application contrary to the officer recommendation to refuse.

Planning History

In 2007 the Planning Committee refused a previous outline application (3/07/0194) for a two storey dwelling and garage on the same plot by the same applicant because they judged that the applicant had not sufficiently demonstrated very special circumstances to justify inappropriate development within the Green Belt. The application also failed an appropriate assessment as no undertaking to contribute to mitigation in respect of harm to Natura2000 sites had been received. The applicant did not appeal that decision.

The Site

The site is 0.2 hectares of land adjacent to Church Road at the northern end of Three Legged Cross. The southern half of Church Road is urban but travelling north past Three Legged Cross First School the residential plots become larger and more verdant and are interspersed with paddocks. The land is designated greenbelt and has a semi-rural character. It is located approximately 450m from Holt and West Moors Heath designated an SAC and SPA.

The site is currently a paddock with an existing entrance onto Church Road. It is part of Green Cottage New Forest Stud and Livery holding which comprises 22 hectares of land owned by the applicant. Adjacent to the plot, to the north is Green Cottage Riding Centre and south is no. 124 Church Road, a bungalow set back from the highway which is at the end of a row of residential dwellings. To the rear of the site is a derelict piggery building which has recently been tidied up.

The Business

Green Cottage New Forest Stud and Livery is an established business which has been operated by Mrs King for the last 21 years. The livery is grass keep. Since the last application the number of New Forest ponies has increased from 11 to 20 and land ownership has increased to 22ha of land in and around Three Legged Cross which is divided into paddocks with field shelters.

The applicant's business is run from Green Cottage Riding Centre. The riding centre comprises a cottage, 14 stables including 2 foaling boxes, a store/ rest room, 2 manege and 0.4 hectares. The centre is owned by Mrs King's parents, Mr and Mrs Biddle who run a riding and training business.

Mrs King's stud and livery business is reliant upon renting stables and foaling boxes from Mr and Mrs Biddle. She employs 4 part time staff.

Proposal

The outline application proposes the development of the land by a detached dwelling to provide accommodation for the manager/operator of the stud, i.e. Mrs King and her family. All matters are to be reserved but the illustrative plans show a two storey, four bedroom dwelling with a ridge height of 8.5m and a floor area of 157 square metres (measured externally).

Analysis

Within the Green Belt there is a presumption against most new buildings except where they relate to agricultural or forestry or where exceptional circumstances can be proved. A new dwelling will affect the openness of the land and therefore represent inappropriate development. The application site is neither within a village infilling policy boundary nor for agricultural purposes so the onus is on the applicant to provide evidence of exceptional circumstances which would override the harm to the green belt.

The application claims that horse breeding is an agricultural activity based on tax documents however under the Town and Country Planning (Use Classes) Order 1987 (as amended) a stud farm is classed as a sui generis use unless it is for the breeding of farm horses. Nevertheless Planning Policy Statement 7: Sustainable Development in Rural Areas (PPS7) acknowledges that there may be some 'instances where special justification exists for new isolated dwellings associated with other rural based enterprises' (Annexe A).

The proposed dwelling is located near to the urban area of Three Legged Cross and therefore can not be considered to be an 'isolated dwelling'. The applicant has a property approximately 2km (1.25miles) away within easy access of the site. The question is therefore whether the needs of the stud farm business have significantly altered since the last application to an extent that it is now essential that a second property is erected on site to serve the business thereby providing exceptional circumstances for development in the Green Belt. Personal preferences can not be considered.

The applicant's justification is based on the need for the presence of qualified persons on the site 24 hours a day to supervise foaling and care for animals. This need been accentuated in this current application as the business now involves the provision of care for ailing mares which includes 24 hour cover all year around to give medication and monitor the animals at regular intervals, day and night. Letters of support highlight the value that customers place on 24 hour supervision of their animals, many suggesting that they would seek alternative services if this was no longer available. The letters also suggest that Mrs King has recently been able to guarantee 24hr care because she, her husband and three young children have been

temporarily residing at Green Cottage since 2008, having swapped their home with her parents.

Mr and Mrs Biddle, the applicant's parents and owners of Green Cottage, state in their letter of support that swapping their homes was 'the perfect business solution' as their ability to provide 24hr help to their daughter has declined due to their age and health issues. However they state that the cottage is too small for the growing family and they would now like to return to their cottage home. As such it appears to be the applicant's operational difficulties that are driving the application and these can not carry much weight in relation to the merits of the case.

The Council previously determined that the business was so intertwined with activities at Green Cottage Riding Stables and Livery that there was no justification for a second operational dwelling on the site. The applicant has since acquired additional land and additional horses but she continues to make use of the stabling, foaling, storage and employee rest facilities owned by her parents. There has been no change of circumstances to overcome the Council's previous judgement that a business which is reliant on rented facilities can not provide a secure foundation from which to argue the need for an occupation dwelling.

The Council also previously determined there was no evidence that the requirements of the enterprise had altered so as to create an essential need for a dwelling following 17 years of operation without such accommodation. Any recent intensification of activities which require 24 hour care have been undertaken in the full knowledge of the Council's previous refusal of a dwelling. No financial justification has been provided to show that the viability of the business relies on the veterinary care aspect of its operations, nor could such evidence overcome the lack of spatial permanence of the business given the reliance on rented facilities.

The site is located more than 400m from but within 5km of heathland which is designated as part of the Dorset Heathlands Special Protection Area and Special Area of Conservation. The applicants have agreed to submit a unilateral undertaking to contribute to mitigation in line with the Dorset Heathland Interim Planning Framework and this will also include a contribution agreement in line with the South East Dorset Transport Contribution Scheme so that the application complies with policies NCON4 and TRANS10 of the East Dorset Local Plan.

Nevertheless, no exceptional circumstances have been proved which would overcome the presumption against new residential dwellings within the Green Belt and the proposal is therefore contrary to the advice contained within Planning Policy Guidance Note 2: Green Belts in that it will harm the openness of the Green Belt. It is therefore recommended that the application be refused.

Recommendation: REFUSE – FOR THE FOLLOWING REASON(S):-

Reasons:-

- 1 The proposed development lies within the Green Belt as defined in the Bournemouth, Dorset and Poole Structure Plan, and identified in the East Dorset Local Plan (2002). Within this area it is intended that no new development shall be permitted except that reasonably required in connection

with agriculture or forestry or other appropriate uses. The construction of a new dwelling on this site within the Green Belt amounts to inappropriate development, which is harmful to the openness of the Green Belt and contrary to the purposes of including the land within it. It is considered that the applicant has not demonstrated that there are any circumstances that are so special as to outweigh the Green Belt policies, the harm to the openness of the Green Belt and the reasons for including land within it. The proposal is therefore contrary to the advice contained within Planning Policy Guidance Note 2: Green Belts.

Informatives:

- 1 In addition to the policies listed below, in reaching this decision that Council has had regard to national planning policy, namely Planning Policy Guidance Note 2: Green Belt and Planning Policy Statement 9: Biodiversity and Geological Conservation.
- 2 This application is accompanied by a unilateral undertaking dated ____
- 3 The applicant is advised that notwithstanding the refusal reasons relating to the principle of this development, and the matters reserved in the application, the intended size of the dwelling (as outlined in the Design and Access Statement) is considered to be excessive.

Policy Considerations and Reasons

In reaching this decision the policies in the Development Plan for the area, which currently comprises the Bournemouth, Dorset and Poole Structure Plan 2000 and the East Dorset Local Plan, were taken into account. This includes specifically the following policies:
NCON4 TRAN10

Item Number:	8.	Ref:	3/11/0488/FUL
Proposal:	Construction of raised paths, decking and seating as part of prayer garden within school playing field - part retrospective. Additional information received on 22/06/11.		
Site Address:	St Catherines Roman Catholic Primary School, Cutlers Place, Colehill, for Mrs Winifred Sheldon		
Constraints	Bournemouth International Airport Heathland 5km or 400m Consultation Area NATS Technical Sites Open Space Urban Areas LP		
Site Notice expired:	19 June 2011		
Advert expired:			
Nbr-Nfn expired:	16 June 2011		

Colehill Parish Council Object

Comments:

Location of site, overlooking of neighbouring properties. The PC respectfully requests that a site visit is made by the Planning Committee.

**Consultee Responses:
Neighbour Comments:**

Mr Barry Roberts 171
Cutlers Place, Colehill

Object

Apart from the well made points above concerning proximity, invasion of privacy, official ground works report and the lack of consultation we at cutlers place have had with the applicant, any food consumed and left over will attract rodents no matter how well the food is thought to be cleaned up. There has been no consideration to the increase in traffic in a heavily populated residential area, especially as the site entrance is on a blind corner on a hill! Is the school also intending to place UV protective sails over their entire playground to protect the children, as they spend more time there? Any construction on a playing field that does not improve sporting facilities or reduces foliage and wildlife habitat area requires serious consideration. School fields are for our future generations and should be preserved where ever and when ever they can. Is there also no consideration for disabled access? Relocation of the garden would facilitate this.

Further letter recd. on 17.6.2011:

Noise - there will be significant increase during gatherings outside of school hours.

As our bedrooms are directly next to the proposed construction, a slight breeze in the sails will cause significant noise and disrupt our sleep.

Property Value - The large decking areas and sails will be a significant eyesore and will reduce the value of my property.

Privacy - The proposed location invades my privacy owing to the proximity of it to my bedroom window.

Flooding - I have not been witness to an official ground works report informing us that any construction would not increase the effect of flooding as the ground level of the proposal is above that of my property.

Traffic - During gatherings there will be an increase in parked vehicles on Cutlers Place. Cars would be parked at the site entrance which is on a brow of a hill and on a blind corner. There is a risk to child and residents' safety Just two extra vehicles would cause traffic congestion issues in an already congested residential area.

Rodents/Pests - Any gatherings that included the consumption of food would ultimately leave remnants of food which will increase the risk of attracting rodents. The school already has a wooded area and an external spring (directed behind our properties) thus creating the

perfect breeding ground for rodents.

Environment - building a non-essential construction on an excellent playing field promotes the philosophy that playing fields are of little value. Future generations of children will suffer.

Section 15 of PPG17:

the proposal is ancillary to the use of the site as a playing field (eg new changing rooms) and does not adversely affect the quantity or quality of pitches and their use.

the proposal only affects land which is incapable of forming a playing pitch (or part of one).

the playing fields that would be lost as a result of the proposal would be replaced by a playing field(s) of equivalent or better quantity and quality and in a suitable location.

the proposal is for an outdoor or indoor sports facility of sufficient benefit to the development of sport to outweigh the loss of the playing field.

Application is of a low standard and missing vital information, disabled access, soft edges to ensure children's safety. Are the sails really for UV protection? Why only cover part of the garden? School is only thinking about aesthetics.

If granted, it will be contravening the guidelines set out to protect green fields for future generation.

Mr Derek Homer 177
Cutlers Place, Colehill

Object

In principle I think the idea and concept of a 'quiet prayer area' is to be applauded especially with a 'well planted and maintained' low level garden. However my main concern is with the proposed 'sails to be erected' which would detract from the otherwise 'solitude to be created'. (As a compromise could a stow-away concave rollerblind used only when required be considered?).

Is there a guarantee that the area will not be used for 'party time or BBQ' as this would compromise the serenity of the garden?

Has due consideration been given to the effect on natural drainage from the land having given up an area of natural seepage in addition to previous extra classrooms reducing the surface area overall. (Our row of houses have in recent years experienced an increase in water drainage problems due to a changing water table level and spring water outlets in times of heavy rainfall).

Mrs J Walter 175 Cutlers
Place, Colehill

Object

The garden is close to our properties.

The location planned is on higher ground than my back garden and people are able to look directly into my garden and home which is an invasion of my privacy.

There has already been noisy weekends with children

screaming.

I believe this will cause more flooding issues in our gardens.

Mrs P S Williamson 193
Cutlers Place, Colehill

Object

Question why the new garden has been situated closer to the residential properties of Cutlers Place rather than building closer to the school itself. Due to the topographical nature of the plot, there would be greater visibility into my and my neighbours' properties which raises privacy and social concerns.

What thought has been put into ensuring the increased water runoff is drained away properly and does not pose any threat to my property or garden.

Has any thought been put into screening off the new garden with a solid fence to ensure privacy is maintained and to ensure that previous incidents of stone throwing into my garden by students is prevented.

Ms B Trickett 173 Cutlers
Place, Colehill

Object

No consideration has been taken to us the residents. I feel my privacy will be greatly affected by the noise factor and the fact people can see straight through my bedroom and dining room windows.

They state it will only be used during school hours but how long will it be before we have parties and BBQS at the weekends?

Noise issues

Sails are going to be an eyesore from my property - can they not use a sunscreen?

We have flooding problems which the council are aware of - this will add to our problem. Has this been addressed property?

Officers Report:

This application is brought before members as there are letters of objection from five neighbouring properties concerned primarily with noise, loss of privacy by overlooking, the area used for social functions, water run off and the visual intrusion of the proposed sails.

Site Description

The application site comprises St Catherines Catholic Primary School with its single storey building, temporary classrooms, car park and substantial playing fields. It lies within the urban area and is accessed off Cutlers Place. Work has commenced on creating a prayer garden in the far southwest corner of the site where the land falls away sharply towards the rear of nos. 171 – 177 and no.193 Cutlers Place. Boundary treatment here comprises 2m high railings beyond which are the rear fencing panels of the residential properties. There is additional tree screening along the side boundary of no. 193.

Proposal

The part retrospective proposal is for a prayer garden within the school playing field. It involves the construction of a cross section path (3 x 7m and 1 x 8m in length) with a designed mosaic in the centre. Off an inner planted circle will be two areas of decking (3m x 4.2m) and two areas of circular seating. The tables would be some 750mm in height with a round top diameter of some 1.3m with bench seats attached to them which would accommodate 8 children each. Over the decking areas will be two white sails (4.2m x 4.2m x 6), each held by 2m high poles at its three corners. These are to be sun shields to protect the children from UV rays. The structures have breathable membranes beneath them topped with limestone chippings for drainage purposes. At the southern end of the garden would be a decorative 1m high rendered wall, 5m in length.

Considerations

The prayer garden is considered to remain as part of the outdoor playing fields and does not conflict with Planning policy PPG17 in relation to retention of school playing fields.

The main issue to be considered is the impact of the proposal on the amenity of the neighbouring properties in Cutlers Place

The purpose of the prayer garden is to provide a place for quiet reflection and prayer where the children of this Roman Catholic Primary School will go in small groups or as a whole class. They will always be accompanied by an adult as it is screened by a belt of trees from the school buildings and main outdoor play area. In addition the Headmistress has confirmed in writing that it is not an area for play or area for eating. It is therefore not likely to result in disturbance to local residents or an increase in pests resulting from left over food.

As the garden is being developed on sloping land provision for adequate drainage has been an important detail in the design of the garden. In addition further landscaping is proposed around the garden including Clematis, Bamboo, Palms and aromatic and evergreen shrubs. These will help soften the impact of the sails from the neighbouring dwellings and prevent any further loss of privacy over and above the existing situation

Conclusion

It is considered that the concerns of the neighbours have been addressed and it is contended that the proposals will not cause demonstrable harm to the amenities of these residents. It would comply with Policy DES8 of the East Dorset Local Plan in being compatible with its surroundings in terms of materials, landscaping, visual impact and most importantly its relationship to nearby properties, and it is therefore recommended for approval.

Recommendation: GRANT – SUBJECT TO THE FOLLOWING CONDITION(S):-

Conditions/Reasons:-

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: site plan at scale 1/1000, design for prayer garden, building details dated 02/05/11 and email from the headmistress dated 22/06/11.

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

- 3 Before the prayer garden is brought into use, proposals for the landscaping of the garden, including along the curtilage of the southwest corner of the site shall be submitted to and approved by the District Planning Authority by means of a large scale plan and a written brief. The landscaping shall thereafter be maintained for five years during which time any specimens which are damaged, dead or dying shall be replaced and hence the whole scheme shall thereafter be retained.

Reason: In order to protect and enhance the appearance and character of the site and protect the amenities of adjoining residential properties.

Informatives:

- 1 In considering the application the Council were mindful of PPG17

Policy Considerations and Reasons

In reaching this decision the policies in the Development Plan for the area, which currently comprises the Bournemouth, Dorset and Poole Structure Plan 2000 and the East Dorset Local Plan, were taken into account. This includes specifically the following policies:
DES8

Item Number:	9.	Ref:	3/11/0540/FUL
Proposal:	Install play area. Additional information received 27.06.11		
Site Address:	Pure Drop Inn, 457 Wimborne Road East, Ferndown, for Marstons PLC		
Constraints	Bournemouth International Airport Historic Historic Contaminated Land Heathland 5km or 400m Consultation Area NATS Technical Sites Urban Areas LP		
Site Notice expired:	2 July 2011		
Advert expired:			
Nbr-Nfn expired:	24 June 2011		

Ferndown Town

To be reported

Council Comments:

Consultee Responses:

Neighbour Comments:

Mr David Singleton 9 This is sent on behalf of my mother who lives at 5
Glendale Avenue, Batstone Way. She does not have access to a computer
Ferndown so she has asked me to reply on her behalf.
She wishes to object to this planning application on the
grounds of noise in a residential area.

Mr & Mrs Tully 4 Batstone Object
Way, Ferndown Main objection is noise this will incur from the children.
Also health and safety issue, Who will be responsible if
a child falls and hurts themselves?

D A Thurston 3 Batstone Object
Way, Ferndown Noise pollution - constant noise level which goes on
until the late evenings - weekends are worse

Mrs Janet Beresford 1 Object
Batstone Way, Ferndown Petition received from 25 residents

1. The noise created by children play together, shouting, screaming and crying within 20m of surrounding residential property. We have had this before when Eldridge Pope owned the Pure Drop. It was very quickly removed because of complaints about noise and takings in the restaurant declining.
2. Children then start playing ball games, kicking the ball into residential gardens, disturbing the residents.
3. They also climb trees overlooking private property and gardens causing loss of privacy to residents.
4. Children running in and out of the restaurant to find their parents. This is very dangerous for all concerned as people could be carrying drinks or hot food.
5. The play area proposed is in the Beer Garden. Both full and empty glasses left on tables without supervision are dangerous to children.
6. Noise from adults using the pub garden. Loud laughter and swearing from groups of patrons. Is this a place for children to play?
7. Adults drunk in the garden causing danger to children.
8. Parents using the pub/restaurant not supervising children.
9. Adults urinating on the fences surrounding the pub garden. Is this a fit place for children?
10. The property is not secure at night. We already have had people sitting on the front verandah, talking, laughing, and arguing until 3am, how long will it take the youths to find the Play Area?

11. Would East Dorset District Council have granted planning permission for bungalows to be built in the pub grounds if they had known the Pub was going to become such a noisy place.

Mrs A P Nickson 16 Object
Laburnum Close, The proposal will add more noise on top of the level we
Ferndown already suffer from.

Mr L Emms 17 Laburnum Object
Close, Ferndown A play area will attract even more children, thereby
increasing the existing noise levels.
It is almost impossible to sit in my garden without having
children screaming and shouting on the other side of my
fence.
I find it intrusive and privacy is almost non-existent.

Mrs R Kelly Resident Of Object
Batstone Way, I would like to object on the grounds of excess noise. In
addition I think that there would also be a health and
safety issue if there is no supervision.

Officers Report:

This application is brought before Members as there are five letters of objection from neighbouring residential properties, along with a petition signed by 25 residents of Batstone Way, Laburnum Close and Coppice Avenue against the proposal. The main concern expressed was the noise incurred from children.

Site Description

The Pure Drop is a Public House fronting Wimborne Road East but with its access off the small cul de sac of Batstone Way. The building has outside seating areas on raised decking on its south and west frontages, beyond which is ample car parking facilities, whilst on its north side, hardly visible in the street scene, is a grassed garden area occupied by picnic tables. This area is bounded by walls and fences, some 2m in height, together with trees and shrubs that provide a good screen from the pub garden area and which comprise the front boundaries of properties in Batstone Way and rear boundaries of properties in Laburnum Close.

History

The only recent planning applications on this site have been for advertisements and timber decking and a balustrade on the front elevation (ref 05/1183) and enclosing part of the existing terrace on the west elevation (ref 05/1261).

Proposal

The proposal involves the installation of an external play area in the rear beer garden in the form of six pieces of equipment close to the rear of the building.

The play equipment is of a rustic appearance largely constructed from timber logs, and the poles do not exceed 2.5m in height.

Considerations

The main issue to be considered is the impact of the proposal on the amenity of neighbouring properties. The play area would be an added facility for customers frequenting the premises and it would be ancillary to the main use of the licensed premises and its associated beer garden. It is contended that this play equipment would be an appropriate form of development for the approved use of the site. It would not cause any demonstrable harm to the amenities of neighbouring dwellings given that children already visit the premises with their parents and it is intended to install it away from nearby dwellings and close to the main building. The play area is sited over 12m away from the boundary with Laburnham Close and 6m from the boundary with Batstone Way.

Other forms of nuisance and licensing issues mentioned in the letters of objection would be dealt with under the powers of the Public Health Department.

Conclusion

It is considered that the proposal is an acceptable facility for this public house and complies with Policies DES2 and DES8 of the EDLP, and it is therefore recommended for approval

Recommendation: GRANT – SUBJECT TO THE FOLLOWING CONDITION(S):-

Conditions/Reasons:-

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: location plan at scale 1:1250, block plan at scale 1:500, E1109/91346/01 and playground equipment

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

Policy Considerations and Reasons

In reaching this decision the policies in the Development Plan for the area, which currently comprises the Bournemouth, Dorset and Poole Structure Plan 2000 and the East Dorset Local Plan, were taken into account. This includes specifically the following policies: DES8 DES2

Item Number:	10.	Ref:	3/11/0546/FUL
Proposal:	To Install a Portacabin Shower Block, Cycle Rack and Paved Access		
Site Address:	East Dorset District Council, Council Offices, Furzehill, for East Dorset District Council		
Constraints	Bournemouth International Airport Heathland 5km Consultation Area Groundwater Source Protection Zone Heathland 5km or 400m Consultation Area		
Site Notice expired:	3 July 2011		
Advert expired:			
Nbr-Nfn expired:	N/A		

Colehill Parish Council Comments: No objection

**Consultee Responses:
Neighbour Comments:**

Mr David Steadman Support
As an EDDC employee, local resident and regular cyclist I fully support this proposal.
The best I can say about the current facilities is that they are somewhat primitive and actively discourage people from regularly cycling to work. The proposal for new cycle parking, personal changing, showering and storage is a huge improvement and will make it much more difficult to reach for the car keys first thing in the morning. This proposal is a logical and essential extension to the Cycle to Work Scheme and will add substance to the council's claims of green credentials.

Mr Carwyn Davies Support
I currently work and regularly cycle to East Dorset District Council. I am in full support of this proposal as the current amenities are clearly inadequate.
This proposal will encourage a greater number of staff members to cycle to work thus reducing traffic emissions and encouraging a healthier workforce. There is also an obvious positive knock-on effect of being fewer cars using the country lanes in and around the Furzehill area making the area not only safer but also greener.
The new cycle block is an excellent example of positive proactive thinking that needs to be encouraged in both the public and private sectors. East Dorset District Council will hopefully be allowed to lead by example.

Mrs Alison Palmer

Support

As a current employee at EDDC and a regular cyclist I fully support this planning proposal to install a portacabin shower block, cycle rack and paved access at the Council Offices. The proposed new facilities are long overdue, as the existing facilities support only two very small showers and a small rusted cycle rack which holds around six bikes. There are no locker facilities for cycle gear, shower items and clothing, which means that staff have to hang their clothing and towels around the offices and keep shower items in drawers etc.

Within the EDDD Corporate Plan 2010 -2016 the Council is committed to addressing the issues for those living and working in East Dorset. One of those priority areas is to reduce the district's environmental impact. If we are to encourage businesses and households in the district to reduce emissions by becoming more environmentally sustainable and reducing the number of car journeys, then as staff we should be taking a lead and setting an example to our residents. Also, by providing improved and essential cycle facilities this will encourage more staff to cycle, not only reducing the number of car journeys, but also producing a healthier workforce.

The Cycle to Work Scheme has already been implemented at EDDC and if we are to maintain the scheme and encourage new members to join then it is essential that we have improved facilities.

Finally, the new proposed facilities will be positioned in one easily accessible designated area, which will speed up staff changing times, therefore increasing work productivity, as currently staff have to return to offices initially to retrieve their shower items etc. I also feel that the new cycle area will look more professional and encouraging to others.

Mrs S Knott

Support

I would like to cycle to work more regularly and the lack of facilities has put me off cycling very often.

The proposal is warmly welcomed by regular cyclists.

Mrs Judy Windwood

Support

The current cycle storage and shower facilities are very poor. This does not encourage employees to cycle to work and this does nothing to reduce the Council's carbon footprint. The proposed facilities will provide a much needed facility, shortening waiting time for showers and reducing the need to go into the office in

cycle clothing prior to changing. The lockers will remove the need to store clothing in and around desks, especially important on wet days. Thus, a professional image will be maintained in the offices.

Officers Report:

This application is brought to Committee as the application has been submitted by this Council and furthermore may conflict, in part, with Green Belt Policy. Meanwhile there are five letters of support.

The application site comprises the Council Offices at Furzehill which lie within land designated as Green Belt.

The proposal is for the provision of a portacabin shower block measuring some 8m by 3m, along with a metal frame cycle storage rack with new paved area comprising concrete paving slabs leading from the existing path to them. They would be sited adjacent to the Public Health building. The shower block would comprise four separate shower units each with a changing area and locker space. The cycle rack would have a toast rack style cycle railing to allow storage for up to 20 cycles. Its dimensions would be 4.1m by 2.1m by 2.1m in height. These facilities are to be used for staff who cycle to work.

The site lies within the Green Belt, where inappropriate development will not be permitted unless very special circumstances are put forward by the applicant to demonstrate that the harm to the Green Belt by reason of its inappropriateness can be outweighed by other considerations.

There is no policy in the East Dorset Local Plan which identifies new buildings in association with an employment use to be acceptable in the Green Belt. Therefore this type of application must be considered inappropriate development, unless very special circumstances outweigh the inappropriateness.

In this instance the applicant contends that the existing shower and changing facilities are inadequate both in being limited to one shower in each of the ladies and gentlemen's toilet along with being cramped with no changing area available and no where to store work clothes. It is claimed that if better facilities were provided it would actively encourage more staff to cycle to work. It is explained that there is no alternative accommodation which is suitable within the existing buildings, as all the office accommodation has been fully utilised due to recent partnership projects, thus generating a need for a portacabin to provide the necessary shower facilities.

The applicant has demonstrated that The Cycle to Work Scheme has already been implemented at EDDC, which follows national guidance and initiatives for travel to work. It is argued that if this scheme is to be maintained and new members encouraged, it is essential to provide improved facilities. The applicant concludes that this sustainable form of transport amounts to a special circumstance which would outweigh the harm from the presence of this modest building upon the openness of the Green Belt.

The applicant's case is supported by Planning Policy Statement 1 (PPS1) Delivering Sustainable Development which states that Planning Authorities should provide improved access for all to jobs, community facilities etc, by ensuring that new development is located where everyone can access services on foot, bicycle or public transport, rather than having to rely on access by car. Coupled with this national guidance, Government initiatives (and the initiatives of this Council) have promoted and encouraged staff to cycle to work to improve health as well as reducing car usage. In following this guidance the proposed shower facilities would in turn improve the carbon footprint of the Council Offices.

Furthermore there would be no adverse impact on the residential amenities of nearby dwellings and the proposal would not be visible from them or the street scene of Furzehill and the proposal would be in accordance with Policy DES8.

It is considered, therefore, that 'very special circumstances' exist in this instance to outweigh any harm to green belt policy and the proposal is therefore recommended for approval.

Recommendation: GRANT – SUBJECT TO THE FOLLOWING CONDITION(S):-

Conditions/Reasons:-

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: 5000 - 01, 02, 03, 04 and picture of Wardale Cycle Shelter`

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

- 3 This permission shall expire on 31.07.16 by which date the use shall have been discontinued, any associated buildings or other structures shall have been removed from the land, and the land restored to its previous authorised state as open space in all respects.

Reason: To reserve to the Local Planning Authority control over the long-term use of the land.

- 4 The external faces of the portacabin shall be treated in a dark colour.

Reason : To ensure a satisfactory visual relationship of the new development to the existing

Informatives:

1 In considering the application the Council were mindful of PPS1

Policy Considerations and Reasons

In reaching this decision the policies in the Development Plan for the area, which currently comprises the Bournemouth, Dorset and Poole Structure Plan 2000 and the East Dorset Local Plan, were taken into account. This includes specifically the following policies:DES8

Item Number:	11.	Ref:	3/11/0551/OUT
Proposal:	Erection of marquee between 1st April and 21st October		
Site Address:	Dudsbury Golf Club, 64 Christchurch Road, Ferndown, for Dudsbury Golf Club		
Constraints	Bournemouth International Airport Green Belt LP Historic Contaminated Land Heathland 5km or 400m Consultation Area NATS Technical Sites Open Space		
Site Notice expired:	1 July 2011		
Advert expired:			
Nbr-Nfn expired:	28 June 2011		

Ferndown Town Council Comments: To be reported

West Parley Parish Council comments: To be reported

Consultee Responses:

EDDC Public Health - Housing And Pollution

Object

Even though the applicant's agent suggests there are no material planning considerations to prevent this application I note that the marquee is to be used as an ancillary wedding venue effectively through the warmer summer months. Such a use will regularly involve the use of music and given the site is located some 60 m from residential properties any such use will disturb the residential properties some 60m away.

County Highways Development Liaison Officer

Before I can make my formal recommendation the following should be noted:-

The proposed development appears to be a stand alone facility capable of catering for large weddings and functions. It is clearly well detached from the existing hotel and there would be the potential for more than one event

to be held at a time on the site as a whole. I would therefore expect there to be a contribution under the South East Dorset Transport Contributions Scheme for the increase in trips attributable to the proposed marquee. To inform this the applicant would need to provide a transport statement identifying the likely capacity of the venue and how this translates into increased vehicle trips to and from the site. A separate function facility such as this may also have an impact on the capacity of the existing car park which should also be addressed in the transport statement.

The access is considered adequate to cater for the levels of traffic that could be expected.

Neighbour Comments:

D Burk 143A Object
 Christchurch Road, Impact of promoting events on the neighbourhood, other
 West Parley than to position the marquee behind a bund.
 Applicants make their application claiming a precedent set allowing a smaller marquee on a farm site in Parley. This marquee being 15m x 22m. The Golf Club marquee 15m x 40m located just a double roads width from residential properties.
 No mention is made regarding music or providing alcohol? Your Council refused the previous owners application to build a hotel. You are now being requested to consider a small hotel, spa and function room 50' x 132' on a green belt site!
 No consideration has been afforded to residents such a large marquee would hold around 300 persons and the noise generated can in no way be contained in a tent, even being a bund.
 Project also includes an outside decking area to provide overspill and other activities. It will impose an intolerable nuisance on residents hardly a stones throw across Christchurch Road.

Mr T Smith 89 Object
 Christchurch Road, Erection of a Marquee of this considerable size will attract a
 Ferndown lot of people. This will increase the volume of traffic on the Christchurch Road which is already very busy and extremely noisy, it will cause more pollution etc.
 I assume that it will be used for weddings and other functions and as it has a stage, music will be played. Also alcohol will be served.
 The noise created will cause distress to the residents and as we live directly opposite we would suffer the most.

Mr David Spivey 91 Object

Christchurch Road, 1. Green Belt - Further attempt to consolidate and extend
 Ferndown what should be primarily a Golf Club business into the
 Hotel and Leisure industry in a residential area.
 2. Noise Pollution - Several residential properties are
 within 50m of this proposal, many housing elderly
 couples. The guaranteed noise pollution from amplified
 music and loud people will be horrendous in an
 unsoundproofed tent structure.
 Noise generated would be audible across the valley.
 3. Size - Measuring approx. 40m x 15m this marquee
 dwarfs the Horns Inn and is ludicrous in concept and
 location within Green Belt. Out of character.
 4. Traffic Congestion and Car Parking - During weekends
 when lunches and other activities are being held the
 existing car parking areas are virtually full: add a further
 200 to 300 guests and there will be serious traffic
 congestion and the need for extra parking. There will be
 chaos on an already traffic-saturated Christchurch Road at
 the busiest time of the year.
 5. The owners of Dudsbury Golf Club have under-
 estimated the outrage and impact that this proposal has
 created amongst the residents. They have spent the last 7
 weeks preparing the site and are still working on it under
 the assumption that this atrocity will be erected whatever
 the consequences. It is an affront to all those residents
 who have lived within this area for many years.

Mr & Mrs Green 149 Object
 Christchurch Road, West
 Parley This very large marquee will hold a huge amount of
 people and a stage for a band etc. We already have
 drunken noisy people passing our house at all hours of
 the night, throwing their rubbish/bottles in our garden.
 The noise from a marquee would also be horrendous.

Mr Terry Meads 95 Object
 Christchurch Road, Road,
 Longham As this is green belt land changed over the years from a
 farm to a golf club it now appears to want to be a leisure
 centre. How many of the customers are members of the
 club. Golf seems to be just a distraction. Already we have
 had to put up with late night noise and unexpected
 firework displays now they would like us to have a
 "Temporary "marquee as an application for late night
 drinking was made last year for the entire site what next
 a pop festival its big enough. This is on top of the extra
 traffic generated at times now it is almost impossible to
 get out of our drive for the last month we have had to put
 up with the earthworks for this temporary marquee and if
 it is required for weddings there are already 2 places
 within 2 miles.
 Already we can hear the music late at night from the
 existing venue and this is inside a brick building what

chance have we from a tent directly opposite.
Also I only found out about the application by chance owing to the inappropriate placing of the notice

- Miss Janet Ames 8 Linden Road, West Parley I have no objection to a marquee provided it does not block any views from the present houses but:
1. Is there adequate parking for such a huge tent. Linden Road is narrow and it is clogged up we cannot access our own properties.
2. Noise - this is a quiet area. We can already hear and be disturbed by noise from Pelhams and even Matchams and they are a long way away. We do not want fireworks either except at New Year .
- Mrs G Wells 1 Linden Road, West Parley Object
The noise from this venue would carry far. It is quite unsuitable for any type of music. It is a large marquee and would require another large car park plus toilets etc and would be a blot on a lovely green belt landscape. I am sure this area is not the best place to start using marquees for this purpose and should be turned down for development.
- Miss W Hammett 7 Linden Road, West Parley Object
This is a very large marquee and as it has a stage inside I assume it will be used to play music. It is not possible to soundproof a marquee and I am very concerned that such functions may continue until late in the night. I hope that any permission that is given is restricted to music being played only up to 11pm.
- Mrs M Cole Oak Gate Cats Hotel, Christchurch Road 79 Object
Noise pollution will be awful with the venue so close to Christchurch Road. I have recently moved to this address and already am surprised by the amount of late noise from people living the clubhouse/premises.
Green Belt
Increase in traffic
The peace and tranquility of the area will be lost.
- Mr A L Elliott 83 Christchurch Road, Ferndown Object
1. Noise pollution. Existing noise caused by people will become intolerable if added to this is a purpose built stage and arena. There is no way, irrespective of a bund or insulation ,that the noise from such a venue will not travel across most of the Parley/Dudsbury and Longham area.
2. Green Belt. The marquee will stick out right across the valley.
3. Thought that there were no other plans for extensions to existing facilities.

4. Where will toilet facilities be?
5. Civil unrest.
6. Increase in traffic, disturbance of wildlife and light pollution.

Mr & Mrs Byrne 141 Christchurch Object
Road, West Parley

Mrs R Seaton 77 Object
Christchurch Road, We already suffer noise from many of the late night
Ferndown revellers and the additional noise from a structure of
this magnitude will make life unbearable.
This is Green Belt area and not suitable for a musical
venue. The marquee cannot be soundproofed even if
built behind a wall of earth, the impact will be seen
across the Avon belt. Wildlife will be affected.
Where are the WCs and how many are allowed inside
the tent?

Mr S R Redman 137 Object
Christchurch Road, Likely increase in late night noise. Already have a
Ferndown considerable amount of disturbance from revellers
exiting the three existing places of alcohol
establishments in the neighbourhood which disturbs
our sleep. They have come through our front gate
causing us concern. We have lived here for 25 years,
the owners of the golf course have already taken away
our view. Firework displays are annoying. Further
accommodation for parties, weddings etc. is unlikely to
gain much favour from us and residents close to this
proposal.

R G & Mrs C A Attwood Object
"Stour View", 147 Noise from music and people.
Christchurch Road Already hear all the noise from the Golf Club when
they hold functions but a marquee would be
horrendous.
Have the Golf Club any idea how the residents
opposite feel?

Mr Peter Miller 50 Object
Christchurch Road, 1. Noise - From amplified music and loud people
Longham leaving a function. This is a tent whose material
cannot be adequately sound insulated and on a hot
evening the sides will be thrown open. There is no
control over noise in the car park as people leave the
club, at times up to one or two a.m., this noise will be
greatly increased by the number the marquee will be
able to contain.
2. Size - The marquee is greater in size than either
The Horns or White Hart pubs and is capable of

holding 200 people who will all need transport. This is not acceptable in a green belt residential area.

3. Toilets - The nearest toilets would be at least 100m away. Inconvenient on a wet evening.

4. Why - The club already has function rooms, bars and restaurant, all of which are capable of proper sound insulation. Is this not enough?

Out of character and appearance. Will not respect the amenities of neighbouring residents.

It appears that all the groundwork has been done.

Mrs S P Weeden
Broadmead, 135
Christchurch Road

Object

Although planning has not yet been granted work is already in progress.

Proposed marquee is apparently to be used for weddings and other functions and will have a stage. This I presume would be for a live band or DJ so there will be loud music with only the thickness of the canvas keeping it from annoying the local residents.

I am strongly opposed to this proposal and I also speak for Mr & Mrs Redman from 137 and Mr & Mrs Ridout from 131. We have to put up with drunken people leaving the Golf Club after a function. These people can be very loud and have thrown glasses into our garden and urinate in our driveway. Also with this live music and the prevailing wind blowing towards our houses this is most certainly going to disturb the peace. Over the years we have had to put up with more and more from the Golf Club be it noise, fireworks or drunkards. I think this marquee would be the final straw and if this were allowed to go ahead we would have to contact the police with regard to the disturbance.

Officers Report:

This application is brought to Committee due to the part retrospective nature of the proposal and the number of objections received.

The Proposal

This application is for the erection of a marquee between the months of April and October for use as an ancillary wedding venue approximately 80m to the west of the existing golf clubhouse to the south of the Christchurch Road (B3073). The proposed marquee is 40 metres long by 15 metres wide and 5.7m high to ridge and is to be erected on a substantial and permanent deck base. The decked area covers an area of 840 sq.m and will remain on site for the rest of the year when the marquee is taken down. The submitted plan also shows a bund approx 2.5 metres raised between the marquee site and the tree belt that forms the boundary of the site with Christchurch Road. The land is within the South East Dorset Green Belt.

A recent site visit revealed that the substantial timber carcassing for the marquee base had already been constructed and the area of decking to the south of the marquee had been laid. In addition the bund had been raised against the northern boundary. This bund was of bare earth and appeared to be of recent construction. To the east and abutting the marquee site the land had been levelled and a hardcore base laid with a 2m fence under construction around the levelled area comprising concrete posts with timber panel infill, giving the appearance of an enclosed parking area. This impression is reinforced by the raised kerbing leading to the marquee site. The application form and planning statement states that permission is being sought for the marquee only although the submitted drawings show the bund and the area of decking to the south of the marquee site. The erection of the bund and the levelling of the area which has been laid out for (presumably) parking are an engineering operation that would require express planning permission. However, this report will focus solely on the proposed marquee and its immediate works as described on the application form.

Planning History

The Golf Club has an extensive planning history, part of which relates to its original function as a golf club and more recently, planning applications to provide a 17 bedroom hotel extension and spa, reception area with lounge and bar above which was granted contrary to the Officer recommendation on 11.2.2010 which increased the floor space of the clubhouse by approx. 890sqm.

Policy

National Planning guidance regarding development in the Green Belt is set out in Planning Policy Guidance 2: Green Belts. The site is within the open countryside therefore Policy CSIDE1 will also apply. Policy DES2 resists any development that would impose any unacceptable impact by way of noise or other pollution and is also a relevant consideration.

Considerations

The principal consideration is the effect of this proposal upon the openness and amenity of the South East Dorset Green Belt. The guidance contained in PPG2 requires any local planning authority to establish whether the use falls within a number of purposes that are considered appropriate development within the green belt (subject to it meeting any other considerations) and secondly, if the proposal is considered inappropriate development, whether any harm by reason of inappropriateness and any other harm is clearly outweighed by other considerations.

As members will be aware, inappropriate development is, by definition harmful to the Green Belt and in such cases it is for the applicant to show why permission should be granted. Very special circumstances will not exist unless the harm by reason of inappropriateness and any other harm are clearly outweighed by other considerations. PPG2 states that in view of the presumption against inappropriate development, the Secretary of State will attach substantial weight to the harm to the green belt when considering any planning application or appeal concerning such development.

It is considered that the principal and historic use of the site is as a private golf club with associated recreational facilities. The hotel accommodation recently constructed is ancillary to this use. One of the uses listed in PPG2 as potentially appropriate in the Green Belt are 'essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land that preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it'

This concept is further refined by para. 3.5 of PPG2 which states 'Essential facilities should be genuinely required for uses of land which preserve the openness of the Green belt and do not conflict with the purposes of including land in it. Possible examples of such facilities include small changing rooms or unobtrusive spectator accommodation for outdoor sport, or small stables for outdoor sport and outdoor recreation'.

It is considered that the proposed marquee and its associated works are not related to the historic function of a golf club but with the development of the site as a venue for social functions. The Design and Access Statement is clear that the marquee is to be used in connection with weddings held at the hotel. The use of land in connection with social functions is clearly not within one of the uses referred to on Para. 3.4 of PPG2. It is therefore by definition inappropriate development in the green belt.

PPG2 recognises that the most important attribute of green belts is their openness and recognises uses of land which preserve openness and which do not conflict with the purpose of including land on it.

The proposed marquee will be a substantial structure on a permanent decking base set some distance from the clubhouse. Because of its size, bulk and position in the landscape it is considered that it would have a considerable and unacceptable impact on the openness of the Green Belt and likely to result in additional visual harm over and above the harm in principle.

Given the inappropriate nature of the development and the additional visual harm caused it is necessary to examine whether there are any very special circumstances that must exist to override the strong presumption against inappropriate development in the green belt. The applicant has not advanced any very special circumstance in support of the application in the design and access statement. However, a subsequent e-mail from the applicants Agent states;

"At the moment, once guests have eaten, the restaurant is cleared and the evenings entertainment is held in there. This marquee would avoid the need to clear away tables and chairs in the restaurant every time and provide an ancillary entertainment space."

Guidance from appeal decisions and advice notes is that only the most compelling special circumstance should be allowed to succeed. Economic advantage or development, or the convenience of operation of the business is not sufficient reason. It is self evident that the main driver for this application is the economic expansion of the hospitality element that has grown from the original recreational use. The need and convenience for the marquee does not constitute a 'very special circumstance'. The clubhouse is already a substantial building with a function facility and the application must be considered in the same light as a further 'semi permanent' extension to this facility.

The Agent does refer in the Design and Access Statement to a planning permission granted by Christchurch Borough Council for a wedding venue marquee at Parley Court Farm granted initially in 2006 and made permanent in 2009. While each application should be decided on its merits, your officers have no information as to the very special circumstances that may have been put forward in that case. However, this does not set a precedent or commit this Council in any way.

Some Members may be aware of the 2008 appeal decision against this Council's decision to take enforcement action against a canvas covered golf driving range shelter at Sturminster Marshall Golf Club, Moor Lane, Sturminster Marshall. The marquee had an overall length of 34m, width of 4m and height of 4m.

In that decision notice the Inspector considered that the marquee "because of its size and bulk, the structure has a considerable and unacceptable impact on the openness of the Green Belt and I attach considerable weight to this harm". The Inspector then noted that Para. 3.4 of PPG2 stated that essential facilities genuinely required for outdoor sport and outdoor recreation may not be considered inappropriate development: In this case the shelter was not an essential use as described in PPG2 because although advantageous to users it was not essential, and therefore inappropriate development in the Green Belt. This harm was worsened by its utilitarian appearance and its visibility from the golf course. He stated that even if the structure was not visually harmful it would still have an unacceptable effect on the openness of the Green Belt.

Policy CSIDE1 of the Local Plan states that development that would damage the rural character of the countryside will not be permitted. It then lists a number of criteria which any development must satisfy. Para. (d) requires that any development shall not harm the visual amenities of the countryside by reason of the scale, siting, materials and design of any structures used, or car parking. The proposal will harm the character of this edge of settlement rural area due to the size and prominence of the proposed marquee.

The Pollution Control Manager has objected on the grounds that the use will involve the use of music during the summer months and will harm the amenities of the occupiers of nearby properties some 60 metres away by noise nuisance contrary to Policy DES2 of the Local Plan. A stage is shown within the marquee. The applicant has subsequently indicated that the tent could have 'acoustic lining' built in to the fabric. Whilst no technical details have been submitted, your Pollution Control Manager still has concerns over the siting of the marquee as the sides and doors may be open in hot weather. "Furthermore, given the proximity of the residential properties to the marquee and the volume of music that is likely to be played to entertain guests, together with the fact that it is music and hence will have a bass content, then I doubt that the insulation would perform sufficiently well to achieve the necessary noise reduction".

The Highways Development Liaison officer considers that due to the level of detachment from the existing clubhouse there would be the potential for more than one event to be held at one time. This would generate a contribution under the South East Dorset Transport Contribution Scheme for the trips attributable to the

proposed marquee. Further clarification on this issue has been requested on this issue and the outcome of any discussions will be reported to the Committee.

Summary

This proposal represents inappropriate development in the Green Belt. Although no very special circumstances are put forward in support, it is clear that the proposal is to enable the economic development of the club as a wedding venue and for convenience of operation. This is not sufficient justification to overcome the very strong presumption against inappropriate development within the Green Belt.

In addition, the marquee and its associated platform and decking would be highly visible from the golf course and the open areas to the south. The proposal would therefore likely to have an unacceptable impact on the countryside.

There are also concerns in relation to the siting of the proposal and the likely impact of noise and disturbance to the occupiers of nearby residential properties.

Finally, there may be an additional issue on the failure to provide a Unilateral Obligation to secure a contribution under the South East Dorset Transport Contribution Scheme.

Recommendation: REFUSE – FOR THE FOLLOWING REASON(S):-

Reasons:-

- 1 This proposal to erect a 40 metre by 15 metre marquee on this site is inappropriate development in the green belt as defined by Paragraph 3.4 of PPG2 - Green Belts. Inappropriate development is by definition harmful to the green belt. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness and any other harm is clearly outweighed by other considerations. The applicants have produced no compelling evidence that there are very special circumstances that are sufficient to overcome the general presumption against inappropriate development within the green belt. For all of the above reasons the proposal is contrary to the guidance contained in Planning Policy Guidance 2 - Green Belts.
- 2 Policy CSIDE1 of the Local Plan states that development that would damage the rural character of the countryside will not be permitted and lists a number of criteria which any development must satisfy. Para. (d) of that list requires that any development shall not harm the visual amenities of the countryside by reason of the scale, siting, materials and design of any structures used, or car parking. The proposal will harm the character of this edge of settlement rural area due to the size and prominence of the proposed marquee from the adjoining open countryside contrary to Policy CSIDE1 of the East Dorset Local Plan.
- 3 The proposed use of the marquee for entertainment will involve the use of music during the summer months and will harm the amenities of the occupiers of nearby properties some 60 metres away by noise nuisance for which there

would be no reasonable remedy available contrary to Policy DES2 of the East Dorset Local Plan.

- 4 Almost all development in the South East Dorset area, however small, will impact on transport networks and services, exacerbating existing problems. On 16 November 2009 the local planning authority adopted Interim Guidance, "South East Dorset Transport Contributions Strategy", that requires development in the South East Dorset area to make a financial contribution towards the implementation of schemes designed to alleviate problems caused by the cumulative and cross border impacts of developments on the transport networks and services. No contribution has been made by the applicant and no commitment to a contribution has been secured through a Planning Obligation. Nor has any evidence been submitted to demonstrate that the development would not exacerbate existing transport problems in South East Dorset. The development is therefore contrary to Planning Policy Guidance Note 13 "Transport", ODPM Circular 05/2005 "Planning Obligations", saved Implementation Policy E of the Bournemouth, Dorset and Poole Structure Plan and Policy Trans14 of the East Dorset Local Plan 2002.

Informatives:

- 1 This application has been appraised against the guidance contained in PPG2 - Green Belts.

Policy Considerations and Reasons

In reaching this decision the policies in the Development Plan for the area, which currently comprises the Bournemouth, Dorset and Poole Structure Plan 2000 and the East Dorset Local Plan, were taken into account. This includes specifically the following policies:DES2 CSIDE1

3. IMPLICATIONS

Corporate Plan & Council Objectives

- 3.1. To ensure East Dorset's natural and built environment is well managed.

Legal

- 3.2. The Council is the Local Planning Authority and has delegated to the Planning Committee the responsibility for determining planning applications in accordance with the provisions of the Local Plan, statutory and non-statutory guidance in the form of legislation and Planning Policy Statements.

Environmental

- 3.3. Any issues are contained within the body of this report.

Financial and Risk

- 3.4. The risk implications relate to the potential for judicial review or maladministration if the applications being reported have not been considered

properly in a procedural sense or there is a substantial flaw in the consideration.

Equalities

- 3.5. Planning application determination requires a positive and questioning approach by the decision maker to equality matters. Where a particular issue requires a focused consideration there will be a reference in the particular report.

Background Papers: Planning application files relating to the above applications.