



Planning Committee Agenda

Wednesday, 6 December 2017, 9.30 am

**Quarter Jack Suite, Allendale Community Centre, Hanham Road,
Wimborne Minster, Dorset BH21 1AS**

Committee Membership:

Chairman:

Cllr M R Dyer

Vice Chairman:

Cllr Mrs T B Coombs

Cllr D B F Burt

Cllr R D Cook

Cllr B Goringe

Cllr Mrs G Logan

Cllr Mrs C Lugg

Cllr Mrs B T Manuel

Cllr D Morgan

Cllr B E Mortimer

Cllr D G L Packer

Cllr J L Robinson

Cllr D W Shortell

The business to be transacted is set out overleaf

**DAVID MCINTOSH
CHIEF EXECUTIVE**

28 November 2017



Available online and
on the Mod.gov app



For further information please contact Daniel Reynafarje on 01202 795054 or email
democraticservices@christchurchandeastdorset.gov.uk

Corporate Plan Key Themes – 2016 to 2020

Cabinet Membership:-

Councillor Spencer Flower	Leader
Councillor Simon Gibson	Deputy Leader and Housing Portfolio Holder
Councillor Simon Tong	Change and Transformation Portfolio Holder
Councillor Andy Skeats	Community Portfolio Holder
Councillor Mike Dyer	Economy Portfolio Holder
Councillor Barbara Manuel	Environment Portfolio Holder
Councillor Steve Butler	Health and Wellbeing Portfolio Holder
Councillor Ray Bryan	Performance Portfolio Holder
Councillor Robin Cook	Planning Portfolio Holder

Our Priority Areas...

GROWTH AND ECONOMY

- During the plan period we will:
- **GE1** Maintain an adequately resourced Growth Plan to positively influence the local economy in our area
- **GE2** Work with our leading businesses to lobby effectively on strategic matters
- **GE3** Enhance our reputation as being a place which is “open for business”

EFFECTIVE COUNCIL

During the plan period we will:

- **EC1** Focus on collaboration and partnership in the delivery of services
- **EC2** Deliver services more efficiently
- **EC3** Maintain strong and sustainable financial performance
- **EC4** Maintain a strong reputation and recognition for the Partnership’s achievements
-

ACCESS TO HOUSING

During the plan period we will:

- **AH1** Deliver new homes in line with our 5 year land supply targets
- **AH2** Increased provision of temporary accommodation
- **AH3** Respond positively to Government Housing Policy

SAFE AND HEALTHY COMMUNITIES

During the plan period we will:

- SC1** Help our communities to be stronger and more resilient
- SC2** Promote healthy and active lifestyles
- SC3** Keep crime levels low

MANAGING OUR ENVIRONMENT

During the plan period we will:

- **ME1** Work with partners to maintain clean and green public spaces
- **ME2** Balance growth and development with the conservation of our built and natural heritage
- **ME3** Work with partners to ensure the most effective and efficient approach to the management of waste

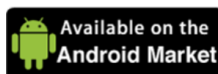
To view the Corporate Plan in full please go to <https://www.dorsetforyou.com/article/362527>



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Agenda

1. **Apologies for Absence**

The Democratic Services Officer to report any apologies for absence.

2. **Declarations of Interest**

Members are reminded that any disclosable pecuniary interests must be declared including any issues which may arise through pre-determination or bias.

Pro forma for this purpose are available from the Members' Room.

3. **Background Papers**

In addition to any specific background papers referred to the relevant background papers for written reports and agenda items comprise replies to consultations, objections and representations; relevant structure and Local Plans; and the file of the Council's related policies.

4. **Minutes**

To confirm the Minutes of the meeting held on 8 November 2017 (copy herewith)

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5. **Presentations by the Public**

Members of the public wishing to speak to the Committee on a planning application should notify the Democratic Services Officer listed on the front of this agenda. This must be done no later than two clear working days before the meeting. The Democratic Services Officer will provide full details on the public speaking process.

6. **Schedule of Planning Applications**

To consider the planning applications contained within the schedule and to receive details of any withdrawn or requested deferred applications, if any (See Overleaf)

No other items of business can be considered unless the Chairman decides the matter is urgent for reasons that must be specified and recorded in the Minutes.

Schedule of Planning Applications

- | | |
|---|---------|
| <p>a. Land to the East of Cranborne Road, Wimborne</p> <p>3/17/1389/RM</p> <p>Reserved matters details (following approval of 3/14/0016/OUT) for the first phase of development off Cranborne Road comprising: the construction of 318 residential dwellings of which phase 1a is 64 plots (first phase plots 1-64); public open space; vehicular, cycle and pedestrian access; access for the proposed first school; landscape planting; surface water attenuation features; foul water pumping station and associated infrastructure (as amended by plans rec'd 11.8.17, 15.8.17, 20.10.17 & 17.11.17)</p> <p>Case Officer: Katie Lomax & Elizabeth Adams</p> <p>Recommendation: Grant</p> | 11 - 38 |
| <p>b. 16 Whincroft Drive, Ferndown</p> <p>3/17/2066/HOU</p> <p>Single storey extension to front and rear. Raise and extend roof to create habitable living accommodation within extended roof space. Demolish existing porch.</p> <p>Case Officer: David Staniland</p> <p>Recommendation: Grant</p> | 39 - 50 |
| <p>c. 38 Golf Links Road, Ferndown</p> <p>3/17/2250/CONDR</p> <p>Variation of condition 2 (plans) to add two additional high level rooflights and removal of conditions 6 (obscure glazing) and 7 (privacy screens) of application 3/16/0717/FUL (amended plans received 7.11.17).</p> <p>Case Officer: Elizabeth Adams</p> <p>Recommendation: Grant</p> | 51 - 62 |
| <p>d. Sylvestris, Stapehill Road, Ferndown</p> <p>3/17/2673/HOU</p> <p>Retrospective permission for s/s extension forming a utility room and s/s extension to garage to form play room with the removal of the car port and conservatory (lawful developments) and the removal of the remaining Class E Permitted Development Rights for the erection of new buildings within the grounds (resubmission of refusal 3/17/0449/HOU dated 12th April 2017)</p> <p>Case Officer: Elizabeth Adams</p> <p>Recommendation: Refuse</p> | 63 - 74 |

EAST DORSET DISTRICT COUNCIL

PLANNING COMMITTEE

Minutes of the Meeting held on 08 November 2017 at 9.30 am

Present:-

Cllr M R Dyer – Chairman

Cllr R D Cook – Vice-Chairman

Present: Cllr D B F Burt, Cllr B Goringe, Cllr Mrs G Logan, Cllr Mrs C Lugg,
Cllr Mrs B T Manuel, Cllr D Morgan, Cllr B E Mortimer,
Cllr D G L Packer and Cllr D W Shortell

Apologies: Cllr Mrs T B Coombs and Cllr J L Robinson

223. Declarations of Interest

There were no declarations of interest made on this occasion.

224. Background Papers

The Chairman informed the Committee that in addition to any specific background papers referred to, the relevant background papers for written reports and agenda items comprise of replies to consultations, objections and representations; relevant structure and Local Plans; and the file of the Council's related policies, copies of which had been available for inspection by Members prior to the meeting.

225. Minutes

The Minutes of the meeting held on 11 October 2017 were confirmed and signed as a correct record.

226. Presentations by the Public

Representations by the public to the Committee on individual planning applications are detailed below. There were no questions, petitions or deputations received on other items on this occasion.

227. Election of Vice-Chairman

RESOLVED that Councillor R Cook be elected as Vice-Chairman of the Planning Committee for the remainder of the meeting.

Voting: Unanimous

228. Schedule of Planning Applications

The Development Management Manager submitted written reports, copies of which had been circulated to each Member and a copy of which appears as Appendices 'A'-'D' to these Minutes in the Minute Book.

Members considered the planning applications as set out in Minutes 229-232 below.

229. 16 Whincroft Drive, Ferndown

Application No: 3/17/2066/HOU

Development: Single storey extension to front and rear. Raise and extend roof to create habitable living accommodation within extended roof space. Demolish existing porch

Updates

Members were informed of two further letters of representation received on 30/10/2017 raising the following concerns:

- The proposals are for a 5 bedroom overpowering 2 storey property both unsuitable and out of character with the area.
- The two storey extension to the front of the bungalow is unacceptably large and too far forward creating an adverse overbearing effect on the character of the street scene.
- The access is very narrow with 3 converging drives and associated vehicle/manoeuvre problems in the road.
- There is Government quarters and society that bungalows are becoming scarce. As such this proposal will reduce the number of retirees bungalows that could allow the quicker release of “off the shelf” houses.
- Numerous established tree and bushes have been removed within the site. If retained they would have helped to soften the impact of any development on the locality.
- Comparisons with No.4 Whincroft Drive show that the roof mass proposed here is bigger than at that address and No.4 is in a totally different location. There are no roof dormers to the front of No.4 unlike as here proposed.
- The plans submitted are not user friendly lacking dimensions and detail.
- The footprint of the property will not allow parking space for such a property and will inevitably means cars being parked on and blocking the road.
- There is no justification for such a drastic change to a current retirement property which as it stands is in keeping with the area.
- If allowed it will open the flood gates for other developments of an unsatisfactory nature in the road.

Public Speaking

Mr Roberts, a resident of Whincroft Drive, spoke in objection to the application stating that there was no precedent set for such a proposal and it was out of character with area, overpowering, and too large for the location and street scene. He raised concern with loss of privacy, loss of amenity, poor design, overlooking issues, and loss of trees and shrubs.

Mr Webster, a resident of Whincroft Drive, spoke in objection to the application stating that there was no substantial change from the previous

refusals. He felt it was still too big, too high, dominant, too close to the front boundary, and out of character with the area. He also raised concerns with car parking, access constraints, and setting a precedent.

Mr Buckingham, the agent for the applicant, spoke in support of the application stating that the proposal was not out of character with the area and had addressed the previous reasons for refusal including considerably reducing the bulk and floor area.

Cllr S Lugg, the local Ward Member, spoke in objection to the application stating that there was no significance difference between the refused application and this proposal. He raised concern with the lack of biodiversity, affordability issues, and setting a precedent.

Debate

Members raised concern over further information received from an objector. It was noted that planning officers and some Members had not seen the additional information. It was then proposed to defer the application, which was seconded and agreed:-

RESOLVED that Application No 3/17/2066/HOU be DEFERRED until all additional information is obtained for consideration by Officers and Members of the Committee.

Voting: 7:3

230. 6 Windsor Close, St Leonards/St Ives, Ringwood

Application No: 3/17/2072/FUL

Development: Sever land and erect a 2 bedroom bungalow (revised scheme) (Revised parking plan submitted 18/08/17)

Updates

Members were informed that an incorrect site plan was included in the Planning Committee Agenda Pack – the plan provided shows the site plan that was previously dismissed at appeal.

Members were also informed that the St Leonards and St Ives Parish Council were re-consulted on a revised Site Plan 8578/300 Revision B on 01 September 2017 – Officers were informed that this revised plan was not initially considered by the Parish Council. Subsequently after reviewing the revised plan, the Parish Council had withdrawn their speaker.

Members were informed that a further revised site plan has been provided by the applicants, Site Plan 8578/300 Revision C – this varies from the previous Site Plan (Revision B) only in that a streetscene elevation was added to the plan.

Public Speaking

Mr Edwards, a neighbouring resident of Windsor Close, spoke in objection to the application raising concerns with the proximity of the proposal to the neighbouring boundary, the size of the proposed access, loss of character to the streetscene, parking issues, overlooking issues, loss of outlook, loss of privacy, loss of light, and setting a precedent.

Mr Howells, the agent for the applicant, spoke in support of the application highlighting that the proposal addressed and overcame all the concerns raised by the appeal inspector on the previously refused scheme.

Debate

Members agreed with the officer's recommendation, but felt conditions should be added to prevent overlooking to the neighbouring property including obscure glazing to the utility room and 2 metre close-boarded fence along the south boundary.

RESOLVED that Application No 3/17/2072/FUL be GRANTED in accordance with the officer recommendation subject to the following additional conditions:

- 13. Both in the first instance and upon all subsequent occasions the ground floor window on the southern elevation lighting the utility room 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 windows or doors shall be constructed at first floor level (such expression to include the roof), unless otherwise agreed in writing by the Local Planning Authority.**
- 14. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. These details shall include a 2m close boarded fence along the southern boundary of the site adjoining No.5 Windsor Close. The boundary treatment shall be completed before the building is occupied. Development shall be carried out in accordance with the approved details.**

Voting: Nem Con (1 Abstention)

231. Heatherlands Centre, Barns Road, Ferndown

Application No: 3/17/2178/FUL

Development: Refurbishment and infill extension to upgrade existing facilities for community requirements and the creation of a car park (AMENDED DESCRIPTION)

Public Speaking

Cllr S Lugg, the local Ward Member, spoke in support of the application highlighting the need for the proposal in order for the centre to deliver accessible services.

RESOLVED that Application No 3/17/2178/FUL be GRANTED in accordance with the officer recommendation.

Voting: Unanimous

232. Allendale Community Centre, Hanham Road, Wimborne Minster

Application No: 3/17/1031/FUL

Development: Erect Flagpole not exceeding 8m in height in frontage of Allendale Community Centre. Flagpole to be white Glass Reinforced Plastic (GRP) with silver finial and concealed cord to prevent vandalism. Location in existing planting bed in immediate frontage of Community Centre. (RETROSPECTIVE)

RESOLVED that Application No 3/17/1031/FUL be GRANTED in accordance with the officer recommendation.

Voting: Unanimous

233. Outcome of Appeal Decisions

A report was submitted, for information, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'E' to these Minutes in the Minute Book.

Members were informed of appeal decisions and were requested to take them into account as a material consideration in the Planning Committee's future decisions.

The meeting ended at 11.20 am

CHAIRMAN

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REPORT SUMMARY

REFERENCE NO.	3/17/1389/RM
APPLICATION PROPOSAL	Reserved matters details (following approval of 3/14/0016/OUT) for the first phase of development off Cranborne Road comprising: the construction of 318 residential dwellings of which phase 1a is 64 plots (first phase plots 1-64); public open space; vehicular, cycle and pedestrian access; access for the proposed first school; landscape planting; surface water attenuation features; foul water pumping station and associated infrastructure (as amended by plans rec'd 11.8.17, 15.8.17, 20.10.17 & 17.11.17)
ADDRESS	Land to the east of Cranborne Road, Wimborne
RECOMMENDATION	- Grant, subject to conditions: (see Section 9 of the report for the full recommendation)
REASON FOR REFERRAL TO COMMITTEE	At the request of Members because the application relates to a Core Strategy Option Site.
SUMMARY OF REASONS FOR RECOMMENDATION	<ul style="list-style-type: none"> • The site is allocated for residential development in the Christchurch and East Dorset Local Plan Part 1 - Core Strategy 2014 through Policy WMC7 (North Wimborne New Neighbourhood). • The principle of residential development for up to 630 dwellings on the wider Wimborne New Neighbourhood site was agreed under outline planning application 3/14/0016/OUT. • Vehicular access into the site from Cranborne Road and the route of the spine road was agreed under reserved matters approval 3/17/1390/RM. • Adequate biodiversity mitigation was secured at outline planning stage through planning conditions and a Section 106 Agreement. A Suitable Alternative Natural Greenspace (SANG) will be provided to the north and east of the site. This meets the requirements of the Habitat Regulations. • The proposal is acceptable in its design and general visual impact. The proposed appearance, layout, and scale of the dwellings would respect the character and visual amenities of the area. • The number of residential units and mix of unit sizes are considered to be appropriate for the site. • The legal agreement secures 32% affordable housing with 70% for affordable rent proposal and 30% as shared ownership. 10% of the affordable housing is to be provided to 'M4(2) Cat 2 Accessible and Adaptable Standard', providing accommodation for people with disabilities. The current proposal will provide 15 affordable dwellings (23%) of which 66% will be for affordable rent (AR) and 33% shared ownership (SO) which in the context of the wider site proposal is acceptable.

- The proposed landscaping of the site would respect the character and visual amenities of the area.
- The proposed highway layout is acceptable and adequate parking is proposed for the dwellings.
- There are no material circumstances which would warrant refusal of this application.

INFORMATION ABOUT FINANCIAL BENEFITS OF PROPOSAL

The following are considered to be material to the application:

Contributions to be secured through Section 106 legal agreement: Legal Agreement secured as part of 3/14/0016/OUT

Contributions to be secured through CIL: None- nil rated site

Net increase in numbers of jobs: unknown

Estimated increase/ reduction in average annual workplace salary spend in District through net increase/decrease in numbers of jobs: unknown

The following are not considered to be material to the application:

Estimated annual council tax benefit for District: approx. £13,269

Estimated annual council tax benefit total: £117,731

Estimated annual new homes bonus per residential unit, per year (for first 4 years): £1,200 approx. *(NB. based on current payment scheme, the assumption that the 0.4% housing growth baseline is exceeded and assuming this baseline is reached through the delivery of other new homes)*

APPLICANT	Bloor Homes Limited	AGENT	Mrs Lindsay Goodyear
WARD	Colehill West	PARISH/ TOWN COUNCIL	Wimborne
PUBLICITY EXPIRY DATE	24 October 2017	OFFICER SITE VISIT DATE	13 June 2017
DECISION DUE DATE	1 September 2017	EXT. OF TIME	9 November 2017

RELEVANT PLANNING HISTORY

App No	Proposal	Decision	Date
3/14/0016/OUT	Residential development of up to 630 dwellings, a new local centre, a replacement and extended Wimborne First School, public open space and new allotments together with new access, streets and other related infrastructure (All Matters Reserved)	Granted	13.03.17

Accompanied by a legal agreement securing a package of contributions, both financial and associated development:

- 32% affordable housing (approximately 200 dwellings)
- Provision of land for the construction of a new three form County first school to replace Wimborne First School
- Funding towards primary and secondary education
- Funding towards highway infrastructure improvements in Wimborne and Colehill
- Funding to secure the creation and management of the Suitable Alternative Natural Greenspace (SANG)
- Provision and management of public open space
- The provision of an open space corridor incorporating play spaces
- Funding for the Council or their nominee to maintain play spaces and the open space corridor
- The construction of a pedestrian bridge across the River Allen (subject to planning) or a financial contribution towards its provision
- Provision of land set out for allotments and the construction of an allotment pavilion
- Funding towards sports facilities in Wimborne and Colehill
- Funding for community facilities in Wimborne and Colehill
- The implementation of the Travel Plan

The above benefits are subject to a number of trigger points, the first being commencement of development (being material operations not including works site clearance, investigations, contamination remedial work etc. and works associated with providing services or access to the school site or any development on the school site).

App No	Proposal	Decision	Date
3/14/0017/COU	Change of use of agricultural land to form Suitable Alternative Natural Greenspace (SANG)	Granted	13/3/17
3/17/1390/RM	Reserved matters for the main access junctions, spine road and school access road, foul water pumping station and associated infrastructure to serve urban development off Cranborne Road approved by application 3/14/0016/OUT	Granted	5/10/17
3/17/2868/DCC	New school building (15 classrooms) with hall, meeting rooms, specialist teaching rooms and associated landscape works	Dorset County Application under consideration	To be determined

MAIN REPORT

1.0 DESCRIPTION OF SITE AND SURROUNDINGS

- 1.01 Outline permission 3/14/0016/OUT formalised the principle of the development of a new neighbourhood on 24.3ha of agricultural land north of the urban area of Wimborne as allocated by policy WMC7 of the Christchurch and East Dorset Local Plan.
- 1.02 This is the second Reserved Matters application submission. Permission 3/17/1390/RM was granted in September for access, appearance, layout and scale of the infrastructure to serve the residential and school development sites.
- 1.03 The current application relates primarily to the parcel east of Cranborne Road which has a valley form; land levels are highest to the north west and to the southeast as the land banks gradually away from the stream, which runs through the site north-east to south-west and is then culverted through the gardens of properties in Walford Close.
- 1.04 The site is bound by Cranborne Road to the west and lies adjacent to agricultural land to the north, and east. Suitable Alternative Natural Greenspace (SANG) is to be created around the eastern part of the new neighbourhood to the north, east and southeast (3/14/0017/COU). A new boundary with the adjoining agricultural holding is to be demarcated by new hedging. Allotments are to be created north of the residential site adjacent to Dogdean. Immediately south east of the site lies the Burts Hill Conservation Area, within which part of the SANG is situated. To the immediate south is residential development in Walford Close, which previously marked the northern extent of the urban boundary, and further south lies Walford Bridge which represents the entrance into the Wimborne Conservation Area.
- 1.05 The application also involves part of the land parcel to the west of Cranborne Road which is a hillside rising up from the river a ridge north of the development site.

2.0 PROPOSAL

- 2.01 Permission is sought for the first phase of development off Cranborne Road comprising: the construction of units 1-64 which are the first phase of the 318 residential dwellings on the eastern parcel; public open space; vehicular, cycle and pedestrian access; access for the proposed first school; landscape planting; surface water attenuation features; foul water pumping station and associated infrastructure.

All five reserved matters- the access, appearance, layout, scale and landscaping- are incorporated in this application

2.02 The proposal identifies an initial 64 dwellings to be provided as part of Phase One of the residential development of the site. All of the 64 units proposed are dwellings and the majority are two storey; nine 2.5 storey properties are proposed along the southern side of the spine road. 23% of the units within this phase are affordable. The application details the appearance of the proposed dwellings and indicates that the materials will be traditional, red/orange brick with some render and hanging tile details and with plain or slate effect tiled roofs. The specific materials are subject of a separate condition on the outline consent.

2.03 The proposal also includes landscaping details for an area of Public Open Space to the north of the whole site, a green corridor through the site following the course of the stream, the detention basin/pond and a kick about area which forms a focal point to the development on the eastern side of Wimborne Road.

2.04 As part of this application details have also been submitted to discharge the following conditions:

Condition 4: existing and proposed ground levels

Condition 8: access and highway layout

Condition 11: compliance with or ACPO Secured by Design New Homes 2014

Condition 12: landscaping

Condition 14: Hard landscaping and highway traffic management features

Condition 15: Tree protection

Condition 21: at least 10% of energy from renewable sources & district heating options investigated

Condition 22: energy statement

2.04 Outline permission included the requirement at condition 2 that the development shall accord with three parameter plans, namely:

- Land Use and Open Spaces Plan (PARP05 Rev P) - sets out the areas for residential, local centre and school development together with SANG and open spaces
- Movement Plan (PARP04 Rev K) - establishes the location of the key access points and main vehicle routes
- Landscape Plan (PARP06 Rev L) - identifies the areas of open space, strategic planting, play spaces, SANG and allotments

2.05 The application was initially submitted at the same time as the approved infrastructure reserved matters application 3/17/1390/RM for all 318 dwellings. Revised plans were subsequently received parallel with alterations made during the course of that application and in the light of consultee responses. More recently the number of properties to which this application (3/17/1389/RM) relates has been reduced to 64, representing the first tranche of the larger development. As the changes were technical in nature no re-consultation of neighbours was required.

3.0 SUMMARY OF INFORMATION

	Proposal	Total eastern site anticipated	Difference
Application Site Area (approx.)	1.9ha	8ha	6.1ha
Number of residential units	64	318	254
Number of affordable units (AH)	15 (23% of proposed)	101 (32%)	86
Number of social rented units	10 (66% of AH)	71 (70%)	61
Number of shared ownership units	5	30 (30%)	25
Number of market dwellings	49	217	168
Storey heights	2 & 2.5	2, 2,5 & 3	3 storey

4.0 RELEVANT PLANNING CONSTRAINTS

Protected Heathland 400m - 5km

Airport Safeguarding Applies

Tree Preservation Order (TPO)

5.0 POLICY AND OTHER CONSIDERATIONS

Government Guidance:

The National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

Development Plan:

Christchurch and East Dorset Core Strategy 2014

Policies:

KS1	Presumption in favour of sustainable development
KS4	Housing Provision in Christchurch and East Dorset
KS11	Transport and Development
KS12	Parking Provision
WMC7	Cranborne Road New Neighbourhood, Wimborne
ME1	Safeguarding biodiversity and geodiversity
ME3	Sustainable development standards for new development
ME4	Renewable energy provision for residential and non-residential developments
ME6	Flood Management, Mitigation and Defence
HE1	Valuing and Conserving our Historic Environment
HE2	Design of new development
HE4	Open Space Provision
LN1	The Size and Type of New Dwellings
LN2	Design, Layout and Density of New Housing Development
LN3	Provision of Affordable Housing

East Dorset Local Plan (2002)

Policies:

WENV4	Development should be sited and designed to protect or enhance the visual and physical quality of specific rivers within the Plan Area.
TEDEV3	On sites of 0.5ha or more, the developer will be required to provide underground ducting to be used by service providers.
DES6	Landscaping schemes in rural areas and on the edge of settlements should be of indigenous species.
DES7	Criteria controlling the loss of trees.
DES11	Criteria for ensuring developments respect or enhance their surroundings

Supplementary Planning Documents:

Housing and Affordable Housing Supplementary Planning Document April 2014

6.0 LOCAL REPRESENTATIONS

6.01 In addition to a press advert published on 16th June, site notices were posted adjacent to the site on the 13th June with an expiry date of the 7th July.

6.02 To date three letters of objection have been received from 5 and 6 Walford Close and 25 Greenhill Close. These raised the following issues:

- Failure of the plans to recognise the proximity of and impact on Walford Close
- Potential flooding from surface water drainage
- Request to retain trees and secure perimeter fencing around the First School
- Visual impact- request for screening trees along the Burts Hill side of the development
- Greenbelt site
- Street lighting to be controlled to avoid light pollution
- Request that no solar panels be incorporated to avoid reflection/glare
- Traffic concerns- request that access to Burts Hill to be restricted and 30mph speed limit imposed

7.0 CONSULTATIONS

County Highways

7.01 (Received 06/09/2017) The submitted estate road layout has been the subject of a number of meetings between the County Highway Authority and the applicant and I can consequently confirm that the submission provides suitable access, highway layout and related highway infrastructure. The layout is suitable for public adoption under Section 38 of the Highways Act 1980 and fully embraces the principles suggested by Manual for Streets, providing a safe and attractive place for all road users. It also indicates that quality pedestrian and cycle permeability is achievable. Hence, the County Highway Authority has NO OBJECTION, to this reserved matters submission, subject to the same conditions previously recommended for 3/14/0016/OUT.

Wimborne Minster Town Council

7.02 (Received 23/11/2017)
No objection

Colehill Parish Council

7.03 (Consulted 20/11/17)
Comments on latest plans to be reported to the Committee.

County Rights Of Way Officer

7.04 (Consulted 06/06/2017 and reconsulted 19/06/2017 and 14/08/2017)
No comments received

Natural England

7.05 (Consulted 06/06/2017 and reconsulted 19/06/2017 and 14/08/2017)
No comments received

Dorset Wildlife Trust

- 7.06 (Consulted 06/06/2017 and reconsulted 19/06/2017 and 14/08/2017)
Summary: Concern about the lack of an Ecological and Landscape Management Plan amongst the documents on file. We would still wish to see a full LEMP drawn up and considered by the Natural Environment Team at DCC. Hedging should be planted to mitigate the loss of hedgerow along Cranborne Road.

County Archaeologist

- 7.07 (Consulted 07/06/2017 and reconsulted 19/06/2017)
No comments received

Sembcorp Bournemouth Water Ltd

- 7.08 (Consulted 07/06/2017, reconsulted 19/06/2017 and 14/08/2017)
No comments received

Highways England

- 7.09 (Received 13/06/2017) Highways England's formal recommendation is that we offer no objection; Highways Act Section 175B is not relevant to this application

Wessex Water

- 7.10 (Received 14/07/2017) We can confirm that Wessex Water have been in discussions with the developer regarding drainage on the site. Technical details are still to be agreed but we can confirm that the approach identified in the drainage documents submitted is as anticipated.

Lead Flood Authority

- 7.11 (Received 03/07/2017) Deferred to the relevant consultees prior to April 2015, as the outline application was registered prior to the adoption of the statutory consultee role by Dorset County Council.

AONB Office

- 7.12 (Received 04/07/2017) Summary: The site is adjacent to the Stour and Avon Tributary Valleys landscape character area of the Chalk River Valleys landscape character type of the AONB's landscape character assessment. The AONB is concerned about light pollution and also the visual intrusion of lighting columns and fittings. In the interest of controlling light pollution (NPPF para 125), and to avoid prejudicing the AONB's application for International Dark Sky Reserve status, all lighting should comply with Environmental Zone E1 criteria and any external lighting should be explicitly authorised by the Local Planning Authority in accordance with the AONB's Position Statement on Light Pollution and the more recent Good Practice Note on Good External Lighting and Paper by Bob Mizon on Light Fittings.

Dorset Police Crime Prevention Design Engineers

- 7.13 (Consulted 07/06/2017, reconsulted 19/06/2017 and 14/08/2017)
No comments received

Environment Agency

- 7.14 (Received 3/10/2017) No objection to the discharge of condition 18 for the eastern site following additional information received.

Dorset Waste Partnership

- 7.15 (Received 18/10/2017) Satisfied that Refuse Collection Strategy rev E meets Dorset Waste Partnership requirements.

Airport Safeguarding Officer

- 7.16 (Received 05/10/2017) No safeguarding objections.

8.0 APPRAISAL

- 8.01 This is a reserved matters application. For this residential application the main considerations are:

- Principle of Development
- Reserved Matters
- Access: Highway Safety
- Layout
- Scale
- Appearance
- Character areas: Layout, appearance and scale
- Landscaping- including hard landscaping and open space
- Parking provision
- Crime Prevention
- Waste Collection
- Drainage
- Impact on Residential Amenity
- Impact on Heritage
- Impact on Biodiversity
- Affordable and Market Housing Size and Type

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

The Principle of Development

- 8.02 The principle of residential development for up to 630 dwellings on the entire site was agreed under outline planning application 3/13/0480/OUT which was approved subject to a number of planning conditions and a Section 106 Legal Agreement. In addition to the housing, the outline permission secured the principle of development of a three form entry first school, a local centre, allotments and open space on the application site. Full permission (reference: 3/14/0017 granted 13.03.17) has already been granted for the associated Suitable Alternative Natural Green Space with a five year commencement condition so this remains extant.
- 8.03 The current proposal is in relation to dwellings sited on the eastern parcel of the outline application site. 318 units (just over half of the 630) are anticipated

to be located on this land but the application focuses on phase 1a which is for 64 units at the northern part of the site where it is intended that development will commence. The National Planning Policy Framework (NPPF) requires that such housing applications be considered in the context of the presumption in favour of sustainable development. Good design is highlighted in Chapter 7 as a key aspect of sustainable development.

- 8.04 Paragraph 58 of the NPPF sets out the need for development to add to the overall quality of the area, establish a strong sense of place, optimise the potential of a site, respond to local character and to be visually attractive. This NPPF guidance is reflected in Local Plan policies LN1 'The Size and Type of New Development', LN2 'Design, Layout and Density of New Housing Development' and HE2 'Design of Development' which require new dwellings to reflect site specific circumstances and the local character and distinctiveness of the area. These policies are relevant to the current reserved matters proposal.

Reserved Matters

- 8.05 The 'Reserved Matters' submitted for consideration are:-
- Access- The accessibility for all routes to and within the site which inform the layout
 - Layout- The overall layout of the site including development densities, to include an assessment of amenity to adjoining residents and future residents. The disposition of affordable housing has been provided and shown as part of the layout, but this aspect will be considered later in the report (paragraphs 8.62 onwards)
 - Scale – The mass and height of the buildings, to include an assessment of amenity to adjoining residents and future residents
 - Appearance – the design approach and materials to be used
 - Landscaping – the hard and soft landscaping of the site including public open space, and area of play and boundary treatments.
- 8.06 Condition 10 of 3/14/0016/OUT requires that all Reserved Matters applications should accord with the design code that has been agreed with the Council. The design code identifies five character areas within the eastern neighbourhood. The current proposal falls within four of these character areas so the layout, scale and appearance for each area will be evaluated in turn following consideration of access and a general overview.

Access: Highway Safety

- 8.07 Permission (3/17/1390/RM) has already been granted in respect of the changes to Cranborne Road necessary to facilitate the new junctions and spine road providing vehicular access to the site, including a bus route. The current application includes the layout and details of the internal highways off the main spine road to serve the new dwellings which generally accord with the street characters identified in the Design Code:

- Streets: 5m wide streets which radiate from the Spine Road/Bus Route. These have formal pavements. They are designed to encourage speeds of up to 20mph. Turning heads are provided to facilitate waste collection vehicles movement and lead onto lanes/driveways.
- Lanes: informal shared surface streets but incorporating the width that would be necessary to achieve a 5m wide highway and 2m wide pavements. These can be used for waste collection.
- Parking courts: small scale spaces that do not offer through routes

8.08 The proposed adoption plan indicates that all of the streets are to be adopted while lanes and parking courts will be privately managed common areas.

8.09 Dorset County Highways have previously confirmed that the submission relating to 318 dwellings provided suitable access, highway layout and related highway infrastructure. They have noted that the principles suggested by Manual for Streets have been fully embraced, providing a safe and attractive place for road users including pedestrians and cyclists. They have confirmed that the layout is suitable for public adoption. Overall the proposal accords with policy KS11.

Layout (Overview)

8.10 Local Plan Policy WMC7 required that 'The New Neighbourhood will be set out according to the principles of the Masterplan Reports'. This requirement was reflected in the approved parameter plan which identified the areas for residential development. The current proposal complies with the parameter plans, with the exception of the creation of a detention basin/pond as part of the drainage proposals on a site previously identified for Local Centre/residential use. This alteration is not considered to be a material departure from the parameter plans because

- the main local centre site has not been altered
- evidence has been provided that the proposal incorporates housing at an appropriate density
- the detention basin/pond secures necessary drainage to facilitate the development and is, in effect, additional open space.

Overall the scheme has not departed significantly from the original layout envisaged in illustrative plans which formed part of the outline consent.

8.11 The NPPF and policy LN2 require that proposals optimise the potential of the site to accommodate development to a level where it will not have an adverse impact on the character of the area. The design code anticipates that the area adjacent to Cranborne Road, around the local centre, will have the highest density of development, with lower density to the north and east. The current proposal equates to approx. 34dph which is a higher density than the development in Walford Close and the neighbourhood to the south but physical separation resulting from the SANG, the drainage pond and new school will avoid harm to the character of the established urban area. To the

north east, properties on Dogdean are low density development with a rural character but the SANG and allotments will provide the necessary separation to avoid an adverse impact; the density proposed for this northern edge of the development site is acceptable.

Scale (Overview)

- 8.12 The approved design code identifies the areas where development up to 2, 2.5 and 3 storeys in height can be accommodated based on the site's topography and visual impacts which were considered as part of the Environmental Impact Assessment submitted with the outline application. The proposal accords with the design code which identified that on the higher land to the north of the site units should not exceed two storeys but 2.5 storey development could be introduced further into the valley. The two storey properties proposed have ridge heights of approx. 8m. The 2.5 storey dwellings proposed (approx. 10m ridge height) lie along the southern edge of the spine road to enclose and add variety to the streetscene; locations have been chosen which limit their wider visual impact.

Appearance (Overview)

- 8.13 The design approach has taken cues from architecture in the locality including the red brick Victorian houses with expressed gables found on Julian's Road and West Borough and simpler cottage style dwellings such as those along Giddylake.
- 8.14 The proposal seeks to provide a variety of detached, semi-detached and short terraces; with particular attention paid to the frontages of properties and corners to ensure active perimeter frontages facing onto the road, using the design code to guide the scale and character of development. The general approach to materials is to use a simple palette which references the characteristic materials of the town, namely brick with detailing provided by soldier coursing, brick header arches over windows, render and hanging tiles. Material details have been submitted as a separate discharge of condition application and are under consideration. A tenure blind approach is to be taken so that the affordable properties use the same materials as market units.

Character areas: Layout, appearance and scale

- 8.15 The three character areas identified in the design code which are of relevance to this application are:

1. *Cranborne Road North Frontage*

- 8.16 This is the narrow strip directly adjacent to Cranborne Road which will become the point at which the built edge of Wimborne effectively begins when approaching from the North and stretches down to the proposed Local Centre. The retained trees and hedging will be the dominant characteristic at the

northern point with built form gradually introduced, allowing for the transition from countryside to town.

- 8.17 The upper section is formed by the side elevation and boundary fencing of plot 7 which will be softened by replacement native hedging extending south to the frontage of 1. New oak and pine tree planting within the sloping verge will also assist in mitigating the visual impact of the loss of the existing hedgerow which is necessary to achieve the junction visibility splays.
- 8.18 Units 1 and 64, which lie either side of the northern spine road junction, are two storey dwellings (8.8m high) which will face onto Cranborne Road. Due to the topography the properties will be elevated from that highway, emphasising their visual prominence. A double fronted property form with an apex roof, central porch and a chimney is proposed for unit 1 which is to be mirrored by no. 64. This is an appropriate design which reflects their position on the edge of the new urban development. Flank wall fenestration and architectural detailing will add interest, ensure an active frontage upon entry onto the spine road and contribute to natural surveillance. Low brick walls are proposed which are a common feature defining front gardens within Wimborne.

2. *Urban Core*

- 8.19 The Urban Core comprises of the area closest to Cranborne Road including the section of development between Cranborne Road and the internal spine road, and- of relevance to this application- the properties which front onto the spine road. It is intended that this area will have an urban character with the highest density residential development but the built form is to be softened by the inclusion of verges and tree planting along the spine road.
- 8.20 The layout of this area is to be influenced by the medieval structure of Wimborne Town Centre. Properties face the spine road and have been positioned to achieve an active frontage on this main street. Where possible, parking has been provided immediately adjacent to dwellings. Single or twin garages are set back so that they have a limited impact within the streetscene. Elsewhere small parking courts are proposed in the centre of perimeter blocks with rear access opportunities provided for convenience.
- 8.21 Properties on junction plots have been designed with two active frontages. The exception is unit 35 but surveillance is provided by unit 19 which faces east. The dwellings along the southern edge of the spine road are on lower ground so 2.5 storeys can be achieved without appearing overly dominant. Six of these units have a front facing gable dormer of modest proportions serving second floor accommodation with two rooflights on the rear elevation. Unit 60 which lies on the junction with a shared surface lane has two dormer windows on the southern front elevation while a second floor gable end window faces the spine road. Units 51 and 54 have similar gables fronting the spine road which provide visual interest.
- 8.22 Properties to the north and south of the spine road are close to the highway but set back sufficiently to provide occupants with some defensible space. At

16m the building-to-building distance is less than identified in the original design and access statement but is similar to parts of West Borough and East Borough in Wimborne. The inclusion of a 3m wide verge with tree planting will assist in greening the built form and the small front gardens are to be delineated by planting including frontage hedges for units 51-58. Low brick walls are proposed in front of corner units 5 and 49. The predominance of the apex form and a limited palette of building materials, including brick, some render and tile hanging, will contribute to the sense of place. Dwelling 49, on the inside corner of the spine road, introduces a hipped roof form and has a higher boundary wall, subtly assisting future navigation of the neighbourhood.

3. *Eastern Village*

- 8.23 The dwellings north of the spine road lie within the Eastern Village character area which will extend eastwards. This is to be typified by a more organic, less dense layout with a variety of architectural styles and, it is anticipated, a mix of detached, semi-detached, terrace and flats.
- 8.24 To the north of the spine road three perimeter blocks are proposed which predominantly comprise of detached and semi-detached two storey properties. The dwellings facing the highway have a fairly regular rhythm and spacing of at least 3m, which allows for parking and often a single garage between the units. Where short terraces are proposed then a greater setback has been introduced to improve the sense of spaciousness and opportunities for glimpses of the open space and trees to the north, e.g. units 20-22 and 43-46 which are set back behind parking spaces.
- 8.25 As in the urban core, the majority of properties are served by gardens with a depth of at least 10m. The exception is units 32-34 which have 8m deep gardens but benefit from 30m rear building-to-building distances due to the additional spaciousness of the adjoining rear parking court. Elsewhere rear building-to-building distances of 20m or more are achieved and properties have access to rear gardens where bins and bicycles can be stored.

4. *SANG Frontage*

- 8.26 The SANG Frontage character area forms the edge of the neighbourhood and wraps around the site. The design code identified that this area is to have an informal character, with rural frontages and mainly detached houses.
- 8.27 The northern edge of the proposal lies within the SANG frontage character area and comprises detached two storey dwellings which face north towards the SANG. These 3, 4 and 5 bedroom properties are served by lanes with a more informal character than the streets from which they spur. Pedestrian links branching out into the SANG providing good site permeability. Shallow front gardens continue to predominate but these are shown with informal soft landscaping and hedging. Units 25 and 29 on junction plots are larger, villa style properties with chimneys.

Summary

- 8.28 Overall it is considered that the proposals broadly follow the approach detailed in the approved design code resulting in a scheme which is acceptable in its layout, scale and appearance in accordance with Local Plan policies HE2 (Design of new development) and LN2 (Design layout and density of new housing) and East Dorset Local Plan DES11 (Criteria for ensuring developments respect or enhance their surroundings). It is considered necessary to remove permitted development rights for roof extensions in order to control the visual appearance of the scheme and aspects which have the potential to harm neighbouring amenity (condition 4).

Landscaping:

- 8.29 The Reserved Matters Application provides details of the hard and soft landscaping proposed for the phase 1a residential area (plots 1-64) and soft landscaping details for the public open space and the infrastructure elements previously approved under 3/17/1390/RM. The existing site comprises former agricultural land, surrounded by further agricultural land and bordered by residential development to the south, with some significant trees and hedging along the south east and western boundaries, providing a verdant backdrop to the development site. Protected trees are located both within and adjacent to the site and these are to be retained.
- 8.30 During the Outline application process the loss of certain hedgerows were accepted in order to facilitate the proposed development. The majority of compensatory hedgerow is to be created within the SANG site but new native hedging will be used to replace the existing boundary of the site along Cranborne Road, set back to achieve the visibility splays which necessitated hedgerow removal. In addition, to the east of Cranborne Road a semi-mature Oak tree is to be planted, north of the two oak trees between the spine road junctions, to replace the TPO tree that is to be removed to facilitate the development. North of the northern Spine Road junction three additional Oak trees, three Silver Birch and a Scots Pine tree are proposed in addition to replacement native hedgerow which will be set back behind the visibility splays.
- 8.31 The Design Code envisaged a distinction between the centre of the development characterised by more formal trees and ornamental species planting, and the edges of the development where native species are more appropriate. New tree planting is fairly linear, following the spine road and other internal roads and lanes, but is also found within verges and parking courts to enhance planting areas incorporating ground cover shrubs and perennial plants. Some garden tree planting is found within the eastern SANG frontage. The planting along the Spine Road is critical to the quality of the streetscape. A mixture of tree species has been carefully chosen to provide variety and seasonal colour within the constraints imposed by their proximity to the highway and adjoining dwellings.

- 8.32 Condition 13 of the outline consent secures the implementation of the approved landscaping scheme and replacement of any damaged/dead plants within the first five years to ensure its establishment.
- 8.33 The Council's Trees and Landscape Team have assessed the proposal and agree that the approach undertaken is acceptable. The verdant backdrop to the site and the landscape strategy submitted responds positively to the rural and edge of town setting.

Hard landscaping

- 8.34 The majority of front curtilage boundaries are to be open with planting providing a soft, informal and open boundary style but some boundary hedging will feature along the spine road. Characteristic 0.6m high boundary walls found elsewhere in Wimborne will also demarcate frontages at key positions on the spine road. Use of 1.8m high brick walls is proposed along the side boundary of unit 49 on the spine road, and to screen the garden of unit 64 adjoining Cranborne Road. The visual appearance of the walls will be softened by shrubs within adjoining planting strips.
- 8.35 1.8m high timber closeboarded fencing above gravel board is proposed to mark the internal boundaries between rear amenity spaces, securing privacy screening. Where land levels are variable it is anticipated that the fencing will be positioned on the higher land. In some cases this will be above retaining walls.
- 8.36 Indicative highway materials have been identified but full details to discharge condition 14 are yet to be confirmed.

Public Open Space

- 8.37 The proposal includes two areas of public open space in accordance with the outline permission. The largest area is to the north east which lies immediately adjacent to the SANG. This area will remain as grassland and be planted with a wildflower meadow mix where remediation is required. Semi-mature oaks and heavy standard beech, hawthorne and crab apple trees are to be scattered in an informal manner.
- 8.38 The linear park provides footpath and visual links through the development to the SANG. It comprises an area 12m wide at its narrowest (adjacent to the school) where hedging predominates but spreads to a grassed area 36m wide at its northern extent where it meets the kickabout area. An existing track is to be retained which runs parallel with the stream. The vegetation adjacent to the stream, including grassland and hedging is to be retained, with additional reinforcing wildflower meadow mix and a scattering of trees to the north near the kick about area. The kick about area will be retained as grassland but with two areas of native planting. Two wooden benches with metal frames are to be provided together with an informal feature comprising rocks, tree trunks and a wooden dragonfly bench to provide a focal point. Tree planting

opportunities in the remainder of the kickabout area are limited by the underground drainage system.

- 8.39 The legal agreement secures the funds for the Council to provide an equipped area of play within the SANG which is to be constructed primarily of natural materials.

Parking provision

- 8.40 Policy KS12 requires that developers provide adequate vehicle and cycle parking facilities to serve the needs of the proposed development in accordance with the Local Transport Plan parking guidance. All the proposed housing units are served by two or more off-street parking spaces and for the majority these include a garage. All garages are of sufficient size to be considered as providing a parking space. Wherever possible, parking is provided within the curtilage of dwellings. Dorset County Highways are satisfied that the proposed driveway parking spaces do not require turning areas because speeds will be restricted and sufficient visibility afforded to avoid highway danger.
- 8.41 The outline permission included a new primary school to be located immediately adjacent to the residential area proposed. The vehicular access to the school is through the development. A full application 3/17/2868/FUL for a three form entry First School (15 classrooms) is under consideration by Dorset County Council. That school application includes a travel plan to promote sustainable transport and incorporates three pedestrian accesses onto the site. The Reserved Matters application under consideration cannot be required to provide parking to serve the school.
- 8.42 Plan VCPL.01-A identifies on-street parking opportunities which are limited due to the number of driveways and junctions. 14 parking spaces are identified within the residential area proposed (units 1-64). Only one of these spaces is on the Spine Road because opportunities are further limited by highway narrowing to reduce vehicle speeds.
- 8.43 The developer has expressed a willingness to incorporate bollards in positions where ad hoc parking might otherwise occur, affecting highway safety and resulting in verge damage. Given the location of the new school within the neighbourhood, which is likely to stimulate on-street parking demand, it is reasonable and necessary to impose a condition requiring that bollard positions and design to dissuade parking on verges be submitted and implemented prior to first occupation (condition 2).

Table A: Parking Spaces

Parking Spaces (Total)	179
Residential	125
Garages	40
On Street	14

- 8.44 Parking provision on the site, as identified in Table E, is in accordance with policy KS12 but a condition is necessary to secure the retention of parking spaces and garaging for those purposes in perpetuity (condition 3).

Crime Prevention

- 8.45 As required by condition 11 the proposal has incorporated Secured by Design principles to encourage crime prevention and allow the creation of a safe environment. Secure by Design principles include natural surveillance, structure and clear definition between public and private spaces.
- 8.46 The proposed layout of the first 64 units has a good degree of natural surveillance, with properties positioned and designed to overlook public areas. The parking court serving units 32-36 is to the rear of the properties making it more difficult to achieve defensible space but overlooking from first floor windows and the incorporation of a window in the flank wall of unit 34, adjoining the access, will assist residents to exercise a degree of control over the space.
- 8.47 The perimeter block layout assists in distinguishing public from private space whilst allowing permeability across the site. A clear distinction between public and private ownership is to be achieved by varying surfacing materials.
- 8.48 The submitted hard landscaping details are currently limited to the residential development area. The Council's Countryside Management Team is satisfied with the relationship between the highway network and open space; access to the SANG for maintenance can be gained via Dogdean and it is anticipated that fencing to demarcate the SANG will protect otherwise vulnerable open space on the edge of the development from intrusion.
- 8.49 Dorset Police have been consulted several times on this aspect of the application but have not submitted comments. Nevertheless, officers are satisfied that the requirements of condition 11 have been met.

Waste Collection

- 8.50 A Refuse Strategy layout has been submitted which demonstrates accessibility for Dorset Waste Partnership vehicles. It is anticipated that householders will keep their bins within their rear gardens and curb side collection points are identified. Dorset Waste Partnership has expressed their satisfaction with the proposals which meet their collection requirements.

Sustainable Development Principles

- 8.51 Conditions 21 and 22 of the outline consent seek to achieve sustainable development standards on the site. Policy ME3 expresses the Council's wish to encourage higher standards of sustainable developments where they are viable and do not significantly compromise other policies in the Local Plan. An Energy Statement accompanies the application which demonstrates that the

design and construction of all of the dwellings on the eastern parcel will accord with the principles of carbon emissions reduction and shows that sustainable and low carbon options have been explored in accordance with the requirements of condition 22. A Part G Water Efficiency calculation has also been provided to demonstrate that the water efficiency will meet the Code for Sustainable Homes Level 3/4 performance target.

- 8.52 The options for a district heating system were considered by the applicant as required by policy ME4 but were rejected on the grounds that the spread of the residential development would result in high distribution losses affecting efficiency and that the fabric first approach would achieve energy efficiency requirements at a lower cost and at a greater benefit to the homeowner.
- 8.53 Policy ME4 encourages the use of renewable, decentralised and low carbon energy with the expectation that 10% of total regulated energy will be from such sources unless it is demonstrated that this is not feasible or viable. The current proposal does not incorporate renewable energy technologies or the use of decentralised energy but will secure carbon emission reductions of 10.2% relative to a 2013 Part L1A Building Regulations baseline. This is to be achieved by design specification, including efficient thermal insulation, glazing, gas boilers and low energy lighting, and by fitting waste water heat recovery systems to 120 of the private dwellings. The applicant has since advised that their intention is to fit waste water recovery systems in all of the houses on site with further benefits for carbon emission reduction. These proposals accord with the requirements of condition 21 and construction in accordance with the agreed design specification is already secured by condition 22.

Drainage

- 8.54 The issues of drainage raised by residents of 5 and 6 Walford Close are the subject of conditions 18, 19 and 20 of Outline Planning Consent 3/14/0016/OUT. A surface water drainage masterplan for the residential area to the east of Cranborne Road was previously considered by the Planning Committee and, following the receipt of some additional details in respect of the adequacy of the receiving culvert to cope with the outflow, it was approved. The masterplan secures drainage to avoid increasing the potential for flooding within and beyond the eastern site, meeting the requirements of condition 18 of 3/14/0016/OUT. The detailed design required by condition 20 is currently under consideration as a separate discharge of condition application and details of future maintenance are also required by condition 19 of the outline consent. The current application includes the layout and planting of the detention basin/pond which have been designed with consideration of the future needs to desilt the pond and clear vegetation that might otherwise compromise its capacity.

Impact on Residential Amenity

- 8.55 The proposed layout has been revised during the application process in response to Officer concerns regarding amenity. The revised siting and

design of dwellings results in acceptable relationships between properties in terms of amenity afforded to future occupants; the majority of properties have in excess of 20m building to building distances at the rear and shared driveways are in excess of 6m wide. Varying land levels on the site have been taken into account in the positioning of dwellings. Where overlooking does occur it will not be to an unacceptable degree that would harm residents' amenities. Condition 5 will remove permitted development rights for additional windows in the rear elevation of unit 64 or the east elevation of unit 50 because on these elevations additional windows, that would not be covered by the 1700mm sill height/obscure glazing condition within the permitted development regulations, could result in harm to overlooking.

- 8.56 As the proposed properties lie within the northern part of the Outline application site area, the closest neighbouring properties are more than 100m to the north or south. At the outline application stage the Council's Public Health Officer was satisfied that additional traffic noise post-construction would be negligible. Condition 25 of 3/14/0016/OUT requires that a Construction Traffic and Construction Environmental Management Plan be agreed with the Local Planning Authority so that the Council can be satisfied that vehicles are routed to minimise disruption and pollution prevention measures including dust control are in place. These details have now been submitted and are being analysed separately from this application.

Impact on heritage

- 8.57 The proposed residential development is on an elevated site and will be evident in views from the Burts Hill Conservation Area. The impact of the development on long range views, particularly from the end of Greenhill Close, was identified at Outline stage as an exceptional situation in which substantial harm to a limited area of that heritage asset would occur but the harm, together with other less than substantial harm, was outweighed by the benefits of the development proposal in accordance with the advice contained in NPPF paragraphs 133 and 134.
- 8.58 This situation remains applicable to the submitted Reserved Matters application but the following will assist in lessening the impact:
- The landscaping scheme includes new trees and landscaping areas within the development and open spaces which will soften the built form.
 - Woodland planting is to take place to bolster the existing hedge in the Suitable Alternative Natural Greenspace (SANG) parcel to the south between the development parcel and the Conservation Area.

Impact on biodiversity

- 8.59 A Landscape and Ecological plan has been received as a separate application to discharge condition 16. The proposals include the erection of bat and bird (sparrow, house martin and swift) boxes on houses on the edge of the development and further bat boxes in trees on the site as well as detailing how landscaping will be managed for biodiversity gain. These details are

under consideration. Lighting is another factor which can impact biodiversity and details of a lighting strategy are the subject of condition 28 of the outline permission.

Impact on the Area of Outstanding Natural Beauty

- 8.60 The Cranborne Chase AONB lies approx. 650m west of the current proposal site. The impacts on the AONB were assessed at the outline stage and it was judged that the appearance of the proposal would ‘result in indirect visual effects on a minor proportion of the overall character areas but the impact will be negligible’ (para 8.4).
- 8.61 Conditions imposed to make the development acceptable included condition 28 which requires the submission of a lighting strategy to control the impact of lighting in this area close to the AONB. It is accepted that in order for the streets to be adopted they will need to comply with Dorset County Highways lighting standards for urban location in zone 3. The standards state that highways will generally be lit to accord with current standards applicable to the type and category of the highway but in sensitive areas individual assessments will be carried out. Full lighting details are yet to be considered.

Affordable and Market Housing Size and Type

- 8.62 The legal agreement for the site secures 32% affordable housing (defined by Annexe 2 of the NPPF) in accordance with an agreed housing mix such that the proposal complies with Local Plan policies LN1 and LN3. Across the development 70% of affordable houses are to be affordable rented and 30% shared ownership. The legal agreement also identifies that 10% of the affordable dwellings are to be capable of accommodating households requiring specially adapted or supported housing where the Council identifies such a need, in accordance with the Housing and Affordable Housing Supplementary Planning Document.

Table B: Market Housing mix

Unit type	Number of units proposed	Percentage	Negotiated mix (approx.)
2 bed	8	16%	28%
3 bed	23	47%	32%
4 bed	18	37%	35%
5 bed	0	0%	5%
Total	49	100%	100%

- 8.63 Upon initial receipt, the current application included details for the 318 dwellings proposed on the eastern land parcel but in order to improve the speed of delivery the scope of the proposal has been reduced to 64 units with a further application for the remainder anticipated to come before Members next year. The reduction in the number of units for consideration in the application has implications for the assessment of housing mix and tenure. As

the proposal is a portion of the whole, the current proposals do not comply with the legally required affordable housing mix (23% of the units are affordable housing), nor the negotiated market housing mix (see table B), but Officers are satisfied that the applicant intends to comply with the legally enforceable affordable housing requirements and that the deficit will be resolved when the remainder of the residential development comes forward so as to accord with policy LN3.

- 8.64 In addition to housing mix Local Plan policy LN1 requires that all new housing should meet minimum space standards. The proposed affordable and market dwellings have been assessed and they exceed the minimal internal space standards set out in the Housing and Affordable Housing SPD.

Conclusion

- 8.65 Overall, the Reserved Matters submitted for this initial residential phase of 64 units and the landscaping proposed for the wider scheme are found to be compliant with national and local planning policies such that approval is recommended. The table below summarises the condition discharge implications in respect of details submitted as part of the application.

Condition requirements (summarised)	Details submitted	Outcome
4. Finished floor and ground levels for each phase required	Existing and proposed ground levels provided	The plans discharge the pre-commencement submission requirements of condition 4 for the first residential phase 1a (units 1-64)
8. Details of the access, geometric highway layout, visibility, turning and parking for each phase required	Details provided of internal access, highway layout and visibility	The plans discharge the pre-commencement submission requirements of condition 8 for the first residential phase 1a (units 1-64)
11. Compliance with (or explanatory brief where design deviates from) ACPO Secured by Design New Homes 2014	Plans. Access and security brief within submitted Design and Compliance Statement	The plans accord with the requirements in relation to the first residential phase 1a (units 1-64)
12. Landscaping details	Submitted plans and planting details	The plans discharge the requirements for the soft landscaping details in respect of the first residential

		phase 1a (units 1-64), the public open space on the eastern parcel and the infrastructure previously approved under 3/17/1390/RM.
14. Hard landscaping works and highway traffic management features	Submitted plans provide necessary details with exception of hard surfacing materials	The plans partially discharge the details required for submission under condition 14 in relation to the first residential phase 1a (units 1-64)
15. Details of the retention and adequate protection of all trees and tree root systems to be agreed.	Arboricultural Report including Arboricultural Impact Assessment and Arboricultural Method statement submitted for the residential works	The submitted details are satisfactory and discharge the pre-commencement submission requirements of condition 15 for the eastern residential proposals
21. At least 10% of energy from renewable sources & district heating options investigated	Energy Statement- May 2017, version 1	The submitted details discharge the requirements for the residential development east of Cranborne Road.
22. Energy statement	Energy Statement- May 2017, version 1 & Part G water efficiency calculation	The submitted details demonstrate that the proposals accord with the principles of sustainable development discharging the pre-commencement requirement for the residential development east of Cranborne Rd.

8.68 Having assessed the material considerations as outlined within the report above, there are not considered to be any matters which would warrant a refusal of planning permission in this case. Approval subject to the following conditions is therefore recommended.

9.0 RECOMMENDATION - Grant, subject to the following:

Conditions:

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

LP.01-A Rev A Location Plan
RLP.01-A Rev A Red Line Plan
SL.01-A Rev C Site Layout Eastern Parcel Phase 1a
CSL.01-A Rev C Coloured Site Layout Eastern Parcel
SHL.01-A Rev A Storey Height Layout Eastern Parcel
SE.01-A Rev A Street Elevations eastern parcel
CSE.01 Rev A Street Elevations Coloured
AHL.01-A Rev A Affordable Housing Layout (eastern parcel)
BML.01-A Rev A Boundary Materials Layout
DML.01-A Rev B Dwellings Materials Layout
RSL.01-A Rev A Refuse Strategy Layout
VCPL.01-A Rev A Visitor Car Parking Layout
PAP.01-A Rev A Proposed Adoption Plan
SS.01 Site Section Rev A

HT.203(2blk)-1.e Rev C House Type 203 (2block) Option 1 Elevations
HT.203(2blk).p Rev C House Type 203 (2 block) Floor Plans
HT.303(2blk)-1.e Rev C House Type 303 (2 block) Option 1 Elevations
HT.303(2blk)-2.e Rev B House Type 303 (2 block) Option 2 Elevations
HT.303(2blk).p Rev C House Type 303 (2 block) Floor Plans
HT.305A-e Rev A House Type 305 Variation A Floor Plans and Elevations
HT.309.pe Rev C House Type 309 Variation A Floor Plans and Elevations
HT.313-1.pe Rev B House Type 313 Option 1 Floor Plans and Elevations
HT.313-2.pe Rev B House Type 313 Option 2 Floor Plans and Elevations
HT.340-1.pe Rev C House Type 340 Option 1 Floor Plans and Elevations
HT.350(2blk).e Rev C House Type 350 (2 block) Elevations
HT.350(2blk).p Rev C House Type 350 (2 block) Floor Plans
HT.405-1.e Rev B House Type 405 Option 1 Elevations
HT.405.p Rev B House Type 405 Floor Plans
HT.407.e Rev C House Type 407 Elevations
HT.407.p Rev C House Type 407 Floor Plans
HT.412-1.e Rev C House Type 412 Option 1 Elevations
HT.412.p Rev B House Type 412 Floor Plans
HT.412AC.e Rev B House Type 412AC Elevations
HT.412AC.p Rev B House Type 412AC Floor Plans
HT.419-1.e Rev C House Type 419 Option 1 Elevations
HT.419.p Rev C House Type 419 Floor Plans
HT.421AC-1.e Rev B House Type 421AC Option 1 Elevations
HT.421AC.p Rev B House Type 421 AC Floor Plans
HT.427-1.pe Rev C House Type 427 Option 1 Floor Plans and Elevations
HT.427-2.pe Rev C House Type 427 Option 2 Floor Plans and Elevations
HT.438-1.pe Rev C House Type 438 Floor Plans and Elevations

HT.438-A.pe Rev C House Type 438 Variation A Floor Plans and Elevations
HT.438-B.pe Rev C House type 438 Variation B Floor Plans and Elevations

GAR.01.pe Rev A Single Garage Floor Plans and Elevations
GAR.02.pe Rev A Single Garage with Store Room Floor Plans and Elevations
GAR.04.pe Rev A Twin Garage Floor Plans and Elevations

P.18-19.e Rev C Plots 18-19 Elevations
P.18-19.p Rev C Plots 18-19 Floor Plans
P.22-22.e Rev B Plots 20-22 Elevations
P.22-22.p Rev B Plots 20-22 Floor Plans
P.32-34.e Rev B Plots 32-34 Elevations
P.32-34.p Rev B Plots 32-34 Floor Plans
P.35-37.e Rev C Plots 35-37 Elevations
P.35-37.p Rev C Plots 35-37 Floor Plans
P.38-39.e Rev B Plots 38-39 Elevations
P.38-39.p Rev B Plots 38 -39 Floor Plans
P.40-42.e Rev B Plots 40-42 Elevations
P.40-42.p Rev B Plots 40-42 Floor Plans
P.43-46.e Rev B Plots 43-46 Elevations
P.43-46.p Rev B Plots 43-46 Floor Plans
P.51-52.e Rev B Plots 51-52 Elevations
P.51-52.p Rev B Plots 51-52 Floor Plans
P.53-54.e Rev C Plots 53-54 Elevations
P.53-54.p Rev C Plots 53 -54 Floor Plans
P.59-60.e Rev B Plots 59 – 60 Elevations
P.59-60.p Rev B Plots 59 -60 Floor Plans
P.61-62.e Rev C Plots 61 – 62 Elevations
P.61-62.p Rev C Plots 61 -62 Floor Plans

SO107-LS-014b Tree Planting Detail
SO107-LS-018 Highway Verge Tree Planting Detail
SO107-LS-019 POS & Spine Road Landscaping (NB Maximum hedge height at note 6.5 does not apply to hedging alongside Cranborne Road)
SO107-LS-020 POS & Spine Road Landscaping
SO107-LS-021 Site Landscaping Phase 1a
SO107-LS-022 Site Landscaping Phase 1a

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

2. Prior to the first occupation of any of the dwellings hereby approved bollards to protect vulnerable verges and open space shall be erected in accordance with a scheme that has been submitted to and approved by the Local Planning Authority in writing. The bollards shall be retained as approved thereafter.

Reason: To secure details of measures that will protect the appearance of the area and contribute to highway safety.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, or any subsequent re-enactment thereof, the garages and off-road parking spaces hereby approved shall be retained and shall not be altered so as to result in a loss of parking availability.

Reason: To ensure that off-street car parking is retained in the interests of highway safety and in a visually acceptable manner.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, and any subsequent re-enactments thereof, there shall be no extensions to the roofs of the dwellings hereby permitted.

Reason: In the interests of visual and neighbouring amenity.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any subsequent re-enactment thereof, there shall be no additional windows inserted in:
 - the east (side) elevation of unit 50
 - the rear (east) elevation of unit 64without express planning consent.

Reasons: In the interests of neighbouring amenities

6. The hedging proposed alongside Cranborne Road, north of the frontage of the dwelling at plot 1, shall be managed so as to form a screen at least 2m in height.

Reason: In the interests of visual amenity

Informatives:

1. For the avoidance of doubt this is a strategic site which is zero rated for the Community Infrastructure Levy

Background Documents:

Case Officer: Katie Lomax & Elizabeth Adams

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

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

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REPORT SUMMARY

REFERENCE NO.	3/17/2066/HOU		
APPLICATION PROPOSAL	Single storey extension to front and rear. Raise and extend roof to create habitable living accommodation within extended roof space. Demolish existing porch.		
ADDRESS	16 Whincroft Drive, Ferndown, Dorset, BH22 9LJ		
RECOMMENDATION	- Grant, subject to conditions (see Section 9 of the report for the full recommendation)		
REASON FOR REFERRAL TO COMMITTEE	The application has been called to the Planning Committee by Cllr S. Lugg on the basis that there is little substantive change since the previous refusal, and this is inappropriate development.		
SUMMARY OF REASONS FOR RECOMMENDATION	<ul style="list-style-type: none"> • The location is considered to be sustainable and the proposal is acceptable in its design and general visual impact. • There is not considered to be any significant harm to neighbouring residential amenity. • The reasons for refusal on the previous application have been addressed • There are no material considerations which would warrant refusal of this application. 		
INFORMATION ABOUT FINANCIAL BENEFITS OF PROPOSAL	N/A		
APPLICANT	Mr P Kemble	AGENT	J Burgess & Associates Ltd
WARD	Ferndown Central	PARISH/ TOWN COUNCIL	Ferndown Town
PUBLICITY EXPIRY DATE	10 November 2017	OFFICER SITE VISIT DATE	29/08/2017 & 18/10/2017
DECISION DUE DATE	15 September 2017	EXT. OF TIME	11 November 2017
RELEVANT PLANNING HISTORY			
App No	Proposal	Decision	Date
3/17/1340/HOU	Extension to ground floor and form new roof (Re-submission of Application 3/17/0137)	Refused	10/7/2017
Reasons for refusal: <ul style="list-style-type: none"> • Adverse overdevelopment 			

3/17/0137/HOU	Extension to Ground Floor and Form New Roof with Rooms.	Refused	13/3/2017
Reasons for refusal: <ul style="list-style-type: none">• Adverse overdevelopment• Impact on trees unresolved			

Background

Members will recall that this application was presented to the Planning Committee for determination on 8 November 2017 at which time it became clear that late representations had been submitted by a member of the public of which officers had no prior knowledge and as such were not able to make a considered response to the potential issues raised. Members therefore agreed that this application should be deferred to enable officers to consider and respond as necessary to the issues.

The representation included a photograph taken from the rear of the adjacent property at 18 Whincroft Drive which seeks to demonstrate the impact of the proposal for the raised roof, forward projecting extension and first floor dormer window on the amenity and privacy of occupiers of no. 18. This matter is covered in the report at paragraph 8.12

Since the deferral of the decision on this application, the plans for the first floor, front facing dormers have been amended to include window reveals of about 25cm such that the side dormer cheeks will act as “blinkers” limiting the angle of view. Furthermore, the applicant’s agent has objected to the photograph submitted by the neighbour on the grounds that it has been taken with some type of zoom lens that has the effect of exaggerating the size of the roof and giving the appearance that it is very close to the boundary fence.

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.1 The application site is situated in the urban area of Ferndown where the principle of development is considered acceptable.
- 1.2 The application site is situated on the south side of Whincroft Drive where the road, turning through 90 degrees to rest on an east west axis, includes a short stub road serving three properties on the outside of this bend. The dwelling on the site, a bungalow with rear dormer windows, is the centre dwelling of this trio and lies on a splay with it’s rear aspect directed to the plot’s south west corner (facing 32 and 34 Woodside Road) and its front angled towards no. 18 Whincroft Drive.
- 1.3 Situated on generally level ground, historically the area comprises mainly detached bungalows though intermittently there are occasional dormer bungalows and latterly new chalet bungalows.

- 1.4 To the north is a detached bungalow (number 14 Whincroft Drive). The southern elevation facing the application site contains 4 narrow windows serving a lounge (with larger windows and patio doors to this room on the rear elevation). Two further windows in this elevation serve a bedroom. The property's southern/side boundary with the application site comprises a mixture of 1.8m high laurel hedging and fencing.
- 1.5 The site's rear boundary with number 34 Woodside Road comprises a 1.8 metre high timber screen fence with some screening vegetation. Further to the south along this boundary is the rear gabled elevation of that property's single garage which includes a rear window.
- 1.6 The site's southern boundary is heavily vegetated. Recent works to cut this back has progressively opened up views towards No. 32 Woodside Road A 1.8 metre high screen fencing has recently been erected.
- 1.7 The eastern boundary with number 18 is demarked by a 2 metre high laurel hedge, the flank wall of the garage serving No.18, a lower laurel hedge forward of the garage and a newly erected close boarded fence

2.0 PROPOSAL

- 2.1 The proposals involve adding a rear ground floor extension, effectively squaring off the rear north east corner of the bungalow.
- 2.2 Over this enlarged foot print a crown roof (flat roofed central area) is planned with barn hip to the south east elevation and hipped roofs to all other elevations. The height of the roof will be increased. To the front an extension with a forward facing hipped roof is planned together with a centrally sited open, roofed porch.
- 2.3 Within the upper floor level there would be no fenestration to the side elevations other than one north-west facing en-suite roof light. To the rear a replacement large box dormer is proposed within which would be two bedroom windows with that nearest to No.34 Woodside Road having a separation distance of approximately 19 metres and the second bedroom window a similar distance away from the rear of No.32 Woodside Road.
- 2.4 To the front there would be two roof lights; one serving a stairwell and the other a bathroom as well as two front facing dormer windows serving bedrooms 1 and 4 (one within the main new roof and the other within the hipped roof over the forward extension). The dormer window serving bedroom 4 would have an oblique view towards the rear garden of No.18 Whincroft Drive at a distance of about 13 metres to the site boundary) whilst the dormer to bedroom 1 would look over the site's front garden and those of neighbouring properties to either side and with only the merest glimpse again over the rear garden of No.18 Whincroft Drive.

- 2.5 The frontage area is to be provided with a new porous driveway accommodating two car parking spaces whilst the existing garage which has been enlarged to the rear is to become a garden room/store.
- 2.6 A negative bat report dated January 2017 accompanies the application.
- 2.7 The main differences between the proposal and the latest previous refusal are:
- The introduction of a crown roof and the reduction in bulk of the projecting elements to the front and northern side elevations.
 - Reduction in height increase (existing ridge height of 5.9m, current submission ridge height of 6.35m, previous refused schemes having a ridge height of 6.85 m).
 - Additional changes have been made to reduce the bulk and massing of the roof
 - Width of the property would remain as at present.
 - Overall reduction in the amount of development and hence bulk and massing at first floor level

3.0 SUMMARY INFORMATION

	Existing	Proposed	Application 3/17/1340	Application 3/17/0137
Height	5.9m	6.35m	6.85m	6.85m
Max. depth	10.5m	13.1m	13.1m	13.1m
Min. depth	7.3m	10.6m	10.6m	10.6m
Width	13.5m	13.5m	13.5m	15.2m
Main roof type	Hipped	Hipped/Barn Hip	Barn Hipped	Barn Hipped
Forward element	N/A	Hipped	Barn Hipped	Full Gable
Min. distance to rear boundary	12.3m	9.6m	9.6m	9.2m
Upper floor area	27 sqm	92 sqm	104 sqm	129 sqm

4.0 Relevant Planning Constraints

- Urban Area
- TPO Ref's: HA/96 and HA/355

5.0 POLICY AND OTHER CONSIDERATIONS

- National Planning Policy Framework dated March 2012 wherein Section 7 – requiring good design is considered noteworthy (NPPF).
- National Planning Practice Guidance (NPPG)

Development Plan:

Christchurch and East Dorset Core Strategy 2014 – Part 1

- Policy KS1 – Presumption in Favour of Sustainable Development
When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.
- Policy HE2 – Design of New Development
Within Christchurch and East Dorset the design of development must be of a high quality, reflecting and enhancing areas of recognised distinctiveness.

6.0 LOCAL REPRESENTATIONS

6.1 In addition to letters to neighbouring properties, site notices were posted outside the site on 29 August 2017 and 18 October 2017 (extending the timescale) with an expiry date for consultation of 8 November 2017.

- 6.2 Four letters of representation have been received raising the following issues:
- Design - same reasons for refusal as before.
 - The proposal has the same effect as the original on the street scene and neighbouring properties.
 - The immediate area consists predominantly of a large number of true bungalows, many of 2 bedrooms designed for low density occupation.
 - Excessive bulk with the front extension being excessive, over powering and too far forward
 - The proposal is not in harmony with neighbouring properties
 - Even more added loss of privacy to neighbouring properties as a consequence of added first floor accommodation with dormer window
 - A more sympathetic design would involve one with the same footprint as the original bungalow and within the existing roof space.
 - The submission includes a comparison with the bulk of building at No.4 Whincroft Drive. This comparison is both irrelevant and arbitrary.
 - Inadequate parking provision for a two storey house,
 - Existing extensions in Whincroft Drive are sympathetic to the neighbourhood and in keeping with the area

2 further letters of representation were received on 30/10/2017 raising the following concerns:

- The proposals are for a 5 bedroom overpowering 2 storey property both unsuitable and out of character with the area.
- The two storey extension to the front of the bungalow is unacceptably large and too far forward creating an adverse overbearing effect on the character of the street scene.
- The access is very narrow with 3 converging drives and associated vehicle/manoeuvre problems in the road.
- There is concern in Government quarters and society that bungalows are becoming scarce. As such this proposal will reduce the number of retirees bungalows that could allow the quicker release of “off the shelf” houses.
- Numerous established tree and bushes have been removed within the site. If retained they would have helped to soften the impact of any development on the locality.
- Comparisons with No.4 Whincroft Drive show that the roof mass proposed here is bigger than at that address and No.4 is in a totally different location. There are no roof dormers to the front of No.4 unlike as here proposed.
- The plans submitted are not user friendly lacking dimensions and detail.
- The footprint of the property will not allow parking space for such a property and will inevitably mean cars being parked on and blocking the road.
- There is no justification for such a drastic change to a current retirement property which as it stands is in keeping with the area.
- If allowed it will open the flood gates for other developments of an unsatisfactory nature in the road.

7.0 CONSULTATIONS

7.1 **Ferndown Town Council** (comments received 25/8/2017) No Objections but have made following comments:

- Replace front hedgerow with native British species
- Insert bat boxes and bird boxes under eaves to comply with Policy ME1 of the adopted Local Plan
- The biodiversity and impact on neighbours by this proposal to be assessed.

7.2 **Tree Officer** (comments received 15/8/2017) No Objections subject to the imposition of conditions:

- Submission and approval of an Arboricultural Method Statement and Tree Protection Plan (Condition 3)
- Construction Method Statement for proposed car parking bays (Condition 4)
- Submission and approval of the cellular confinement system to be used (Condition 5)

8.0 APPRAISAL

8.1 The main considerations involved with this application are:

- the principle of the development
- the potential visual impact of the development
- the impact upon the character of the area
- the design and form of the proposal and the impact upon neighbouring amenity
- impact on protected species

These points will be discussed under the headings below.

8.2 Principle of Development

- Section 38(6) of the Planning and Compulsory Purchase Act states that planning applications must be determined in accordance with the development plan for an area; except, where material considerations indicate otherwise.
- Development within the urban area is acceptable subject to all other matters being acceptable and compliance with policy HE2 of the Core Strategy.

Potential Visual Impact of the Development

- 8.3 The existing bungalow is situated in a recessed location in comparison with neighbouring bungalows and in a splayed position within the plot such that there is scope to increase the size of this property without having a materially harmful impact on the visual amenity of the locality. The two earlier refused schemes were considered unacceptable on account of the adverse harm that would be caused to the character and appearance of the area by virtue of the excessive scale and overbearing nature of the planned development (3/17/0137 and 3/17/1340).
- 8.4 The impact of the revised proposal has been considered both in relation to its context and in comparison to the previous applications. The scheme has been significantly reduced in scale compared to both previously refused proposals; these amendments have been brought about by a reduction in the increased height of the ridge line, the introduction of a crown roof, the reduction in bulk of the forward gable and other changes to the extent of roof and accommodation within. The proposed footprint remains as in the application refused in July 2017 (17/1340) and therefore the width of the property would remain as existing.
- 8.5 Whilst the proposal represents an increase in built form over and above the size of the existing dwelling, the currently proposed additions, taken together, significantly reduce the impact of the proposal from beyond the site such that the visual impact of the development, when viewed from Whincroft Drive and Woodside Road, is no longer considered to be so harmful as to warrant refusal of planning permission.

- 8.6 The height of the proposed dormer bungalow would increase by less than 0.5 metres, which is about 0.5m less than the previously refused applications. The width of the property would remain as at present but first floor extensions have been reduced in scale and bulk by comparison with the earlier proposals. Overall, the reduction in the amount of development at first floor level has been significantly reduced such that it no longer dominates the original bungalow but is in proportion with it. Therefore, whilst cumulatively the three dimensional implications of these works will result in an increased massing and visual presence it is not considered that this change is unacceptably harmful in visual terms and therefore there are no grounds to set aside the presumption in favour of sustainable development in accordance with Policy KS1 of the adopted Local Plan.

Impact on the Character of the Area

- 8.7 The residential character of the area comprises of detached bungalows some of which have rooms in the roof space (dormer bungalows). No.13, Whincroft Drive (opposite the application site) was extended under reference 3/05/1352 and No.4, Whincroft Drive, has also been extended to provide accommodation at first floor (3/15/0847). Both of these properties are located in more prominent locations within the street than is the case in this instance. This mixed character differs to the apparent later bungalow development at the far eastern end of Whincroft Drive where the character is less diverse and so less open to development of the nature here proposed.
- 8.8 Taking the above into account along with the limited impact that the existing and proposed dwelling has on the street scene due to being set back from the highway and having minimal frontage to it, it is concluded that the proposals will not prejudice the current mixed residential character of the area to such a material extent as to warrant the refusal of planning permission.

Design and Form of the Proposal and the Impact upon Neighbouring Amenity

- 8.9 This scheme is generally more sensitive in design and form than the refused proposals, incorporating two modestly proportioned front dormer windows with hipped roofs and more importantly it retains a hipped roof element to the north facing elevation. Due to the use of a crown roof it has very limited implications in terms of its potential overbearing and overshadowing impact, on neighbouring residential properties.
- 8.10 Particular regard has been paid to the impact of the rear dormer and front dormer on the privacy of No's 32 and 34 Woodside Road and 18 Whincroft Drive.
- 8.11 The existing dormer bungalow on the site has a large rear box dormer with views therefrom and so a measure of overlooking towards No.34 and more obliquely no 32 currently subsists. It is concluded that the extent to which overlooking would increase combined with a minimum separation distance of about 19m does not warrant the refusal of planning permission.
- 8.12 The proposed front dormer window would afford an oblique view over the rear garden of no.18 with no intervening screen vegetation. However, given this

relationship and the degree of separation being a distance of over 12 metres between window and the shared flank boundary it is considered that on balance, and again having regard to provisions of Policy KS1 of the Core Strategy, the loss of privacy that would arise would be insufficient to warrant the refusal of permission. Notwithstanding the approximate 12m distance between the window and boundary, the oblique angle of view, and the modest width of the dormer (approx. 1.2m), the amended plan submitted by the applicant following the deferral of the decision introduces a window reveal of about 25cm which reduces the angle and spread of view towards the rear elevation and hence the most likely used area of outdoor space at no. 18. The main direction of views from this window will be across the roof of the garage to no.18 and the front garden and road beyond. Thus a relationship that Officers already considered to be acceptable has been improved.

- 8.13 The existing garage is proposed to be used as a garden/store. Adequate on-site parking provision remains in the form of two surface level parking spaces with provision for additional parking on the driveway. This provides an acceptable level of parking for the enlarged dwelling.

Protected Species

- 8.14 The application is accompanied by a negative bat check. Whilst the Town Council comments are noted, the request cannot be justified in this instance.

Conclusion

- 8.15 Before reaching a conclusion it is essential to explain that due regard has been paid to all representations and submissions made at the last Planning Committee. As noted above, one of those submissions was a photograph appearing to be taken with a camera having a zoom lens from the rear garden of No. 18 Whincroft Drive directed towards the application site. This photograph, however, gave an impression that the subject dwelling's roof was much larger and closer to that particular garden than is actually the case. Your officers have a similar photograph taken with a standard 35mm lens that portrays a more appropriate representation of this relationship.
- 8.16 Be that as it may the revised first floor plan with an accompanying letter received on 20th November 2017 explains that the front dormer windows have been adjusted to a deeper reveal of approx. 25cm allowing for the dormer cheeks to act as partial "blinkers" and so reducing any outlook from same.
- 8.17 Having assessed all material considerations as outlined within the report above, there are not considered to be any matters which would warrant a refusal of planning permission. The proposal, now in their amended form, addresses the reasons for refusal of the previous applications by significantly reducing the bulk and massing of the roof extensions, does not result in any unacceptable loss of amenity for neighbouring properties and does not have a significant impact on the street scene or character of the area.

9.0 RECOMMENDATION - Grant, subject to the following:

Conditions:

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Drwgs. 6044-7A - Site and Location Plans, 6044-11 - Site Plan Showing Trees, 6044-14 - Proposed Floor Plans (as received under covering letter dated 20 November 2017) and 6044-15 Proposed Elevations.

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

3. Notwithstanding details already submitted with the application, no development start on site until an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP), which is to be in accordance with BS5837:2012 Trees in Relation to Design, Demolition and Construction Recommendations, have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved AMS and TPP. This condition shall not be discharged until an arboricultural supervision statement, the contents of which are to be confirmed at a pre-commencement meeting between the Tree Officer, Arboricultural Consultant and Site Manager, is submitted to and approved in writing by the Local Planning Authority on completion of development.

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

4. Notwithstanding details already submitted with the application, no development shall commence on site until a construction method statement for the proposed car parking bays have been submitted to and approved in writing by the Local Planning Authority. The car parking bays shall then be constructed as per the approved documents and this condition shall not be discharged until an arboricultural supervision statement is submitted to and approved in writing by the Local Planning Authority on completion of its erection.

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

5. Prior to commencement of works samples of the cellular confinement system to be used, including the samples of the cell infill aggregate, which shall not be of a calcareous nature rather a 4-20mm clean angular granite or flint shall be submitted and approved in writing by the Local Planning Authority.

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

6. The development hereby permitted shall be constructed entirely of the materials details of which are shown on plan No. 6044-15 (on the understanding that the roof tile shall be coloured smooth grey), unless otherwise agreed in writing by the Local Planning Authority.

Reason: This information is required prior to commencement of development to ensure satisfactory visual relationship of the new development to the existing to accord with Policy HE2 of the Local Plan and Government Guidance contained in the National Planning Policy Framework.

Informatives:

None

Background Documents: N/A

Case Officer: David Staniland

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

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

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REPORT SUMMARY

REFERENCE NO.	3/17/2250/CONDR		
APPLICATION PROPOSAL	Variation of condition 2 (plans) to add two additional high level rooflights and removal of conditions 6 (obscure glazing) and 7 (privacy screens) of application 3/16/0717/FUL (amended plans received 7.11.17).		
ADDRESS	38 Golf Links Road, Ferndown, Dorset, BH22 8BY		
RECOMMENDATION	- Grant, subject to conditions: (see Section 9 of the report for the full recommendation)		
REASON FOR REFERRAL TO COMMITTEE	At the request of Councillor Lugg because of the impacts on neighbouring amenity.		
SUMMARY OF REASONS FOR RECOMMENDATION	<ul style="list-style-type: none"> • The obscure glazing balcony screens are unnecessary as no demonstrable harm to neighbouring amenity will arise by reason of overlooking if they are omitted (Condition 7). • A variation to the obscure glazing condition will continue to protect neighbouring amenity and ensure that the condition complies with the 6 tests set out in the National Planning Policy Framework (Condition 6) • The plans can be amended to include two additional rooflights without harm to neighbouring amenity (Condition 2) 		
INFORMATION ABOUT FINANCIAL BENEFITS OF PROPOSAL	N/A		
APPLICANT	Shemron Homes	AGENT	Ken Parke Planning Consultants
WARD	Ferndown Central	PARISH/TOWN COUNCIL	Ferndown Town
PUBLICITY EXPIRY DATE	21 November 2017	OFFICER SITE VISIT DATE	16 th August 2017
DECISION DUE DATE	14 November 2017	EXT. OF TIME	7 th December 2017
RELEVANT PLANNING HISTORY			
App No	Proposal	Decision	Date
3/16/0717/FUL	Demolish existing building and erect block of 11 apartments with parking, bin and bikes stores	Granted	11.10.16

MAIN REPORT

1.0 DESCRIPTION OF SITE AND SURROUNDINGS

- 10.1 The application site is a large plot on the western side of Golf Links Road which was previously occupied by a two storey detached dwelling with a detached garage. The structure which is to contain 11 flats, approved by the Planning Committee under application 3/16/0717, is now substantially complete and some of the windows have been fitted. The site slopes up from the highway and the finished ground floor level of the flats is at a higher level than that of no. 40 to the south.
- 1.02 The site lies within the Ferndown: New Road Special Character Area (SCA) and is covered by a group Tree Preservation Order.

2.0 PROPOSAL

- 2.01 It is proposed to remove to conditions and vary a third which is attached to the original permission:
- Condition 2- Approved plans- proposed amendment to allow two additional high level rooflights. One window in the southern elevation to serve the kitchen of flat 9 and window in the north elevation to serve the bathroom of flat 7.
 - Condition 6- removal of this condition is sought which reads:
'The windows and roof lights in the first and second floors of the northern and southern (side) elevations shall either be installed with their sills at or above 1700mm above floor level of the rooms they serve, or be glazed with obscured glass and fixed closed for any sections that are below 1700mm above floor level of the rooms they serve. The windows shall be so retained in perpetuity.'
 - Condition 7- removal of this condition which reads:
'Notwithstanding the approved plans, prior to occupation details of 1800mm high opaque screens to be installed on the side elevations of the proposed balconies shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the screens shall be installed in accordance with the approved details before the flats relating to them are occupied, and the screens shall remain in perpetuity'

3.0 SUMMARY OF INFORMATION

	Extant planning consent	Proposed scheme	Change/net gain: From Previous scheme
Number of first floor windows facing south	3	3	0
Number of second floor windows facing south	1 dormer & 2 rooflights	1 dormer & 3 rooflights)	1
Number of first floor windows in northern elevation	3	3	0
Number of second floor windows in northern elevation	2 rooflights	3 rooflights	1
Distance from southern flank wall to south boundary (approx.)	6m	6m	0
Wall-to-wall distance between flats and no. 40 (south)	13m	13m	0
Distance from northern flank wall to north boundary (approx.)	7m	7m	0
Wall-to-wall distance between flats and no. 36 (north)	9m	9m	0

4.0 RELEVANT PLANNING CONSTRAINTS

Urban Area

Heathland 5km Consultation Area

Rights of Way

5.0 POLICY AND OTHER CONSIDERATIONS

Government Guidance:

The National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

Development Plan:

Christchurch and East Dorset Core Strategy 2014

Policies

KS1 Presumption in favour of sustainable development
HE2 Design of New Development

6.0 LOCAL REPRESENTATIONS

6.01 In addition to notification letters to adjoining neighbours a site notice was displayed on site from 17th August 2017. Further consultation letters were sent to neighbours following receipt of amended plans.

6.02 Objections have been received from 36, 38, 40 and 85 Golf Links Road and 2 Pringles Drive raising the following concerns:

- The obscure glazing in perpetuity is essential to protect the privacy and amenity of no. 40
- The photographs provided by the applicant are misleading- the foliage is at the height of unmanaged summer growth and do not take account of winter thinning and the approved landscaping scheme. Future loss of vegetation would result in greater overlooking
- No. 36 concerned about overlooking of the rear garden and conservatory. Privacy already lost to front garden patio and pool. Concern that shrubs provide only screening.
- Implications in respect of the Human Rights Act 1998 Protocol 1, Article 1 and Article 8- substantive right to respect for private and family life
- No. 38 is on elevated ground compared to no. 40 and 2 Pringle Drive
- Clear glazing has already been fitted

7.0 CONSULTATIONS

7.01 Ferndown Town Council (received 25th August)

Objection: Policy HE3 of Christchurch and East Dorset Local Plan (Core Strategy) Relationship to nearby properties including minimising general disturbance to amenity is not addressed by removing these conditions.

8.0 APPRAISAL

8.01 The main planning considerations are:

- The impacts of the proposal on neighbouring amenity
- The impacts on biodiversity

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

Impacts on neighbouring amenity

- 8.02 Conditions 6 and 7 were imposed in order to make the proposed development of 11 flats acceptable in relation to neighbouring amenity in accordance with policy HE2 of the Local Plan which states that '*...development will be permitted if it is compatible with or improves its surroundings in (inter alia): Relationship to nearby properties including minimising general disturbance to amenity.*'
- 8.03 It is necessary to consider whether the conditions meet the six tests set out in the NPPF, particularly whether they are necessary to make the development acceptable in relation to the impacts on neighbouring amenity.
- 8.04 The applicant argues that the conditions are not necessary for the following reasons:
- The boundary treatment shown on the approved plans will continue to ensure that there is no unacceptable overlooking of neighbouring properties
 - There is sufficient evidence available from the build progression to demonstrate that there are no views into the adjoining properties
 - No. 40 (to the south) has intervening garaging and a rear projection which, combined with separation distances and angles of view assists in avoiding loss of privacy to that property
 - The rooms on the southern elevation are first and second floor bedrooms rather than primary living accommodation so there will be limited instances of occupants looking out
 - No. 36 (to the north) has a blank flank gable facing the development and there are no views through to useable areas of garden on the adjoining site within an unacceptable separation distance.
 - Windows on the northern elevation are a small secondary window to a kitchen area opposite the gable area and an ensuite bathroom window which is to remain obscure
 - The balconies have limited projection which, combined with the separation distances, the position relative to flank walls, intervening planting and oblique angles avoids loss of privacy and overlooking.
- 8.05 The site was visited on 16th August when the building had been constructed to second floor height but lacked a roof; access was available onto the balconies and the roof. A further site visit was undertaken on 31st October once the roof was in place. Adjoining properties were visited on 11th October.

Impacts on neighbouring amenity of removal of condition 6

The proposed removal of condition 6 would result in:

- Three first floor windows in the north elevation serving a kitchen, bathroom and bedroom with a sill height lower than 1700mm could be clear glazed
- 8.06 The proposed bathroom and kitchen windows face the flank wall of no. 36 which is blank apart from a door with an obscure glazed pane. The supporting statement notes that the bathroom window would not be affected by the condition removal and would remain obscure glazed thereby avoiding potential oblique overlooking into the rear garden.
- 8.07 The kitchen window is sufficiently far forward in the plot to avoid any significant overlooking of no. 36 from oblique views of its front and rear gardens. It is not necessary for this window to be obscure glazed and fixed shut.
- 8.08 The rear-most bedroom window is currently screened by shrubs belonging to no. 38 that have been allowed to grow to a height of approx. 4m. The window is positioned 9.8m from the northern boundary but it is elevated and directly in line with the conservatory on the rear of no. 38 approx. 12m away; the occupants of that property have expressed concerns about future overlooking into their living space. It is noted that the approved landscaping plan proposes to maintain the existing shrubs but the landscaping condition does not secure the height at which vegetation shall be maintained as this would not be reasonable due to the nature of planting. It is reasonable to expect that the vegetation height will be reduced in the future for horticultural reasons and to facilitate maintenance. The 2m high hedge belonging to no. 36 would not provide effective screening to prevent overlooking from bedroom 1 of unit 7 into the conservatory and garden immediately to the rear of no. 36 where a degree of privacy would usually be expected. It is considered necessary and appropriate to continue to require obscure glazing of this window to prevent harm to neighbouring amenity and make the development acceptable.
- Three second floor rooflights in the north elevation serving a bedroom/study, an ensuite and a kitchen/dining area with sill heights below 1700mm would be clear glazed.
- 8.09 During the October site visit the roof timbers were in place and the rooflight serving the kitchen/dining area of unit 11 would appear to have a sill height of approx. 1620mm. This window is positioned in line with the front of no. 36 and it was evident that the limited oblique overlooking of the front and rear gardens of the neighbouring dwelling from this window would not result in a

level of harm to neighbouring amenities that would warrant a requirement for obscure glazing and restricted opening.

- 8.10 The rooflight serving bedroom 3 of unit 10 is located above the bedroom window serving unit 7 referred to above. This rooflight would appear likely to have a sill height of 1620mm, below the 1700mm originally required by the condition. At this height there would be opportunities for some overlooking down into the adjoining gardens if the window was opened and a greater perception of overlooking affecting neighbouring amenity. For these reasons the original requirement for windows with openings lower than 1700mm to be fixed shut remains necessary.
- 8.11 The additional rooflight sought by this application is to serve an ensuite so it would be reasonable for this window to be obscure glazed. This window appears likely to have a lower sill height of 1600mm. As it is not serving primary living accommodation there is a reduced likelihood of overlooking but the perception of overlooking remains pertinent if the window is to open. Again the original condition remains necessary.
- Implications: Three first floor windows in the south elevation serving two bedrooms and a living room with sill heights below 1700mm will be clear glazed.
- 8.12 The application is accompanied by photographs to show that the vegetation on the southern boundary provides an effective screen such that overlooking of no. 40 will be avoided. However the approved landscaping scheme identifies that existing vegetation alongside the southern flank wall is to be removed and replaced with an evergreen shrub mix including evergreen and deciduous species which is unlikely to be allowed to grow unkempt as the existing has been. It is evident that whilst there are some pine trees, a silver birch and evergreen shrubs on the boundary which belong to no. 40, these would be insufficient to screen all overlooking from first floor windows. With the removal of overgrown boundary vegetation, the three windows will facilitate views into the immediate rear garden of no. 40 including a patio area.
- 8.13 The applicant has suggested that a new condition could be imposed to require an amended landscaping scheme. It is proposed that this would secure the planting of a 1.8m high laurel hedge along the southern boundary and a maintenance scheme requiring that the management company maintains the hedge to an agreed schedule and the hedge is allowed to grow to a height of 4-5m. There is sufficient space to accommodate a hedge but it would need to grow to at least 4.5m to provide an effective screen to first floor windows in that elevation which overlook the immediate rear garden of no. 40. Although fast growing, the laurel hedge would still take a considerable period of time to mature to the necessary height. Such a condition relies upon the hedge growing successfully and on continuity of management over time. It is acknowledged that there is a greater degree of control where a management

company rather than individual house owner is involved, nevertheless a hedge is not considered to provide the necessary mitigation to overlooking over the long term compared to obscured glazing. It is considered that these three windows should be obscure glazed to make the proposal acceptable in relation to the neighbouring property. In coming to this decision the amenity of future occupants of flat 9 have been considered; the windows serve bedrooms so the use of obscure glazing is suboptimal but the developer has chosen to proceed with the development in the knowledge of the condition and the needs of future occupants do not outweigh the policy HE2 requirement that development should be compatible with its surroundings including minimising disturbance to amenity.

- One dormer window in the south elevation serving a bedroom (flat 9) and two rooflights serving a bedroom (flat 9), and one kitchen/living room (flats 9) with sill heights below 1700mm would be clear glazed.

8.14 The proposed dormer window is particularly prominent when viewed from the immediate rear garden of no. 40. Without obscure glazing the window would facilitate overlooking onto the rear patio of no. 40, notwithstanding the rear projection on that property referred to by the applicants. Nevertheless the window is at a sufficient height that the obscuring of the lower half of the window, below 1700mm would be sufficient to prevent overlooking whilst maintaining a degree of outlook beneficial to the amenity of future occupants.

8.15 One rooflight serving the kitchen/living room of flat 10 already appears likely to exceed 1700mm above finished floor level and is considered to be high-level so overlooking will be avoided. The other two rooflights have a sill height of approx 1620mm. The rooflight serving the kitchen of unit 9 is far enough forward to avoid harmful overlooking of no. 40; the first floor windows in the flank wall of no. 40 are obscure glazed. The height of the rooflight serving bedroom 1 of unit 9 will not prevent all overlooking and opportunities for and perception of overlooking would be exacerbated when the window is open, affecting neighbouring amenity, such that it is necessary to retain the original condition requiring that the this window either be raised to 1700mm or obscure glazed and fixed light.

Impacts on amenity of removal of Condition 7

8.16 The proposed removal of the condition would result in:

- 2 balconies at first floor and 2 balconies at second floor level on the front elevation would no longer require screens

8.17 The balconies at second floor level are shown to lie under the gable roofing so screens are not necessary. At first floor level the northernmost balcony will facilitate oblique views into the front garden of no. 36; a hedge forms the boundary between the two properties (which appears to be in good health

from no. 38 but is dying as is evident from no. 36) but it is not high enough to screen first floor views so the development will already result in views into the front garden pool area. The 1m deep balcony is positioned forward of the front elevation of no. 36 and adjacent to that property's garage so no harm from overlooking is anticipated which would necessitate a screen in this position. The southernmost balcony will allow overlooking towards the side boundary which is treed, and the flank wall of no. 40 which incorporates two obscure glazed windows. Again a screen on the 1m deep balcony is not considered necessary to avoid harm to amenity.

- 1 balcony at first floor and 1 balcony at second floor level on the rear elevation would no longer require screens

8.18 The rear 1m deep balcony is positioned 4m from the southern boundary shared with no. 40 and 4 Pringles Drive and offers oblique views towards both gardens. However, the balcony is at a sufficient depth into the plot that it will only enable views into the rearmost part of the garden of no. 40 and trees which are shown for retention assist in limiting views into the garden of no. 4 while building to building distance with no. 4 is approx. 30m. The extent of overlooking would not result in a level of harm to the amenities of the occupants of the neighbouring properties to support retention of the condition.

8.19 It is concluded that condition 7 fails to meet the tests of necessity and should be removed.

Impact on Dorset Heathland

8.20 As the proposal will result in a new planning permission it is necessary to secure the contributions towards Dorset Heathlands. A unilateral undertaking has been received which secures the monies required by the Dorset Heathlands Planning Framework in relation to the current application such that the proposal remains in accordance with policy ME2.

Conclusion

8.21 On the basis of the above assessment assisted by the development progress, it is considered that condition 7 does not meet the necessity test and should be removed.

8.22 Condition 6 should be varied so that it no longer requires that the first and second floor north facing kitchen windows be obscure glazed and to permit the partial obscure glazing of the south facing dormer window. The other rooflights will need to be obscure glazed and fixed shut if they fail to meet the 1700mm sill height requirements and there is still a requirement that the remaining first floor windows be obscure glazed to prevent harm to neighbouring amenity. As some of the windows have already been fitted the conditions should be amended to refer to first occupation.

- 8.23 Condition 2 can be varied to accept the two additional rooflights which will be the subject of condition 6 restrictions such that they will not result in demonstrable harm to neighbouring amenity.

9.0 RECOMMENDATION - Grant, subject to the following:

Conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:
Proposed Site, Block and Location Plan - 8642/200B
Proposed car port/section - 8642/206A
Proposed Elevations - 8642/202B
Proposed street-scene/car port 8642/203A
Proposed Floor Plans - 8642/201A
Proposed Drainage Strategy 80172-01A
Proposed SUDS Scheme 8642/205 A

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

2. The development shall be completed in accordance with the following approved details prior to first occupation:
Design Criteria and Maintenance Plan for Surface Water System – Revision B, dated 09/06/2017
Detailed Drainage Design drawing (plan ref: SSP 80217-01 Rev D) dated 18/07/2017
Soakaway Tests & Trial Pit Details (plan ref: SSP 80217-02 Rev A) dated 09/06/2017
Soakaway Detail (section & plan detail drawing ref: 80217-03) dated 09/06/2017
Appendix A – Soakaway Design / Tedds Calculations (ref: 80217 dated 09/07/2017)

Reason: To avoid the risk of flooding and to protect water quality

3. All soft landscape works shown on the approved plans, drawing no. 9839, shall be carried out in accordance with the approved details before the flats are occupied.

Reason: In the interests of the proper landscaping of the site.

4. Prior to first occupation, with the exception of the kitchen window serving unit 8, all windows in the first floor of the northern and southern (side) elevations shall be glazed with obscured glass to level 5 obscurity and shall either be a fixed light or top hung with restricted opening so as to prevent the effect of obscure glazing being negated by reason of overlooking. The windows shall be so retained in perpetuity.

Reason: In the interests of neighbouring amenities.

5. Prior to first occupation, any part of the dormer window serving unit 9 which is below 1700mm above the finished floor level of the room it serves shall be fitted with obscure glass to level 5 obscurity and the window shall be fixed closed or top hung with restricted opening so as to prevent the effect of obscure glazing being negated by reason of overlooking. The window shall be so retained in perpetuity.

Reason: In the interest of neighbouring amenities

6. Prior to first occupation, with the exception of the kitchen windows serving units 9 and 11, the second floor rooflights in the northern and southern (side) elevations shall either be installed with their sills at or above 1700mm above floor level of the rooms they serve, or shall be glazed with obscured glass to level 5 obscurity and shall be fitted with restrictors limiting their opening to a maximum of 0.1m above sill height so as to prevent the effect of obscure glazing being negated by reason of overlooking. The windows shall be so retained in perpetuity.

Reason: In the interest of neighbouring amenities

7. The development shall be carried out in accordance with the Colmar Construction Construction Phase Plan.

Reason: In the interests of highway safety and neighbouring amenities.

8. The protection of the trees shall be in accordance with the Barrell Tree Consultancy Report Ref: 15383 – AA2 – PB dated 15.03.2016. The tree protection measures shall be retained in accordance with BS5837:2012 fig.2 until the development is completed and nothing shall be placed within the fencing, nor shall any ground levels be altered or excavations made without the written consent of the planning authority.

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

9. All works shall be undertaken strictly in accordance with the approved details.

External Facing and Roofing materials.
Blue/black engineering brick to ground floor plinth only.
Rendered walls - off white.
Reconstituted stonework - Bathstone.
Slate roof - Brazilian 1st grade Natural Slates.
UPVC windows - Anthracite Grey.

Reason: In the interest of visual amenities.

10. The development hereby permitted shall not be occupied or utilised until the turning and parking shown on Drawing Number 8642/200B has been

constructed. Thereafter, these areas shall be maintained, kept free from obstruction and available for the purposes specified.

Reason: In the interests of road safety.

11. The development hereby permitted shall not be occupied or utilised until the cycle parking facilities shown on Drawing Number 8642/200B have been constructed. Thereafter, these shall be maintained, kept free from obstruction and available for the purposes specified.

Reason: In the interests of road safety.

12. Any entrance gates shall be set back a minimum distance of 5 metres from the edge of the carriageway and hung so that the gates can only open inwards.

Reason: In the interests of road safety.

13. The scheme shall be fully delivered in accordance with the approved Biodiversity Certificate dated the 20th September 2016 and accompanying Biodiversity Mitigation Plan dated the 21/9/16 together with the recommendations as set out in the Report on Biodiversity dated the 12th September 2016. Reasons: In the interests of the ecology of the site.

14. Notwithstanding what is illustrated on the approved plans, the bat house does not form part of the approved development

Reason: The approved Biodiversity Certificate does not require the installation of a bat house

15. Unless otherwise indicated on the approved drawings, there shall be no change to the existing site levels.

Reason: In the interests of the character of the area.

Informatives:

1. Highway crossing
2. Unilateral

Background Documents:

Case Officer: Elizabeth Adams

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

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

REPORT SUMMARY

REFERENCE NO.	3/17/2673/HOU		
APPLICATION PROPOSAL	Retrospective permission for s/s extension forming a utility room and s/s extension to garage to form play room with the removal of the car port and conservatory (lawful developments) and the removal of the remaining Class E Permitted Development Rights for the erection of new buildings within the grounds (resubmission of refusal 3/17/0449/HOU dated 12th April 2017).		
ADDRESS	Sylvestris, Stapehill Road, Ferndown, Wimborne, Dorset, BH21 7NS		
RECOMMENDATION	- Refuse (see Section 9 of the report for the full recommendation)		
REASON FOR REFERRAL TO COMMITTEE	At the request of Councillor Russell as the applicant has the right to the democratic process.		
SUMMARY OF REASONS FOR RECOMMENDATION	<ul style="list-style-type: none"> The extensions represent disproportionate extensions to the original dwelling within the Green Belt. There are no very special circumstances which outweigh the harm by reason of inappropriateness. 		
INFORMATION ABOUT FINANCIAL BENEFITS OF PROPOSAL	Not applicable		
APPLICANT	Mr & Mrs Baron Cole	AGENT	WB Planning
WARD	Hampreston and Longham	PARISH/ TOWN COUNCIL	Ferndown Town
PUBLICITY EXPIRY DATE	26 October 2017	OFFICER SITE VISIT DATE	3 October 2017
DECISION DUE DATE	17 November 2017	EXT. OF TIME	
RELEVANT PLANNING HISTORY			
App No	Proposal	Decision	Date
3/17/2672/HOU	Addition of timber cladding to walls of car port	Refused	17/11/17
3/17/0449/HOU	Retrospective retention of single storey side extension and rear extensions to garage	Refused	12/04/17
Reasons for refusal: Inappropriate development in the Green Belt			

3/16/0343/CLU	Erection of three extensions to the dwelling and one freestanding car port identified as structures 1-4 on the attached plan B and within the sworn statement.	Granted	7/12/16
3/03/1476/FUL	Demolish Existing Bungalow and Erect New Two Storey Detached Dwelling- as amended by plans received 7/01/04	Granted	7/1/04

MAIN REPORT

1.0 DESCRIPTION OF SITE AND SURROUNDINGS

1.1 Sylvestris is a residential dwelling which lies within the Green Belt south of the urban area of Ferndown. To the northwest is Ferndown Forest, separated from the application site by a vehicular access serving a nursery which lies to the rear/southwest. The Oaks, a dwelling, lies to the south and on the northern side of Stapehill Road there are other dwellings.

2.0 PROPOSAL

2.1 This retrospective application has been submitted in an attempt to remedy breaches of planning control brought to the Council's attention, namely:

- A single storey side extension which links the dwelling to the garage
- A rear single storey, with internal mezzanine floor, extension to the garage

It is proposed that these extensions be retained but in order to overcome the previous refusal it is also proposed that the existing lawful carport and conservatory be demolished and a unilateral undertaking has been submitted which would secure the removal of permitted development rights for outbuildings in the curtilage of the dwelling.

2.2 The site is also subject to an Enforcement Notice which seeks the removal of the unauthorised extensions. An appeal has been lodged in respect of this Notice, which has been held in abeyance pending the outcome of this planning application.

3.0 SUMMARY OF INFORMATION

	Current extensions as built
Approximate Ridge Height (m)	Utility room: 3m Garage extension: 5m
Approximate Eaves Height (m)	Utility room: 2.5m Garage extension: 2.7m

Approximate Depth (m)	Utility room: 11m Garage extension: 11m
Approximate Width (m)	Utility room: 3.7m Garage extension: 5.9m
Distance from eastern site boundary with Stapehill Road	Utility room: 26m Garage extension: 18m
Distance from boundary with The Oaks (south)	Utility room: 26m Garage extension: 36m
No. of Storeys	Utility Room: single storey Garage extension: single storey with mezzanine floor

4.0 RELEVANT PLANNING CONSTRAINTS

Green Belt

5.0 POLICY AND OTHER CONSIDERATIONS

Government Guidance:

The National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

Development Plan:

Christchurch and East Dorset Core Strategy 2014

Policies

- KS1 Presumption in favour of sustainable development
- KS3 Green Belt
- GB3 Criteria for extensions to dwellings in the Green Belt

6.0 LOCAL REPRESENTATIONS

In addition to notification letters to adjoining neighbours a site notice was displayed on site from 3rd October 2017. No responses were received.

7.0 CONSULTATIONS

7.01 Ferndown Town Council (received 30.10.17)

The committee is of the opinion that such development should not have been built on greenbelt whether or not there is good screening, especially without planning permission, an arboricultural survey, greenbelt mitigation all being in

place before work commenced. There are no special circumstances in this case to warrant such development. We consider the extensions subject to the CLU application of 2016 provided more than enough accommodation on this site. We favour enforcement action being taken. The committee consider it a misuse of the planning process to repeatedly use retrospective planning applications.

8.0 APPRAISAL

8.01 The main planning considerations are:

- The principle of development- whether it is inappropriate
- The effect on the openness of the Green Belt
- Whether very special circumstances exist

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

Whether inappropriate development?

8.02 The National Planning Policy Framework sets out in chapter 9 the need to protect Green Belt land. New building is to be regarded as inappropriate unless it meets one of the exceptions listed in paragraphs 89 or 90. These include *'the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building'*.

'Original building' is defined as *'a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally'*.

8.03 Saved policy GB3 states that extensions to, or replacement of existing dwellings *'will only be allowed where:*

- a) the extension or the replacement dwelling does not materially change the impact of the dwelling on the openness of the green belt, especially through its height or bulk; and*
- b) The size and scale of a proposed extension does not dominate the existing dwelling and*
- c) The size of any garage building must be commensurate with the replaced or extended property. Any space above ground floor should be limited solely to storage use. Such space should not be capable of later conversion to residential use'*

8.04 The preamble to this saved policy stated:

'6.101 Over the past decade, when extensions of up to 50% of the floor area of existing dwellings have been permitted, experience has shown that there can be a substantial impact and change of character both in the individual case and cumulatively. This has been contrary to the essential purpose of

Green Belt policy, that the land should remain open and rural in character. The impact has been particularly noticeable in the case of replacement dwellings where almost invariably the height and bulk of the new building has been substantially greater than the building it replaces.

6.102 Prior to the Inspector's Report the Council was using the 50% principle set out in the above paragraph as a policy determining whether an extension and replacement were disproportionately large in relation to the openness of the Green Belt. The Council will determine such applications on the basis of the policy set out below [policy GB3] judging proposals on whether their impact is proportionate or disproportionate in terms of their openness of the Green Belt and will only use as a general guideline whether the extension is greater than 50% or 140sqm of the gross residential floor area of the dwelling as it existed when the Green Belt was designated on 5th February 1980...'

Policy GB3 provides some parameters for determining whether an extension is proportionate, and therefore appropriate development within the Green Belt. However in appeal APP/U1240/D/16/3167496 elsewhere within the District the Inspector judged that the inclusion of the requirement to consider the implications of the extensions on the openness of the Green Belt in GB3 was a significant difference from the approach set out in the NPPF and as such the local policy was out of date in the context of paragraph 215 of the NPPF.

- 8.05 In the light of the above it is understood that the judgement is to be purely based on whether the extensions are proportionate to the size of the original dwelling. At the same appeal the Inspector challenged the Council's standard interpretation of 'original dwelling' as reverting back to the original building on the site, directing that the current dwelling on the site as originally constructed in 2004 is the 'original building' from which to assess whether an extension or alteration is disproportionate. Although this approach would appear to have implications for protection of the openness of the Green Belt it has been taken as the pragmatic approach in the light of Planning Inspectorate interpretation.
- 8.06 In this instance, then, it is necessary to consider whether the size of the proposed extensions, cumulatively with previous extensions the subject of the lawful development certificate 3/16/0343/CLU, are proportionate with the size of the dwelling constructed in 2004 under consent 3/03/1476/FUL. It is noted that the conservatory which is the subject of the lawfulness certificate is to be removed so it is not included in this assessment. The other additions comprising the front porch and orangery which are subject to the CLU were subsequent extensions and are not part of the building as it was built originally.

	‘Original dwelling’ as granted by 3/03/1476	Lawful extensions under 3/16/0343/CLU (excluding conservatory which is proposed for demolition)	Proposed extensions	Total extensions to original
Gross floor area (approximate m ²)	151m ² + 37m ² detached garage Total = 188 m ²	Orangery = 12 Porch = 8 Total = 20m ²	Utility room = 39 Garage extension/playroom = 66 Total = 105m ²	125m ² 150% (when garage inc) 183% (when garage excluded)
Volume (approx., measured externally, m ³)	396m ³ +133m ³ garage 529m ³ (inc original garage)	Orangery = 28 Porch = 20 Total = 48m ³	Utility room = 105 Garage extension = 243 Total = 348m ³	396m ³ 175% (inc garage) 200% (excluding garage)

8.07 The above figures have been calculated from the plans provided so they can only be approximate, but they have been agreed with the applicant. It is recognised that such figures are not prescriptive, but they nevertheless demonstrate that an additional 50% of floorspace has been added to the dwelling which was completed in 2004 on the site, and that this equates to an additional 75% of volume created. These are significant when compared to the size of the replacement dwelling house and exceed that which might be considered to be proportionate extensions.

For these reasons the proposal is judged to be contrary to NPPF paragraphs 88 and 89.

8.08 In the above calculations the garage extension has been considered as an extension to the original dwellinghouse in relation to the NPPF because the

garage has effectively been subsumed into the dwelling as a result of the extensions currently under consideration.

- 8.09 Had the garage extension been considered as an extension to the original garaging then it could not be considered to be proportionate, as it has more than doubled the size of that structure, extending the original apex form for a further 11.5m.

Effect on openness

- 8.10 The NPPF makes it clear that most important attribute of the Green Belt is its openness. In the recent Court of Appeal Judgement in Turner v Secretary of State for Communities and Local Government [2016] EWCA Civ 466 it was noted in paragraph 14:-

'The concept of openness is not narrowly limited to the volumetric approach as suggested by Mr Rudd. The word 'openness' is open-textured and a number of factors are capable of being relevant when it comes to applying the particular test of a specific case. Prominent among these will be factors relevant to how built up the Green Belt is now and how built up it would be if redevelopment occurs (in the context of which, volumetric matters may be a material concern, but are by no means the only one) and factors relevant to the visual impact on the aspect of openness which the Green Belt presents'.

A further consideration of 'openness' was considered in the Court of Appeal judgement set out below:

R (Lee Valley Regional Park Authority) v Epping Forest DC [2016] EWCA Civ 404, Treacy, Underhill, Lindblom LJJ

"The concept of "openness" here means the state of being free from built development, the absence of buildings – as distinct from the absence of visual impact"

- 8.11 The application site lies in a cluster of residential and horticultural related development approx. 90m south of the residential area of Ferndown within which buildings are generously spaced and soft landscaping is predominant.
- 8.12 The extensions which are the subject of this retrospective proposal are single storey in form. The utility/boot room is a single storey structure attached to the southeast flank wall of the dwelling. It lies behind a rebuilt wall which links the house and the garage so it cannot be seen from the plot frontage and boundary vegetation within the curtilage provides screening in view beyond the site and has limited visual impact.
- 8.13 The garage extension/playroom is also a single storey extension with a mezzanine floor, but it has a greater prominence on the site, extending to the

rear of the original garage. Although the development can only be glimpsed from beyond the site through the boundary vegetation, openness is not a direct function of visibility but is rather an attribute that is eroded by the introduction of the built form. The use of vegetation screening could be repeated too often to be accepted as avoiding impact on openness. The developments, the subject of this application have an adverse impact on the openness of the Green Belt due to their scale relative to the original dwelling.

Other considerations

- 8.14 The proposal accords with design policy HE2 of the Local Plan: The structures are compatible with the form of the property, they have been constructed from matching materials, do not harm protected trees nor affect the amenity of neighbouring properties.
- 8.15 In addition to their Green Belt concerns the parish council has objected to the retrospective nature of the application. Planning Practice Guidance paragraph 011 states that '*A local planning authority can invite a retrospective application. In circumstances where the local planning authority consider that an application is the appropriate way forward to regularise the situation, the owner or occupier of the land should be invited to submit their application without delay.*' The same paragraph requires that such applications '*must be considered in the normal way*'.

Very Special Circumstances

- 8.16 In accordance with NPPF paragraph 87 it is necessary to consider whether any very special circumstances exist which would outweigh the harm to the Green Belt by reason of inappropriateness and impact on openness. Several special circumstances have been put forward by the applicant in support of the proposal:

Local Appeal Decision APP/U1240/D/15/3014405

- 8.17 The accompanying planning support statement references appeal APP/U1240/D/3014405 which related to a replacement detached garage at The Warren, a residential property approx. 200m south of Sylvestris. In that case the proposed garage was more than double the size of the original but the Inspector determined that the harm to the Green Belt by reason of inappropriateness was outweighed by the 'modest increase in the overall built development on the appeal site', the need for the secure storage of necessary maintenance equipment and the appellant's cars and having only a 'minimal impact upon the openness of the Green Belt or the visual amenities of the surrounding area'. The appeal was upheld.

The applicant contends that the same special circumstances are relevant to the current application:

A) The proposals have limited impact on the openness of the Green Belt

8.18 The applicant states that the proposed extensions contribute to a 7% site coverage and that the screening of the extensions by the main house and boundary vegetation means that they are not visible. Separation distances between the dwelling and its neighbours also compare favourably with other properties in the area.

8.19 The spaciousness of the plot is accepted, as is the limited visual impact of the proposals beyond the site. However, unlike The Warren, Sylvestris has already been extended and outbuildings have been added which have increased the level of development on the site. Visibility is not equivalent to openness; the effective screening of development could be used as justification in too many circumstances, to the detriment of the openness of the Green Belt. The limited visual impact of the proposals on the Green Belt has therefore already been acknowledged but given limited weight. Openness is the absence of built form, and in this scenario the developments, the subject of this application have an adverse impact on the openness of the Green Belt.

B) The extensions are 'essential elements in the living conditions of the owners'

8.20 The proposals relate to a boot/utility room and a living area with a mezzanine floor, currently in use as a playroom within the garage extension. It is acknowledged that the additional space provided by the extensions contributes to the amenity of the residents but this can only be given only modest weight.

C) No local concerns had been raised until a complaint in 2015

8.21 No objections to the development have been raised by neighbours during the planning process but this is not a material planning consideration.

Removal of the conservatory and car port

8.22 Unlike the previous refusal, the application is accompanied by a unilateral undertaking which secures the removal of the existing car port and conservatory within 6 months of the date of approval.

8.23 The conservatory is located on the northwest rear corner of the property. It has a floor area of 21m² and a volume of 50m³. The removal of this built form has been offered to offset the proposed extensions and has been included in the consideration of whether the proposal is appropriate development. The conservatory extended the dwelling to the northwest but the benefit to the openness of the Green Belt from its removal would be modest.

- 8.24 The car port is an open sided structure with a flat roof, 6.8m wide by 6.4m deep and 3m high. The car port benefits from a certificate of lawfulness and permission was sought to add timber cladding under application 3/17/2672/HOU to effectively construct 4 walls with 2 garage doors which would have resulted in a structure with the appearance of a building, rather than a roof supported on slim timber posts. This application was refused on 17th November. The carport is sited alongside the garage between that building and the highway. It adds to the built form on site so its removal would benefit the openness of the Green Belt although in its open sided form it has less impact than the garage extension proposed for retention. Some weight can be given to this benefit.

Removal of Class E Permitted Development Rights

- 8.25 The unilateral undertaking also secures the removal of Class E permitted development rights from the application site. Schedule 2, Class E of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) allows the provision of structures which are incidental to the enjoyment of the dwellinghouse. Condition 4 of permission 3/03/1476/FUL removed permitted development rights for a car port or garage but the structures built on the site which were lawful due to the passage of time (3/16/0343/CLU) as they exceeded the size of buildings normally covered by permitted development rights. The unilateral would prevent other structures which currently meet the permitted development criteria.
- 8.26 During the consideration of the previous refusal officers recognised that the substantial size of the curtilage behind the front elevation of the property meant that there was potential for significant structures to be erected under permitted development rights which could harm the openness of the Green Belt. The potential for future harm from additional development was acknowledged but it was noted that the removal of Class E would not prevent development, only bring it back under Local Planning Authority control.
- 8.27 The unilateral undertaking now submitted with the application, commits the applicants to not carry out further development which is allowable under Class E. Plans have been provided to show where outbuildings could be located but this does not represent a fall back which can be given significant weight; the incentive to add such outbuildings would be reduced compared to the benefits of attached living space and such curtilage structures would have implications for the setting of the property.
- 8.28 Under CIL legislation any s106 must meet the following tests:
- Necessary to make the development acceptable in planning terms

- The removal of existing development is necessary but Officers do not consider that the removal of Class E permitted development rights contributes to making the disproportionate extensions acceptable
 - Directly related to the development
 - The removal of existing development is directly related to the development but as the proposal is for extensions which are controlled by Schedule 2, Class A of the permitted development legislation, there is no direct legislative link to the removal of Class E rights. The applicant argues that if permission for the extensions is refused then the incidental living space they provide would be re-created within curtilage structures under Class E with a greater impact on the Green Belt but this is an indirect link to the development.
 - Fairly and reasonably related in scale and kind to the development
 - The removal of existing development is fairly and reasonably related to the proposal. The removal of Class E permitted development rights will not impose an unreasonable burden on future occupants but this reflects the limited benefit of the offer.
- 8.29 Overall Officers consider that removal of Class E permitted development rights does not meet the CIL tests. This is not a matter to which weight can be apportioned.

CONCLUSION

- 8.30 The two extensions proposed for retention result in disproportionate additions over and above the size of the original building so they are inappropriate development within the Green Belt which is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 8.31 The proposals accord with local design policy HE2, contribute to the occupants' amenity and are well screened but these matters can be given little weight. A unilateral undertaking accompanying the application would secure the removal of two lawful structures. The removal of the conservatory would reduce the cumulative impact of the development on the site but not to a degree that the additions would be proportionate to the original dwelling. The removal of the car port would be a modest gain to Green Belt openness. The removal of Class E permitted development rights has also been offered which would increase the level of control over future development on the site but as it is not directly related to the development it cannot be given weight. Overall, these issues, individually and cumulatively are not judged to clearly

outweigh the harm to the Green Belt by reason of inappropriateness; no very special circumstances exist to justify the development.

- 8.32 The application is considered to be contrary to national Green Belt policy set out in the NPPF and refusal is recommended.

9.0 RECOMMENDATION - Refuse, for the following reasons

1. The proposed development lies within the South East Dorset Green Belt. Within this area it is intended that only particular types of development set out in the National Planning Policy Framework will be permitted. The extensions, when considered together with other previous extensions to the property, are judged to exceed that which could be reasonably regarded as proportionate additions to the size of the original building and result in harm to the openness of the Green Belt. The proposal therefore represents inappropriate development in the Green Belt, contrary to the provisions of the National Planning Policy Framework, in particular paragraphs 79-80, 87-90. No very special circumstances have been demonstrated which would outweigh the potential harm to the Green Belt by reasons of inappropriateness and impact on the openness of the Green Belt.

Informatives:

1. For the avoidance of doubt this decision relates to the following plans:
Plan 1: Site Location Plan
Plan 2: Existing Floor Plans
Plan 3: Existing Floor Plan Garage and Car Port
Plan 4: Existing Elevations
Plan 5: Existing Elevations
Plan 6: Existing Elevations garage
Plan 7: Approved Elevations
Plan 8: Approved Floor Plans
Plan 9: Retrospective permission- New Class E Buildings after demolition
Plan 10: Retrospective permission- New Class E Buildings after demolition
Plan 11: Block/site plan- New Class E Buildings after demolition
Plan 12:Block/site plan- New Class E Buildings after demolition
2. This application was accompanied by a unilateral undertaking dated xx in respect of the demolition of the conservatory and car port and removal of Schedule 2, Class E permitted development rights.

Background Documents:

Case Officer: Elizabeth Adams

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