Application details

Ref: 6/2018/0611	App Type: Full planning permission	Case officer: Anthony Bird
Applicant: Mr Simon McFarlane		
Address: Cottee And Son, East Street, Wareham, BH20 4NR		
Description: Demolition and redevelopment to form 9 dwellings, access, car parking, and landscaping.		
Planning Committee: 27 February 2019		

Reason for decision process for this application

The Planning Committee is considering this application because:

It relates to a scheme for more than 5 dwellings in Wareham and in accordance with the scheme of delegation it is referred to the Planning Committee for determination.

Recommendation

To **grant** planning permission subject to conditions as set out in the attached Appendix.

Key planning issues

Issue	**Conclusion**
Principle of development	Acceptable – the site is within the settlement boundary of Wareham.
Detailed design and impact on the character and appearance of the area and impact on the setting of heritage assets	No objections. The site and setting can satisfactorily accommodate this development. The proposed design is of a sufficiently high quality. It will positively contribute to the townscape of this part of Wareham. There will be no adverse impact on the setting of any heritage asset.
Impact on the living conditions of the occupants of neighbouring properties	No objections. The development will not result in any demonstrably harmful adverse effects on neighbouring residential amenity.
Highway safety/traffic generation	No objections, subject to conditions ensuring that the access, turning and parking arrangements are constructed as proposed.
Impact on trees	No objections. The implementation of the submitted arboricultural method statement will ensure there is no adverse impact on significant trees. This can be secured by condition.
Biodiversity	No objection. Implementation of an approved Biodiversity Mitigation Plan can be secured by condition.

Issue	Conclusion
Flood Risk/Drainage	Acceptable. There is no constraint upon the development in relation to surface water drainage/flood risk.
Archaeology	No objection. An archaeological evaluation of the site has been carried out. Required mitigation can be secured by condition.
Contaminated land	No objections, subject to conditions to ensure the submission of more information regarding potential on-site contaminants and the carrying out of any necessary remedial works.

Summary

All significant planning matters have been appropriately and adequately addressed. The proposals have been expressly modified to overcome the objections raised by the Planning Committee in relation the design of the development subject of application 6/2018/0153 on the East Street frontage.

Officers are recommending approval.

Purbeck Local Plan 2018-2034:

Regard has been had to the policies of the emerging Local Plan but none are considered to be material to the determination of this application.

Resource implications

The approximate resource implications if this application is granted are:

What	Amount / value	Material planning consideration
Council tax	*£17,900	No
Business rates	Minus £7,440	No
New homes bonus	£10,530 per annum, paid for 6 years	No
Affordable housing	N/A	N/A
CIL	Approximately £4,452	No
Other section 106 contributions	N/A	N/A

*based upon average Council Tax of band C. PDC element is approximately 10% of this figure.

Main report

The site

This 0.29 hectare site is situated on the south side of East Street and it also has a frontage onto Wyatt's Lane. It is within a residential area. The site has been vacant since December 2015 when Cottees Auctions relocated to new premises in Poole. There are a number of single storey buildings, including the former sales and auction rooms, stores and toilet buildings. These are constructed in a mixture of brick, blockwork, and metal clad walls with corrugated iron roofs. Most of the remainder of the site is given over to hard surfacing comprising concrete or tarmac. The site slopes upwards from the East Street frontage, becoming level towards the centre and then dropping down towards Wyatt's Lane. There are existing vehicular accesses from East Street and Wyatt's Lane.

There are several significant trees around the site, including a Sycamore tree located close to the north-west corner of the site fronting onto East Street that is subject of a Tree Preservation Order. Mature hedging defines the southern site boundary with Wyatt's Lane.

The site is within the designated Wareham settlement policy boundary and the Wareham Conservation Area. The Scheduled Monument of Wareham Walls is approximately 25 metres to the east of the site.

Proposed development

This is an application for full planning permission to demolish all the former auction/sales and other buildings and redevelop the site with 9 dwellings, in the form of 2 bungalows, 2 chalet bungalows and 5 two-storey houses. The accommodation to be provided comprises two 4 bedroom properties and seven 3 bedroom properties.

Two of the dwellings will be accessed from Wyatts Lane and the remainder from East Street. A total of 18 on-site car parking spaces will serve the development.

The application is accompanied by a planning, design and access statement, transport statement, heritage statement, archaeological evaluation, biodiversity assessment, contaminated land investigation, drainage assessment and an arboricultural assessment and method statement.

Relevant planning history

Full planning application reference 6/2016/0683 for the redevelopment of the site with 21 sheltered apartments for the elderly and 6 affordable apartments was withdrawn shortly before the application was due to be considered at the May 2017 meeting of the Planning Committee. The officer recommendation was that planning permission be refused on a number of grounds, including concerns regarding adverse impacts of the scale, form and massing of the proposal on the character of the locality and on neighbouring amenity.

Full planning application reference 6/2018/0153 for the redevelopment of the site to form 9 dwellings, access, car parking, and landscaping was refused at the July 2018 meeting of the Planning Committee for the following reason:

The proposal does not preserve the character and appearance of the Wareham Conservation Area by the introduction of uncharacteristic development on the East Street frontage of further detached houses and a bungalow which fail to have regard to the historic pattern of terraced housing development which dominates the street scene. This is contrary to paragraph 195 of the National Planning Policy Framework (2018) and Policies D: design and LHH: Landscape, Historic Environment and Heritage of the Purbeck Local Plan Part 1. There are no substantial public benefits that outweigh that harm.

An appeal against this decision has recently been lodged with the Planning Inspectorate.

Pre-application discussions

Prior to the submission of planning application 6/2018/0153 pre-application advice was given in respect of a scheme for the demolition of the existing buildings and the redevelopment of the site to form 10 retirement houses for the elderly, with access, car parking and landscaping (reference PAP/2017/0080). No further pre-application advice has been given in relation to the current application.

Relevant issues for this application

Principle of development

The site lies within the defined settlement policy boundary for Wareham as identified in the Purbeck Local Plan Part 1 (PLP1), where new development is acceptable in principle and in accordance with the Government's presumption in favour of sustainable development. Policy LD of the plan identifies land within the settlement boundaries as the most sustainable location for development in Purbeck.

The site is also 'brownfield' or 'previously developed land' and government guidance in the National Planning Policy Framework (NPPF) encourages and gives substantial weight to the redevelopment of such land (NPPF paragraph 118).The Government's objective is to significantly

boost the supply of homes (NPPF paragraph 59) and promote an effective use of land (NPPF paragraph 117). The nine additional dwellings proposed would provide a useful contribution towards the supply of housing in the District.

PLP1 Policy CF – Community facilities and services, seeks to protect existing community facilities and services. Community facilities are generally places where people might congregate and socialise; and places that offer key services that help sustain everyday activity, such as medical centres and post offices. In its historic use as a market and livestock auction, the Cottee's site may have performed the function of a community facility because it would have been a place for socialising and a draw for local people. However, in its latter use, this is not considered to be the case, particularly when the market element moved to Wareham Quay. In recent times the site has been primarily used for the display and sale of goods for general auction. Although cafes are listed as a community facility for the purposes of Policy CF, the cafe that previously existed on the site was incidental to the auction use and not an independent use. Considering what generally constitutes a community facility and the way the site has been used in recent times, it would be difficult to sustain a case that it is a community facility. Policy CF would not apply and it would be inappropriate to insist that any new redevelopment of the site should include a community facility element.

In terms of the three overarching objectives of the NPPF (paragraph 8), whilst the cessation of the existing commercial (historic auction) use of the site is a negative economic and social impact, this is outweighed by the wider economic benefit (arising from construction work), social benefit (arising from the provision of additional dwellings) and environmental benefit (arising from the positive contribution to the Wareham townscape) of the proposed development.

The Wareham Neighbourhood Plan has now been submitted to an independent planning inspector for examination. If agreed by the Council and the planning inspector, the plan will be formally adopted and used in the assessment/determination of planning applications. Whilst the draft contains proposed policies relevant to this scheme (for example policy H2 in relation to the mix and type of housing within new development and policy H9 which supports the residential redevelopment of the former Cottees market site), the Neighbourhood Plan is not sufficiently far advanced towards adoption to carry significant weight in the assessment of this application.

Relevant Planning Policies:

National Planning Policy Framework:

Section 2 - Achieving sustainable development, Section 4 - Decision-making, Section 8 – Promoting healthy and safe communities, Section 11 - Making effective use of land.

Purbeck Local Plan Part 1:

Policies SD - presumption in favour of sustainable development, LD - general location of development, HS – housing supply, CEN –central Purbeck, CF – community facilities and services.

Officers have also considered:

National Planning Practice Guidance.

Emerging Wareham Neighbourhood Plan.

Detailed design and impact on the character and appearance of the area and impact on the setting of heritage assets

The site occupies the former market site between Wyatt's Lane and East Street surrounded by generally post-war suburban development. Existing buildings on the site are single storey. The townscape here has a much lower density than that at the centre of the town with a broken, discontinuous frontage and a generally loose character. This is particularly appreciable when viewed from the walls to the east. Within East Street itself increasing fragmentation moving east

along the road is noted in the adopted Wareham Conservation Area Appraisal. Single and two storey building forms, the modest form of which is emphasised in many cases by shallow roof pitches, are predominant, though more 'traditional' housing of slightly greater stature occurs on the opposite side of East Street. The Appraisal notes the relatively 'settled' pattern of building heights in East Street. The adopted Wareham Townscape Character Appraisal Supplementary Planning Document (TCA) more generally notes the modest domestic massing of development in this part of the town. Both the TCA and the Wareham Historic Towns Survey of 2011, highlight the inconsistent and negative character of bulky 'monolithic' modern building forms such as Anglebury Court. The TCA further observes that three storey building forms are exceptional and generally inconsistent with the townscape character of Wareham.

The Council has a statutory duty under section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 (as amended) to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas when considering applications.

The existing buildings on the site, which comprise an assortment of single storey, timber frame, buildings have little value in conservation terms and are in a poor state of repair. These buildings are designated as 'neutral' in the Conservation Area Appraisal and all the buildings immediately surrounding the site designated as 'negative'. The Appraisal notes that East Street was the least developed route historically with only the upper part reflecting the continuous development pattern seen elsewhere. The remainder is more broken with a number of significant gaps in the frontage many of which have since been crammed with relatively dense infill. The built development in Wyatt's Lane is broadly contemporary, fairly open and generally lacks consistency with no standard building line or position of buildings within plots. Therefore, having regard to the quality of the existing buildings, no objections are raised to their removal and the redevelopment of the site. However, this is subject to an appropriately high quality design which would not harm the character and appearance of the Conservation Area.

PLP1 Policy D requires positive integration of development proposals, reflecting the NPPF and the Planning Practice Guidance. In relation to decision making and to the overlapping concept of significance (heritage interest) paragraph 193 of the NPPF states that great weight should be given to the conservation of heritage assets. PLP1 Policy LHH reflects and supports this. Seeking the creation of high quality buildings and places is a fundamental principle of the NPPF and good design is a key aspect of sustainable development (NPPF paragraph 124). Planning decisions should ensure that development adds to the overall quality of the area and that it is sympathetic to local character and history, including the surrounding built environment and landscape setting (NPPF paragraph 127).

In considering whether the development will preserve or enhance the character or appearance of the Conservation Area, the Appraisal and TCA form key points of reference. The former market site occupies a position close to the 'Saxon' walls of the town between East Street and Wyatt's Lane, two historic elements of the planned street grid. Character and significance differ between the two streets, Wyatt's Lane almost entirely characterised by twentieth century suburban development, East Street a key thoroughfare containing numerous historic buildings many of which are listed. Almost the whole of the application site is visible from the walls, a Scheduled Ancient Monument. As the TCA notes, the market use provided some variety and interest within the streetscape of the historic market town, notwithstanding that the buildings on the site are themselves functional structures of twentieth century date. Hence the demolition of the buildings and their replacement with an appropriate form of development is acceptable in principle.

The TCA also notes that buildings around the application site generally make a 'negative' contribution to the character and appearance of the Conservation Area, mentioning Knightstone Close in particular. This is by virtue of their modern suburban architecture and in some cases their layout which is most intrusive on East Street. Housing opposite the site makes a more positive

contribution to the character and appearance of East Street. The majority of the buildings here are less than 100 years old, largely reflecting absence of development historically.

Arising from the above the fundamental issues to be addressed are considered to be the impact on Wareham Conservation Area, the impact on the setting of the scheduled town walls and the overall design of the development.

In refusing planning application 6/2018/0153, although it was recognised that the general scale and layout of the development was much improved compared to application 6/2016/0683, the Planning Committee felt that the introduction of detached houses and a bungalow along the East street site frontage was uncharacteristic and did not sit well within the surrounding pattern of development.

In a covering letter with this application, the applicant explains that the scheme has been revised "to address the reason for refusal through a considered redesign of the dwellings fronting East Street." It goes on to explain that the frontage has been amended "to establish a more traditional street-scene that is more compatible within the local vernacular found within the Conservation Area". The current scheme therefore clearly seeks to overcome the objections raised within the last planning application.

As previously established, the loss of buildings on the site is not objectionable and development holds the potential to bring some enhancement to the Conservation Area. Whilst development neighbouring the site provides some constraint in terms of appropriate building heights/building positions etc., it does not represent a model for new design given that this development detracts from the significance of the conservation area (identified as 'negative' in the Appraisal). In this regard the design approach adopted is acceptable.

The proposed pattern of development along the East Street frontage is appropriate in the context of the eastern part of the street. The different design approach taken on Wyatt's Lane is also appropriate, and the more contemporary design here lends some interest within a street scene otherwise characterised by suburban style modern development.

Some differences in height between the scheme and existing development are inevitable and need not be harmful. The excessively low pitches of roofs on neighbouring houses does not represent a good model for new design or overall scale, whilst the fact that levels on the site are higher than those on the opposite side of the street will naturally lead to some elevation. The differences are not so pronounced that they give rise to unacceptable levels of overbearing.

In summary the site and setting can accommodate this development. The proposed design is of a sufficiently high quality. It will positively contribute to the townscape of this part of Wareham. There will be no adverse impact on the setting of any heritage asset, including Wareham Walls. Whilst the development will be visible from East Walls, this will only be seen in the context of the roofscape of the surrounding built up area.

Necessary conditions include those relating the precise details of the development comprising: hard and soft landscaping, external materials and window/door design details.

<u>Relevant Planning Policies:</u>

National Planning Policy Framework:

Section 4 - Decision-making, Section 12 – Achieving well-designed places, Section 16 – Conserving and enhancing the historic environment.

Purbeck Local Plan Part 1:

Policies D – design, LHH – Landscape, Historic Environment and Heritage.

Officers have also considered:

National Planning Practice Guidance.

Purbeck district townscape character appraisal for Wareham supplementary planning document.

Wareham conservation area appraisal.

Dorset Historic Towns Survey: Wareham 2011.

Purbeck district design guide supplementary planning document.

Emerging Wareham Neighbourhood Plan.

Impact on neighbouring privacy and amenity

The site is surrounded by residential properties so that neighbouring privacy and amenity is an important consideration. Local Plan Policy D – design, supported by the design guide SPD, requires new development to avoid or mitigate harmful neighbour amenity impacts. Planning decisions should also ensure that development has a high standard of amenity for existing and future users (NPPF paragraph 127(f)).

Although the day to day intensity of the historical commercial use of the site varied, in general terms the removal of this use will be beneficial to the amenity of the existing dwellings surrounding the site.

Whilst the nature of the new buildings will result in a significant change to the immediate environment of the neighbouring dwellings, this is not considered to result in unacceptable impacts. The design and layout of the development reflects the standard of neighbour amenity that typically exists in an urban environment. There are no neighbour privacy or amenity issues that would warrant refusal of the application.

The development will look out across the road towards the existing properties on the opposite side of East Street, but the proposal will not cause unacceptable harm to the residential amenity of those properties. The relationship with the other surrounding dwellings is also satisfactory, including those at Knightstone Close, Market Close and Wyatts Lane. There will be no unacceptable 'window to window' overlooking of neighbouring dwellings. None of the existing neighbouring dwellings will suffer an unacceptable loss of interior diffuse daylight.

It is not considered that there would be an adverse impact on neighbour amenity in terms of noise and other disturbance arising from cars accessing the site and activity within the development. This is due to the context of the site within a central area of the town where the neighbours already experience a degree of traffic noise and other disturbance.

Relevant Planning Policies:

National Planning Policy Framework:

Section 4 - Decision-making, Section 12 – Achieving well-designed places.

Purbeck Local Plan Part 1:

Policy D – design.

Officers have also considered:

National Planning Practice Guidance.

Purbeck district design guide supplementary planning document.

Site layout planning for sunlight and daylight - Building Research Establishment.

Highway safety/traffic generation

The Highway Authority (Dorset County Council) has not raised any objections and notes that there were no highway issues in the refusal of application 6/2018/0153. The Authority comment that the site lies close to the centre of Wareham and its core shopping area making it highly sustainable. The Highway Authority consider that the proposal will most likely result in a material benefit to the highway network as it will reduce the level of movements and on-street parking when compared with the existing permitted use.

The access arrangements are considered acceptable. The amount of proposed on-site parking at two spaces per dwelling is also acceptable.

It is worth noting that the scheme now has one vehicular access point from East Street and one from Wyatts Lane. This accords with a stated objective (within Policy H9) of the emerging Wareham Neighbourhood Plan that in order to retain the maximum amount of on-street parking in East Street only a single vehicular access from that street should serve the development.

Financial contributions from new development towards district wide transport infrastructure improvements are taken from the 'pooled' contributions secured by payment of the Community Infrastructure Levy (CIL).

Relevant Planning Policies:

National Planning Policy Framework:

Section 4 - Decision-making, Section 9 – Promoting sustainable transport, Section 12 – Achieving well-designed places.

Purbeck Local Plan Part 1:

IAT – improving accessibility & transport, ATS – implementing an appropriate transport strategy for Purbeck, DEV – development contributions.

Officers have also considered:

National Planning Practice Guidance.

Bournemouth, Poole and Dorset residential car parking study May 2011.

Emerging Wareham Neighbourhood Plan.

Impact on trees

There are a number of trees adjacent to the western site boundary and Wyatt's Lane frontage which are protected by virtue of being sited within the Wareham Conservation Area. The Sycamore adjacent to the western end of the East Street frontage of the site is expressly protected by a Tree Preservation Order.

The Tree Officer is satisfied with the submitted Arboricultural Impact Assessment and Arboricultural Method Statement. The proposal will result in the loss of one small group of 'low category' planting (identified as G2) and two other trees will be removed that are either dead or unsuitable for retention (identified as T1 and T3). Remaining trees close to the site boundaries (including the Sycamore) can be satisfactorily retained and protected during construction work through the implementation of the method statement. This will be secured by condition.

There is also space available within the scheme to accommodate new planting to enhance the development as well as compensate for the loss of existing planting.

Relevant Planning Policies:

National Planning Policy Framework:

Section 4 - Decision-making, Section 15 - Conserving and enhancing the natural environment.

Purbeck Local Plan Part 1:

Policy LHH - landscape, historic environment and heritage.

Officers have also considered:

National planning practice guidance.

British Standard 5837:2012 Trees in relation to design, demolition and construction – recommendations.

Emerging Wareham Neighbourhood Plan.

Biodiversity

There are no biodiversity objections to the proposal. The application is accompanied by a habitat survey and bat emergence survey which concludes that the site is of low ecological value except for nesting birds. This is supported by a Dorset County Council (Natural Environment Team) approved Biodiversity Mitigation Plan (BMP) which can be secured by planning condition. Amongst other things the BMP includes requirements for bat tubes, bird boxes, swallow nests and a sparrow terrace within the development.

An Appropriate Assessment has been undertaken in accordance with requirements of the Conservation of Habitats and Species Regulations 2017, Article 6 (3) of the Habitats Directive and having due regard to Section 40(1) of the NERC Act 2006 and the NPPF.

Required mitigation of the impacts on internationally protected Dorset Heathlands will be dealt with through the Community Infrastructure Levy (CIL) charging process. Similarly required mitigation of the potential adverse effects of nutrient loading on the ecological integrity of the Poole Harbour internationally designated sites will also be dealt with through the CIL process.

Relevant Planning Policies:

National Planning Policy Framework:

Section 4 - Decision-making, Section 15 - Conserving and enhancing the natural environment.

Purbeck Local Plan Part 1:

Policies BIO – biodiversity & geodiversity, DH – Dorset heaths international designations, DEV – development contributions.

Officers have also considered:

National Planning Practice Guidance.

Dorset heathlands planning framework supplementary planning document.

Nitrogen reduction in Poole Harbour supplementary planning document.

Dorset biodiversity appraisal and mitigation plan.

Flood Risk/Drainage

The flood risk map shows this site to be in flood risk Zone 1 and in this respect the proposed development is acceptable. The site is however in an area where the surface water mapping shows that there are flooding problems in extreme events in the adjacent road and further down in the catchment. It is therefore important that a surface water drainage scheme is designed so that it does not exacerbate the flooding problems elsewhere.

The application form indicates that surface water will be dealt with using a Sustainable Drainage System (SuDS), and a detailed scheme for dealing with surface water drainage from the development has been submitted. The design of this system complies with the requirements for SuDS in support of the principles of sustainability embodied within the NPPF. Percolation test have been carried out on site that show the site is suitable for infiltration, and calculations have been submitted by a competent engineering consultant demonstrating that the appropriate design standard with the relevant allowance for climate change (100 years + 40%) has been used.

The submitted, drainage strategy drawing confirms the location of the soakaway crates and access points for the proposed drainage system and that a Building Management Company will be responsible for the scheme's maintenance. The satisfactory implementation of the drainage scheme can be secured by a planning condition. The Council's Drainage Engineer has no objections to the proposals.

Relevant Planning Policies:

National Planning Policy Framework:

Section 4 - Decision-making, Section 14 – Meeting the challenge of climate change, flooding and coastal change.

Purbeck Local Plan Part 1:

Policy FR – flood risk.

Officers have also considered:

National Planning Practice Guidance.

Strategic Flood Risk Assessment 2018.

Archaeology

The Historic Environment Assessment that accompanied application 6/2016/0683 highlighted the potential for archaeological remains associated with the early development of Wareham to be present on the site; in particular the potential for previously unrecorded medieval former properties on the East Street frontage. Consequently the Dorset County Council Senior Archaeologist advised that an archaeological evaluation of the site, comprising the excavation of trial trenches, should be carried out.

Such an evaluation was subsequently undertaken and it identified the presence of archaeological remains, particularly of the medieval period, on the site and the report proposes further recording of these remains as mitigation for the impact of the development on them. The application Heritage Statement also refers to this. The Senior Archaeologist agrees with this proposed approach, and advises that a condition should be attached to any grant of consent to secure this mitigation.

Relevant Planning Policies:

National Planning Policy Framework:

Section 4 - Decision-making, Section 16 –Conserving and enhancing the historic environment.

Purbeck Local Plan Part 1:

Policy LHH – landscape, historic environment and heritage.

Officers have also considered:

National planning practice guidance.

Contaminated land

The application is accompanied by a geo-environmental assessment which highlights a risk of potential ground gas and recommends a further assessment is carried out before development takes place. The report also highlights the presence of raised levels of a number of contaminants and lead and the possible presence of a fuel storage tank on the site.

The Council's Environment Manager has confirmed that the ground gas and fuel tank issues can be dealt with by means of planning conditions. More information is required from the applicant about the potential contaminant issue and this can also be dealt with by means of planning condition.

Relevant Planning Policies:

National Planning Policy Framework:

Section 4 - Decision-making, Section 15 Conserving and enhancing the natural environment.

Purbeck Local Plan Part 1:

Policy D – design.

Officers have also considered:

National Planning Practice Guidance.

Other Planning Issues

Consideration has also been given to the following planning issue that is not key to this application.

Affordable housing/housing type

The development proposal relates to a scheme that falls below the current threshold for the provision of affordable housing (i.e. 10 dwellings – 1000 sq metres floorspace). This will undoubtedly be a disappointment for many people given the Councils commitment to the provision of affordable housing and the suitability of the site location for such housing. In the light of the assessment above that the scale of the development is acceptable here, it would not be possible to argue that the design of the scheme has been deliberately contrived to avoid any affordable housing provision.

As far as the size and type of proposed housing is concerned the NPPF says that he size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. There are currently no adopted local standards, or requirements, in the development plan in regard to housing size or types. Whilst the Council is considering a possible housing mix policy as part of the local plan review it does not currently have material weight in the assessment of this planning application. Similarly as previously indicated, the draft housing mix policy of the emerging Wareham Neighbourhood Plan is not sufficiently far advanced towards adoption to carry significant weight in the assessment of this application.

Relevant Planning Policies:

National Planning Policy Framework:

Section 4 - Decision-making, Section 16 – Delivering a sufficient supply of homes.

Purbeck Local Plan Part 1:

Policy AH – Affordable housing.

Officers have also considered:

National Planning Practice Guidance.

Affordable housing supplementary planning document 2012-2027.

Emerging Wareham Neighbourhood Plan.

Representations received

Who	Relevant Points	Case Officers Response
Wareham Town Council	At the time of writing this report no representations have been received.	Any submissions subsequently received will be verbally reported at the meeting.

Who	Relevant Points
Dorset County Council – Highways Management	No objection. Recommend the imposition of three conditions. One requiring the construction of the access/parking arrangements before occupation of the development. The other two relate to the construction specification and surface water drainage of the accesses.

Who	Relevant Points
Wessex Water	No objections.
PDC District Engineer	No objection, providing the detailed surface water drainage design submitted with the application is adhered to.
PDC Tree Officer	No objection, subject to conditions requiring the implementation of the arboricultural method statement.
Senior Archaeologist Dorset County Council	Considers that the archaeological implications of this proposed development have been satisfactorily addressed so far.
PDC Design and Conservation Officer	No objections.
Southern Gas Networks	Advisory safety comments regarding works close to Southern Gas Network equipment.
PDC Environment Manager	No objection subject to conditions to ensure appropriate contaminated land remediation is carried out if deemed necessary.

Neighbour comments received and case officer response

The Council received 7 comments from neighbours and residents about this planning application. The representations are all available in full on the Council's website and this report addresses the key planning points that they raised. The following table sets out a summary of the key issues from the comments as well as the case officer's response to them.

Issue	Case officer response
Care required in the design of the boundary treatment along Wyatts Lane. The application suggests wood panelling to the Plot 9 building; if correct it should be of a high quality and low maintenance.	The precise details of all boundary treatments and external materials are subject of approval under the recommended conditions. Appropriate quality of these will be required to ensure such details are acceptable within the Conservation Area.
Extra traffic generation has the potential to be dangerous for pedestrians where there is no pavement in Wyatts Lane. Clarification required over potential loss of existing street parking in East Street	These matters are addressed in the main body of the report under highway safety/traffic generation. The Highway Authority have no objection. The applicant has amended the submitted Transport Statement to confirm that it is not intended to modify the existing street parking arrangements in East Street.
Nuisance from vehicle noise and fumes due to on-site parking/access being in close proximity to neighbours	The proposed location of the driveways and parking spaces in relatively close proximity to neighbouring property is not unusual within an urban area. It does not normally give rise to nuisance problems.

Issue	Case officer response
The site boundary alongside 4 Wyatts Lane should be a wall and not a timber fence	Details of all boundary treatments are required to be approved by condition as part of the landscaping of the site. There is however no planning justification for this boundary (which is to the side of 4 Wyatts Lane) to be a wall. A suitably designed timber fence will be adequate to safeguard neighbour amenity.
Large stairwell window on the side of the Plot 9 dwelling should be obscure glass.	This window serves a void over the entrance hall of the dwelling. It will not give rise to any unacceptable overlooking of neighbouring properties. Consequently a requirement for obscure glazing is not justified.

Appendix – Recommended planning conditions

1. The development must start within three years of the date of this permission.
   Reason: To encourage development to take place at an early stage. This condition is also required by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted must be carried out in accordance with the following approved plans: Williams Lester drawing numbers 5723-AC-001RevisionC, 5723-AC-03-101RevisionK, 5723-AC-30-300RevisionE, 5723-AC-03-301RevisionA, 5723-03-AC-1101RevisionG 5723-03-AC-1200RevisionB, 5723-03-AC-1201RevisionF, 5723-03-AC-1300RevisionD, 5723-03-AC-1301RevisionH, 5723-03-AC-1500RevisionC, 5723-03-AC-1501RevisionF, 5723-03-AC-1600RevisionB, 5723-03-AC-1601RevisionE, 5723-03-AC-1700RevisionB, 5723-03-AC-1701RevisionC, 5723-03-AC-1800RevisionB, 5723-03-AC-1801RevisionC, 5723-03-AC-1900RevisionB, 5723-03-AC-1901RevisionC, 5723-03-AC-2000, 5723-AC-03-220 and 5723-AC-221RevisionG.
   Reason: For the avoidance of doubt and in the interests of proper planning.

3. No ground works must take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which must be submitted to and approved in writing by the Council. This scheme must cover archaeological fieldwork together with post-excavation work and publication of the results.
   Reason: This needs to be agreed before any start on the site in order to avoid damage to any heritage asset. The area is of archaeological potential and the archaeology should be properly recorded.

4. Surface water drainage from the development must be disposed entirely in accordance with the submitted details and implementation programme. The drainage scheme must be maintained and managed in accordance with the agreed details.
   Reason: To alleviate the possible risk of flooding to this site and adjoining land and to ensure appropriate consideration is given to the use of a sustainable drainage system.

5. Before construction of any new building starts all existing structures must be demolished and any materials not being re-used on the application site must be removed from the site.
   Reason: To ensure the orderly development of the site in the interests of the visual amenity of the area.

6. The manufacturers name, product name and colour of all external facing and roofing materials (including chimney pots and rainwater goods) together with details of the method of ridge tile fixing, brick bonds, the location of external meter boxes and external flues/vents, must be submitted to and approved in writing by the Council before they are used on the proposal. The development must then be implemented using the approved details.
   Reason: To ensure that the external appearance of the buildings are satisfactory having regard to the location of the site within a conservation area.

7. Before they are used on the proposal, detailed drawings of all windows and their openings, external doors and their openings, doorcases and canopies, must be submitted to and approved in writing by the Council. Such drawings must be to a scale of not smaller than 1:10 and must include 1:5 scale sections through all main components. The development must be completed in accord with the approved details.
   Reason: In the interests of securing high quality design which reflects and reinforces local distinctiveness and preserves and enhances the character and appearance of the conservation area.

8. Other than the demolition of any existing structures, no development must take place until the Council has approved a scheme of landscaping. This needs to include:
   i. A landscape proposals plan showing proposed levels, and details of hard landscape (cables, pipes and ducts above and below ground, surfacing/paving, surface water drainage, walls, fences, gates and other structures, lighting, etc.) and soft landscape (trees, shrubs, herbaceous plants and grassed areas);
   ii. Planting plans which must show the species of trees, shrubs and herbaceous plants to be planted and where they will be planted, the size that the trees/shrubs/plants will be on planting, and the number that will be planted;
   iii. Written detail, which complies with BS 4428:1989 Code of Practice for General Landscape Operations, of how the ground will be prepared and cultivated before planting, the methods that will be used to plant the trees/shrubs/plants and seed or turf of the grassed areas, and details of protection from rabbits and other grazing animals;
   iv. Information, which complies with BS 7370 Part 1 1991 and Part 4 1993 Grounds Maintenance, regarding how the planting will be maintained for the first five years following planting. This should include detail of watering, weed control and pruning.
   v. Boundary treatments.
   Reason: In the interests of securing high quality design which reflects and reinforces local distinctiveness and preserves and enhances the character and appearance of the conservation area.

9. Hard and soft landscaping of the site must be implemented in accordance with the submitted details. Any plants or trees, which, within five years from the date of first occupation of the last dwelling on the site to be occupied, die, or become in the opinion of the Council seriously diseased or damaged or are removed, must be replaced during the next planting season following their demise with specimens of a similar size and species, unless agreed otherwise in writing by the Council.
   Reason: To ensure the satisfactory implementation of the agreed landscaping scheme.

10. All works impacting on the retained trees during the demolition/development must be carried out entirely as specified in the Barrell Tree Consultancy Arboricultural Method Statement ref. 16162-AA5-JB dated 11 October 2018. All tree protection in accordance with the method statement must be installed prior to any demolition and construction work taking place on the site.
    Reason: To prevent trees on site being damaged during construction works.

11. The development must not be occupied or utilised until the vehicular access, turning and car parking spaces shown on the Williams Lester drawing number 5723-AC-03-101RevisionK have been fully constructed. Thereafter, these areas must be maintained, kept free from obstruction and available for the purposes specified at all times.
    Reason: To ensure adequate access and parking is available to serve the development and in the interests of highway safety.

12. Before the development is first occupied or utilised the first 5 metres of the vehicle accesses, measured from the rear edge of the highway (excluding the vehicle crossing) must be laid out and constructed to a specification submitted to and approved in writing by the Council.
    Reason: To ensure that a suitably surfaced and constructed access to the site is provided that prevents loose material being dragged and/or deposited onto the adjacent carriageway causing a safety hazard.

13. Before the development is first occupied or utilised provision must be made to ensure that no surface water drains directly from the site onto the adjacent public highway.
    Reason: To ensure that the site is properly drained and that surface water does not flow onto the highway.

14. Before any work starts, the developer must submit for the written approval of the Council a report detailing the assessment of potential ground gas and measures to protect the building to comply with BS8485 2015: Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings. The approved scheme must be fully implemented before the development is first occupied. Within one calendar month of the completion of the development (or the first occupation of any of the dwellings, whichever is the sooner) written confirmation that all works were completed in accordance with the agreed details must be submitted to the Council. In the event that contamination and or evidence of below ground fuel storage tanks and or associated pipework is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Council. An investigation and risk assessment must then be undertaken by the developer in accordance with the requirements of current statutory guidance for the development of potentially contaminated land (CL:AIRE) and where remediation is necessary a remediation scheme must be submitted to and approved in writing by the Council .
Reason: Starting the works before investigation and mitigation is carried out may result in the release/disturbance of contaminated material which may present a risk to public health. It is also required to ensure any issues relating to the possible contamination of the land are adequately dealt with.

15. The submitted Biodiversity Mitigation Plan (by Abbas Ecology dated 16 April 2018) must be implemented in full before occupation of any of the buildings.
Reason: In the interests of biodiversity in accordance with Regulation 9(3) of The Conservation of Habitats & Species Regulations 2010.

16. Informative Note - Community Infrastructure Levy. This permission is subject to the Community Infrastructure Levy (CIL) introduced by the Town and Country Planning Act 2008. A CIL liability notice has been issued with this planning permission that requires a financial payment. Full details are explained in the notice.

17. Informative Note - Dorset County Council Highways. The applicant is advised that Section 184 of the Highways Act 1980 requires the proper construction of vehicle crossings over kerbed footways, verges or other highway land. Before any works start on the public highway, Dorset County Council's Dorset Highways should be consulted to agree on the detailed specification. They can be contacted by telephone at Dorset Direct (01305 221000), by email at dorsetdirect@dorsetcc.gov.uk, or in writing at Dorset Highways, Dorset County Council, County Hall, Dorchester, DT1 1XJ.

18. Informative Note - Matching Plans. Please check that any plans approved under the building regulations match the plans approved in this planning permission. Do not start work until revisions are secured to either of the two approvals to ensure that the development has planning permission.

19. Informative Note – Superfast Broadband. Please give some thought to how your new development will be ready to connect to superfast broadband for use by the occupants. Find out more about BT Openreach and the Home Builders Federation cost sharing approach via this website link http://www.newdevelopmentsopenreach.co.uk/BT Openreach and Virgin Media also have the following guides: http://www.newdevelopments-openreach.co.uk/developers-andarchitects/developershandbook.aspx https://keepup.virginmedia.com/Content/networkExpansion/doc/New_Build_Developers_Guide.pdf Dorset County Council has also produced information for developers about providing fibre broadband in new housing developments at: https://www.dorsetforyou.gov.uk/business-consumers-licences/superfast-dorset/aboutsuperfastdorset/guidance-for-property-developers.aspx

20. Statement of positive and proactive working: In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, the Council takes a positive and proactive approach

to development proposals focused on solutions. The Council works with applicants/agents in a positive and proactive manner by; offering a pre-application advice service, and as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

For this application: the applicant/agent was updated of any issues after the initial site visit; the opportunity to submit amendments to the scheme/address issues was given which were found to be acceptable. The application was approved without delay.


Tel Ex
Daler Court
TAKE CROFT
EAST STREET
Knightstone Close
Market Close
Church Court
Wareham United Reformed Church
WYATTS LANE
Church Street Flats
El Sub Sta
Crundale
EAST WALLS
Joybern
Market
LB
The Site



Proposed site layout