



Eastern Area Planning Committee

Date: Wednesday, 20 July 2022
Time: 10.00 am
Venue: The Allendale Centre, Hanham Road, Wimborne, Dorset, BH21 1AS

Members (Quorum - 6)

Mike Barron, Toni Coombs (Chairman), Shane Bartlett (Vice-Chairman), Alex Brenton, Robin Cook, Mike Dyer, Barry Goringe, David Morgan, Julie Robinson, David Tooke, Bill Trite and John Worth

Chief Executive: Matt Prosser, County Hall, Dorchester, Dorset DT1 1XJ

For more information about this agenda please contact Democratic Services Meeting Contact 01305 224175 - david.northover@dorsetcouncil.gov.uk

Members of the public are welcome to attend this meeting, apart from any items listed in the exempt part of this agenda.

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Agenda

Item	Pages
1. APOLOGIES	
To receive any apologies for absence	
2. DECLARATIONS OF INTEREST	
To disclose any pecuniary, other registrable or personal interest as set out in the adopted Code of Conduct. In making their decision councillors are asked to state the agenda item, the nature of the interest and any action they propose to take as part of their declaration.	
If required, further advice should be sought from the Monitoring Officer in advance of the meeting.	

3. **MINUTES** 5 - 16
- To confirm the minutes of the meeting held on 6 April 2022.
4. **PUBLIC PARTICIPATION** 17 - 20
- 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 deadline for notifying a request to speak is 8.30am on Monday 18 July 2022.**
- Please refer to Guide to Public Speaking at Planning Committee attached.
5. **PLANNING APPLICATIONS**
- To consider the applications listed below for planning permission.
6. **P/VOC/2022/03461 - DEMOLITION OF EXISTING THREE STOREY PLUS PLANT ROOM BUILDING AND ERECTION OF NEW THREE STOREY PLUS PLANT ROOM BUILDING FOR DORSET POLICE FORCE HEADQUARTERS WITH ASSOCIATED PARKING WITHOUT COMPLIANCE WITH/VARIATION OF CONDITION 10 OF PLANNING PERMISSION P/FUL/2021/04422 - THE DEVELOPMENT SHALL BE CONSTRUCTED TO A MINIMUM BREEAM STANDARD RATING OF 'VERY GOOD' INSTEAD OF 'EXCELLENT' - FORCE HEADQUARTERS, DORSET INNOVATION PARK ACCESS ROAD, WINFRITH NEWBURGH, DORSET, DT2 8DZ.** 21 - 58
7. **P/VOC/2022/01598 - VARY CONDITION 2, 3, 4, 6, 9 AND 19 OF PA 3/21/1556/FUL (REDEVELOPMENT OF WIMBORNE MARKET TO CONTINUING CARE COMMUNITY COMPRISING OF 67 AGE RESTRICTED APARTMENTS, 26 AGE RESTRICTED BUNGALOWS, 6 AGE RESTRICTED CHALET BUNGALOWS, ONE WELLNESS CENTRE, 9 OPEN MARKET HOUSES, PARKING , HIGHWAY IMPROVEMENTS AND PEDESTRIAN LINK (DESCRIPTION AMENDED 24.09.2021 AS AGREED TO INCLUDE DWELLING NUMBERS)) TO ALLOW FOR: AMEND INCORRECT PLANS - INCLUDE PHASING PLAN - REWORDING OF PRE-COMMENCEMENT CONDITIONS TO REFER TO PHASING - WIMBORNE MARKET, STATION TERRACE, WIMBORNE MINSTER** 59 - 86
8. **3/21/1471/FUL - DEMOLISH EXISTING FLATS AND DWELLING AND ERECT 12, 3 BEDROOM, HOUSES ARRANGED AS 6 PAIRS OF SEMI-DETACHED PROPERTIES, TOGETHER WITH ASSOCIATED PARKING AND ACCESS - 442 RINGWOOD ROAD, FERNDOWN, DORSET, BH22 9AY** 87 - 114

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| 9. | 3/20/1725/LB - REPLACEMENT OF FOUR WINDOWS - PAMPHILL VC CE FIRST SCHOOL, PAMPHILL, WIMBORNE, BH21 4EE | 115 -
124 |
| 10. | P/HOU/2022/01307 - SQUARE OFF FRONT OF PROPERTY, ERECT REAR EXTENSION, WITH ADDITION OF NEW FIRST FLOOR ACCOMMODATION TO CONVERTED ROOF SPACE WITH NEW DORMER TO SIDE ELEVATION. - 54 SANDY LANE, UPTON, POOLE, BH16 5LX | 125 -
136 |

11. URGENT ITEMS

To consider any items of business which the Chairman has had prior notification and considers to be urgent pursuant to section 100B (4) b) of the Local Government Act 1972

The reason for the urgency shall be recorded in the minutes.

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EASTERN AREA PLANNING COMMITTEE

MINUTES OF MEETING HELD ON WEDNESDAY 6 APRIL 2022

Present: Cllrs Shane Bartlett (Vice-Chairman), Alex Brenton, Robin Cook, Barry Goringe, David Morgan, David Tooke, Bill Trite and John Worth

Apologies: Cllrs Toni Coombs, Mike Barron, Mike Dyer and Julie Robinson

Also present: Cllrs Gary Suttle and David Walsh

Officers present (for all or part of the meeting): Mike Garrity, Kim Cowell, Liz Adams, Peter Walters, James Brightman, Lucy Page, Phil Crowther, David Northover, Megan Rochester and John Miles

263. Chairmanship of the meeting

In the absence of the Chairman, Councillor Toni Coombs, the Vice-Chairman, Councillor Shane Bartlett, assumed the Chairmanship of the meeting.

He appointed Councillor Robin Cook as Vice-Chairman for the meeting.

264. Apologies

Apologies for absence were received from Councillors Toni Coombs (Chairman), Mike Barron, Mike Dyer and Julie Robinson.

265. Declarations of Interest

No declarations of disclosable pecuniary interests were made at the meeting.

Cllr Bill Trite – being one of the two Ward Members for minute 268 - decided to speak as part of the Committee, so as to be able to vote on that item accordingly.

266. Minutes

The minutes of the meeting held on 9 March 2022 were agreed as a true record.

267. Public Participation

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

268. Planning Applications

6/2021/0314 - Demolition of former school, buildings & structures. Erection of 90 dwellings & the formation of a new vehicular access from Northbrook Road at the Purbeck Centre (former Grammar School), Northbrook Road, Swanage.

The Committee considered application 6/2021/0314 for the demolition of the former school, buildings and structures and the erection of 90 dwellings and the formation of a new vehicular access from Northbrook Road at the Purbeck Centre (former Grammar School), Northbrook Road, Swanage.

With the aid of a visual presentation, and taking account the detail in the report, officers provided context of what the main proposals, principles and planning issues of the development were; how these were to be progressed; and what this entailed. The presentation focused on not only what the development entailed and its detailed design, but what effect it would have on residential amenity and the character the area, taking into account the policies against which this application was being assessed.

The planning history of the site was drawn to the Committee's attention, with the site history being explained. Members were informed that the northern part of the site had received planning permission at appeal for 52 houses and could be enacted and that the southern part of the site had outline planning permission for 39 houses, with the possibility of a reserved matters application being submitted, allowing the application to enact this permission.

Plans and photographs provided an illustration of the location, orientation, dimensions – form, bulk, size and mass - and appearance of the development and of the individual properties, with examples being given of how typical detached, semi-detached, terraced and apartment block properties were designed, along with their ground floor plans and elevations; how it would look; proposed street scenes; the materials to be used; how utility services would be provided and accommodated and by whom, including what waste management provision there would be; drainage and water management considerations; access and highway considerations; open space and SANG arrangements; the means of landscaping, screening and tree cover, and its setting within that part of Swanage and the wider landscape – particularly within the Dorset Area of Outstanding Natural Beauty (AONB).

What affordable housing would be available – 30 units – was mentioned, as well as how this proportion compared to that being proposed for the northern and southern application sites respectively. Whilst the affordable housing provision would meet the need in the area, as this number was below the 50% threshold, vacant building credit was being applied, which housing officers were satisfied with.

Officers showed the development's relationship with other adjacent residential development – including that Compass Point development being built on the western side of Northbrook Road, and the Little Birds preschool and St.Mary's Primary School - and how the buildings were designed to be in keeping with

the characteristics of the established local environment. The characteristics and topography of the site was shown and its relationship with the highway network and to properties in the adjoining neighbourhood. Views into the site and around it were shown, which provided a satisfactory understanding of all that was necessary.

Whilst the development and the schools were able to readily coexist - as in many other towns – concerns raised about nuisance and disturbance were to be mitigated during the building period by way of a Construction Management Plan.

What assessment had been made in the officers coming to their recommendation were drawn to the attention of the Committee, with the proposal being considered to be acceptable in relation to material planning considerations, with all significant planning matters having been appropriately, or adequately, addressed.

Public speaker Carla Danesh was concerned that the development would generate nuisance to and overlooking of the Little Birds nursery on the northern flank, given its dominance and close proximity to the facility and considered little regard had been given to this.

Sophie Holdsworth was concerned that the nuisance caused – certainly during the construction period - would set back the children's learning and development and that noise and dust would compromise air pollution. The boundary fence was insubstantial in her view and would not provide the necessary boundary screening between the two. She asked that the application be refused.

James Cross of Barrett Homes exuded the virtues of the development in providing much needed quality housing for the area and would complement the existing houses in look and style. Concerns raised had been acknowledged and addressed in terms of better screening and the Construction Management Plan, with the CIL receipts being generated, as part of any permission, benefitting other facilities for the town. On that basis he asked that the application be approved.

Whilst supporting the principle of the development and the need for houses, Ward Councillor Gary Suttle echoed the concerns of the two speakers in that the nuisance and disturbance which would be generated was unacceptable and the mitigation of this was insufficient. He was also concerned at traffic speeds in Washpool Lane and the consequences of this for the development. He asked that the Committee visit the site to see first-hand the issues.

The other Ward Member, Councillor Bill Trite, was of a similar view that nuisance, overlooking and air pollution would all compromise the ability to satisfactorily run the Little Birds nursery as would be wished. The boundary fence was of insufficient height, safeguarding issues were of concern and construction practices unacceptable. Of particular concern to him was the safety issues regarding Washpool Lane and how these would only be exacerbated by virtue of the development. He called for safety improvements

to be made, including a speed limit and footpath provision. Given all this he too proposed that a site visit be held to see the issues at hand. However, on being put to the vote, this proposal was lost by 5:2.

Formal consultation had seen Swanage Town Council raise no objection, but asked for certain considerations to be taken into account. Dorset AONB had raised no objection either to the principle of the development. Those objections received related to overlooking, traffic concerns, overdevelopment, loss of wildlife habitat and nuisance from the construction process.

Having heard what was said, officers responded to some of the pertinent issues raised, being confident that each one could be addressed by the provisions of the application.

The opportunity was then given for members to ask questions of the presentation and what they had heard, in seeking clarification of aspects so as to have a better understanding in coming to a decision. Some important points raised, some of which they considered still required clarification, were:-

- issues about nuisance from the development and dust, in particular, from the construction process and that consideration be given to the provision of a dust control sheeting/dust proof netting to mitigate for this
- the proximity to the Little Birds nursery and how this might affect the day to day running of the facility and the children's wellbeing
- consideration be given to the siting of the main construction processes so that these were sufficiently far from the nursery so as to be not a significant issue
- what assurances that the commitment to affordable house would be fulfilled
- consideration of low carbon enhancements in the build
- how drainage and the attenuation pond would work and that consideration be given to the enclosure of the pond on safety grounds
- consideration be given to enhancing the screening on the northern side of the development where it bounded the Little Birds nursery
- what considerations had been given to a school and a residential area being able to satisfactorily coexist
- how access and traffic management arrangements might be able to be enhanced by a footpath scheme and speed limits, particularly on Washpool Lane and to provide a link between the primary school and Ullwell Road
- how enforcement of the conditions would be managed
- what arrangements there were for use of the SANG and how this might be achieved
- what opportunity there was for the access road to be located further south to lessen the impact on a congested stretch of road and could the southern internal estate link road be used for access during the construction period

Officers addressed the questions raised – and provided what clarification was needed - providing what they considered to be satisfactory answers, which the Committee understood to be, and saw, as generally acceptable.

Officers in particular confirmed that the scheme was approved in the Local Plan, with the principle being established, with the applicant being able to still enact the extant permission for the northern section of 52 houses, which could be implemented on the basis of not having the negotiated modifications now being proposed to adequately safeguard the Little Birds nursery.

It was confirmed that there would be no windows directly overlooking the Little Birds nursery as garages were proposed for that area, with adequate screening being ensured too. The boundary treatment of a 1.8 metre high timber fence would be sufficient as a barrier.

Dust management would be part of the Construction Management Plan with the cutting of material being done to the south of the site. It was therefore regarded that there was a suitable degree of mitigation sufficient to address the issue of dust and air pollution. A condition to enhance this mitigation with the provision of a dust proof screening could be accommodated. Likewise, the fencing of the attenuation pond could be achieved through condition also.

The Highway Authority had raised no objection to the provisions of the application as it stood and the highway issues raised were not part of this application so could not be considered. Those particular issues should rather be taken up with the Highways Authority direct, as necessary.

The Inspector had established that a school and residential could coexist satisfactorily and the relationship was not unacceptable, this being an allocated site in development plan, consulted upon and adopted after inspection. The principle was considered acceptable. Of importance was that officers considered there to be no material considerations which would warrant refusal of the application and that this was the basis of the assessments made and the recommendation before the Committee.

From debate, the majority of the Committee considered the proposal to be acceptable - in meeting an identified need and in making the best use of the land available – and considered that this development would be of benefit to that part of Swanage and serve to meet the issues Purbeck had in being able to satisfy its identified housing need.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having taken into account the officer's report and presentation; the written representations; and what they had heard at the meeting, in being proposed by Councillor John Worth and seconded by Councillor Robin Cook, on being put to the vote, the Committee agreed - by 5:0 – with 2 abstentions, to grant permission, subject to the conditions and informative notes set out in paragraph 17 of the officer's report and the conditions relating to the dust proof screening and fencing of the attenuation pond.

Resolved

- 1) That application 6/2021/0314 be granted permission subject to the conditions and informative notes set out in paragraph 17 of the report - to include additional conditions in respect of dust proof netting provision during the construction period and the fencing of the attenuation pond - and the completion of a satisfactory planning obligation to secure Affordable Housing and SANG Management
- or
- 2) Refuse permission if the required Legal agreement to secure Affordable Housing and SANG Management is not completed by 6 October 2022 or such extended time as agreed by the Head of Planning.

Reasons for decision

- 1) as set out in paragraph 16 of the report
 - 2) Para 14 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise
 - 3) The site is identified in the Swanage Local Plan as being suitable for the provision of 90 dwellings.
 - 4) The location is considered to be sustainable and the proposal is acceptable in its design and general visual impact.
 - 5) There is not considered to be any significant harm to neighbouring residential amenity.
 - 6) There are no material considerations which would warrant refusal of this application
 - 7) The development will secure 30 affordable housing units and an integrated SANG Management through a section 106 legal agreement.
- or
- Refuse for the reasons set out in the officer report if the Legal agreement is not completed: as set out in paragraph 16.

3/19/2378/FUL - Change of Use and Conversion of Four Existing Agricultural Buildings to form 9 Dwellinghouses, Works and Alterations to other Outbuildings and Associated Landscaping and Demolition of Redundant Buildings as amended by plans rec'd 17/7/20 to revise window sizes and positions on Unit D; show provisions for refuse collection and add a parking space and plans rec'd 4/1/22 to propose access via the existing road to the south only (and not to the west via the existing agricultural track) at Grange Farm, Colehill, Wimborne, Dorset, BH21 4HX.

The Committee considered application 3/19/2378/FUL for the Change of Use and Conversion of Four Existing Agricultural Buildings to form 9 Dwellinghouses, Works and Alterations to other Outbuildings and Associated Landscaping and Demolition of Redundant Buildings as amended by plans rec'd 17/7/20 to revise window sizes and positions on Unit D; show provisions for refuse collection and add a parking space and plans rec'd 4/1/22 to propose access via the existing road to the south only (and not to the west via

the existing agricultural track) at Grange Farm, Colehill, Wimborne. Additional informative notes relating to how the access arrangements should be applied were drawn to the attention of the Committee.

The planning history of the site was drawn to the Committee's attention, there being an extant permission for developments as well as refusals and non-determination of other applications. Members noted that should permission for this application not be granted, the applicant could still invoke the fall-back position in respect of being able to develop some of the site from permissions already granted and also from prior approval consents.

Plans and photographs provided an illustration of the location, orientation, dimensions – form, bulk, size and mass - and appearance of the development and of the individual properties; how the conversion would look, its design and elevations; what was to be retained by reason of the conversion and what was to be modified or lost; the materials to be used; how utility services would be provided and accommodated and by whom, including what waste management provision there would be; drainage and water management considerations; access provision and highway considerations; the means of landscaping, screening, and its setting within that part of Holt parish and its wider landscape – particularly within the Green Belt.

Officers showed the development's relationship with other adjacent residential rural development and how the buildings were designed to be in keeping with the characteristics of the established local environment and maintain the feel of a pastoral setting. The characteristics and topography of the site was shown and its relationship with the highway network and to properties in the adjoining neighbourhood in that part of Holt parish. Views into the site and around it were shown, which provided a satisfactory understanding of all that was necessary.

Of particular importance was how the development would be accessed and the arrangements for this. Whilst the original submission had proposed access to the site from a long private track to the west, this option was no longer the case, with the proposal being amended to show alternative access provision to the site via an existing road to the south. Officers advised that what rights of access existed over that length, and any legal agreements to be reached to achieve what was necessary, were matters for the developer to negotiate with the respective landowner, should permission be granted, as the right for vehicles to use the access was a matter of land law and not a material planning consideration.

Accordingly, a condition provided for vehicular access to the development should only be from the south using the existing road that also provides access to the adjacent residential properties to the south, with the western access to be modified to prevent vehicular access and signage erected accordingly.

How this development within the Green Belt could be achieved, and the officer's reasoning for being able to do this, was also explained.

What assessment had been made in the officers coming to their recommendation were drawn to the attention of the Committee, with the proposal being considered to be acceptable in relation to material planning considerations, with all significant planning matters having been appropriately, or adequately, addressed.

Formal consultation had seen Holt Parish Council object to the scheme on the grounds of harm to the openness of the Green Belt, that the development was too excessive with permission already for 3 dwellings and the existing holiday lets and increased traffic concerns.

Similarly, Dorset Council Planning Policy had objected on the grounds that the proposed change in the buildings use constituted inappropriate development in the Green Belt and would result in loss of openness but had advised it was for officers to consider whether the proposed development would lead to an enhancement to the site's immediate setting as part of their consideration of the application.

The local ward member, Councillor Robin Cook, advised that he had initial concerns about the arrangements necessary to secure the use of the southern access and how this might be achieved and what arrangements there were for the collection of refuse, so as to be convenient to all.

Having heard what was said, officers responded to some of the pertinent issues raised, being confident that each one could be addressed by the provisions of the application.

The opportunity was then given for members to ask questions of the presentation and what they had heard, in seeking clarification of aspects so as to have a better understanding in coming to a decision. Some important points raised, some of which they considered still required clarification, were:-

- what open space there might be and if there was any requirement for a Suitable Alternative Natural Greenspace (SANG) in these circumstances
- how the waste management arrangements would be applied
- what access arrangements there were – both in terms of legal and practical considerations - and how these would be applied given the status of the tracks and the legality of using them

Officers addressed the questions raised – and provided what clarification was needed - providing what they considered to be satisfactory answers, which the Committee understood to be, and saw, as generally acceptable.

Officers, in particular, confirmed that it was considered the buildings to be converted were of permanent and substantial construction for the purposes of planning policy and the proposed conversion should be assessed under NPPF paragraph 150 exception (d).

Whilst the Council could demonstrate a 5 year housing supply and Local Plan Policy KS2 was up-to-date accordingly, any conflict with this policy was

adjudged to be outweighed by the benefits of reusing existing buildings, in a manner which would have a visual improvement to the immediate setting.

Moreover officers had regard to the Policy Planning advice and representations received from the public but considered that the proposal accorded with the exceptions to inappropriate development in the Green Belt provided by the NPPF; the development would result in an improvement to Green Belt openness from the removal of existing buildings and would not conflict with the purposes of including land within the Green Belt.

Whilst the reliance by future occupants on the private car as a result of the location and resulting modest impact on the rural character of the area weighs against approval but this would not significantly and demonstrably outweigh the benefits of the scheme which will contribute to housing supply and enhance visual amenity.

From debate, the majority of the Committee considered the proposal to be acceptable - in making the best use of the land available and in the modification of the use of the structures that were already there – and considered that this development would be of benefit to that part of Grange/Holt and served to contribute towards meeting an identified housing need.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having taken into account the officer's report and presentation; the written representations; and what they had heard at the meeting, in being proposed by Councillor John Worth and seconded by Councillor David Morgan, on being put to the vote, the Committee agreed - by 4:2 - to grant permission, subject to the conditions and informative notes set out in paragraph 16 of the officer's report.

Resolved

That planning permission be granted in respect of application 3/19/2378/FUL subject to the conditions set out in paragraph 16 of the report.

Reasons for Decision

- The proposal would not result in harm to the Green Belt.
- The proposal had an appropriate layout and design and would not have an adverse impact on the character and appearance of the area or the landscape
- There was not considered to be any significant harm to neighbouring residential amenity and the occupants of the proposed dwellings would enjoy an acceptable standard of amenity.
- The proposal would not have an adverse impact on road safety and the access proposed and on-site parking provision are acceptable
- The proposal would provide appropriate mitigation for its impact on biodiversity and biodiversity enhancement would be provided
 - With appropriate ground investigation, any contamination present on the site from former uses would be identified and mitigation can be required by condition
 - Other issues raised by consultees have been assessed and there are not any which would warrant refusal of the application. The adverse

impact from the proposal would not significantly and demonstrably outweigh the benefits of the scheme

3/21/1277/FUL - Change of use and conversion of existing redundant agricultural building into 2 no 4 bedroom dwellings at Bedborough Farm, Uddens Drive, Colehill, Wimborne, BH21 7BQ

The Committee considered application 3/21/1277/FUL for a change of use and conversion of existing redundant agricultural building into 2 x 4 bedroom dwellings at Bedborough Farm, Uddens Drive, Colehill, Wimborne.

With the aid of a visual presentation, and taking account the detail in the report, officers provided context of what the main proposals, principles and planning issues of the development were; how these were to be progressed; and what this entailed. The presentation focused on not only what the development entailed and its detailed design, but what effect it would have on residential amenity and the character the area, taking into account the policies against which this application was being assessed.

Plans and photographs provided an illustration of how the conversion was to look – including its design, dimensions, elevations and appearance; access and highway considerations; environmental and land management considerations; drainage and water management considerations, the means of landscaping and screening and the development's setting within that part of Colehill - and in being within the Green Belt. The planning history of the site was also drawn to the Committee's attention

Officers showed the development's relationship with other adjacent residential development, with the characteristics and topography of the site being shown. Views into the site and around it was shown, which provided a satisfactory understanding of all that was necessary.

What assessment had been made in the officers coming to their recommendation were drawn to the attention of the Committee, with the proposal being considered to be acceptable in relation to material planning considerations, with all significant planning matters having been appropriately, or adequately, addressed.

Ferndown Town Council had opposed the application on the grounds that it would have a detrimental impact on the openness of the Green Belt; it would be visually intrusive and there was concern regarding refuse collection access; and issues the planning inspector had raised had not been overcome. With the agreement of the Chairman, a statement was read by the Clerk on behalf of the agent - Adam Bennett, Ken Parke Planning Consultants – who was unable to attend in person as he had to attend a Planning Inquiry. He considered the application to be of merit and one which would make best use of the structures currently there: in being converted to much needed housing. Whilst he acknowledged that the development was within the Green Belt and

the restrictions this carried, the re-use of buildings - provided they were of permanent and substantial construction - was not inappropriate where the development did not harm openness or the purposes of the Green Belt designation. In his view this was the case here and asked that the application be approved.

Having heard what was said, officers responded to some of the pertinent issues raised, being confident that each one could be addressed by the provisions of the application.

The opportunity was then given for members to ask questions of the presentation and what they had heard, in seeking clarification of aspects so as to have a better understanding in coming to a decision.

An important point raised, which they considered still required clarification, was how effective the wooden posts proposed to segregate those on the footpath from parked vehicles would be and whether an earthen bund would be more appropriate to ensure traffic did not encroach onto the public highway.

Officers addressed the question raised – and provided what clarification was needed - providing what they considered to be a satisfactory answer, which the Committee understood to be, and saw, as generally acceptable.

Whilst similar manoeuvres were habitually undertaken to negotiate access to the properties and solar farm already in the vicinity, officers considered that the issue raised about vehicular parking in close proximity to a public right of way could be drawn to the attention of the applicant by way of an informative note: in that the most appropriate means of hard and soft landscaping should be used by the applicant, in agreement with the officers and the Chairman, as necessary, as a means of delineating and segregating those two aspects.

Of importance was that officers considered there to be no material considerations which would warrant refusal of the application and that this was the basis of the assessments made and the recommendation before the Committee.

From debate, the majority of the Committee considered the proposal to be acceptable in principle - in meeting an identified need, in making the best use of the land available and by the conversion of a redundant farm building – but some Members remained concerned of the access issues and parking arrangements – in being so close to a public right of way in the Green Belt.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having taken into account the officer's report and presentation; the written representations; and what they had heard at the meeting, in being proposed by Councillor Barry Goringe and seconded by Councillor David Morgan, on being put to the vote, the Committee agreed - by 4:3 (with the Chairman voting in favour too) - to grant permission, subject to the conditions and informative notes – updated as necessary - set out in paragraph 17 of the officer's report.

Resolved

That permission be granted for application 3/21/1277/FUL, subject to conditions set out in paragraph 17 of the report and to the informative notes, updated as necessary.

Reasons for Decision

- For the reasons set out in paragraph 17 of the report
- Paragraph 11d of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless the application of the policies that protect areas or assets of particular importance provide a clear reason for refusal or the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the NPPF as a whole. In this instance the proposal would re-use an existing agricultural building to provide two additional dwellings which is considered to represent appropriate development in the Green Belt given that the design and layout of this residential development would ensure that it would not have a greater impact on openness than the existing situation and would not encroach into the countryside in accordance with paragraph 150 of the NPPF. The development is an appropriate layout and design and would not have an adverse impact on the character and appearance of the area or the surrounding landscape.
- The development would not result in any significant harm to neighbouring residential amenity and the occupants of the proposed dwellings would enjoy an acceptable standard of amenity in accordance with Policy HE2 of the Local Plan.
- The proposal would not have an adverse impact on road safety and would provide an acceptable level of on-site parking provision.
- The proposal would provide appropriate mitigation for its impact on biodiversity and biodiversity enhancement would be provided.

269. Urgent items

There were no urgent items for consideration.

Duration of meeting: 10.00 am - 1.30 pm

Chairman

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A Guide to Public Speaking at Planning Committee

All members of the public are welcome to attend formal meetings of Planning Committees to listen to the debate and the decisions being taken.

If you have written to the Council during the consultation period about an application that is to be considered by the committee, any relevant planning or rights of way issues raised in your letter will be appraised by the case officer and summarised within the committee report. You will also receive a letter informing you of the committee date and inviting you to attend the meeting.

The agenda for the meeting is normally published five working days before the committee date and is available to view on the council's website at <https://moderngov.dorsetcouncil.gov.uk/mgListCommittees.aspx?bcr=1> or via the Modern.gov app which is free to download.

You can also track progress of a planning application by visiting the council's website at <https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning/planning-application-search-and-comment.aspx>. Alternatively you can contact a member of the Democratic Services Team on 01305 251010 or email david.northover@dorsetcouncil.gov.uk for Eastern Area Planning Committee, megan.r.rochester@dorsetcouncil.gov.uk for Northern Area Planning Committee denise.hunt@dorsetcouncil.gov.uk for Western and Southern Area Planning Committee and elaine.tibble@dorsetcouncil.gov.uk for Strategic Planning Committee. They will be able to advise you on whether an application will be considered by a committee meeting.

Formal meetings are open to the press and the public and during the meeting you may come and go as you wish. Please keep disruption to a minimum to allow the business to be conducted smoothly. Members of the press and public will normally only be asked to leave the meeting if confidential/exempt items are to be considered by the committee.

Members of the committee and the public have access to individual representation letters received in respect of planning applications and rights of way matters in advance of the meeting. It is important to note that any comments received from the public cannot be treated as confidential.

How do I register to speak?

Planning committee meetings are held in public but they are not a public meeting; as a result you need to register to speak as below.

The first three members of the public, including any community or amenity group, who register to speak, for and against the application, including the applicant or their representative (maximum six in total) will be invited to address the committee. If the applicant or their representative registers to speak, then only the first two members of the public who wish to speak for the application may address the Committee. MPs need to register in the same way and will count as one of the six speakers.

If you wish to address the committee at the planning meeting it is essential that you contact the Democratic Services Team on 01305 251010 or email addresses set out above before 8.30am at least two clear working days before the meeting. If you do not register to speak, you will not normally be invited to address the committee. When contacting the Democratic Services Team you should advise which application you wish to speak on, whether you are objecting or supporting the application and provide your name and contact details.

The Member who chairs Planning Committee

Ultimately the Chairman of the Planning Committee retains the power to determine how best to conduct a meeting. The processes identified below are therefore always subject to the discretion of the Chairman.

What will happen at the meeting and how long can I speak for?

The Chairman will invite those who have registered to speak to address the committee. Each speaker will have up to **three** minutes each to address the committee.

When addressing the committee members of the public should:

- keep observations brief and relevant;
- speak slowly and clearly;
- for rights of way matters, limit views to those relevant to the legal tests under consideration;
- for planning matters limit views to relevant planning issues such as:
 - the impact of the development on the character of the area;
 - external design, appearance and layout;
 - impact of the development on neighbouring properties;
 - highway safety;
 - planning policy and government guidance.
- avoid referring to issues such as safety, maintenance and suitability for rights of way definitive map modification matters, as they cannot be taken into account;
- avoid referring to matters, which are not relevant to planning considerations, such as:
 - trade objections from potential competitors;

- personal comments about the applicant;
 - the developer’s motives;
 - moral arguments;
 - matters covered by other areas of law;
 - boundary disputes or other private property rights (including restrictive covenants).
- remember you are making a statement in public: please be sure that what you say is not slanderous, defamatory or abusive in any way.

Can I provide handouts or use visual aids?

No. Letters and photographs, or any other items must not be distributed at the meeting. These must be provided with your written representations during the consultation period in order to allow time to assess the validity, or otherwise, of the points being raised. To ensure fairness to all parties, everyone needs to have the opportunity to consider any such information in advance to ensure that any decision is reasonably taken and to avoid potential challenge.

What happens at the Committee?

After formal business such as declarations of interest and signing of minutes the meeting moves on to planning applications.

- The planning / rights of way officer will present the application including any updates.
- The Chairman will invite those who have registered to speak to address the committee and each speaker is allocated a maximum of three minutes.
- The applicant or their representative will be allowed up to three minutes speaking time in total between them both.
- The order of speaking will normally be: individual members of the public and groups; the applicant or their representative and then; parish/town council representative. Any such group or council will normally be given one three minute slot each for any representations to be made on its behalf.
- If one or more of the relevant Dorset Council Ward Members wishes to address the committee, they will each be allowed three minutes to do so.
- Neither the objectors or supporters will normally be questioned. However, the Chairman may ask questions to clarify a point of fact in very exceptional circumstances.
- Public participation then ends and the committee will enter into the decision making phase. During this part of the meeting only members of the

committee and officers may take part.

- The Chairman of the Committee has discretion over how this protocol will be applied and has absolute discretion over who can speak at the meeting.

You should not lobby members of the committee or officers immediately prior to or during the committee meeting. Members of the public should also be aware that members of the committee are not able to come to a view about a proposal in advance of the meeting because if they do so it may invalidate their ability to vote on a proposal. Equally any communication with members of the committee during the meeting is to be avoided as this affects their ability to concentrate on the matters being presented at that time.

You should note that the council has various rules and protocols relating to the live recording of meetings.

What happens after the Committee?

The minutes, which are the formal record of the meeting, will be published after the meeting and available to view in electronic and paper format, as a matter of public record, for a minimum of six years following the date of the meeting. Please note that if you attend a committee meeting and make oral representations to the committee, your name, together with a summary of your comments will be included in the minutes of the meeting.

Agenda Item 6

Application Number:	P/VOC/2022/03461		
Webpage:	The application and other information about the application may be inspected online through the application webpages accessible via https://planning.dorsetcouncil.gov.uk/ .		
Site Address:	Force Headquarters, Dorset Innovation Park Access Road, Winfrith Newburgh, Dorset, DT2 8DZ		
Proposal:	Demolition of existing three storey plus plant room building and erection of new three storey plus plant room building for Dorset Police Force Headquarters with associated parking without compliance with/variation of condition 10 of planning permission P/FUL/2021/04422 - The development shall be constructed to a minimum BREEAM standard rating of 'Very Good' instead of 'Excellent'.		
Applicant Name:	OPCC Dorset Police		
Case Officer:	Huw Williams		
Ward Member(s):	Councillor Laura Beddow, West Purbeck Ward Councillor Peter Wharf, West Purbeck Ward		
Publicity expiry:	16/07/2022	Officer site visit:	14/06/2022
Decision due:	07/09/2022	Ext(s) of time:	N/A

1.0 Reason Application Reported to Committee

1.1 The application relates to land that is owned by Dorset Council and is reported to Committee for consideration in accordance with Dorset Council's Constitution.

2.0 Summary of Recommendation

2.1 Resolve that following the satisfactory conclusion of a habitats regulations assessment undertaken in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended) and the execution of a planning obligation securing payment of financial compensation in accordance with the certified Biodiversity Plan submitted in support of planning application P/FUL/2021/04422, the Head of Planning be given delegated authority to grant planning permission subject to the conditions set out in paragraph 16.1 below or conditions to similar effect.

3.0 Reason for the Recommendation

3.1 The recommendation is made following consideration of:

- (i) the application;
- (ii) the development plan;
- (iii) national planning policy and guidance;
- (iv) adopted supplementary planning documents and guidance;
- (v) consultation responses; and
- (vi) other material planning considerations set out in this report.

3.2 Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

3.3 The purpose of the planning system is to contribute to the achievement of sustainable development. Local planning authorities should approach decisions on proposed development in a positive and creative way and seek to approve applications for sustainable development where possible.

3.4 Planning permission has previously been granted for the proposed replacement police force headquarters building but that permission is subject to a requirement that the replacement building shall be constructed to a minimum BREEAM standard rating of 'Excellent'. The replacement headquarters building is expected to achieve a BREEAM rating of 'Very Good' rather than a rating of 'Excellent' as favoured in Policy D of the Adopted Purbeck Local Plan for a non-domestic building of this size.

3.5 BREEAM 'Very Good' is a high sustainability rating well above that likely to be achieved by the existing building. Information submitted in support of the application identifies several site constraints limiting the number of achievable and available credits for the proposed development and further indicates that the uplift required to achieve a rating of 'Excellent' would, if achievable, have an obvious and clear impact on other force initiatives.

3.6 Replacement of the existing building would better suit the operational requirements of Dorset Police, would perform to higher level of sustainability and would be the benefit of the local economy. The architectural and landscape design proposals would:

- (i) enhance the character and appearance of the locality;
- (ii) provide for safe and convenient access;
- (iii) make appropriate provision for the conservation of heritage assets; and
- (iv) would contribute to biodiversity enhancement,

and use of the proposed development by Dorset Police would be to the benefit of communities across Dorset.

- 3.7 Having regard to the particular circumstances of the application site, the details of the development proposal and taking account of the public benefits that would accrue from the proposed development, it is considered that construction to a minimum BREEAM rating of 'Very Good' rather than 'Excellent' has been justified adequately in accordance with policy requirements.
- 3.8 Consideration of the potential for adverse effect on European sites is ongoing. On account of the location and nature of the proposed development, planning permission cannot be granted without the satisfactory completion of a habitats regulations assessment under The Conservation of Habitats and Species Regulations 2017 (as amended).
- 3.9 Subject to the satisfactory completion of a habitats regulations assessment, a planning obligation to secure mitigatory payment in accordance with an approved Biodiversity Plan and with the imposition of planning conditions necessary to secure an adequate level of compliance with the development plan, it is considered that the application proposal is in accordance with the development plan and that there are no economic, environmental or social considerations either warranting or necessitating determination of the application other than in accordance with development plan.

4.0 Conclusions on Key Planning Issues

Issue	Conclusion
Overall sustainability of proposed development and whether construction to minimum BREEAM rating of 'Very Good' rather than 'Excellent' has been justified adequately.	Requested change from a minimum BREEAM rating from 'Excellent' to 'Very Good' has been adequately justified in accordance Policy D of the Adopted Local Plan and would not unacceptably prejudice the overall sustainability of the proposed development.
Potential for significant effect on Poole Harbour Special Protection Area or Ramsar	Consideration is ongoing and therefore appropriate that any resolution to grant planning permission is made provisional on the satisfactory prior conclusion of a habitats regulations assessment.

5.0 The Application

- 5.1 Application is made by the OPCC Dorset Police under section 73 of the Town and Country Planning Act 1990 (as amended) for planning permission for the development of land without complying with conditions subject to which a previous planning permission was granted.
- 5.2 'The OPCC' is the Office of the Dorset Police and Crime Commissioner.

- 5.3 Planning permission P/FUL/2021/04422 was granted on 08 March 2022 for the demolition of a police force headquarters building and for the erection of a new police force headquarters building. The permission was granted subject to a number of conditions regulating the conduct and/or management of the development permitted.
- 5.4 Planning permission is sought the removal or variance of condition 10 of planning permission P/FUL/2021/04422 to allow for construction of the replacement headquarters building to a BREEAM rating of “very Good” rather “Excellent”.
- 5.5 In addition to the requisite application form, ownership certificate and fee, the application includes:
- (i) a Location Plan (Corstorphine & Wright Drawing No. 19675-CWA-VX-ZZ-DR-A-0200 Revision P-00 dated 10.10.21) which identifies the application site (‘the Application Site’) edged red and other land in the Applicant’s ownership or control edged blue; and
 - (ii) a supporting statement prepared by the Applicant’s agent (‘the Applicant’s Supporting Statement’).
- 5.6 The application, the Application Site Location Plan and other information about the application may be inspected online through the application webpages accessible via <https://planning.dorsetcouncil.gov.uk/>.
- 5.7 The application has been advertised on site and in the local press. At the time of writing this report, the statutory consultation period is ongoing.
- 6.0 Description of the Application Site and Surrounding Area**
- 6.1 The Application Site comprises approximately 1.2 hectares of previously developed land and associated landscaped grounds within the headquarters campus of Dorset Police.
- 6.2 The Application Site adjoins other parts of the headquarters campus to the north and west, a playing field to south, and an access service road to the east.
- 6.3 Pedestrian and vehicular access to the Application Site is available from the access service road which connects to the Dorset Innovation Park Access Road, which in turn connects to the A352 at Burton Cross. A public footpath (Right of Way SE28/12) runs along the access service road.
- 6.4 The Dorset Innovation Park is located to the west of the force headquarters campus and the London Waterloo to Weymouth railway line passes to the north. The nearest railway station is located at Wool, circa 1.7 kilometres to the east of the Application Site.

- 6.5 The Dorset Innovation Park ('the Innovation Park') was formerly known as the Dorset Green Technology Park and forms part of the former Winfrith Atomic Energy Establishment, other parts of which are being decommissioned. The Innovation Park is the second largest strategic employment site in the Dorset LEP (Local Enterprise Partnership) area and is a designated Enterprise Zone.
- 6.6 The Enterprise Zone benefits from a Local Development Order (LDO) which enables a mix of advanced engineering, defence, marine, energy, cyber security and other uses to come forward across the site to create a vibrant, successful and sustainable advanced engineering cluster. The LDO is intended to be in place for the duration of the Enterprise Zone (25 years from 2015) and covers the initial 40 hectares of the Innovation Park, although the Innovation Park site is expected to expand to circa 53 hectares after the decommissioning of an adjoining section of the former Winfrith Atomic Energy Establishment.
- 6.7 The wider surrounding area is predominately rural in character with areas of heath and agricultural land interspersed with pockets of woodland, agricultural buildings, commercial buildings, small settlements, occasional farmsteads, other residential properties and transport infrastructure.
- 6.8 The nearest residential properties are located within East Burton and are all more than 200 metres from the Application Site.

7.0 Designations and Constraints

- 7.1 The development plan for the Application Site includes:
- (i) *Planning Purbeck's Future Purbeck Local Plan Part 1* adopted by the former Purbeck District Council in November 2012 ('the Adopted Purbeck Local Plan'); and
 - (ii) the *Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019* adopted by Dorset Council in December 2019 ('the Adopted Waste Plan').
- 7.2 The Application Site is shown on Inset Map 6 of the Proposals Map of the Adopted Purbeck Local Plan as:
- (i) comprising part of an allocated employment site (Policy E); and
 - (ii) part-located within an area at flood risk (Policy FR).
- 7.3 The Application Site is additionally located:
- (i) within 250 metres of a safeguarded waste facility identified in the Adopted Waste Plan, that facility being the Tradebe B4 Complex from which a company specialising in radioactive waste management operates;
 - (ii) within a defined Site of Special Scientific Interest (SSSI) risk assessment zone;
 - (iii) within the Poole Harbour Hydrological Catchment Area;

- (iv) less than 5 kilometres but more than 400 metres from land comprised within the Dorset Heaths Special Area of Protection and the Dorset Heathlands Special Protection Area; and
- (v) approximately 1 kilometre from the designated Dorset Area of Outstanding Natural Beauty.

7.4 No part of the Application Site is subject to either a statutory landscape or a statutory nature conservation designation and there are no designated heritage assets either within or in the immediate vicinity on the Application Site (the nearest designated heritage assets being:

- (i) a bowl barrow scheduled monument 350 metres north west of Gatehouse Farm (NHLE: 1015399), circa 350 metres to the south west of the Application Site;
- (ii) Grade II listed buildings on the eastern side of Burton Road in East Burton more than 400 metres from the Application Site; and
- (iii) various other scheduled monuments situated further away from the Application Site; and
- (iv) the designated Wool Conservation Area which lies approximately 1.8 kilometres to the east of the Application Site.

7.5 The Dorset Constabulary War Memorial which is to be dismantled and re-erected elsewhere within the Application Site constitutes a non-designated heritage asset, but has been recommended to Historic England for statutory listing.

7.6 Section 85 of the Countryside and Rights of Way Act 2000 provides that in exercising or performing and functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.

7.7 The Planning Listed Buildings and Conservation Areas Act 1990 (as amended): provides that:

- (i) in considering whether to grant planning permission for development which affects the setting of a listed building, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses (section 66(1)); and
- (ii) with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area (section 72(1)).

8.0 Relevant Planning History

8.1 Conditions attached to planning permission P/FUL/2021/04422 require:

- (i) that the development permitted must be begun not later than the expiration of 3 years beginning with the date of the permission (condition 1);
- (ii) that the development permitted shall be carried out in accordance with specified approved plans (condition 2);
- (iii) the submission, approval and implementation of a method statement for the dismantling and re-erection of the Dorset Constabulary War Memorial; (condition 3);
- (iv) the construction and maintenance of approved vehicular parking and turning facilities (condition 4);
- (v) the construction and maintenance of approved cycle parking facilities (condition 5);
- (vi) the submission, approval, and implementation of a detailed surface water management scheme to improve and protect water quality and to improve habitat and amenity (condition 6);
- (vii) the submission, approval and implementation of a scheme for the maintenance and management of the surface water sustainable drainage scheme and any receiving drainage system (condition 7);
- (viii) the submission, approval and implementation of a scheme to deal with potential contamination (condition 8);
- (ix) the implementation of specified controls during construction (condition 9);
- (x) the construction to a minimum BREEAM standard rating of 'Excellent' in accordance with Policy D of the Purbeck Local Plan (condition 10);
- (xi) the implementation of a submitted Tree Management Plan (condition 11);
- (xii) the submission, approval and implementation of hard and soft landscape works to preserve and enhance the visual amenities of the locality (condition 12);
- (xiii) the submission, approval and use in construction of materials and finishes to safeguard visual amenity (condition 13); and
- (xiv) the implementation of a submitted certified Biodiversity Plan to mitigate and compensate for impacts on biodiversity and provide net gain for biodiversity (condition 14).

8.2 In full, condition 10 of planning permission P/FUL/2021/04422 reads:

“The development hereby approved shall be constructed to a minimum BREEAM standard rating of 'Excellent' and, prior to the first occupation of the development, a copy of a formal assessment, undertaken by a licensed BREEAM assessor and a copy of the assessor's report along with a copy of the certificate shall be submitted to the local planning authority, unless otherwise first agreed in writing by the local planning authority.

“Reason: In the interests of promoting good design and sustainable construction in accordance with policy D of the Purbeck Local Plan.”

8.3 A separate application has been made for approvals under conditions 6, 7 and 8 of planning permission P/FUL/2021/04422. At the time of writing this report, that application has not been determined and consultation on the submitted details is ongoing.

9.0 The Proposed Development

9.1 No change is proposed to the architectural or landscape design proposals previously considered in the determination of application P/FUL/2021/04422 and no change is proposed to the permitted site access arrangements. Accordingly, vehicular and pedestrian access would continue to be provided from the existing access service road.

9.2 The permitted site layout and landscaping arrangements provide for the re-arrangement and intensification of development within the Application Site. The replacement headquarters building would provide a focal point at the entrance to the headquarters complex and a clear entrance for visitors, with landscaped grounds and parking in front of and beyond the building. 3,134 square metres of floorspace would be replaced with 3,171 square metres (gross internal); 15 new car parking spaces would be provided; there would be a net loss of open space (grassland); and the Dorset Constabulary War Memorial would be dismantled and re-erected elsewhere within the Application Site.

9.3 The Executive Summary of the Applicant's supporting statement comments:

“Through conducting an initial RIBA Stage 1 scoping exercise and a full BREEAM Pre-assessment exercise during RIBA Stage 2, it is now evident that the target BREEAM rating of ‘Excellent’ as requested by condition 10 is not achievable. The chief cause of the inability to achieve an ‘Excellent’ score is that some credits are unavailable due to the specific nature of the building, its operations, and the location of the site. Offsetting these unavailable credits through other measures would add substantially to the cost of the project, resulting either in the unacceptable reduction of Police service levels, or an inability to deliver the project at all, and in any event would not necessarily ensure that an ‘Excellent’ score might be achieved.

“It remains the case that the building to be provided will achieve a high level of performance in relation to sustainability criteria. Accordingly, it is requested that the condition is amended to require, as a minimum, a ‘Very Good’ score.”

10.0 Approach to Decision Making and Relevant Policies

10.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that in dealing with an application for planning permission the planning authority shall have regard to:

- (i) the provisions of the development plan, so far as material to the application,
 - (ii) a post-examination draft neighbourhood development plan, so far as material to the application,
 - (iii) any local finance considerations, so far as material to the application, and
 - (iv) any other material considerations.
- 10.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 10.3 Section 73 of the Town and Country Planning Act 1990 (as amended) provides that on applications for planning permission for the development of land without complying with conditions subject to which a previous planning permission was granted, the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted and—
- (a) if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and
 - (b) if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.

The Development Plan

- 10.4 The Adopted Purbeck Local Plan sets out a strategy and policies for the delivery of development and supporting infrastructure in the plan area for the period 2006-2027.
- 10.5 The most relevant policies of the Adopted Purbeck Local Plan are:
- Policy SD: Presumption in Favour of Sustainable Development;
 - Policy LD: General Location of Development;
 - Policy ELS: Employment Land Supply;
 - Policy SW: South West Purbeck;
 - Policy CO: Countryside;
 - Policy BIO: Biodiversity & Geodiversity;
 - Policy DH: Dorset Heaths International Designations;
 - Policy PH: Poole Harbour;
 - Policy CF: Community Facilities and Services;
 - Policy FR: Flood Risk;
 - Policy GP: Groundwater Protection;
 - Policy D: Design;

- Policy REN: Renewable Energy;
 - Policy LHH: Landscape, Historic Environment and Heritage; and
 - Policy E: Employment.
 - Policy IAT: Improving Accessibility.
- 10.6 The Adopted Waste Plan addresses the period to the end of 2033 and promotes sustainable waste management. The most relevant policies of the adopted Waste Plan are:
- Policy 10 – Decommissioning and restoration of Winfrith Nuclear Licensed Site;
 - Policy 22 – Waste from new developments; and
 - Policy 24 – Safeguarding waste facilities.
- 10.7 Policy SD of the Adopted Purbeck Local Plan provides that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework and will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible and to secure development that improves the economic, social and environmental conditions in the area.
- 10.8 Policy SD of the Adopted Purbeck Local Plan further states that:
- “When applying this presumption, the Council will consider all proposals carefully against their potential adverse effect upon European sites and, if necessary, ensure the developer provides effective mitigation.”

Post-examination Draft Neighbourhood Plan

- 10.9 The Application Site is located within the designated Wool Neighbourhood Area for which there is currently no made and no post-examination draft neighbourhood development plan.

Local Finance Considerations

- 10.10 For the purposes of section 70(2) of the Town and Country Planning Act 1990 (as amended) “local finance consideration” means:
- (i) a grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown, or
 - (ii) sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy.
- 10.11 To be material to the determination of an application for planning permission, a local finance consideration must have the potential to help make development acceptable in planning terms.

10.12 The Community Infrastructure Levy (CIL) is operated in the former Purbeck district area, but the proposed development is of a type that is zero rated and so would not make any CIL payment and the submitted application does not refer to any other grant or financial assistance that would constitute a local finance consideration.

Other Material Considerations

10.13 The term “any other material considerations” is broad in scope, a material consideration being any matter which is relevant to making the planning decision in question.

10.14 In so far as material to the application, account should be taken of any consultation responses and other representations made about an application. In relation to policy and guidance, the term encompasses national planning policy and guidance; supplementary planning documents and guidance; emerging (i.e. draft) planning policy and guidance, and other forms of policy and practice advice.

10.15 Other statutory duties and/or the provisions of other regulatory controls applying to the development and use of land can also be material.

National Planning Policy and Guidance

10.16 Government planning policy set out in the National Planning Policy Framework (‘the NPPF’) is material to the determination of all applications for planning permission in England. National Planning Practice Guidance (‘NPPG’) and other statements of government policy fall to be read in conjunction with the NPPF.

10.17 The NPPF makes clear that the purpose of the planning system is to contribute to the achievement of sustainable development (paragraph 7) and that achieving sustainable development means that the planning system has three overarching objectives – economic, social and environmental – which are interdependent and need to be pursued in mutually supportive ways, so that opportunities can be taken to secure net gains across each of the different objectives (paragraph 8).

10.18 In full, the objectives set out in paragraph 8 of the NPPF are:

- “a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- “b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes

can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

- “c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.”

- 10.19 Paragraph 9 of the NPPF states that the above objectives should be delivered through the preparation and implementation of plans and policies but that they are not criteria against which every decision can or should be judged and that in guiding development towards sustainable solutions, planning decisions should take local circumstances into account to reflect the character, needs and opportunities of each area.
- 10.20 So that sustainable development is pursued in a positive way, at the heart of the NPPF is a presumption in favour of sustainable development. For decision-taking, amongst other matters, this means approving development proposals that accord with an-up-to date development plan without delay (NPPF, paragraph 11).
- 10.21 Specifically in relation to decision making, paragraph 38 of the NPPF provides that:
- (i) local planning authorities should approach decisions on proposed development in a positive and creative way and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area; and
 - (ii) decision-makers at every level should seek to approve applications for sustainable development where possible.
- 10.22 Paragraph 43 of the NPPF notes that the right information is crucial to good decision-making, particularly where formal assessments are required, and paragraph 55 of the NPPF provides that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations, but that planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.
- 10.23 Paragraph 56 of the NPPF provides that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and

to the development to be permitted, enforceable, precise and reasonable in all other respects.

10.24 Paragraph 57 of the NPPF provides that planning obligations must only be sought where they are:

- (i) necessary to make the development acceptable in planning terms;
- (ii) directly related to the development; and
- (iii) fairly and reasonably related in scale and kind to the development.

10.25 National Planning Practice Guidance advises that permission granted under section 73 takes effect as a new, independent permission to carry out the same development as previously permitted subject to new or amended conditions and further notes that the new permission sits alongside the original permission, which remains intact and unamended (NPPG, Reference ID: 17a-015-20140306). The guidance further comments that:

“... It is open to the applicant to decide whether to implement the new permission or the one originally granted.

“A decision notice describing the new permission should clearly express that it is made under section 73. It should set out all of the conditions imposed on the new permission, and, for the purpose of clarity restate the conditions imposed on earlier permissions that continue to have effect. ...”

(NPPG, Reference ID: 17a-015-20140306)

Supplementary Planning Documents and Guidance

10.26 Pertinent supplementary policy and/or guidance is set out in:

- (i) the *Nitrogen Reduction in Poole Harbour Supplementary Planning Document* of 01 April 2017 which provides guidance on the achievement nitrogen neutral development within the Poole Harbour Hydrological Catchment Area;
- (ii) the *Poole Harbour Recreation 2019-2024 Supplementary Planning Document* adopted dated April 2020 which sets out a strategy for mitigating the impact of development upon the Poole Harbour Special Protection Area;
- (iii) *The Dorset Heathlands Planning Framework 2020-2025 Supplementary Planning Document* adopted by Dorset Council on 31 March 2022 which sets out a framework for the avoidance and mitigation of impacts by restrictions on development within 400 metres of designated heathland areas and mitigation associated with some types of development between 400 metres and 5 kilometres of designated heathland areas;
- (iv) the *Dorset Heathlands Interim Air Quality Strategy* adopted by Dorset Council on 02 March 2022 which aims to address the adverse effect of airborne nitrogen upon the Dorset Heathlands designated sites by

- contributing to the achievement of the conservation objectives for air quality and in doing so, facilitate the delivery of planned development;
- (v) the *Purbeck District Design Guide Supplementary Planning Document* adopted by Purbeck District Council on 14 January 2014 ('the Purbeck District Design Guide') which supplements and supports the policies of the Adopted Purbeck Local Plan; and
 - (vi) the *Draft Landscape Character Assessment and Management Guidance (Non-AONB) Areas* prepared by Purbeck District Council which provides guidance on the conservation and enhancement of the landscape characteristics and features.

Emerging Planning Policy

- 10.27 Paragraph 48 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:
- (a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
 - (b) the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and
 - (c) the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).
- 10.28 The Dorset Council Local Plan Options Consultation took place between January and March 2021. Being at a very early stage of preparation, the Draft Dorset Council Local Plan should be accorded very limited weight in decision making.
- 10.29 The *Purbeck Local Plan (2018-2034) Submission January 2019* ('the Submitted Draft Purbeck Local Plan') was submitted for examination in January 2019. At the point of assessing this application, examination of the Submitted Draft Purbeck Local Plan is ongoing, hearing sessions and consultation on *Proposed Main Modifications* and additional consultation on *Further Proposed Main Modifications* having been undertaken and a further public hearing session scheduled to be held on 22 July 2022. Updates on the latest position on the plan's examination and related documents (including correspondence from the Planning Inspector, Dorset Council and other interested parties) are published on Dorset Council website (www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/purbeck-local-plan/purbeck-local-plan-latest-news).
- 10.30 Having regard to the plan's progress through the examination and Dorset Council's position following consultation on the Proposed Main Modifications and the Further Proposed Main Modifications, at this stage only limited weight should be given to the Emerging Draft Purbeck Local Plan.

10.31 In the preparation of this report, account has been taken of the following draft policies of the Emerging Draft Purbeck Local Plan, but these policies should be accorded little weight in the determination of the application.

- Policy V1: Spatial strategy for sustainable communities;
- Policy E1: Landscape;
- Policy E2: Historic environment;
- Policy E4: Assessing flood risk;
- Policy E5: Sustainable drainage systems;
- Policy E7: Conservation of protected sites;
- Policy E8: Dorset heathlands;
- Policy E9: Poole harbour;
- Policy E10: Biodiversity and geodiversity;
- Policy E12: Design;
- Policy EE1: Employment land supply;
- Policy EE2: Planning for Employment;
- Policy I1: Developer contributions to deliver Purbeck's infrastructure;
- Policy I2: Improving accessibility and transport;
- Policy I3: Green infrastructure, trees and hedgerows; and
- Policy I7: Community facilities and services.

Other Statutory Controls and Duties

10.32 The use and development of land is subject to regulation under a range of statutory regimes that are operated separately from and/or in tandem with the planning system. National Planning Practice Guidance indicates that planning conditions requiring compliance with other regulatory regimes will not meet the test of necessity and may not be relevant to planning (NPPG, Ref ID: 21a-005-20190723). However, statutory duties within and beyond planning legislation can impact on individual planning decisions and the provisions of other regulatory regimes can be material to the determination of planning applications.

11.0 Consultation Responses and Other Representations

11.1 At the time of writing this report, statutory consultation on the subject application is on ongoing. Consultation responses processed by 06 July 2022 are summarised below. Any further consultations responses or other representations made about the application will be reported at committee.

Natural England

11.2 Responded by letter dated 13 June 2022 stating:

“Natural England is not able to fully assess the potential impacts of this proposal on statutory nature conservation sites or protected landscapes or, provide detailed advice on the application. If you consider there are

significant risks to statutory nature conservation sites or protected landscapes, please set out the specific areas on which you require advice.

“The lack of detailed advice from Natural England does not imply that there are no impacts on the natural environment. It is for the local authority to determine whether or not the proposal is consistent with national and local environmental policies. Other bodies and individuals may provide information and advice on the environmental value of this site and the impacts of the proposal on the natural environment to assist the decision making process.”

Wool Parish Council

11.3 Responded on 21 June 2022 stating:

“No objection but would like the applicant to consider the reduction of possible bird strikes outlined in the attachment (as requested for previous application).”

Dorset & Wiltshire Fire & Rescue

11.4 As of 06 July 2022, no response received.

Dorset Council – Environmental Services (Environmental Protection)

11.5 Responded on 27 June 2022 indicating no comment.

Dorset Council – Ward Members

11.6 As of 06 July 2022, no response received.

Dorset Council – Transport Development Management Team

11.7 As of 06 July 2022, no response received.

Dorset Council – Flood Risk Management

11.8 As of 06 July 2022, no response received.

Dorset Council – Natural Environment Team

11.9 As of 06 July 2022, no response received.

Dorset Council – Conservation and Design

11.10 As of 06 July 2022, no response received.

Dorset Council – Building Control

- 11.11 Responded on 10 June 2022 advising that a meeting has been arranged with the contractor, Fire Engineer and Fire Officer to discuss revised scheme.

WPA Consultants Ltd (Contamination Risk)

- 11.12 As of 06 July 2022, no response received.

Dorset Council – Minerals and Waste Policy

- 11.13 As of 06 July 2022, no response received

Other Representations Received

- 11.14 As of 06 July 2022, no other representations have been received relating to this application.

12.0 Assessment of Key Planning Issues

- 12.1 The key planning issues in the determination of the application relate to:
- (i) the overall sustainability of the proposed development and whether construction of the replacement force headquarters building to achieve a minimum BREEAM rating of 'Very Good' rather than 'Excellent' has been adequately justified; and
 - (ii) whether the proposed development is likely to have a significant effect on Poole Harbour Special Protection Area and Ramsar either alone or in combination with other plans or projects.

BREEAM Rating and the Requirement for BREEAM 'Excellent'

- 12.2 BREEAM stands for 'Building Research Establishment Environmental Assessment Methodology' and comprises a science-based suite of validation and certification systems for a sustainable built environment.
- 12.3 The assessment methodology takes account of a range of factors that are measured against pre-determined targets that reward performance which delivers social, economic or environmental benefit. The assessment categories are Energy; Waste; Water; Materials; Health and Well-being; Transport; Pollution; Land Use & Ecology; and Management.
- 12.4 BREEAM rating is categorised by means of an overall percentage score with the available ratings being:
- Unclassified – a score of less than 30%, for which no certificate is issued;
 - Pass – a score of more than 30%;
 - Good – a score of more than 45%;
 - Very good – score of more than 55%;

- Excellent – a score higher than 70%; and
 - Outstanding – the highest rating for a score higher than 85%.
- 12.5 Assessment is made during the design stage, for which an interim certificate is given, and at the post-construction stage, leading to a final certificate and rating.
- 12.6 Achievement of any BREEAM rating is purposefully challenging and the pre-determined targets have been raised over time so as to push performance beyond best practice, drive innovation, create positive impact and showcase success. Approximately 75% of new non-domestic buildings in the United Kingdom rate at a 'pass' or higher, with around 25% achieving 'Very Good' and around 10% 'Excellent'.
- 12.7 The Application Site comprises previously developed land that is in active employment use and which forms part of an allocated employment site.
- 12.8 Planning permission P/FUL/2021/04422 was granted on the basis that with imposed conditions the development would be in accordance with the development plan. Planning permission P/FUL/2021/04422 remains extant and establishes the acceptability in principle of the proposed development.
- 12.9 There has been no change to the development plan since planning permission P/FUL/2021/04422 was granted, although updated advice has been received from Natural England on development proposals with the potential to affect water quality resulting in adverse impacts on various habitats sites including the designated Poole Harbour Special Protection Area and Ramsar. Further advice on the implications and application of that advice is being sought from Natural England and Dorset Council's Natural Environment Team and this matters is addressed further later in this assessment.
- 12.10 Paragraph 9 of the NPPF makes clear that planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account to reflect the character, needs and opportunities of each area.
- 12.11 Paragraph 81 of the NPPF states that planning decisions should help to create the conditions in which businesses can invest, expand and adapt and that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
- 12.12 The NPPF is equally clear that planning decisions should aim to achieve healthy, inclusive and safe places (paragraph 92); that significant development should be focussed on locations which are or can be made sustainable (paragraph 105); that planning decisions should promote an effective use of land while

safeguarding and improving the environment and ensuing safe and healthy living conditions (paragraph 119); and that good design is a key aspect of sustainable development - the creation of high quality, beautiful and sustainable buildings and places being fundamental to what the planning and development process should achieve (paragraph 126).

- 12.13 Paragraph 152 of the NPPF provides that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and further states that it should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.
- 12.14 Paragraph 174 of the NPPF provides that planning decisions should contribute to and enhance the natural environment and paragraph 189 of the NPPF makes clear that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance.
- 12.15 The above matters are each addressed by policies of the Adopted Purbeck Local Plan.
- 12.16 Paragraph 5.1.2 of the Adopted Purbeck Local Plan states that to achieve sustainable development, new development should be located in the most sustainable locations with the aim of minimising car trips and the subsequent impact on climate change.
- 12.17 Policy LD of the Adopted Purbeck Local Plan provides that development will be directed towards the most sustainable locations in accordance with a defined settlement hierarchy and that:
- “Land outside of settlement boundaries will be classed as ‘countryside’ (including Other Villages without a Settlement Boundary) where development will be permitted only in exceptional circumstances as set out in Policy CO: Countryside. For example, an exception is made for existing employment sites that do not fit within this hierarchy, yet remain a focus for new employment growth, such as Holton Heath and Dorset Green.”
- 12.18 Policy ELS of the Adopted Purbeck Local Plan provides that new employment development will be focussed at the most sustainable locations in accordance with Policy LD and existing employment sites that do not fit with in the settlement hierarchy such as Dorset Green.
- 12.19 Policy CO of the Adopted Purbeck Local Plan provides that development in the countryside should aim to improve the sustainability of rural settlements, make a positive contribution to landscape character and enhance biodiversity and further

provides that development outside of a settlement boundary (classed as 'countryside') will be permitted where it does not have a significant adverse effect either individually or cumulatively on the environment visually, ecologically, or from traffic movements where, amongst other options:

“A countryside location is essential; or”

“It is an employment use that would intensify or expand an existing employment site, or ...”.

12.20 Policy E of the Adopted Purbeck Local Plan provides that new employment provision for B class uses should be located at the most sustainable locations in accordance with Policy LD: General Location of Development and existing employment sites that do not fit within the settlement hierarchy such as Holton Heath and Dorset Green. Through reference to sites identified in Table 2 of in section 6.5 of the Plan, Policy E safeguards the Application Site for employment uses and provides that:

- New proposals will only be permitted where they do not compromise the integrity of the employment site; and
- The expansion of employment use(s) will be permitted where this would not result in an unacceptable adverse impact in terms of visual harm, noise and traffic flow.

12.21 In light of the foregoing and particularly the allocation of the Application Site as an employment site, there is no question over the acceptability in principle of the Application Site as a suitable location for the proposed development.

12.22 Policy D of the Adopted Purbeck Local Plan provides that:

“The Council will expect proposals for all development and other works to:

- Positively integrate with their surroundings;
- Reflect the diverse but localised traditions of building material usage found across the District;
- Avoid and mitigate effects of overshadowing, overlooking and other adverse impacts including light pollution from artificial light on local amenity;
- Demonstrate support for biodiversity through sensitive landscaping and through in-built features, which provide nesting and roosting facilities for bats and birds;
- Reflect the good practice advice, including appropriate densities, contained in District design guidance including townscape character assessments for Swanage, Wareham (and North Wareham), Upton, Bere Regis, Bovington, Corfe Castle, Lytchett Matravers and Wool;

- Reflect good practice guidance contained in the Dorset and New Forest Contaminated Land Consortium of Local Authorities' planning advice note 'Development on Land Affected by Contamination';
- Demonstrate a positive approach to delivery of sustainable development objectives through site layout and building design, which should be as comprehensive as other policies and criteria allow.

"Where applicable:

- ...
- Development of more than 10 dwellings (net) or 1,000m² (net) of non-residential floor space should, having achieved a Part L of the Building Regulations pass, further reduce its regulated greenhouse gas emissions (as predicted by SAP/SBEM) either by 10% via the use of on-site renewable energy generation, or by 20% overall. Where viability constraints of the proposal would preclude the additional cost, the onus will be upon the applicant to demonstrate this (using an open book method if deemed necessary by the Council, the independent verification of which the applicant will be expected to fund). These requirements will be reviewed as further information becomes available about the changes to Part L of the Building Regulations.
- Demonstrate that every effort has been or will be made to achieve a significant carbon reduction in all new built development, at least matching the national targets set out in 'Building a Greener Future' and by the Building Regulations;
- ...
- Achieve a BREEAM 'Very Good' rating or higher for new build non-domestic development up to 1,000m² (net) floor space, and as a minimum a BREEAM 'Excellent' rating for larger developments. Where viability constraints of the proposal would preclude the additional costs of achieving an 'excellent' rating the onus will be upon the applicant to demonstrate this (using an open book method if deemed necessary by the Council, the independent verification of which the applicant will be expected to fund).

"The Council supports energy efficiency improvements to existing buildings provided improvements are in accordance with national guidance and other policies in this plan."

12.23 From the above, it is particularly pertinent to note that Policy D of the Adopted Purbeck Local Plan recognises that there will be circumstances in which viability constraints will preclude the additional costs of achieving a BREEAM 'Excellent' rating, but also makes clear that the onus will be on the applicant to demonstrate that this is the case.

12.24 In relation to the existing building to be demolished, the Design and Access Statement submitted in support of application P/FUL/2021/04422 commented:

“The building is fundamentally not fit for purpose anymore. It is dated, suffers from maintenance issues as well as performs poorly in terms of sustainability. Internally the space is dated and does not provide a healthy, high quality work environment which encourages communication and collaboration.”

12.25 Save for the Dorset Constabulary War Memorial, the existing built development within the Application Site is of no particular architectural or historic interest and its replacement as proposed would make a positive contribution to the character and appearance of the locality, with no material harm to either the natural beauty of the Dorset AONB or to the heritage significance of any designated heritage assets. No change is proposed to the intended use of the replacement headquarters building from that previously permitted and no change is proposed to the architectural or the landscape design proposals, to the previously permitted access arrangements or to the previously proposed site drainage and servicing strategies.

12.26 Replacement of the existing building as proposed would better suit the operational requirements of Dorset Police, would perform to higher level of sustainability and would be the benefit of the local economy. The architectural and landscape design proposals would:

- (i) enhance the character and appearance of the locality;
 - (ii) provide for safe and convenient access;
 - (iii) make appropriate provision for the conservation of heritage assets; and
 - (iv) would contribute to biodiversity enhancement,
- and use of the proposed development by Dorset Police would be to the benefit of communities across Dorset.

12.27 Paragraph 104 of the Submitted Draft Purbeck Local Plan provides that when developing proposals for development, applicants should have regard to the criteria set out in Draft Policy E12 read alongside:

- The Dorset Design Guide SPD (2014);
- Dorset County Council’s residential car parking strategy (2011); and
- Townscape character appraisal SPDs for Swanage, Wareham, North Wareham, Upton, Bere Regis, Bovington, Corfe Castle, Lytchett Matravers and Wool (2012).

12.28 Policy E12 of the Submitted Draft Purbeck Local Plan provides that the Council will expect proposals for all development and other works to demonstrate a high quality of design that:

- (a) positively integrates with their surroundings;
- (b) reflects the diverse but localised traditions of building materials found across the District;

- (c) limits the opportunities for crime and anti-social behaviour;
- (d) where appropriate supports and promotes sustainable modes of transportation;
- (e) avoids and mitigates any harmful impacts from overshadowing, overlooking, noise and any other adverse impacts including light pollution from artificial light on local amenity;
- (f) supports biodiversity through sensitive landscaping and in-built features;
- (g) minimises energy consumption, including where possible inclusion of renewable energy;
- (h) supports the efficient use of land taking account of capacity in existing infrastructure and services, access to sustainable means of transport, the local area's prevailing character and the requirement to deliver high quality buildings and places; and
- (i) provides buildings which are accessible to all.

12.29 Neither draft Policy E12 nor any other part of the Submitted Draft Local Plan specify a requirement to achieve a particular or minimum BREEAM rating, but the referenced Purbeck District Design Guide of 2014 advises:

“1.39 You should ensure that the layout of the site and the design of new buildings do not create any unnecessary limitations on potential future adaptation (i.e. to alternative use or user), or linkage with future development sites.

“1.40 You should consider and provide for the long term maintenance of building materials, finishes and landscaping. Aim for durability and easy maintenance.

“1.41 You will need to consider performance of your design against BREEAM standards, and ensure that it achieves a ‘very good’ rating up to 1000m² of floor space, and ‘excellent’ above this, unless there are clear viability reasons for not complying with these standards. In addition, for developments over 1000m² of floor space, you will need to incorporate measures that reduce regulated greenhouse gas emissions beyond levels required by the Building Regulations: 10% if doing this via on site energy provisions, and 20% in other cases.”

12.30 Accordingly, whilst the Emerging Draft Purbeck Local Plan does not specify a particular or minimum BREEAM rating, the referenced Design Guide again favours excellence over ‘Very Good’ for buildings over 1,000 square metres unless there are clear viability reasons.

12.31 The Applicant's Supporting Statement explains that there are several site constraints limiting the number of achievable and available credits for the proposed development and in particular refers to the following:

- Transport – Campus wide shared services such as operational waste stores, access, parking facilities (showers, lockers etc) would need to be taken into consideration as well as the necessary upgrades of these services. These facilities are located out of the scope of this work.
- Pollution – The size of plot and need to maximise internal space to meet the forces requirements limits the credits available under the Pollution issue in particular Pol 03 Surface water run off as well as targeting significantly higher levels of biodiversity.
- Ecology – The proposed location and existing site does not allow the re-use of land, or site contamination credits LE01 to be awarded. The land is considered not significantly contaminated.
- Health & Wellbeing – Due to the nature of the building and the need for privacy and security it does not meet the daylight credit of HEA01, while the location of the building is in very close proximity to sources of external pollution which makes it unviable to achieve the indoor air quality credit of HEA02.

12.32 The Applicant's Supporting Statement further notes that although the key reason for not being able to achieve an 'Excellent' score is due to the operational nature of the proposed building and site constraints, in theory delivering an 'Excellent' score would also require substantial expenditure over and above the project budget. Information provided jointly by Dorset Police and Dorset Police and Crime Commissioner indicates that, if achievable, the uplift required would have an obvious and clear impact on other force initiatives.

12.33 The Applicant's Supporting Statement further explains detailed findings from a full BREEAM pre-assessment exercise and further comments that:

“3.19 The proposed building demonstrates a high level of sustainability and has incorporated numerous measures, some of which are highlighted below:

- PV system to generate a minimum of 14,113Kwh / year to comply with Building Regulations compliance (Part L2A).
- Mixed-mode ventilation system to optimise indoor air quality and energy efficiency during changes in seasons. There will be zoned spaces controlled by the BMS with CO2 sensors and the mechanical ventilation system will incorporate heat recovery.
- Two single mode reversible air source heat pump chillers will

provide heating and cooling via a common primary loop. The refrigerant type used will have Direct Life Effect Cycle CO₂ equivalent emissions (DELCO₂e) of $\leq 1,000$ kgCO₂e/KW cooling capacity.

- Hot Water demand for the building is relatively low as the use is limited to handwashing, cleaners store sink and for catering in the Café area. Therefore the hot water shall be provided by local point of use electric water heaters.
- Significant increase in biodiversity due to the landscape design.
- 40% reduction in water consumption from the BRE baseline through low flow sanitary ware and use of native species planting.
- Health & Wellbeing benefits for police staff providing comfortable and exceptional internal environments with he designing accounting for future climate change.
- The project shall be provided with a total of 8 electric vehicle charging spaces in the form of 4 No. twin chargers.”

12.34 The Applicant’s Supporting Statement further states that:

- The current design meets all minimum standards for BREEAM 'Excellent' including energy performance requirements under Ene 01.
- The proposed building is expected to limit operational carbon by more than 40% over Part L building regulations.
- Operationally the design will assist the implementation and progress towards Net Zero carbon through the all-electric design, with low carbon and renewable energy sources as well as the installation of electric car charging points.
- A significant reduction in water use over the BRE baseline.
- Committed to exceeding biodiversity net gain targets and maximising the benefit for both ecology and users of the site.

12.35 Taking account of the information provided within the application, I am satisfied that the requested change from a minimum BREEAM rating from ‘Excellent’ to ‘Very Good’ has been adequately justified in accordance Policy D of the Adopted Local Plan and would not unacceptably prejudice the overall sustainability of the proposed development.

Impact on Poole Harbour Special Protection Area and Ramsar

12.36 Section 40 of the of Natural Environment and Rural Communities Act 2006 provides that a public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of preserving biodiversity.

- 12.37 The Application Site is not subject to any statutory nature conservation designation, but is located within a defined Site of Special Scientific risk assessment zone and the application proposal relates to a form of development requiring consultation with Natural England.
- 12.38 Natural England was consulted on application P/FUL/2021/04422 and responded on 01 December 2021 advising:
- “Natural England has no comments to make on this application.
- ...
- The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes.”
- 12.39 Following the grant of planning permission P/FUL/2021/04422, on 16 March 2022, Natural England issued updated advice on development proposals with the potential to affect water quality resulting in adverse impacts on various habitats sites including the designated Poole Harbour Special Protection Area and Ramsar.
- 12.40 The updated advice relates primarily to residential development and other forms of development providing overnight accommodation, but as the competent authority for the purposes of The Conservation of Habitats and Species Regulations 2017 (as amended), Dorset Council cannot grant planning permission or other authorisation for a project that is likely to have a significant effect on a European site or a European offshore site (either alone or in combination with other plans or projects), and which is not directly connected with or necessary to the management of that site unless it has made an appropriate assessment of the implications of the project for that site in view of that site’s conservation objectives.
- 12.41 Application P/FUL/2021/04422 was supported by an *Ecological Assessment Report* which recommended that ecological enhancements be included as part of the scheme to provide a net gain for biodiversity. The Ecological Assessment Report considered potential impact on a number of designated sites, but did not address potential impacts on the Poole Harbour Special Protection Area and Ramsar.
- 12.42 Application P/FUL/2021/04422 also included a *Biodiversity Plan* certified by Dorset Council’s Natural Environment Team, implementation of that Plan being a requirement of condition 14 of planning permission P/FUL/2021/04422. Implementation of the certified Biodiversity Plan can be required by planning condition and payment of component compensation can be secured by planning obligation.

- 12.43 The certificate of approval of the Biodiversity Plan indicates that providing the Biodiversity Plan and its full implementation is conditioned as part of any grant of planning permission, it is the opinion of Dorset Council's Natural Environment Team that the Biodiversity Plan is considered to provide reasonable mitigation and enhancement measures to meet the duty under the Natural Environment and Rural Communities Act 2006. However, the certificate relates solely to the application/proposed works described within the Biodiversity Plan and makes clear that it covers only biodiversity considerations at the site level; does not cover impacts on nationally and/or internationally designated sites; and that if the proposed development should change materially prior to application submission, the measures put forward in the Biodiversity Plan should be reviewed by Dorset Council's Natural Environment Team.
- 12.44 In response to the current application Natural England has indicated that that they are not able to fully assess the potential impacts of this proposal on statutory nature conservation sites or protected landscapes or, provide detailed advice on the application and that it is for local authority to determine whether or not the proposal is consistent with national and local policy.
- 12.45 Amongst other matters, Policy BIO of the Adopted Local Plan provides that new development will need to ensure that there are no adverse affects upon the integrity of European sites (SPA, SAC, Ramsar, possible SAC, potential SPA).
- 12.46 Further guidance from Natural England relating to nutrient neutrality in Poole Harbour is expected and comments on the subject application Dorset Council's Natural Environment Team are awaited.
- 12.47 With consideration of this matter ongoing, it is appropriate that any resolution to grant planning permission is made provisional on the satisfactory prior conclusion of a habitats regulations assessment. An update on the latest position will be provided at committee.

Other Matters and Other Issues Raised in Representations

- 12.48 The conditions set out in planning permission P/FUL/2021/04422 have been reviewed against the provisions of the development plan and updated to take account of the information submitted for approval under the existing conditions. Save for the requirement for the development permitted to achieve a BREEAM rating of 'Excellent', all matters secured previously by means of planning condition can reasonably be secured by means of planning condition of the same or similar form. Recommend conditions are section out in paragraph 16.1 below.
- 12.49 Wool Parish Council has commented on the reflectiveness of the proposed building. This issue was raised previously by the Parish Council in response to the application P/FUL/2021/04422.

12.50 It was previously explained that the artist impressions provided in support of application P/FUL/2021/04422 suggest that the proposed building might be more reflective than is actually intended and understood:

- (i) that the glazing would be much like the glazing of a standard window;
- (ii) would not be mirrored; and
- (iii) that the window frames would be a matt anodised aluminium.

12.51 As previously, it is considered that the proposed arrangements will be satisfactory, but a condition requiring the submission, approval and use of approved materials is recommended.

13.0 Human Rights

13.1 The Human Rights Act 1998 imposes an obligation on public authorities not to act incompatibly with the European Convention on Human Rights. The articles/protocols of particular relevance are:

- (i) Article 6 - Right to a fair trial;
- (ii) Article 8 - Right to respect for private and family life; and
- (iii) The First Protocol, Article 1 - Protection of Property.

13.2 The recommendation set out in this report is based on the consideration of planning policy and statutory requirements the application of which does not prejudice the Human Rights of the Applicant or any third party.

14.0 Public Sector Equalities Duty

14.1 Section 149 of the Equalities Act 2010 (as amended) provides that in the exercise of its functions a public authority must have due regard to the need to:

- (i) eliminate discrimination, victimisation and any other conduct that is prohibited by or under the Act;
- (ii) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (iii) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

14.2 Commonly referred to as 'the Public Sector Equalities Duty', the relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

14.3 The design proposals provide for safe and suitable access to the Application Site, to the proposed headquarters building and to the shared spaces and other facilities within and around the Application Site. Construction of the proposed headquarters building would be subject to control under the building regulations which set standards for the design and construction of buildings addressing various matters including accessibility and which help ensure that new buildings are safe, healthy and high-performing.

- 14.4 Having regard to the information provided in the current application and application P/FUL/2021/04422 before it, policy requirements, consultation responses received, the regulatory requirements of the building regulations and the recommended conditions set out at paragraph 16.1 of this report, I am satisfied that the proposed development:
- (i) would help to advance equality of opportunity;
 - (ii) would assist in fostering good relations; and
 - (iii) would have no material adverse impact on individuals or identifiable groups with protected characteristics.

15.0 Conclusion

15.1 Subject to:

- (i) the satisfactory completion of a habitats regulations assessment undertaken in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended);
- (ii) the prior execution of a planning obligation securing payment of financial compensation in accordance with the certified Biodiversity Plan submitted in support of planning application P/FUL/2021/04422; and
- (iii) with the imposition of planning conditions necessary to secure an adequate level of compliance with the development plan,

it is considered that the application proposal is in accordance with the development plan and that there are no economic, environmental or social considerations either warranting or necessitating determination of the application other than in accordance with development plan.

16.0 Recommendation and Details for Inclusion in the Decision Notice

- 16.1 Resolve that following the satisfactory conclusion of a habitats regulations assessment undertaken in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended) and the execution of a planning obligation securing payment of financial compensation in accordance with the certified Biodiversity Plan submitted in support of planning application P/FUL/2021/04422, the Head of Planning be given delegated authority to grant planning permission subject to the following conditions or conditions to similar effect.

Time Limit – Commencement of Development

- (1) The development hereby permitted shall be begun not later than the 08 March 2025.

Reason: In accordance with sections 73(5) and 91 of the Town and Country Planning Act 1990 (as amended).

Development in Accordance with Approved Plans and Drawings

- (2) Unless otherwise required by the conditions of this permission, the development hereby permitted shall be carried out in accordance with the following approved plans and drawings previously submitted to Dorset Council as part of planning application P/FUL/2021/04422:
- (i) Corstorphine & Wright Drawing No. 19675-CWA-VX-ZZ-DR-A-0200 Revision P-00 dated 10.10.2021 and titled Location Plan;
 - (ii) Corstorphine & Wright Drawing No. 19675-CWA-VX-ZZ-DR-A-0300 Revision P-00 dated 05.07.21 and titled Proposed Site Plan;
 - (iii) Corstorphine & Wright Drawing No. 19675-CWA-B1-00-DR-A-0310 dated 27/07/21 and titled Proposed Ground Floor Plan;
 - (iv) Corstorphine & Wright Drawing No. 19675-CWA-B1-01-DR-A-0311 dated 27/07/21 and titled Proposed First Floor Plan;
 - (v) Corstorphine & Wright Drawing No. 19675-CWA-B1-02-DR-A-0312 dated 27/07/21 and titled Proposed Second Floor Plan;
 - (vi) Corstorphine & Wright Drawing No. 19675-CWA-B1-03-DR-A-0313 dated 26/07/21 and titled Proposed Third Floor Plan;
 - (vii) Corstorphine & Wright Drawing No. 19675-CWA-B1-RF-DR-A-0314 dated 26/07/21/ and titled Proposed Roof Plan;
 - (viii) Corstorphine & Wright Drawing No. 19675-CWA-B1-XX-DR-A-0320 Revision P01 dated 19/07/21 and titled Proposed Elevations Sheet 1;
 - (ix) Corstorphine & Wright Drawing No. 19675-CWA-B1-XX-DR-A-0321 dated 07/19/21 and titled Proposed Elevations Sheet 2; and
 - (x) Corstorphine & Wright Drawing No. 19675-CWA-B1-ZZ-DR-A-0330 dated 07/19/21 and titled Proposed Section & Bay;
 - (xi) Corstorphine & Wright Drawing No. Elevation19675-CWA-VX-XX-DR-A-0202 Revision P-00 dated 20.05.21 and titled Demolition Elevations.

Reason: To regulate the development in accordance with the application proposal and the development plan having regard to government policy set out in the National Planning Policy Framework and to Policies BIO, CF, D, LHH and E of the Adopted Purbeck Local Plan (Planning Purbeck's Future Purbeck Local Plan Part 1).

Construction to Minimum BREEAM Rating of 'Very Good'

- (3) The development hereby permitted shall be constructed to a minimum BREEAM standard rating of 'Very Good' and within 12 months of the first occupation or utilisation of the development a formal BREEAM assessment report and a copy of the accompanying certificate shall be submitted to the local planning authority for review and approval.

Reason: In the interests of promoting good design and sustainable construction having regard to government policy set out in the National Planning Policy Framework and to Policy D of the Adopted Purbeck Local Plan (Planning Purbeck's Future Purbeck Local Plan Part 1).

Development in Accordance with Approved Arboricultural Impact Statement and Tree Protection Plan

- (4) The development hereby permitted shall proceed and be managed in accordance the tree protection measures and Tree Protection Plan contained within the Arboricultural Impact Statement dated 13 October 2021 previously submitted to Dorset Council in support of planning application P/FUL/2021/04422.

Reason: In the interest of the preservation of trees having regard to section 197 of the Town and Country Planning Act 1990 (as amended), Government policy set out in the National Planning Policy Framework and to Policies BIO and D of the Adopted Purbeck Local Plan (Planning Purbeck's Future Purbeck Local Plan Part 1).

Implementation of Approved Biodiversity Plan

- (5) The biodiversity mitigation, compensation and net gain measures set out in sections F, G, H and I of the approved Biodiversity Plan certified by the Dorset Council's Natural Environment Team on 17/11/2021 submitted in support of planning application P/FUL/2021/04422 shall be implemented in accordance with any specified timetable and be completed and maintained in accordance with the approved arrangements.

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

Submission, Approval and Implementation of Ground Investigation Report, Contamination Risk Assessment and Contamination Risk Management Plan

- (6) Prior to the commencement of the development hereby permitted a Ground Investigation Report, a Contamination Risk Assessment and a Contamination Risk Management Plan shall be submitted to and approved in writing by the local planning authority. The Contamination Risk Management Plan shall specify works and measures to be taken to avoid risk from contaminants or gases when the site is developed and shall include:
- (i) a detailed phasing scheme for the development and any remedial works (including a timetable);

- (ii) a monitoring and maintenance scheme to allow for the evaluation of the long-term effectiveness of the proposed remediation over a period of time.

The development shall be undertaken in accordance with the approved Contamination Risk Management Plan. On completion of the development a verification report confirming that all works were completed in accordance with the approved Contamination Risk Management Plan shall be submitted to the local planning authority for approval.

Reason: To ensure appropriate risk mitigation and avoidance measures are implemented having regard to Government policy set out in the National Planning Policy Framework and to Policies BIO, DH, PH, and D of the Adopted Purbeck Local Plan (Planning Purbeck's Future Purbeck Local Plan Part 1).

Submission, Approval and Implementation of Construction Environment Management Plan (CEMP)

- (7) Save for demolition and site clearance works no development hereby permitted shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall set out:
 - (i) site specific measures to control and monitor impact arising in relation to construction traffic, noise and vibration, dust and air pollutants, land contamination, ecology and ground water;
 - (ii) arrangements for the management of demolition, excavation and construction waste arisings;
 - (iii) arrangements by which the developer shall monitor and document compliance with the measures set out in the CEMP.

The development shall be carried out in accordance with the approved CEMP.

Reason: To ensure appropriate management of waste arisings and safeguard the natural environment having regard to Government policy set out in the National Planning Policy Framework and Planning Policy for Waste, to Policy 22 of the adopted Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019 and to Policies BIO, DH, PH, FR and D of the Adopted Purbeck Local Plan (Planning Purbeck's Future Purbeck Local Plan Part 1).

Submission, Approval and Implementation of Surface Water Management Plan

- (8) No development hereby permitted shall take place until a detailed Surface Water Management Plan based upon the hydrological and

hydrogeological context of the development and addressing surface water management during both the construction and the operational phases of the proposed development has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance approved Surface Water Management Plan.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and to improve habitat and amenity having regard to government policy set out in the National Planning Policy Framework and to Policies BIO, DH, PH, FR and D of the Adopted Purbeck Local Plan (Planning Purbeck's Future Purbeck Local Plan Part 1).

Submission, Approval and Implementation of a War Memorial Dismantling and Reconstruction Method Statement

- (9) Prior to the carrying of any development hereby permitted that would impact the Dorset Constabulary War Memorial, a method statement shall be submitted to and approved by the local planning authority setting out arrangements for the dismantling and reconstruction the Memorial and the associated kerb and railings. The method statement shall provide details of any materials to be used for surfacing the area around the reconstructed War Memorial. The dismantling and reconstruction of the War Memorial shall be undertaken in accordance with the approved method statement.

Reason: In the interest of preserving heritage significance having regard to government policy set out in the National Planning Policy Framework and to Policies D and LHH of the Adopted Purbeck Local Plan (Planning Purbeck's Future Purbeck Local Plan Part 1).

Submission, Approval and Implementation of Surface Water Drainage System Management Plan

- (10) No development hereby permitted shall take place until a Surface Water Drainage System Management Plan detailing arrangements to be made for the maintenance and management of the surface water drainage system and any receiving drainage system for the lifetime of the development have been submitted to and approved in writing by the local planning authority. The Surface Water Drainage System shall be managed in accordance with the arrangements approved Surface Water Drainage System Management Plan for the lifetime of the development hereby permitted.

Reason: To ensure future maintenance of the surface water drainage system in the interest of the natural and built environment having regard to Government policy set out in the National Planning Policy Framework and to Policies BIO, DH, PH, FR and D of the Adopted Purbeck Local Plan (Planning Purbeck's Future Purbeck Local Plan Part 1).

Submission, Approval and Use of External Materials

- (11) Prior to any development above damp proof course level, details and samples of materials to be used in the construction and external finish of the proposed building shall be submitted to and approved by the local planning authority. The development shall thereafter be undertaken using the materials as approved.

Reason: In the interest of the character and appearance of the locality having regard to Government policy set out in the National Planning Policy Framework and to Policy D of the Adopted Purbeck Local Plan (Planning Purbeck's Future Purbeck Local Plan Part 1).

Submission, Approval, Implementation and Maintenance of Landscaping Treatments

- (12) Prior to the carrying out of the construction of any part of the building hereby permitted above damp course level, full details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority. The submitted details shall include:
- (i) proposed finished levels or contours;
 - (ii) all means of enclosure;
 - (iii) hard surfacing materials;
 - (iv) planting specifications; and
 - (v) a timetable for implementation.

Landscaping of the application site shall be undertaken in accordance with the approved details. If within a period of 5 years from the date of the planting of any tree or plant, that tree or plant or any tree or plant planted in replacement for it is removed, dies, becomes seriously diseased or is seriously damaged another tree or plant of the same species and size as that originally planted shall be planted as a replacement in the next available planting season.

Reason: In the interest of good design and to preserve and enhance biodiversity, character and appearance having regard to Government policy set out in the National Planning Policy Framework and to Policies D and BIO of the Adopted Purbeck Local Plan (Planning Purbeck's Future Purbeck Local Plan Part 1).

Construction and Maintenance of Proposed Turning and Parking Facilities

- (13) Within 6 months of the first occupation or utilisation of the development hereby permitted, the turning and parking facilities shown on approved Drawing Number 19675-CWA-VX-ZZ-DR-A-0300 and the cycle parking facilities shown on approved Drawing Number 19675-CWA-VX-ZZ-DR-A-0300 shall have been constructed in accordance with the details shown on the approved drawings. Thereafter, these areas shall be permanently maintained for the purposes indicated and shall be kept free from other obstruction.

Reason: To ensure appropriate provision and maintenance of site infrastructure and encourage the use of sustainable transport having regard to government policy set out in the National Planning Policy Framework and to Policies D and IAT of the Adopted Purbeck Local Plan (Planning Purbeck's Future Purbeck Local Plan Part 1).

Unexpected Contamination

- (14) In the event that previously unidentified contamination is found at any time during the construction of the development hereby permitted an investigation and risk assessment shall be conducted and reported to the local planning authority and details of any proposed contamination management and/or remediation measures shall be submitted to the local planning authority for approval. Remediation and management shall be undertaken in accordance with the approved measures. On completion of the development a verification report confirming that all works were completed in accordance with the approved management and remediation measures shall be submitted to the local planning authority for approval.

Reason: To ensure appropriate risk mitigation and avoidance measures are implemented having regard to Government policy set out in the National Planning Policy Framework and to Policies BIO, DH, PH, and D of the Adopted Purbeck Local Plan (Planning Purbeck's Future Purbeck Local Plan Part 1).

16.2 Informative notes to be included on the decision notice:

Statement of Positive Involvement

- (1) In accordance with the National Planning Policy Framework, in its capacity as local planning authority, Dorset Council takes a positive and proactive approach to development proposals focused on solutions. The council worked with the applicant in a positive and proactive manner by:
- (i) providing a pre-application advice service;

- (ii) updating the applicant of issues as they arose in the processing of the application; and
- (iii) providing the applicant with the opportunity to address issues of concern with a view to facilitating the grant of permission.

Surface Water Drainage System Management

- (2) The applicant is advised to have early discussions with Wessex Water in relation to the possible adoption of any Sustainable Urban Drainage System (SUDS) features to ensure that the final designs of the SUDS features are in line with their design requirements.

Potential for Bird Strike

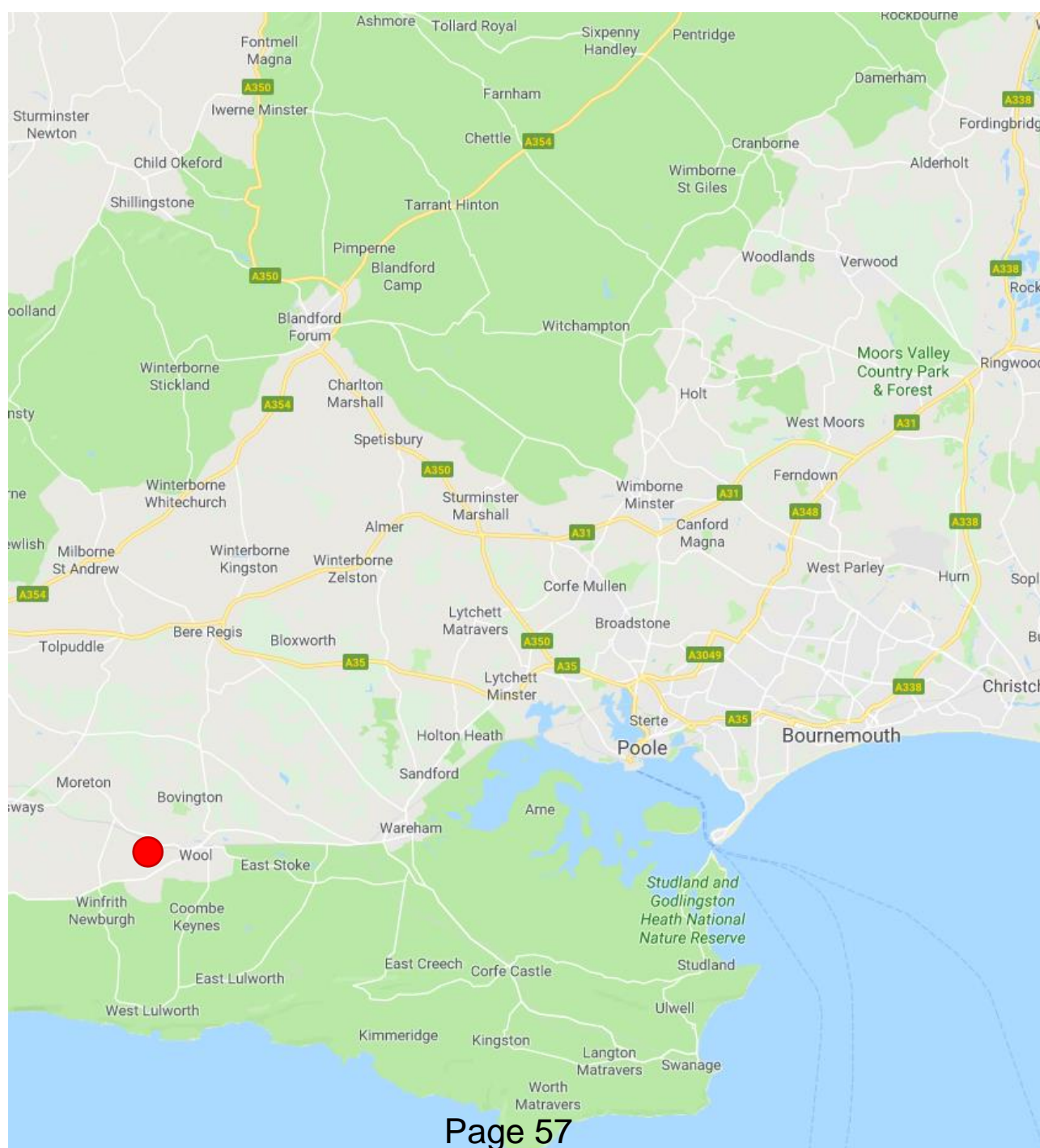
- (3) Wool Parish Council has requested that the applicant consider the reduction of possible bird strikes through detailed design specification. A copy of the Parish Council's request may be viewed on the application webpages accessible via <https://planning.dorsetcouncil.gov.uk/>.

● Approximate Site Location

Application Number: P/VOV/2022/03461

Site Address: Force Headquarters, Dorset Innovation Park Access Road, Winfrith Newburgh, Dorset, DT2 8DZ

Proposal: Demolition of existing three storey plus plant room building and erection of new three storey plus plant room building for Dorset Police Force Headquarters with associated parking without compliance with/variation of condition 10 of planning permission P/FUL/2021/04422 - The development shall be constructed to a minimum BREEAM standard rating of 'Very Good' instead of 'Excellent'.



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Application Number:	P/VOC/2022/01598		
Webpage:	https://planning.dorsetcouncil.gov.uk/		
Site address:	Wimborne Market Station Terrace Wimborne Minster		
Proposal:	<p>Vary condition 2, 3, 4, 6, 9 and 19 of PA 3/21/1556/FUL (Redevelopment of Wimborne Market to continuing care community comprising of 67 age restricted apartments, 26 age restricted bungalows, 6 age restricted chalet bungalows, one wellness centre, 9 open market houses, parking , highway improvements and pedestrian link (description amended 24.09.2021 as agreed to include dwelling numbers)) to allow for:</p> <ul style="list-style-type: none"> - amend incorrect plans - include phasing plan - rewording of pre-commencement conditions to refer to phasing 		
Applicant name:	Mr S Paul		
Case Officer:	Naomi Shinkins		
Ward Member(s):	Cllr Bartlett and Cllr Morgan		
Publicity expiry date:	27 May 2022	Officer site visit date:	22 April 2022
Decision due date:	30 June 2022	Ext(s) of time:	TBC

1.0 The application is to be determined by committee under paragraph 153 of the Dorset Council constitution, where the original permission was expressly granted by the Planning Committee.

2.0 Summary of recommendation:

GRANT subject to conditions for the following reason:

- Proposed changes to conditions only allow construction and/or occupation in phases and do not materially change the nature of the conditions to be amended.

3.0 Reason for the recommendation:

- Para 14 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise

- Proposed changes to conditions only allow construction and/or occupation in phases and do not materially change the nature of the conditions to be amended.
- There are no material considerations which would warrant refusal of this application.

4.0 Key planning issues

Issue	Conclusion
Principle of development	Acceptable – established under PA 3/21/1556/FUL
Scale, design, impact on character and appearance	Acceptable – no changes proposed to the approved design
Impact on amenity	Acceptable – no changes proposed to the approved design
Impact on landscape or heritage assets	Acceptable – no changes proposed to the approved design
Economic benefits	Acceptable – no changes proposed to the approved design
Access and Parking	Acceptable – no changes proposed to the approved design
EIA	N/A

5.0 Description of Site

- 5.1 The application site, which is generally flat and extends to approximately 2 ha, is situated approximately 1km to the ESE of the centre of Wimborne Minster. The site is currently in occasional use as a market and contains a number of late 20th century market buildings and a 1994 multi-storey car park. The remainder of the site is generally hardstanding (tarmac) and used for surface car parking.
- 5.2 It is noted the application site is within the Urban Area of Wimborne and Colehill and some 400m from the Town Centre boundary. It is also within the vicinity (within 5 km and beyond 400m) of Ferndown Common SSSI which is a Site of Special Scientific Interest (SSSIs) and forms part of the ‘Dorset Heathlands’, recognised for their national and international importance for nature conservation.
- 5.3 As noted, the site is predominantly hard standing and has little or no vegetation within the site. There is some existing vegetation adjacent to the western boundary, but no trees of significance are located on the site.

- 5.4 The site is surrounded by residential areas to the north (Grenville Road, Richmond Road, Leigh Gardens), east (Charles Keightly Court, Days Court) and west (Station Terrace), and Riverside Park Industrial Estate to the south.
- 5.5 The area is typified by Victorian tree lined streets made up of predominately larger semi-detached and detached villas. There are more modern infills at Grenville Road and also smaller Victorian terraced cottages along Station Terrace. To the south of the site is the Riverside Industrial Estate. While not within a Conservation Area, the site does sit within the context of the Rowlands Hill/ St Johns Hill Conservation Area and a non-designated heritage asset, the Old Granary 1 Station Terrace. The site has good connections to Wimborne town centre and also to the River Stour.
- 5.6 The main access to the existing market is via the Industrial Estate with access points also located on Station Terrace to the west and Grenville Road to the north.

6.0 Description of Development

- 6.1 The approved development under PA 3/21/1556/FUL allows for the redevelopment of the market site to provide 67 age restricted apartments, 26 age restricted bungalows, 6 age restricted chalet bungalows, 9 open market houses, wellness centre, open space, allotments, parking, associated highway improvements and a pedestrian link. Age restrictions would be 70 years of age for the apartments and 65 for the bungalows/chalet bungalows.
- 6.2 A summary of the approved development is as follows:

Accommodation type	Number of units	Number of storeys & height (approx.)	Parking provision	Access
Age restricted Apartment Block (age restriction 70)	67	3 storeys Ridge – 11.5m Eaves – 9m	100 spaces for all 99 age restricted units	Grenville Road
Age restricted bungalows (age restriction 65)	26	1 storey Ridge – 4.3m Eaves – 2.5m	As above	Grenville Road – 7 Station Terrace - 19
Age restricted chalet bungalows (age restriction 65)	6	1.5 storeys Ridge – 6-7m Eaves – 3.5m	As above	Station Terrace
Open market houses	9	2 storeys Ridge – 7.5m Eaves – 5m	18 allocated and 2 visitor spaces	Grenville Road

Wellness Centre	1	1 storey Ridge – 4.3m Eaves – 2.5m	Provision included as part of age restricted provision	Grenville Road
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6.3 A non-material application, P/NMA/2022/02053, is currently under consideration:

Non material amendment to Approved P/A App Number 3/21/1556/FUL (Redevelopment of Wimborne Market to continuing care community comprising of 67 age restricted apartments, 26 age restricted bungalows, 6 age restricted chalet bungalows, one wellness centre, 9 open market houses, parking , highway improvements and pedestrian link (description amended 24.09.2021 as agreed to include dwelling numbers)) for the substitution and correction of plans listed in Condition 2 to increase floor areas and variation of the description of development to amend number of bungalows and chalet bungalows.

6.4 This Section 73 application seeks to vary conditions 2, 3, 4, 6, 9 and 19 of PA 3/21/1556/FUL to allow for the following:

- amend incorrect plans
- include phasing plan
- rewording of pre-commencement conditions to refer to phasing

6.5 Conditions to be varied are as follows:

	Approved Condition	Proposed Condition
2	The development hereby permitted shall be carried out in accordance with the following approved plans: <i>(see decision notice 3/21/1556/FUL for full list of plans)</i>	The development hereby permitted shall be carried out in accordance with the following approved plans: <i>(plan list amended as set out in condition 2 of this report)</i>
3	Before the development is occupied or utilised the first 10.00 metres of each vehicular access, measured from the rear edge of the highway (excluding the vehicle crossing – see the Informative Note below), must be laid out and constructed to a specification submitted to and approved in writing by the Planning Authority.	Before each phase of the development as set out in Drawing SO-2621-04-AC-0122__Site Sequencing is occupied or utilised the first 10.00 metres of each vehicular access, measured from the rear edge of the highway (excluding the vehicle crossing – see the

		Informative Note below), must be laid out and constructed to a specification submitted to and approved in writing by the Planning Authority.
4	Before the development is occupied or utilised the access, geometric highway layout, turning and parking areas shown on Drawing Number 0120 P09 must be constructed, unless otherwise agreed in writing by the Planning Authority. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.	Before each phase of the development as set out in Drawing SO-2621-04-AC-0122__Site Sequencing is occupied or utilised the access, geometric highway layout, turning and parking areas shown on Drawing Number 0120 P09 must be constructed, unless otherwise agreed in writing by the Planning Authority. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.
6	<p>The development hereby approved shall not be occupied unless and until the protected species mitigation measures as detailed in the approved mitigation plan dated 9th December 2020 have been completed in full unless any modifications to the agreed mitigation plan as a result of the requirements of a European Protected Species Licence or the results of subsequent bat surveys have first been submitted to and agreed in writing by the Local Planning Authority.</p> <p>Thereafter approved mitigation measures shall be permanently maintained and retained in accordance with the approved details, unless otherwise first agreed in writing by the Local Planning Authority.</p>	<p>Each phase of the development as set out in Drawing SO-2621-04-AC-0122__Site Sequencing hereby approved shall not be occupied unless and until the protected species mitigation measures as detailed in the approved mitigation plan dated 9th December 2020 have been completed in full.</p> <p>Thereafter approved mitigation measures shall be permanently maintained and retained in accordance with the approved details.</p>
9	All hard and soft landscape shall be carried out prior to the occupation of any part of the development and the planting carried out in the first planting	In each phase of the development as set out in Drawing SO-2621-04-AC-0122__Site Sequencing all hard and soft

	<p>season following completion of the development. Any planting found damaged, dead or dying in the first five years following their planting are to be duly replaced with appropriate species.</p>	<p>landscape shall be carried out prior to the occupation of any part of the development and the planting carried out in the first planting season following completion of the development. Any planting found damaged, dead or dying in the first five years following their planting are to be duly replaced with appropriate species.</p>
19	<p>Prior to the first occupation of the dwellings hereby approved, the acoustic fence to be located along the site's southern boundary, as detailed in the submitted document "Proposed Residential Development Wimborne Market, Noise Impact Assessment Technical Report : R00808-2 Rev 0, Date: 16th April 2021" paragraph 5.3 (1.8m high, surface density 12 kg/m², no holes or gaps), shall be fully constructed, and shall thereafter be retained and maintained in perpetuity.</p>	<p>Prior to the first occupation of the dwellings hereby approved, in each phase of the development as set out in Drawing SO-2621-04-AC-0122_ _Site Sequencing, the acoustic fence to be located along the site's southern boundary, as detailed in the submitted document "Proposed Residential Development Wimborne Market, Noise Impact Assessment Technical Report : R00808-2 Rev 0, Date: 16th April 2021" paragraph 5.3 (1.8m high, surface density 12 kg/m², no holes or gaps), shall be fully constructed, and shall thereafter be retained and maintained in perpetuity.</p>

7.0 Relevant Planning History

App No	Proposal	Decision	Date
3/20/2172/FUL	Redevelopment of Wimborne Market to continuing care community comprising of 66 age restricted apartments, 26 age restricted bungalows, 6 age restricted chalet bungalows, one wellness centre, 9 open market houses, parking , highway improvements and pedestrian link	Refuse	05/07/2021
Reasons for refusal:			

- A financial viability assessment has been submitted, however sufficient time has not been allowed to conclude if the proposed financial contribution is in line with Policy LN6. On this basis it is considered the proposal does not make provision for a policy compliant level of affordable housing contribution, contrary to Policy LN3 and LN6 of the Local Plan Part 1 (2014).
- The site lies within 5km of Sites of Special Scientific Interest (SSSIs) which are also designated European wildlife sites, namely Dorset Heathlands Special Protection Area, Dorset Heaths Special Area of Conservation and Dorset Heathlands Ramsar. The proximity of these European sites means that determination of the application should be undertaken with regard to the requirements of the Conservation of Habitats and Species Regulations 2017, in particular Regulation 63. The proposal fails to secure the avoidance measures identified as necessary to mitigate the impact of the development, in combination with other plans and projects, on the integrity of the designated site as set out in the Dorset Heathlands Planning Framework Supplementary Planning Document (SPD) 2020-2025 and there are no imperative reasons of overriding public interest in support of the proposal. The development is therefore contrary to policy ME2 of the Christchurch and East Dorset Local Plan, Part 1 - Core Strategy adopted April 2014, the provisions of the National Planning Policy Framework, particularly paragraphs 175-177 and the Conservation of Habitats and Species Regulations 2017.
- The submitted Flood Risk Assessment and Drainage Strategy 'Wimborne Market, Wimborne – WFBA – Rev 02 (13/05/2021) – Ref No: SO-2620/2621-02-DE-0001' fails to demonstrate that flood risk will not increase as a result of the proposed development contrary to Policy ME6 of the Christchurch and East Dorset Local Plan: Part 1 (2014).

App No	Proposal	Decision	Date
3/21/1556/FUL	Redevelopment of Wimborne Market to continuing care community comprising of 67 age restricted apartments, 26 age restricted bungalows, 6 age restricted chalet bungalows, one wellness centre, 9 open market houses, parking , highway improvements and pedestrian link (description amended 24.09.2021 as agreed to include dwelling numbers)	Granted	01/02/2022
P/NMA/2022/0205	Non material amendment to Approved P/A App Number 3/21/1556/FUL (Redevelopment of Wimborne Market to continuing care community comprising of 67 age restricted apartments, 26 age restricted bungalows, 6 age restricted chalet bungalows, one wellness centre, 9	TBC	TBC

	open market houses, parking , highway improvements and pedestrian link (description amended 24.09.2021 as agreed to include dwelling numbers)) for the substitution and correction of plans listed in Condition 2 to increase floor areas and variation of the description of development to amend number of bungalows and chalet bungalows.		
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8.0 List of Constraints

- Conservation Area
- Neighbouring LPA 1000m Buffer
- SSSI Impact Risk Zone
- Heathland 5km Consultation Area
- Airport Safeguarding
- Main Urban Area
- Contaminated Land - Medium Risk

9.0 Consultations

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

Consultees

1. P - Wimborne Minster TC

Objection - Given that previously there was a requirement for conditions to be met prior to occupation unless there are now significant controlling conditions imposed by DC to permit this to be changed it makes a nonsense of the original requirement - irrespective of the clear interest of the developer to allow for the sale of properties as early as they wish. DC planning Officers are best placed to judge this but I believe my comment to still be valid.

2. DC - Conservation Officers

No Objection - The application relates to proposed variations to conditions of planning approval 3/21/1556/FUL and are outlined in a covering letter from The Planning Bureau (dated 14 February 2022). The variations broadly relate to changes to plans arising from some proposed layout and internal floor plan changes, changes to the housing mix and revisions to the conditions relating to the sequence of the works. Taking these proposed variations into account, it is not considered that they have the potential to affect the significance of heritage assets in a way that differs from our consultation response (dated 3 September 2021) submitted for application 3/21/1556/FUL

3. DC - Natural Environment Team

No Objection – Suggested amended wording is acceptable.

4. DC - Highways

No Objection

5. DC - Env. Services - Protection

No Objection - Environmental Protection have no objection to the variation of condition 19, however the acoustic fence to be located along the site's southern boundary should be in place in its entirety before the occupation of properties in the proposed phase 1 and phase 2 stages. I would suggest the wording of the proposed varied condition 19 is amended to this affect.

Representations received

The application was advertised by site notice on 22 April 2022 with site notices displayed on Grenville Road, Station Road and at the entrance adjacent to the industrial estate. Additional notices were also erected on Leigh Gardens and Days Court on 6 May 2022.

No representations were received.

10.0 Relevant Policies

10.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications must be determined in accordance with the development plan for an area, except where material considerations indicate otherwise. The development plan in this case comprises the Christchurch and East Dorset Local Plan and saved policies of the East Dorset Local Plan (2002).

10.2 The following policies of the Christchurch and East Dorset Core Strategy Part 1 (2014) are of particular relevance in this case:

KS1	Presumption in favour of sustainable development
KS2	Settlement Hierarchy
KS4	Housing Provision in Christchurch and East Dorset
KS11	Transport and Development
KS12	Parking Provision
ME1	Safeguarding biodiversity and geodiversity
ME2	Protection of the Dorset Heathlands
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
HE3	Landscape Quality
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
LN6	Housing for Vulnerable People
LN7	Community Facilities and Services

10.3 The East Dorset Local Plan (2002) ("the Local Plan")

DES2 Criteria for development to avoid unacceptable impacts from types of pollution.
LTDEV1 Criteria for external lighting on developments.

Other

10.4 Dorset Heathlands Planning Framework Supplementary Planning Document (SPD) 2020-2025

10.5 The guidance contained in the National Planning Policy Framework 2019 (NPPF), and the National Planning Practice Guidance are also a material consideration.

11.0 Human rights

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property.

This recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

12.0 Public Sector Equalities Duty

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have "due regard" to this duty. There are 3 main aims:-

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have "regard to" and remove or minimise disadvantage and in considering the

merits of this planning application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty.

The proposed is a retirement living development designed with the aging population in mind. The proposed provides for the needs of older and disabled people and dwellings and other facilities will provide for residents with physical impairments and health care issues.

13.0 Financial benefits

What	Amount / value
Material Considerations	
Affordable housing contribution	This application - £0
	3/21/1556/FUL - £1,066,219
	P/NMA/2022/0205 - £51,800
Heathland Mitigation	This application - £0
	3/21/1556/FUL - £111,164
Non Material Considerations	
CIL	No CIL due to reduced floor area

14.0 Climate Implications

The proposed development is located in a sustainable urban location with access to the town centre and local facilities. A number of facilities are also provided on site, which is likely to reduce car journeys by residents.

A significant amount of landscaping will be added to what is currently a hard standing site.

The provision of renewable energy sources and water efficiency has been conditioned.

15.0 Planning Assessment

15.1 The application site lies within the urban area of Wimborne and Colehill and is an existing brownfield site proposing residential accommodation for mainly (99 no.) age restricted accommodation and some (9 no.) open market units. The principle of development was established under the approval of PA 3/21/1556/FUL.

15.2 The proposed is to vary conditions 2 (approved plans plans), 3 (access construction), 4 (turning and parking), 6 (biodiversity mitigation), 9 (landscaping), 19 (acoustic fence) only. Therefore the following material considerations are assessed below:

- Highways
- Biodiversity
- Landscaping
- Impact on neighbouring amenity
- Other

HIGHWAYS

- 15.3 Approved access is from both Grenville Road (serving 70% of the development) and Station Terrace (serving the remaining 30% of the development). The main parking area is located fronting Station Terrace and with the remainder dispersed throughout the development. Pedestrian routes are provided throughout the site and roads are sufficiently wide enough to accommodate both vehicles and pedestrians.
- 15.4 Policy KS11 stipulates a number of general requirements in relation to new development, including that it be designed to provide safe access onto the highway network. Policy KS12 states that adequate vehicle and bicycle parking should be provided to serve new development.
- 15.5 This application seeks to vary condition 2 to amend incorrect plans and include an additional phasing plan. Amendments to incorrect plans is considered acceptable and changes as a result of phasing are considered below.
- 15.6 This application seeks to vary conditions 3 and 4 as follows and parking and access arrangements remain as previously approved:

	Approved Condition	Proposed Condition
3	Before the development is occupied or utilised the first 10.00 metres of each vehicular access, measured from the rear edge of the highway (excluding the vehicle crossing – see the Informative Note below), must be laid out and constructed to a specification submitted to and approved in writing by the Planning Authority.	Before each phase of the development as set out in Drawing SO-2621-04-AC-0122__Site Sequencing is occupied or utilised the first 10.00 metres of each vehicular access, measured from the rear edge of the highway (excluding the vehicle crossing – see the Informative Note below), must be laid out and constructed to a specification submitted to and approved in writing by the Planning Authority.
4	Before the development is occupied or utilised the access, geometric highway	Before each phase of the development as set out in Drawing

	<p>layout, turning and parking areas shown on Drawing Number 0120 P09 must be constructed, unless otherwise agreed in writing by the Planning Authority. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.</p>	<p>SO-2621-04-AC-0122__Site Sequencing is occupied or utilised the access, geometric highway layout, turning and parking areas shown on Drawing Number 0120 P09 must be constructed. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.</p>
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15.7 Changes to the condition only allow for the development to be built and occupied in phases and does not materially change the approved layout and design. Dorset Council Highways have been consulted and raise no objection to the proposed.

A third party concern was raised via the Town Council that the proposed phasing would impact negatively on surrounding areas. This was discussed with the Highways team who advised a construction management plan condition is required. The construction management plan condition from the previously approved application has been carried across to this application and specifically requests *‘the use and routing of heavy plant and vehicles’*. The discharge of this condition will require approval from the DC Highways Team.

Based on this, the proposed changes to conditions 3 and 4 are considered acceptable and comply with Policy KS12.

BIODIVERSITY

15.8 Policy ME1 of the Core Strategy states that the Core Strategy aims to protect, maintain, and enhance the condition of nature conservation sites, habitats and species. The approved application included a Biodiversity Mitigation Plan (BMP) dated 03/12/2020 and was endorsed by the Dorset Natural Environment Team (NET) on 9/12/2020.

15.9 This application seeks to vary condition 6 as follows:

<p>6</p>	<p>The development hereby approved shall not be occupied unless and until the protected species mitigation measures as detailed in the approved mitigation plan dated 9th December 2020 have been completed in full unless any modifications to the agreed mitigation plan as a result of the requirements of a European Protected Species Licence or the</p>	<p>Each phase of the development as set out in Drawing SO-2621-04-AC-0122__Site Sequencing hereby approved shall not be occupied unless and until the protected species mitigation measures as detailed in the approved mitigation plan dated 9th December 2020 have been</p>
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	<p>results of subsequent bat surveys have first been submitted to and agreed in writing by the Local Planning Authority.</p> <p>Thereafter approved mitigation measures shall be permanently maintained and retained in accordance with the approved details, unless otherwise first agreed in writing by the Local Planning Authority.</p>	<p>completed in full.</p> <p>Thereafter approved mitigation measures shall be permanently maintained and retained in accordance with the approved details.</p>
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- 15.10 Changes to the condition only allow for the development to be built and occupied in phases and does not materially change the approved biodiversity plan. The Dorset Natural Environment Team have been consulted and raise no objection to the proposed. The proposed change to condition 6 is considered acceptable and complies with Policy ME1.

LANDSCAPING

- 15.11 Approved hard landscape materials include gravel, paving, resin bound gravel, poured rubber and asphalt. Approved boundary treatments include hedging to the south, east, west and the northern boundary backing on to Leigh Gardens. Wildflower grass will be provided adjacent to boundary hedging where possible. The existing closed board fence to Grenville Road properties to the north is retained. Approved landscaping was considered to be generally acceptable and complies with Policy HE2 subject to a condition regarding hard and soft landscaping.

- 15.12 This application seeks to vary condition 9 as follows:

<p>9</p>	<p>All hard and soft landscape shall be carried out prior to the occupation of any part of the development and the planting carried out in the first planting season following completion of the development. Any planting found damaged, dead or dying in the first five years following their planting are to be duly replaced with appropriate species.</p>	<p>In each phase of the development as set out in Drawing SO-2621-04-AC-0122_ _Site Sequencing all hard and soft landscaping shall be carried out prior to the occupation of any part of the development and the planting carried out in the first planting season following completion of the development. Any planting found damaged, dead or dying in the first five years following their planting are</p>
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	to be duly replaced with appropriate species.
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- 15.13 Changes to the condition only allow for the development to be built and occupied in phases and does not materially change the approved landscape design. The proposed change to condition 9 is considered acceptable and complies with Policy HE2.

AMENITY

- 15.14 Policy HE2 of the Core Strategy states that new development should be compatible with or improve its surroundings in relation to nearby properties and general disturbance to amenity. Policy DES2 of the Local Plan states that developments will not be permitted which will either impose or suffer unacceptable impacts on or from existing or likely future development or land uses in terms of noise, smell, safety, health, lighting, disturbance, traffic or other pollution.
- 15.15 Third party concerns were raised in the previously approved application that the proposed will impact negatively on neighbouring amenity in terms of loss of light, loss of privacy, noise and pollution.
- 15.16 This application seeks to vary condition 19 as follows:

19	<p>Prior to the first occupation of the dwellings hereby approved, the acoustic fence to be located along the site's southern boundary, as detailed in the submitted document "Proposed Residential Development Wimborne Market, Noise Impact Assessment Technical Report : R00808-2 Rev 0, Date: 16th April 2021" paragraph 5.3 (1.8m high, surface density 12 kg/m2, no holes or gaps), shall be fully constructed, and shall thereafter be retained and maintained in perpetuity.</p>	<p>Prior to the first occupation of the dwellings hereby approved, in each phase of the development as set out in Drawing SO-2621-04-AC-0122_ _Site Sequencing, the acoustic fence to be located along the site's southern boundary, as detailed in the submitted document "Proposed Residential Development Wimborne Market, Noise Impact Assessment Technical Report : R00808-2 Rev 0, Date: 16th April 2021" paragraph 5.3 (1.8m high, surface density 12 kg/m2, no holes or gaps), shall be fully constructed, and shall thereafter be retained and maintained in perpetuity.</p>
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- 15.17 Changes to the condition only allow for the development to be built and occupied in phases and does not materially change the provision of the acoustic fence to mitigate noise. The Dorset Council Environmental Health Officer has been consulted and raised no objection to the proposed subject to an appropriate condition that ensures the acoustic fence is installed prior to the occupation of phase 1 and phase 2. The condition imposed is amended as such:

Prior to the first occupation of the dwellings hereby approved **in phase 1 and phase 2 of the development as set out in Drawing SO-2621-04-AC-0122** **Site Sequencing**, the acoustic fence to be located along the site's southern boundary, as detailed in the submitted document "Proposed Residential Development Wimborne Market, Noise Impact Assessment Technical Report : R00808-2 Rev 0, Date: 16th April 2021" paragraph 5.3 (1.8m high, surface density 12 kg/m², no holes or gaps), **shall be fully constructed in its entirety**, and shall thereafter be retained and maintained in perpetuity.

With the above condition the proposed change to condition 19 is considered acceptable and complies with Policy ME1.

OTHER

- 15.18 Other matters considered under the approved application 3/21/1556/FUL are not affected by the proposed as follows:

Flood Risk	Acceptable – no changes to the approved design and layout
Housing mix	Acceptable – no changes to the approved housing mix
Affordable Housing	Acceptable – no changes to the approved affordable housing contributions
Impact on character of the area	Acceptable – no changes to the approved design and layout
Impact on heritage assets	Acceptable – no changes to the approved design and layout
Open Space	Acceptable – no changes to the approved design and layout

Trees	Acceptable – no changes to the approved design and layout
Servicing	Acceptable – no changes to the approved design and layout
Dorset Heathlands	Acceptable – no changes to the secured mitigation
Contaminated Land	Acceptable – no changes to the required conditions
Renewable Energy	Acceptable – no changes to the required conditions

16.0 Conclusion

This assessment exercise has involved considering the acceptability of the proposal in relation to the Development Plan, taken as a whole, and all other materials considerations. All of the foregoing factors have also been considered in relation to the social, economic, and environmental benefits to be provided by the proposal. It is considered the proposed is acceptable in relation to material planning considerations

17.0 Recommendation

A) Grant, subject to the completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended) in a form to be agreed by the legal services manager to secure the following:

- Provision for the inclusion of PA P/VOC/2022/01598 in the original 106 agreement.

And 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:

SO-2620-03-AC-0101_P08 Block Plan
 SO-2620-03-AC-0120_P09 Site Plan
 SO-26202621-03-LA-MCS655-Drg 01_P12 Landscape Proposals-CF
 SO-2620-03-AC-0310_REV P04 Proposed Site Elevations and Sections
 SO-2621-03-AC-0311_P01_Proposed Site Sections
 SO-2620-2621-03-DE-0600_P03 Levels Layout North Site

SO-2620-2621-03-DE-0601_P03 Levels Layout South Site
 SO-2620-03-AC-0200_REV P02 RLP BLOCK Ground Floor
 SO-2620-03-AC-0201_REV P02 RLP BLOCK First Floor
 SO-2620-03-AC-0202_REV P03 RLP BLOCK Second Floor
 SO-2620-03-AC-0203_REV P02 RLP BLOCK Roof Plan
 SO-2620-03-AC-0300_REV P05 RLP BLOCK South and West Elevations
 SO-2620-03-AC-0301_P05_North and East Elevations
 SO-2620-03-AC-0260_REV P01 RLP Bungalow B01-a
 SO-2620-03-AC-0261_REV P01 RLP Bungalow B01-b
 SO-2620-03-AC-0262_REV P01 RLP Bungalow B01-c
 SO-2620-03-AC-0263_REV P01 RLP Bungalow B01-d
 SO-2620-03-AC-0264_REV P01 RLP Bungalow B01-e
 SO-2620-03-AC-0265_REV P01 RLP Bungalow B01-f
 SO-2620-03-AC-0266_REV P01 RLP Bungalow B01-g
 SO-2620-03-AC-0267_REV P01 RLP Bungalow B02-a
 SO-2620-03-AC-0268_REV P01 RLP Bungalow B02-b
 SO-2620-03-AC-0269_REV P01 RLP Bungalow B02-c
 SO-2620-03-AC-0270_REV P01 RLP Bungalow B02-d
 SO-2620-03-AC-0271_REV P01 RLP Bungalow B03-a
 SO-2620-03-AC-0272_REV P01 RLP Bungalow B03-b
SO-2620-03-AC-0273_REV P01 RLP Chalet C0-1a
 SO-2620-03-AC-0274_REV P01 RLP Bungalow C01-b
SO-2620-03-AC-0275_REV P01 RLP Chalet C01-c
SO-2620-03-AC-0276_REV P01 RLP Chalet C01-d
 SO-2620-03-AC-0277_REV P03 H01
 SO-2620-03-AC-0279_REV P03 H02-a
 SO-2620-03-AC-0280_REV P03 H02-b
 SO-2602-03-AC-0151_REV P03 Garden shed & garden store
 SO-2620-03-AC-0252_REV P02 Wellness Centre
 ELECTRIC SUBSTATION BUILDING Brick Construction Details-DWG-020
 1156-KC-XX-YTREE-TPP01 REV B Tree Protection Plan
 SO-2620 2621-03-DE-0500 REV P03 Drainage Layout North Site
 SO-2620 2621-03-DE-0501 REV P03 Drainage Layout South Site
 SO-2620 2621-02-DE-0001 Wimborne Market Flood Risk Assessment P02 Part
 1-3.pdf MAY 2021
 50329 Wimborne_Air Quality Note_Draft
 NOISE ASSESSMENT R8808-2 Rev 0 Wimborne Market - Noise Assessment
 APRIL 2021
SO-2621-04-AC-0122__ Site Sequencing

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

3. **Before each phase of the development as set out in Drawing SO-2621-04-AC-0122__ Site Sequencing** is occupied or utilised the first 10.00 metres of each vehicular access, measured from the rear edge of the highway (excluding the vehicle crossing – see the Informative Note below), must be laid out and constructed to a specification submitted to and approved in writing by the Planning Authority.

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.

4. **Before each phase of the development as set out in Drawing SO-2621-04-AC-0122__Site Sequencing** is occupied or utilised the access, geometric highway layout, turning and parking areas shown on Drawing Number 0120 P09 must be constructed,. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper and appropriate development of the site.

5. Before the development hereby approved commences a Construction Method Statement (CMS) Construction Environmental Management Plan (CEMP) must be submitted to and approved in writing by the Planning Authority. The CMS & CEMP must include:

- the parking of vehicles of site operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- delivery, demolition and construction working hours
- the use of plant and machinery
- wheel washing and vehicle wash-down and disposal of resultant dirty water - oils/chemicals and materials
- the use and routing of heavy plant and vehicles
- the location and form of work and storage areas and compounds
- the control and removal of spoil and wastes.

The approved CMS & CMP shall be adhered to throughout the construction period for the development.

Reason: To minimise the likely impact of construction traffic on the surrounding highway network.

6. **Each phase of the development as set out in Drawing SO-2621-04-AC-0122__Site Sequencing** hereby approved shall not be occupied unless and until the protected species mitigation measures as detailed in the approved mitigation plan dated 9th December 2020 have been completed in full.

Thereafter approved mitigation measures shall be permanently maintained and retained in accordance with the approved details.

Reason: This information is required prior to the commencement of development to ensure that bat/barn owl species are protected and their habitat enhanced, in accordance with the Wildlife and Countryside Act 1981 as amended, the

Conservation of Habitats and Species Regulations 2010 and policy ME1 of the Christchurch and East Dorset Core Strategy.

7. No development above damp proof course (DPC) shall take place until details and samples of all external facing and roofing materials have been provided on site and approved in writing by the Local Planning Authority (LPA). All works shall be undertaken strictly in accordance with the details as approved.

Reason: This information is required prior to above ground work commencing to ensure satisfactory visual relationship of the new development to the existing. This decision has also had regard to Policies HE2 and HE3 of the Local Plan and Government Guidance contained in the National Planning Policy Framework.

8. Notwithstanding landscaping details submitted in drawing 'SO-26202621-03-LA-MCS655-Drg 01_P12 Landscape Proposals-CF', no development above damp proof course (DPC) shall take place until full updated details of hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority (LPA). These details shall include full details of structural tree pits (tree Bunker or Silvacell or similar); details of boundary planting; and schedules of plants (noting species, plant sizes and proposed numbers/densities where appropriate). All works shall be undertaken strictly in accordance with the details as approved and maintained as such.

Reason: This information is required prior to above ground work commencing as the long term establishment, maintenance and landscaping of the site is necessary to preserve the amenity of the locality and biodiversity. This decision has also had regard to Policies HE2 and HE3 of the Local Plan and Government Guidance contained in the National Planning Policy Framework.

9. **In each phase of the development as set out in Drawing SO-2621-04-AC-0122_ _Site Sequencing** all hard and soft landscape shall be carried out prior to the occupation of any part of the development and the planting carried out in the first planting season following completion of the development. Any planting found damaged, dead or dying in the first five years following their planting are to be duly replaced with appropriate species.

Reason: To ensure the long term establishment, maintenance and landscaping of the site to preserve the amenity of the locality and biodiversity. This decision has also had regard to Policies HE2 and HE3 of the Local Plan and Government Guidance contained in the National Planning Policy Framework.

10. No construction work in relation to the development, including preparation prior to operations, shall take place other than between the hours of 08.00 hours to 18.00 hours Monday to Friday and 09.00 hours to 13.00 hours on Saturdays and at no time on Sundays or Public or Bank Holidays.

Reason: To safeguard the amenity of existing residents having regard to Local Plan Policy HE2.

11. Notwithstanding drainage information submitted , SO-2620/2621-03-DE-0500 P03 and SO-2620/2621-03-DE-0501 P03, no development shall take place until a detailed surface water management scheme for the site, based upon the hydrological and hydrogeological context of the development, and including clarification of how surface water is to be managed during construction, has been submitted to, and approved in writing by the local planning authority. The surface water scheme shall be fully implemented in accordance with the submitted details before the development is completed.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and to improve habitat and amenity.

12. No development shall take place until details of maintenance & management of both the surface water sustainable drainage scheme and any receiving system have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. These should include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

Reason: To ensure future maintenance of the surface water drainage system, and to prevent the increased risk of flooding.

13. All works relating to site levels and finished floor levels shall be undertaken strictly in accordance with the details as set out in drawings SO-2620-2621-03-DE-0601 P03 and SO-2620-2621-03-DE-0600 P03.

Reason: To ensure details of the proposal having regard to the existing site levels, flood risk mitigation and those adjacent hereto.

14. No development above damp proof course (DPC) shall take place until details have been submitted to and approved in writing by the Local Planning Authority that cover the following matters:

- how the development shall achieve at least 10% of the total regulated energy (used for space heating, hot water provision, fixed lighting and ventilation) used in the dwellings in each phase from renewable sources,;
- that options for district heating, and/or power facilities to serve the development have been investigated;
- where it is possible to do so the development should be connected to a district heating and/or power facility in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority.

The scheme shall be implemented in accordance with the agreed details.

Reason: To help meet the UK's carbon emissions targets and comply with Policy ME4 of the Christchurch and East Dorset Core Strategy.

15. No development above damp proof course (DPC) shall take place until a scheme for water efficiency has been submitted to and approved in writing by the Local Planning Authority. The scheme should demonstrate a standard of a maximum of 110 litres per person per day is applied for all residential development. The scheme shall be implemented in accordance with the agreed details.

Reason: This condition contributes to sustainable development and meeting the demands of climate change. Increased water efficiency for all new developments also enables more growth with the same water resources.

16. Notwithstanding the Preliminary Risk Assessment report submitted, 5007900-RDG-XX-ST-DOC-C-00GCA01 (Nov 2020), prior to the commencement of development a scheme shall be submitted to the Local Planning Authority (LPA) to deal with potential contamination of the site. Such scheme shall include the following actions and reports, which must provide and disclose all relevant information and be carried out by appropriately qualified consultant(s):

(a) A Field Investigation (site investigations) report which must characterise and identify the extent of contamination, identify hazard sources, pathways and receptors and develop a conceptual model of the site for purposes of risk assessment. A Detailed Quantitative Risk Assessment based on the information contained in the Preliminary Risk Assessment, will be required where the Preliminary Risk Assessment or Field Investigation report set out that contamination may be present in, on or near the proposed development area.

(b) No works shall commence on site until the Local Planning Authority has
i. confirmed in writing whether or not intrusive site investigation work is required and

ii. if it is required the sampling strategy for the intrusive site investigation work to the Local Planning Authority for approval in writing and

iii. the intrusive site investigation work must be carried out before any works commence on site.

(c) Where contamination is found which the Local Planning Authority has confirmed in writing requires remediation, a detailed Remediation Strategy, including effective measures to avoid risk to future and neighbouring occupiers, the water environment and any other sensitive receptors when the site is developed, shall be submitted to the Local Planning Authority. Any measures or works recommended in the Remediation Strategy, shall require approval to be obtained in writing from the Local Planning Authority.

(d) No development shall occur until the measures and/or works approved in the Remediation Strategy have been implemented in accordance with the Remediation Strategy to the satisfaction of the Local Planning Authority prior to the commencement of development unless otherwise agreed in writing by the Local Planning Authority.

(e) If, during works on site, contamination is encountered which has not previously been identified, no further works shall take place until the additional contamination has been fully assessed and a Further Remediation Strategy which contains the same detail as for the Remediation Strategy at paragraph (d) has been submitted to and approved by the Local Planning Authority in writing.

(f) On completion of all the works detailed in the agreed Remediation Strategy and/or the Further Remediation Strategy, a Remediation Verification Report must then be completed and submitted to the LPA by the persons who carried out the remediation work confirming that they have supervised all the agreed remediation actions and confirming that all works as specified and agreed have been carried out to the point of completion. No development shall commence until the LPA is in receipt of said Remediation Verification Report and has confirmed in writing that it is satisfied with the contents of the statement and the standard of work completed.

Reason: This information is required prior to commencement to safeguard the amenity of the locality and future residents in accordance with of the Local Plan and Government Guidance contained in the National Planning Policy Framework.

17. Prior to the commencement of installation of externally mounted plant, details of any externally mounted plant (electrical substation and commercial kitchen extraction system) shall be submitted to the Local Planning Authority (LPA) along with a noise assessment such as that conducted in accordance with BS4142:2014 (Methods for rating and assessing industrial and commercial sound) and/or its subsequent amendments. The assessment shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme (together with any required measures) shall be installed to the agreed specification prior to the first use, and maintained and operated in that condition thereafter.

Reason: In the interests of amenity and in accordance with Policy DES2 of the East Dorset Local Plan.

18. Prior to the commencement of installation of the commercial kitchen extraction system, a scheme containing full details of the arrangements for internal air extraction, odour control, and discharge to atmosphere from cooking operations, including any external ducting and flues, shall be submitted to and approved in writing by the Local Planning Authority (LPA) along with an appropriate odour assessment. The works detailed in the approved scheme shall be installed in

their entirety before the use hereby permitted is commenced. The equipment shall thereafter be maintained in accordance with the manufacturer's instructions and operated at all times when cooking is being carried out.

Reason: In the interests of amenity and in accordance with Policy DES2 of the East Dorset Local Plan.

19. Prior to the first occupation of the dwellings hereby approved, **in phase 1 and phase 2 of the development as set out in Drawing SO-2621-04-AC-0122_ Site Sequencing**, the acoustic fence to be located along the site's southern boundary, as detailed in the submitted document "Proposed Residential Development Wimborne Market, Noise Impact Assessment Technical Report : R00808-2 Rev 0, Date: 16th April 2021" paragraph 5.3 (1.8m high, surface density 12 kg/m², no holes or gaps), shall be fully constructed in its entirety, and shall thereafter be retained and maintained in perpetuity.

Reason: In the interests of amenity and in accordance with Policy HE2 and DES2 of the East Dorset Local Plan.

20. The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars set out in 1156-KC-XX-YTREE-TPP01 Rev B before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason: In order to prevent damage during construction to trees that are shown to be retained on the site

21. The bungalows/chalets and apartments to be erected as part of the Development hereby permitted shall be occupied only by:

- (i) person(s) aged 65 or over in the case of approved bungalows/chalets; or
- (ii) person(s) aged 70 or over in the case of approved apartments; or
- (iii) person(s) qualifying for personal care due to age, illness or disability; or
- (iv) a person living as part of a single household with a person falling within category (i), (ii) or (iii); or
- (v) a person who was living as part of a single household with a person falling within category (i), (ii) or (iii) who has since died.

Occupants of the approved dwellings shall be able to access at least 1 hour of non-regulated care per week.

Reason: To ensure the approved development is occupied by and maintained with the proposed restriction given the need for specialist accommodation for vulnerable people and where approved parking is specific to age restricted development in accordance with Policies LN6 and KS12 of the Christchurch and East Dorset Core Strategy.

Informatives:

1. The vehicle crossing serving this proposal (that is, the area of highway land between the nearside carriageway edge and the site's road boundary) must be constructed to the specification of the Highway Authority in order to comply with Section 184 of the Highways Act 1980. The applicant should contact Dorset Highways by telephone at 01305 221020, by email at dorsethighways@dorsetcouncil.gov.uk, or in writing at Dorset Highways, Dorset Council, County Hall, Dorchester, DT1 1XJ, before the commencement of any works on or adjacent to the public highway
2. As the new road layout does not meet with the Highway Authority's road adoption standards or is not offered for public adoption under Section 38 of the Highways Act 1980, it will remain private and its maintenance will remain the responsibility of the developer, residents or housing company.
3. The Environment Agency Advise that developers should:
 - Follow the risk management framework provided in Land Contamination: Risk Management, when dealing with land affected by contamination
 - Refer to EA Guiding principles for land contamination for the type of information that we require in order to assess risks to controlled waters from the site - the local authority can advise on risk to other receptors, such as human health
 - Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed
 - Refer to the contaminated land pages on gov.uk for more information
4. The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works is waste or has ceased to be waste. Under the Code of Practice:
 - excavated materials that are recovered via a treatment operation can be reused on-site providing they are treated to a standard such that they are fit for purpose and unlikely to cause pollution
 - treated materials can be transferred between sites as part of a hub and cluster project
 - some naturally occurring clean material can be transferred directly between sites

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

5. Non-regulated care requirements set out in condition 21 are related to this permission only. This requirement is not the Council's definition of minimum care required for extra care development.
6. This permission is subject to an agreement dated 31.01.2022, made pursuant to Section 106 of the Town and Country Planning Act 1990 between (1) JOHN JAMES GEORGE, ESTELLE VALERIE GEORGE AND JAMES BRENDON GEORGE (2) JAMES BRENDON GEORGE (3) MCCARTHY & STONE RETIREMENT LIFESTYLES LIMITED (4) LLOYDS BANK PLC AND (5) DORSET COUNCIL

B) Refuse permission for the reasons set out below if the agreement is not completed by 20 January 2023 or such extended time as agreed by the Head of Planning.

Background Documents:

Case Officer: Naomi Shinkins

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

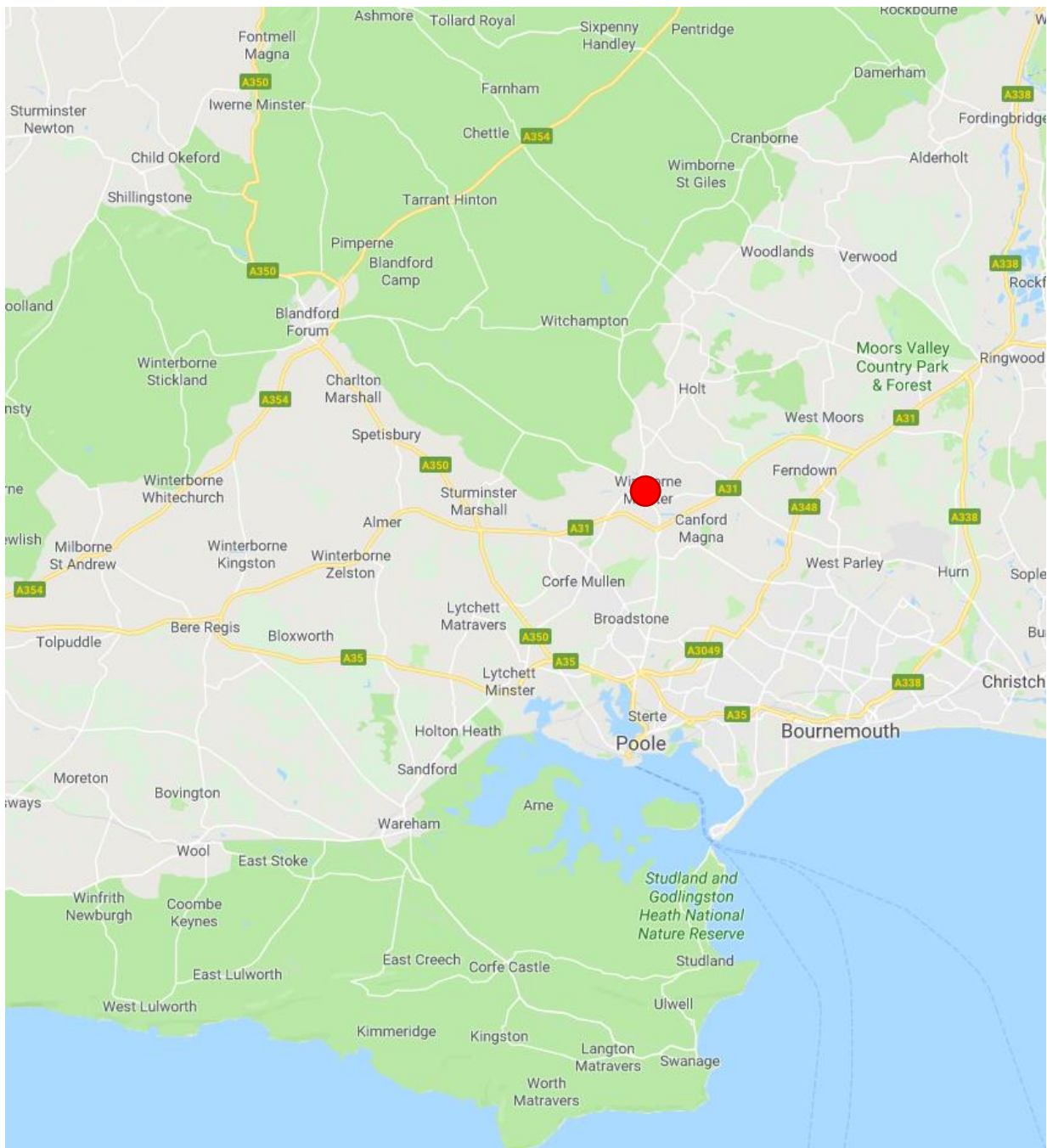
The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.

Approximate Site Location 

Application reference: 3/21/1556/FUL

Site address: WIMBORNE MARKET, STATION TERRACE, WIMBORNE MINSTER

Proposal: Redevelopment of Wimborne Market to continuing care community comprising of 67 age restricted apartments, 26 age restricted bungalows, 6 age restricted chalet bungalows, one wellness centre, 9 open market houses, parking , highway improvements and pedestrian link (description amended 24.09.2021 as agreed to include dwelling numbers)



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Application Number:	3/21/1471/FUL		
Webpage:	Planning application: 3/21/1471/FUL - dorsetforyou.com (dorsetcouncil.gov.uk)		
Site address:	442 Ringwood Road, Ferndown, Dorset, BH22 9AY		
Proposal:	Demolish existing flats and dwelling and erect 12, 3 bedroom, houses arranged as 6 pairs of semi-detached properties, together with associated parking and access.		
Applicant name:	Maraval Investments Ltd.		
Case Officer:	Naomi Shinkins		
Ward Member(s):	Cllr Adkins; Cllr Robinson		
Publicity expiry date:	12 April 2022	Officer site visit date:	November 2021
Decision due date:	26 January 2022	Ext(s) of time:	TBA

1.0 The application has been referred to committee by the nominated officer having gone through the Council’s Scheme of Delegation Process.

2.0 Summary of recommendation:

2.1 GRANT subject to conditions

3.0 Reason for the recommendation:

- The location is considered to be sustainable, and the proposal is acceptable in its scale, design, materials and visual impact.
- The proposal has an appropriate layout and design and would not have an adverse impact on the character and appearance of the area or the landscape
- There is not considered to be any significant harm to neighbouring residential amenity and the occupants of the proposed dwellings would enjoy an acceptable standard of amenity.
- The proposal would not have an adverse impact on road safety and the access proposed and on-site parking provision are acceptable
- The proposal would provide appropriate mitigation for its impact on biodiversity and biodiversity enhancement would be provided
- Other issues raised by consultees have been assessed and there are not any which would warrant refusal of the application.

4.0 Key planning issues

Issue	Conclusion
Principle of development	Acceptable - both paragraph 11 of the NPPF and KS1 of the Local Plan place a presumption in favour of sustainable

	development. This site is located within the urban area of Ferndown and West Parley, identified as a main settlement in Policy KS2 of the Local Plan, being a sustainable location where development is supported. The site is therefore a suitable location for development
Scale, design, impact on character and appearance	Acceptable - the proposed development will be appropriate in scale and design in relation to the surrounding area
Impact on amenity	Acceptable - the proposed development will not have an adverse impact on neighbouring amenity.
Impact on road safety & parking provision	Acceptable- Use of existing access is appropriate and sufficient on-site parking is provided.
Impact on biodiversity	Acceptable- There would be no adverse impact on biodiversity and biodiversity enhancements are proposed.
Impact on Trees	Acceptable - There would be no adverse impact on trees
Drainage	Acceptable – Proposed drainage is considered acceptable.

5.0 Description of Site

- 5.1 The application site contains two residential plots: one comprises a detached house and its curtilage (No.442 Ringwood Road), and the other includes a building containing seven flats (Nos. 444 to 454 Ringwood Road) along with associated parking and garden areas. The two plots share a vehicular access onto Ringwood Road. A disused curtilage building is located towards the northern corner of the site and is associated with the flats; the existing house is accompanied by a detached garage. Protected trees run alongside the site's north-western, north-eastern, and south-eastern boundaries. The site is located within the settlement limits of Ferndown, the New Road Special Character Area, and is within 5km of protected heathland.
- 5.2 The site's north-western boundary runs alongside Ringwood Road. The north-eastern boundary adjoins St George's Court, which is a care home. The south south-eastern boundary runs alongside No.10 Pringles Drive, which comprises a bungalow and its curtilage. The south-western boundary adjoins No.440 Ringwood Road, which is a residential development containing seven flats and associated parking and amenity spaces.
- 5.3 There is an existing footway through the site, however, this is not indicated as a public right of way on the Council's mapping system.

6.0 Description of Development

- 6.1 This planning application proposes the demolition of the two residential buildings and associated curtilage structures, and their replacement with 12 semi-detached 3-bedroom dwellings. A revised design was submitted in March 2022 and the following assessment is based on these drawings.
- 6.2. Dwellings are provided in the form of 6 pairs of semi-detached 3 bedroom units. Each dwelling has its own private garden and 2 parking spaces . Cycle and bin storage is provided within rear gardens. Vehicular and pedestrian access is via the existing access on Ringwood Road. The existing footway through the site is retained and connects to the pedestrian route provided at the access.
- 6.2 Dwellings are 2 storey and traditional in design. All dwellings are similar in design with some variations to fenestration, materials and porch details to provide some variation.
- 6.3 A summary of the proposed development is as follows:

	Proposed
Site Area (ha)	0.4 ha
Use	C3 residential
Width (each semi-detached pair)	10m
Length	10.5m
Units	12 (6 semi-detached pairs)
Approximate Ridge Height (m)	7.8m
Approximate Eaves Height (m)	4.8m
Materials	Brick, render, slate effect, upvc
Parking Spaces	24
No. of Storeys	2 Storeys
Distance from boundaries	NE – 7.5-12m NW – 18-22.5m SW – 2-2.5m SE – 14-16.5

7.0 Relevant Planning History

7.1 An application for an apartment comprising 27 retirement living apartments (3/19/2264/FUL) was refused in June 2020 and subsequently an appeal was dismissed.

7.2 Pre-application advice was sought for the proposed.

8.0 Constraints:

- SSSI Impact Risk Zone
- Highways Inspected Network
- Heathland 5km Consultation Area
- Airport safeguarding
- Special Character Area (SCA)
- Main Urban Area
- Tree Preservation Order

9.0 Consultations

9.1 The application was advertised by means of site notices and a press advertisement.

Seven members of the public have submitted representations, 1 letter in support and 6 raising concerns or objecting to the proposal on the following grounds:

- Letters of support:
 - o Appropriate design
 - o General support
- Concerns raised include:
 - o Damage to neighbouring properties by existing trees to be retained
 - o Drainage concerns that drainage ditches should be maintained
 - o Flood risk to neighbouring properties
 - o French drain should be installed adjacent to neighbouring properties
 - o The retained public right of way will be used more intensively and will cause disturbance to neighbours

9.2 The following consultees have also commented on the application (summary only, full comments available online):

1 - Ferndown Town Council

Initial Design	Objection The proposed 12 homes would create overdevelopment of the site contrary to planning policy HE2, scale and bulk. Access to service
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	vehicles had not been provided for that would result in refuse bins being placed on footpaths for collection with resulting problems to pedestrians. Members noted and agreed that the lack of new planting and biodiversity enhancements as highlighted by the East Dorset Environmental Partnership (EDEP) and a requirement of the Dorset Biodiversity Planning Protocol had not been provided.
Revised Design	N/A reconsult not required (only minor design changes made to address consultee concerns)

2 - Natural England

Initial Design	<p>No objection</p> <p>Natural England has no objection to the proposal on the condition that your authority secure the appropriate level of mitigation contributions, as set out in the above SPD, to ensure that the identified adverse effects on the protected sites are mitigated according to the measures agreed with Natural England in the documents.</p> <p>Biodiversity Mitigation and Enhancement Plan Natural England welcome the submission of a Biodiversity Mitigation and Enhancement Plan (BMEP), however this is not accompanied by a Certificate of Approval from the Dorset Council Natural Environment Team (DC NET). In this case, we recommend permission is not granted until the BMEP has been approved by DC NET. Provided the implementation in full of a DC NET approved BMEP is secured through a condition as part of the grant of planning permission, Natural England agree with the opinion of the Natural Environment Team of Dorset Council that the planning authority will have met their duties under Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 and Regulation 9(3) of The Conservation of Habitats & Species Regulations 2017.</p>
Revised Design	N/A reconsult not required

3 - Dorset Council Highways

Initial Design	Concerns raised regarding access width, pedestrian routes within the site, public right of way width, cycle parking, removal of traffic calming required.
Revised Design	<p>No objection, subject to condition</p> <p>Turning and parking construction</p> <p>Before the development is occupied or utilised the turning and parking shown on Drawing Number FB7945/200 G must have been constructed. Thereafter, these areas must be permanently maintained, kept free from obstruction and available for the purposes specified.</p> <p>Reason: To ensure the proper and appropriate development of the site and to ensure that highway safety is not adversely impacted upon.</p>

4 - DC Trees & Landscape

Initial Design	<p>Comments</p> <p>Some trees removed but acceptable. Some changes required for Root Protection Area (RPA) protection measures</p>
Revised Design	No objection

5 - DC Housing Officer

Initial Design	<p>Objection</p> <p>Policy LN3 requires all residential developments to meet the affordable housing requirement on sites which result in a delivery of more than 10 dwellings. Should this development provide affordable homes then we would expect it to deliver 4.8 homes and would accept 4 homes with the remainder as a financial contribution.</p>
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Revised Design	N/A – reconsult not required
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6 - Natural Environment Team

Initial Design	NET endorsed Biodiversity Plan dated 18.01.2022 has been submitted
Revised Design	N/A – reconsult not required

7 - Environment Agency

Initial Design	None received (Response due 19.11.2021)
Revised Design	N/A – reconsult not required

8 - Wessex Water

Initial Design	<p>No objection</p> <p>Wessex Water will accommodate domestic type foul flows in the public foul sewer with connections made on a size for size basis, Developers fund the cost of connecting to the nearest 'size for size' sewer and Wessex Water will manage the sewer network to accommodate foul flows from granted development. We fund this through our infrastructure charging arrangements.</p> <p>The point of connection to the public network is by application and agreement with Wessex Water and subject to satisfactory engineering proposals constructed to current adoptable standards. The developer should contact the local development team development.south@wessexwater.co.uk to agree proposals for the</p>
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	<p>Section 104 adoption and submit details for technical review prior to construction.</p> <p>The applicant has not included any details of how they propose to capture, store and discharge surface water runoff from the proposed development. This is disappointing as this is a full application and we would have expected to see a surface water drainage plan included with the application. Surface water runoff will need to be managed in accordance with the SuDS hierarchy and NPPF. Wessex Water will be looking for a full suite of SuDS components to be considered and included in the proposals for the capture, storage and discharge of surface water runoff. Discharge rates and volumes will need to be agreed and approved by the LLFA. National planning policy requires SuDS to provide multifunctional benefits, where possible. There are four main categories of benefits that can be achieved by SuDS: water quantity, water quality, amenity and biodiversity. These are referred to as the four pillars of SuDS design.</p>
Revised Design	N/A – reconsult not required

9 - Lead Flood Authority

Initial Design	<p>No objection subject to condition</p> <ul style="list-style-type: none"> - The site falls entirely within Flood Zone 1 (FZ 1 - low risk of fluvial flooding) - BGS data shows the site to sit above a bedrock of a Sedimentary Sand (Branksome Sand Formation), with no recorded superficial deposits. - On this basis and subject to necessary / site-specific ground investigation and consideration of seasonal fluctuations in ground water levels, it is thought likely that infiltration methodologies and soakaways will to be viable at this location. - The site is adjacent to an existing surface water sewer aligned with Ringwood Road, but is not known to currently discharge surface water into this system. - Whilst the site is not thought to be at risk of flooding the proposed scheme has the potential to exacerbate risk to adjacent areas if surface water runoff from the proposed (re)development is not adequately managed. In accordance with the recommendations of the revised National Planning Policy Framework (NPPF - July 2018) all development proposals are to be supported by a strategy of surface water management that is both viable & deliverable, and which demonstrates that the
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	<p>proposed development & any adjoining property or infrastructure are not to be placed at risk, or worsening.</p> <ul style="list-style-type: none">- We acknowledge that the proposed scheme is supported by (limited) information outlining a proposed conceptual drainage strategy for the management of surface water runoff, specifically a Drainage Strategy plan (ref: SSP – 80480-02) dated 20/12/2019.- However, we note that this plan document indicates the incorporation of strip / trench soakaways, rather than discharge to a Main Sewer as specified within section 11 of the relevant application form.- On the basis of the conceptual Drainage Strategy shown on the supporting plan (ref: SSP – 80480-02) we have no in-principle objection to the proposed scheme, subject to the attachment of relevant planning conditions in respect of detailed design and maintenance requirements to any permission granted. <p>CONDITION (1) No development shall take place until a detailed surface water management scheme for the site, based upon the hydrological and hydrogeological context of the development, and providing clarification of how drainage is to be managed during construction, has been submitted to, and approved in writing by the local planning authority. The surface water scheme shall be implemented in accordance with the submitted details before the development is completed.</p> <p>REASON To prevent the increased risk of flooding and to protect water quality.</p> <p>CONDITION (2) No development shall take place until details of maintenance and management of the surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. These should include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.</p> <p>REASON To ensure future maintenance of the surface water drainage system, and to prevent the increased risk of flooding.</p> <p>The conceptual drainage strategy presented in support of these proposals does not appear to be supported by ground investigation or necessary soakage testing to inform the detailed design. Should ground conditions not support the use of infiltration as proposed, it should not be assumed that a regulated discharge to the surface water sewer aligned within Ringwood Road will be acceptable to the operator without suitable mitigation or upsizing of the receiving system.</p>
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Revised Design	N/A – reconsult not required
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10 - Dorset Waste Services

Initial Design	Objection Waste collection not possible
Revised Design	Comments The proposed layout looks tight but accept vehicle tracking plans show the waste collection is possible.

11 - Dorset Council Landscape Design

Initial Design	Objection <ul style="list-style-type: none"> - Proposed would not function well or add to the character of the area - Proposed is not visually attractive - Layout inappropriate and landscaping unsympathetic - Inefficient use of space - Convoluted access - Concerns regarding adverse impact on trees
Revised Design	Consultation not required where design changes are inline with Urban Design and Tree Officer comments

12 - Dorset Council Urban Design

Initial Design	Comments <ul style="list-style-type: none"> - Do not share urban design concerns raised by landscape officer - Minor changes required:
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	<ul style="list-style-type: none"> - While it is unfortunate to see a front / back arrangement for 11-12 and 1-2, this could be mitigated by a more sensitive plot boundary treatment for 1-2. This could involve extending what appears to be a walled boundary attached to the side elevation for plot 2 so that the outlook for plots 11-12 is a wall rather than close board fencing. - set back units 5-6 to align with 3-4 and shift parking for plot 5 northwards (sitting partially at the front of unit 6) to allow space for two street trees to be included to break up some of the hard surfacing created by frontage parking.
Revised Design	Consultation not required where design changes are inline with Urban Design and Tree Officer comments

10.0 POLICY AND OTHER CONSIDERATIONS

Development Plan:

Christchurch and East Dorset Core Strategy 2014

East Dorset Local Plan 2002 (saved policies)

10.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications must be determined in accordance with the development plan for an area, except where material considerations indicate otherwise. The development plan in this case comprises the Christchurch and East Dorset Local Plan and saved policies of the East Dorset Local Plan (2002).

10.2 The following policies are of particular relevance in this case:

The Christchurch and East Dorset Core Strategy (2014) ("the Core Strategy")

Policy HE2 - Design of New Development

Policy HE3 – Landscape Quality

Policy KS1 - Presumption in Favour of Sustainable Development

Policy KS11 - Transport and Development

Policy KS12 - Parking Provision

Policy LN1 - The Size and Type of New Dwellings

Policy LN2 - Design, Layout and Density of New Housing Development

Policy LN3 - Provision of Affordable Housing

Policy ME1 – Safeguarding Biodiversity and Geodiversity

Policy ME2 - Protection of the Dorset Heathland

Policy ME4 – Renewable Energy Provision

Policy ME6 – Flood Management, Mitigation, and Defence

10.3 The East Dorset Local Plan (2002) ("the Local Plan")

Policy DES2 - Pollution
Policy DES11 - Enhancing the Environment
Policy LTDEV1 – External Lighting

10.4 **Other Material Considerations**

Supplementary Planning Documents/Guidance:

Dorset Heathlands Planning Framework 2020 - 2025 SPD (DHPF)

National Guidance

The National Planning Policy Framework (NPPF) July 2021 and National Planning Practice Guidance (NPPG)

Paragraph 11d of the NPPF sets out the presumption in favour of sustainable development.

Development plan proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent or relevant policies are out-of-date then permission should be granted unless any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF or specific policies in the NPPF indicate development should be restricted.

Most relevant NPPF sections include:

- Section 5 Delivering a sufficient supply of homes
- Section 12 Achieving well-designed places
- Section 14 Meeting the challenge of climate change, flooding and coastal change

11.0 Human rights

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property.

This recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

12.0 Public Sector Equalities Duty

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:-

- Removing or minimising disadvantages suffered by people due to their protected characteristics

- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove or minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty.

The proposal would result in twelve dwellings being provided in a sustainable urban location with level ground floor access. No disadvantage to persons with protected characteristics is anticipated.

13.0 Financial benefits

What	Amount / value
Material Considerations	
None	N/A
Non Material Considerations	
Community Infrastructure Levy (CIL)	£33,487
Estimated annual council tax benefit	£27,336
Estimated annual New Homes Bonus per residential unit (for first 4 years)	£1000 approx

14.0 Climate Implications

14.1 The proposed will result in the redevelopment of a brownfield site within a sustainable urban location. While the development will be new build, given the relatively low number of dwellings, the proposal is not considered to have a significant impact on climate change. Renewable energy source and water efficiency requirements have been conditioned.

15.0 Planning Assessment

15.1 The main issues relation to this application are considered to be:

- 6.1 - The Principle of Development
- 6.2– Viability
- 6.3- Design and Appearance
- 6.4- Local Amenity
- 6.5- Highway Impact
- 6.6- Trees
- 6.7- Biodiversity
- 6.8- Drainage

Principle of development

- 15.2 This planning application proposes the erection of new dwellings within the development limits of main urban area of Ferndown and West Parley, where the principle of development is acceptable subject to accordance with other local and national planning policy.

Viability

- 15.3 The submitted viability appraisal states that the proposal cannot support any affordable housing or other financial contributions, apart from CIL. The Dorset Council Housing Officer raised an objection to the lack of affordable housing provision and notes the proposed should be policy compliant.
- 15.4 Policy LN1 of the Core Strategy states that individual sites will be expected, in terms of the size and type of new market and affordable dwellings, to reflect the needs of the Strategic Housing Market Assessment (SHMA). Policy LN3 of the Core Strategy states that greenfield residential development resulting in a net increase of housing is to provide up to 50% of the residential units as affordable housing. All other residential development resulting in a net increase of housing is to provide up to 40% affordable housing. As the application site is currently residential, 40% affordable housing is required. This Policy also states that 10% of the affordable housing element should be planned for households requiring specially adapted or supported housing.
- 15.5 The submitted viability information has been assessed by the District Valuation Service (DVS) - The DVS is the specialist property arm of the Valuation Office Agency (VOA) who provide independent, impartial, valuation and professional property advice across the entire public sector, and where public money or public functions are involved.
- 15.6 The applicant in their viability information submitted advise a major factor in the sites overall economic viability is the demonstrable Existing Use Value (EUV) of the site and combined with significant CIL charges the project is unable to support any affordable housing contribution.
- 15.7 In order to test the conclusions of the applicant's viability assessment, an appraisal based on a scheme providing 100% open market residential units and CIL was carried out. The resulting Residual Land Value (RLV) for a scheme on this basis is below the DVS' adopted Benchmark Land Value (BLV) and therefore indicates that a scheme on this basis is not financially viable. The DVS concluded in a report issued in March 2022 that the scheme comprising a policy compliant on-site affordable contribution and CIL contribution is not viable. The DVS consider the scheme is only viable with no affordable housing contributions.
- 15.8 In relation to the existing use value (EUV) of the site- paragraph 15 of the PPG refers to EUV as '*first component of calculating benchmark land value. EUV is the value of the land in its existing use*'. The Applicant's figure in

respect of EUV is £1,609,500. The DVS assessed EUV on the basis of publicly available information and data available. The property comprises 1 no. 2 bedroom cottage, 5 no. 2 bedroom flats, and 3 studio flats. The flats are understood to be let on assured shorthold tenancies. The development is set within a good size plot. The applicant detail in their report that the house was purchased in the market in 2010. Having considered indexation, evidence of recent sales of similar property in the locality, the assured shorthold tenancies, and the currently apparent relatively poor external condition, the DVS agreed that the EUV lies in the region of £1,600,000. The case officer has scrutinised the EUV and has worked with the DVS to agree this.

CIL calculations were provided by the Council's CIL Officer as £33,487.

Based on the EUV and Benchmark Land Value (BLV) of £1,840,000 (this comprises an EUV of £1,600,000 and a premium of £240,000 (15% as set out in the Planning Practice Guidance)).

As noted previously the resulting Residual Land Value (RLV) for the scheme is below the DVS' adopted Benchmark Land Value (BLV) and therefore indicates that a scheme on this basis is not financially viable as follows:

	Applicant Calculation	DVS Calculation
Gross Development Value (GDV)	£4,820,000	£4,820,000
CIL	£24,493	£33,487
Total Development Cost	£1,828,415	£1,828,415
Profit Target	17.5%	17.5%
Existing Use Value (EUV)	£1,609,500	£1,600,000
Benchmark Land Value (BLV) (EUV + 15%)	£1,850,925	£1,840,000
Residual Land Value (RLV) (GDV – costs & profit margin)	£1,511,971	£1,588,992
Viability Conclusion (full policy compliance)	Not viable	Not viable

Deliverable scheme	Implied with no affordable housing	Marginal with no affordable housing
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- 15.9 The case officer has scrutinised and worked with the DVS to establish the above existing use value, gross development value and build costs. The benchmark land value is calculated in accordance with Planning Practice Guidance. The residual land value is based on the forementioned calculations. It is therefore accepted that it is not viable to provide an affordable housing contribution and the proposed lack of affordable provision does not form a reason for refusal.
- 15.10 However, it is noted that DV has advised a review clause might be appropriate as a condition of any permission. Paragraph 8.11 of the Christchurch and East Dorset Housing and Affordable Housing SPD (Revised) 2018 states:

‘Where financial viability evidence concludes that it is not possible to meet the relevant affordable housing targets required under Policy LN3, the associated S106 Agreement may include provisions for a viability and affordable housing review, if development has not commenced or reached a specified stage within a specified time period.’

The DVS do not provide the Council with any advice on the trigger point in terms of the viability review in their report.

- 15.11 To this end the applicant is prepared to accept a reduced commencement time frame period from the ‘standard 3 years condition’ down to 18 months for commencement. The reduced time frame for commencement would provide certainty that the applicant would build out the permission in a timely manner and a viability review would not be required. On this basis the condition securing commencement timescales (condition 1) has been reduced to 18 months from the standard 3 year commencement requirement.

Design and landscaping

- 15.12 Policy HE2 of the Core Strategy states that new development must be of a high quality and that in various respects, including its visual impact, it must be compatible with or improve its surroundings. Policy DES11 of the Local Plan states that development will only be allowed where, in terms of its form and materials amongst other things, it would respect or enhance its surroundings. Section 12 of NPPF July 2021 notes *‘good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.’* Paragraph 127 also notes (inter-alia);

Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*

15.13 The development criteria for the 'New Road Area' includes:

4. New development must not adversely affect the character of the street scene, as a result of being sited too close to the road, of inappropriate massing and form, of excessive height, or causing the loss of soft landscape features or other factors contained in these design criteria.

5. The scale, massing and height of proposed development must be generally consistent with neighbouring dwellings.

6. In order to promote and reinforce local distinctiveness, any redevelopment proposal must demonstrate that it has taken cognisance of the scale, form, proportions and materials of the original dwellings.

7. New developments must sit comfortably in relation to neighbouring dwellings. The depth of proposed buildings must relate with adjacent buildings. Cognisance must also be made to the amenities of neighbouring gardens in respect to potential overlooking and any possible reduction in sunlight.

15.14 Design concerns have been raised by the Dorset Council Landscape Officer. These concerns were related to access, layout, trees and landscaping.

15.15 The Urban Design and Tree Officers were also consulted and advised they do not share the concerns raised and minor changes were requested to improve the overall design and relationship to existing trees. A revised design was submitted in March 2022 to address these concerns.

15.16 Design changes include extending the walled boundary attached to the side elevation for plot 2 so that the outlook for plots 11-12 is a wall rather than close board fencing. Also units 5-6 were set back to align with units 3-4 and parking for plot 5 shifted northwards (sitting partially at the front of unit 6) to allow space for two street trees to be included to break up some of the hard surfacing created by frontage parking.

15.17 Dwellings are provided in the form of 6 pairs of semi-detached 3 bedroom units. Each dwelling has it's own private garden and 2 parking spaces . Cycle and bin storage is provided within rear gardens. Vehicular and pedestrian access is via the existing access on Ringwood Road. The existing footway used by the public on the site is retained and connects to the pedestrian route provided at the

access. Dwellings are 2 storey and traditional in design. All dwellings are similar in design with some variations to fenestration, materials and porch details to provide some variation. Proposed dwellings are 18-22.5m from the public highway and existing trees are retained which screen the site extensively.

- 15.18 It is the case officer's opinion that the revised layout is considered acceptable in both urban design and landscape terms and meets the design criteria for the Special Character Area set out above. The proposed development is considered to be an efficient use of the land in the context of the special character area and the specific constraints of the site (e.g. protected trees). While rear gardens fronting the public highway is not a typical characteristic in this area it is not unacceptable and the proposed dwellings would be 18-22.5m from the boundary. Existing trees and vegetation are retained and provide extensive screening. The proposed dwellings themselves are considered in keeping with the special character area and the provision of 2 parking spaces per dwelling and generally ample rear gardens is in line with local policy. A condition for material samples has been imposed.
- 15.19 Proposed landscaping is considered to be generally acceptable, however third party concerns have been raised regarding non-native species. A condition in relation to landscaping has been imposed to address this matter.
- 15.20 Therefore the proposal is considered to be in accordance with Policy HE2 of the Core Strategy subject to conditions.

Local Amenity and Standard of Accommodation

- 15.21 Policy HE2 of the Core Strategy states that new development should be compatible with or improve its surroundings in relation to nearby properties and general disturbance to amenity. Section 12 of the NPPF encourages good design that is safe and inclusive.
- 15.22 The proposed separation distance to the neighbouring dwellings to the south east is 14-16.5m, 7.5-12m to the north east and 2-2.5m to the south west. Dwellings are 2 storeys in height with eaves and ridge heights of 4.8m and 7.8m respectively. Proposed roofs will also be hipped away from neighbouring boundaries.
- 15.23 There are two proposed unit types where one type has first floor windows to bedroom three on side elevations. These windows are considered acceptable where they are either a sufficient distance from well screened neighbouring boundaries (e.g. unit 7 - 11m from the heavily vegetated north east boundary) or off set between properties to avoid direct overlooking (e.g. units 8 and 9).
- 15.24 The proposed development is considered acceptable where it is not anticipated development would result in a negative impact on neighbouring amenity given the separation distances and scale of development. Therefore the proposal is considered to be in accordance with Policy HE2 of the Core Strategy.

Highways

- 15.25 Policy KS12 states that adequate vehicle and bicycle parking should be provided to serve new development.
- 15.26 Two parking spaces per dwelling have been provided, which is in line with Dorset Council parking guidance for individual 3 bedroom dwellings. It is noted for more than 5 dwellings visitor parking spaces are also recommended and 3 visitor parking spaces are recommended for a development such as this. Given 2 parking spaces per dwelling are provided and the ability for some on street parking within the development, the proposed is considered acceptable. Cycle parking has been provided in rear gardens.
- 15.27 Highways Officers have considered the proposal and have raised no objections, subject to the use of conditions in relation to turning and parking. In terms of its impact on highway safety and the provision of adequate parking provision, the proposal is considered to be in accordance with Policy KS12 of the Core Strategy, subject to the use of the aforementioned conditions.

Trees

- 15.28 Policy HE3 of the Core Strategy notes development needs to protect and seek to enhance the landscape character of the area. Section 15 of the NPPF (2021) aims to protect the natural environment including trees.
- 15.29 Extensive tree advice was provided at pre-app stage. In response to the initial design the tree officer raised minor tree concerns and a revised design was submitted to address these.
- 15.30 The tree officer is satisfied proposed changes addresses these minor concerns and raises no objection. As noted previously, the Tree officer does not share the concerns raised by the landscape officer. The proposed therefore s in accordance with policies HE2 and HE3 of the Core Strategy and Section 15 of the NPPF.

Biodiversity

- 15.31 The application site is within the Parley Common SSSI is within the impact risk zone and within 400m to 5km of Dorset Heathland.
- 15.32 The proposal for 12 new units of accommodation, in combination with other plans and projects and in the absence of avoidance and mitigation measures, is likely to have a significant effect on the site. It has therefore been necessary for the Council, as the appropriate authority, to undertake an appropriate assessment of the implications for the protected site, in view of the site's conservation objectives.

- 15.33 The application site lies within 5km but beyond 400m of Dorset Heathland which is designated as a Site of Special Scientific Interest and as a European wildlife site.

The proposal for a net increase of 3 residential units (1 house and 8 flats to be demolished and replaced by 12 houses), in combination with other plans and projects and in the absence of avoidance and mitigation measures, is likely to have a significant effect on the sites. It has therefore been necessary for the Council, as the appropriate authority, to undertake an appropriate assessment of the implications for the protected site, in view of the site's conservation objectives.

The appropriate assessment dated June 2022 has concluded that the mitigation measures set out in the Dorset Heathlands 2020-2025 SPD can prevent adverse impacts on the integrity of the site. The SPD strategy includes Heathland Infrastructure Projects (HIPs) and Strategic Access Management and Monitoring (SAMM). The strategic approach to access management is necessary to ensure that displacement does not occur across boundaries.

The Council collects Heathland mitigation payments via the Community Infrastructure Levy (CIL) and/or legal agreements which will secure the necessary contribution in accordance with the Dorset Heathlands SPD.

With the mitigation secured the development will not result in an adverse effect on the integrity of the designated site so in accordance with regulation 70 of the Habitats Regulations 2017 planning permission can be granted; the application accords with Core Strategy Policy ME2.

- 15.34 The appropriate assessment has concluded that avoidance measures in the form of contributions attached to any planning consent could prevent adverse impacts on the integrity of the site. Therefore the proposed is in accordance with ME2 of the Core Strategy.

- 15.35 Concerns have also been raised that proposed did provide a Biodiversity Mitigation Enhancement Plan (BMEP). A Dorset Council Natural Environment Team endorsed BMEP has been submitted dated Jan 2022. A condition is imposed to secure the delivery of this plan.

Drainage

- 15.36 The application site is not within a flood risk zone and is identified on the Environment Agency flood risk as 'very low risk' with regards to surface water flooding.

- 15.37 Third party concerns have been raised in relation to flood risk. Whilst the site is not thought to be at risk of flooding the proposed scheme has the potential to exacerbate risk to adjacent areas if surface water runoff from the proposed development is not adequately managed. In accordance with the recommendations of the revised National Planning Policy Framework all

development proposals are to be supported by a strategy of surface water management that is both viable & deliverable, and which demonstrates that the proposed development & any adjoining property or infrastructure are not to be placed at risk, or worsening.

- 15.38 The DC Lead Flood Authority have been consulted and noted that on the basis of the conceptual Drainage Strategy shown on the supporting plan that they have no in-principle objection to the proposed scheme, subject to the attachment of relevant surface water management planning conditions in respect of detailed design and maintenance requirements to any permission granted.
- 15.39 The proposed drainage strategy highlights foul water will be discharged via the existing foul water sewer. It will connect at the south east of the site at the same location as the existing structure on site. Wessex Water was consulted and raised no objection to the proposed development.
- 15.40 The proposed development is considered to be accordance with Policy ME6 of the Core Strategy.

Servicing

- 15.41 Dorset Waste Services have been consulted on the proposed waste collection, where collection vehicles will enter the site for kerbside collections.
- 15.42 DWS have noted the proposed layout looks tight but acknowledges vehicle tracking information submitted confirms waste collection is possible.

16.0 Conclusion

- 16.1 This assessment exercise has involved considering the acceptability of the proposal in relation to the Development Plan, taken as a whole, and all other materials considerations. All of the foregoing factors have also been considered in relation to the social, economic, and environmental benefits to be provided by the proposal. It is considered the proposed is acceptable in relation to material planning considerations.
- 16.2 The proposal is therefore considered to be sustainable development for the purposes of NPPF paragraph 11. The recommendation is for approval of the application with conditions.

Recommendation: Approval

[pre-commencement conditions have been agreed by email on 12.05.2022]

1. The development to which this permission relates must be begun not later than the expiration of eighteen months 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:

FB7945/200 I Site Plan

FB7945/202 A Units 1 & 2

FB7945/203 B Units 3 & 4

FB7945/204 A Units 5 & 6

FB7945/205 A Units 7 & 8

FB7945/206 A Units 9 & 10

FB7945/207 B Units 11 & 12

FB7945/207 B Units 11 & 12

FB7945/208 D Suds Plan

FB7945/210 A Street Scenes

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

3. Before the development is occupied or utilised the first 10.00 metres of each vehicular access, measured from the rear edge of the highway (excluding the vehicle crossing – see the Informative Note below), must be laid out and constructed to a specification submitted to and approved in writing by the Planning Authority.

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.

4. Before the development is occupied or utilised the access, geometric highway layout, turning and parking areas shown on Drawing Number 'FB7945/200 I Site Plan' must be constructed, unless otherwise agreed in writing by the Planning Authority. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper and appropriate development of the site.

5. Before the development hereby approved commences a Construction Method Statement (CMS) Construction Environmental Management Plan (CEMP) must be submitted to and approved in writing by the Local Planning Authority. The CMS & CEMP must include:

- the parking of vehicles of site operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- delivery, demolition and construction working hours
- the use of plant and machinery
- wheel washing and vehicle wash-down and disposal of resultant dirty water - oils/chemicals and materials
- the use and routing of heavy plant and vehicles
- the location and form of work and storage areas and compounds
- the control and removal of spoil and wastes.

The approved CMS & CMP shall be adhered to throughout the construction period for the development.

Reason: To minimise the likely impact of construction traffic on the surrounding highway network.

6. The development hereby approved shall not be occupied unless and until the protected species mitigation measures as detailed in the approved mitigation plan dated 18th Jan 2022 have been completed in full unless any modifications to the agreed mitigation plan as a result of the requirements of a European Protected Species Licence or the results of subsequent bat surveys have first been submitted to and agreed in writing by the Local Planning Authority.

Thereafter approved mitigation measures shall be permanently maintained and retained in accordance with the approved details.

Reason: This information is required prior to the commencement of development to ensure that bat/barn owl species are protected and their habitat enhanced, in accordance with the Wildlife and Countryside Act 1981 as amended, the Conservation of Habitats and Species Regulations 2010 and policy ME1 of the Christchurch and East Dorset Core Strategy.

7. No development above damp proof course (DPC) shall take place until details and samples of all external facing and roofing materials have been provided on site and approved in writing by the Local Planning Authority (LPA). All works shall be undertaken strictly in accordance with the details as approved.

Reason: This information is required prior to above ground work commencing to ensure satisfactory visual relationship of the new development to the existing. This decision has also had regard to Policies HE2 and HE3 of the

Local Plan and Government Guidance contained in the National Planning Policy Framework.

8. No development above damp proof course (DPC) shall take place until full updated details of hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority (LPA). These details shall include full details of structural tree pits (tree Bunker or Silvacell or similar); details of boundary planting; and schedules of plants (noting species, plant sizes and proposed numbers/densities where appropriate). All works shall be undertaken strictly in accordance with the details as approved and maintained as such.

Reason: This information is required prior to above ground work commencing as the long term establishment, maintenance and landscaping of the site is necessary to preserve the amenity of the locality and biodiversity. This decision has also had regard to Policies HE2 and HE3 of the Local Plan and Government Guidance contained in the National Planning Policy Framework.

9. All hard and soft landscape shall be carried out prior to the occupation of any part of the development and the planting carried out in the first planting season following completion of the development. Any planting found damaged, dead or dying in the first five years following their planting are to be duly replaced with appropriate species.

Reason: To ensure the long term establishment, maintenance and landscaping of the site to preserve the amenity of the locality and biodiversity. This decision has also had regard to Policies HE2 and HE3 of the Local Plan and Government Guidance contained in the National Planning Policy Framework.

10. No construction work in relation to the development, including preparation prior to operations, shall take place other than between the hours of 08.00 hours to 18.00 hours Monday to Friday and 09.00 hours to 13.00 hours on Saturdays and at no time on Sundays or Public or Bank Holidays.

Reason: To safeguard the amenity of existing residents having regard to Local Plan Policy HE2.

11. No development shall take place until a detailed surface water management scheme for the site, based upon the hydrological and hydrogeological context of the development, and providing clarification of how drainage is to be managed during construction, has been submitted to, and approved in writing by the Local Planning Authority. The surface water scheme shall be implemented in accordance with the submitted details before the development is completed.

Reason: To prevent the increased risk of flooding and to protect water quality.

12. No development shall take place until details of maintenance and management of the surface water sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. These should include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

Reason: To ensure future maintenance of the surface water drainage system, and to prevent the increased risk of flooding.

14. No development above damp proof course (DPC) shall take place until details have been submitted to and approved in writing by the Local Planning Authority that cover the following matters:

- how the development shall achieve at least 10% of the total regulated energy (used for space heating, hot water provision, fixed lighting and ventilation) used in the dwellings in each phase from renewable sources, unless otherwise agreed in writing with the local planning authority;
- that options for district heating, and/or power facilities to serve the development have been investigated;
- where it is possible to do so the development should be connected to a district heating and/or power facility in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority.

The scheme shall be implemented in accordance with the agreed details.

Reason: To help meet the UK's carbon emissions targets and comply with Policy ME4 of the Christchurch and East Dorset Core Strategy.

15. No development above damp proof course (DPC) shall take place until a scheme for water efficiency has been submitted to and approved in writing by the Local Planning Authority. The scheme should demonstrate a standard of a maximum of 110 litres per person per day is applied for all residential development. The scheme shall be implemented in accordance with the agreed details.

Reason: This condition contributes to sustainable development and meeting the demands of climate change. Increased water efficiency for all new developments also enables more growth with the same water resources.

16. The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be

stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason: In order to prevent damage during construction to trees that are shown to be retained on the site.

Informatives:

1. The vehicle crossing serving this proposal (that is, the area of highway land between the nearside carriageway edge and the site's road boundary) must be constructed to the specification of the Highway Authority in order to comply with Section 184 of the Highways Act 1980. The applicant should contact Dorset Highways by telephone at 01305 221020, by email at dorsethighways@dorsetcouncil.gov.uk, or in writing at Dorset Highways, Dorset Council, County Hall, Dorchester, DT1 1XJ, before the commencement of any works on or adjacent to the public highway
2. As the new road layout does not meet with the Highway Authority's road adoption standards or is not offered for public adoption under Section 38 of the Highways Act 1980, it will remain private and its maintenance will remain the responsibility of the developer, residents or housing company.
3. This development constitutes Community Infrastructure Levy 'CIL' liable development. CIL is a mandatory financial charge on development and you will be notified of the amount of CIL being charged on this development in a CIL Liability Notice. To avoid additional financial penalties it is important that you notify us of the date you plan to commence development before any work takes place and follow the correct CIL payment procedure.
4. The applicant is advised to have early discussions with Wessex Water in relation to the possible adoption of SuDS features in order to ensure that the final design of the attenuation features are in line with their design requirements.

Background Documents:

Case Officer: Naomi Shinkins

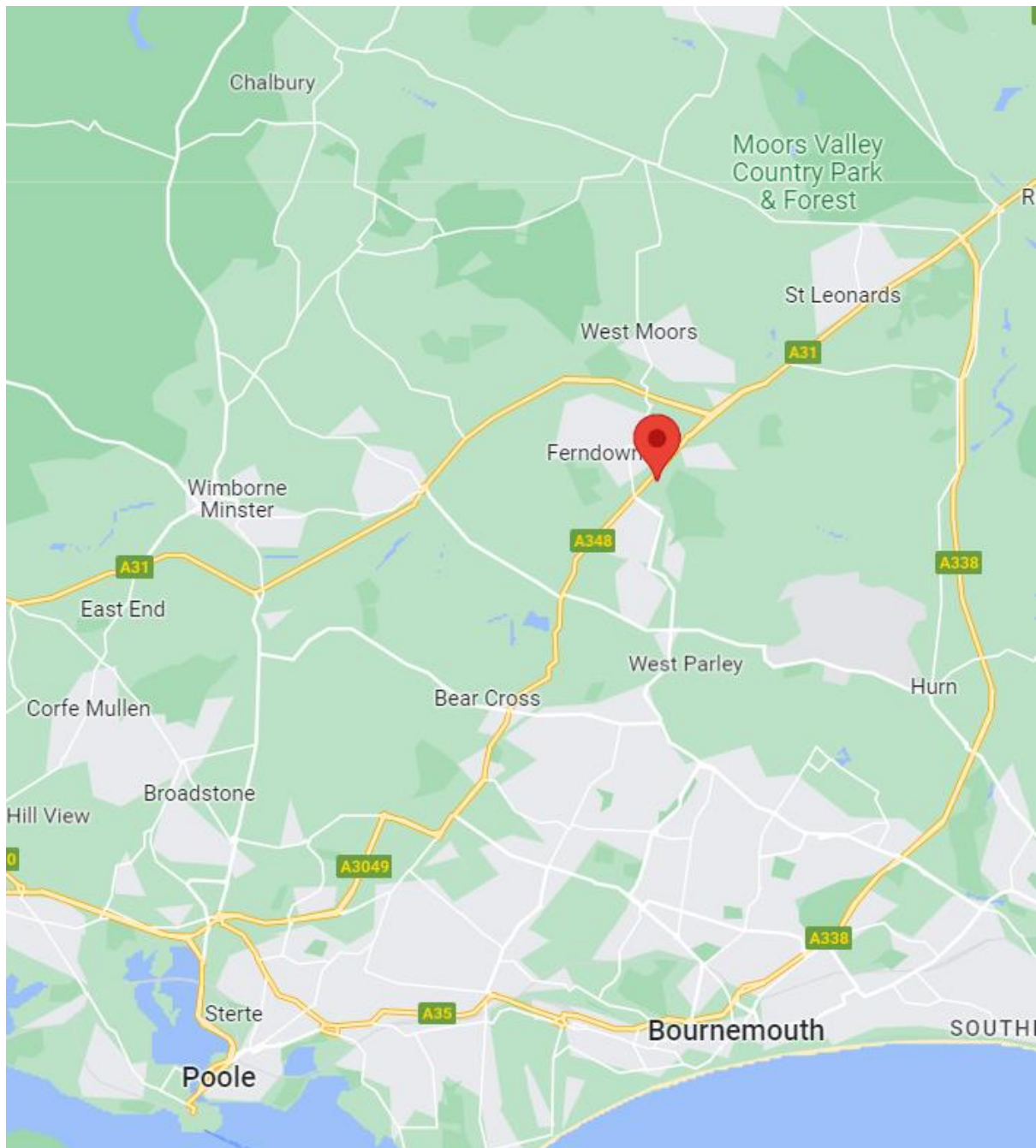
NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the Council's website.

Approximate Site Location 

Application reference: 3/21/1471/FUL

Site address: 442 Ringwood Road, Ferndown, BH22 9AY

Proposal: Demolish existing flats and dwelling and erect 12, 3 bedroom, houses arranged as 6 pairs of semi-detached properties, together with associated parking and access.



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Agenda Item 9

East Planning Committee
20th July 2022

Application Number:	3/20/1725/LB		
Webpage:	https://planning.dorsetcouncil.gov.uk/		
Site address:	PAMPHILL VC CE FIRST SCHOOL, PAMPHILL, WIMBORNE, BH21 4EE		
Proposal:	Replacement of four windows		
Applicant name:	Dorset Council Assets and Property		
Case Officer:	James Brightman		
Ward Member(s):	Cllr Robin Cook		
Publicity expiry date:	11 February 2021	Officer site visit date:	18/01/2021
Decision due date:	25 November 2020	Ext(s) of time:	15 February 2021

1.0 This application comes to committee as the Council's Assets & Property section is the applicant

2.0 Summary of recommendation:

GRANT subject to conditions

3.0 Reason for the recommendation: as set out in Section 16 at end

The proposal would not harm the character, appearance and historic interest of the designated heritage asset that it affects being the Grade II listed building and there are no material considerations which would warrant refusal of this application.

4.0 Key planning issues

Issue	Conclusion
Principle of development	Acceptable
Scale, design, impact on character and appearance	Acceptable – no adverse visual impact
Impact on amenity	Acceptable – no impact on amenity
Impact on landscape or heritage assets	Acceptable – no adverse impact on landscape or heritage assets
Economic benefits	None

5.0 Description of Site

- 5.1 The application site consists of a small primary school set in a rural location close to Pamphill Green. The main school building is Grade II listed, and the site is within the Pamphill Conservation area and the Green Belt.

Below: Google Earth photo from the south west



- 5.2 The listing description describes the building as:

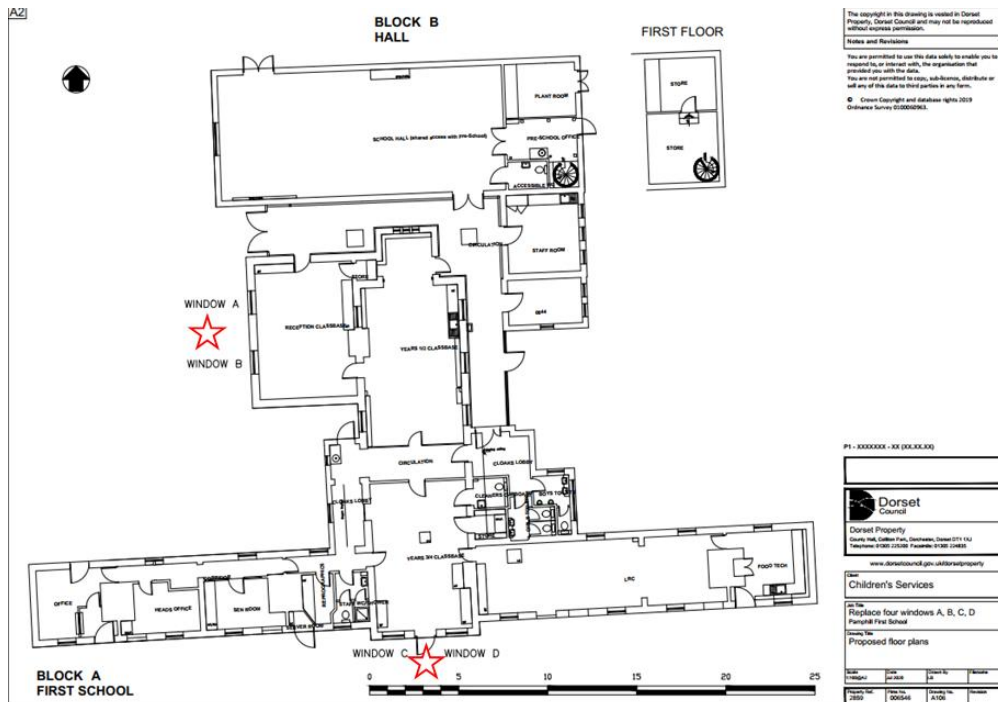
'Built 1698 by Roger Gillingham of the Middle Temple as a school and almshouses, these latter now incorporated in the school. Brick walls, tiled roofs with stone eaves courses and parapets with moulded brick copings. Single storey. Long almshouse range with taller schoolroom block in centre, at right angles, forming a T-shaped plan. Schoolroom has ledged door in classical stone surround with curved broken pediment. Two tall windows with glazing bars each side of this. Above the doorway, an inscribed stone plaque. Gable above this rendered, with blocked circular window. The former almshouse wings each side of the schoolroom each have four ledged doors and four casement windows with lead lights. Plat band above window heads. Various modern additions at rear'.

- Royal Commission on the Historical Monuments of England Monument

6.0 Description of Development

- 6.1 The proposal is to replace 4 of the windows in the building with timber framed windows of similar appearance finished in white with a satin finish. Two single glazed windows are proposed on the front (S) elevation that are positioned either side of the entrance door, and two double glazed windows are proposed in part of the side (W) elevation in a more modern section to the rear of the main building.

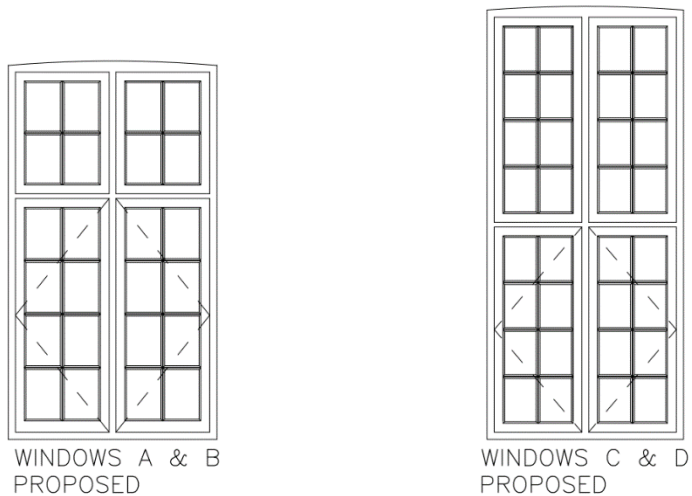
Below: Proposed floor plans – Red stars show location of replacement windows;



Below: Proposed elevations - Red stars show location of replacement windows;



Below: Proposed elevations for replacement windows;



7.0 Relevant Planning History

7.1 There have been a number of planning and listed building applications at the site over the last 30 years to include the hall at the rear of the building, internal alterations, boundary fencing and an outside games area. None of these have direct relevance to the current proposal.

8.0 List of Relevant Constraints

- Church of England first school
- Grade: II listed building
- Pamphill Conservation Area.
 - This engages the statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990

9.0 Consultations

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

Consultees

1. DC Conservation Officer

Support subject to a condition to require full joinery details of the replacement windows to be approved.

2. Parish Council - Pamphill & Shapwick Parish Council

No comments have been received

Representations received

No representations have been received.

10.0 Relevant Policies

Christchurch & East Dorset Core Strategy 2014

Policy HE1: Valuing and conserving our historic environment

National Planning Policy Framework (NPPF)

Section 16: Conserving & enhancing the historic environment. In particular paragraphs 189, 195, 197, 199

Other material considerations

East Dorset District Council Supplementary Planning Guidance 09: Pamphill Conservation Area Appraisal – April 2006

11.0 Human rights

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property.

This recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

12.0 Public Sector Equalities Duty

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:-

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove or minimise disadvantage and in considering the

merits of this planning application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty.

The proposal does not result in any disadvantage to persons with protected characteristics.

13.0 Financial benefits

None

14.0 Climate Implications

None of significance

15.0 Planning Assessment

- 15.1 The application is for listed building consent where the impact on the character and appearance of the listed building is for assessment. The replacement of the proposed windows is acceptable in principle and the acceptability of the proposal is to be assessed in respect of whether the design and detailing of the replacement windows would preserve the historic appearance and integrity of this Grade II listed building.
- 15.2 Windows C & D on the front (S) elevation are highly visible in the Conservation area and make a significant contribution to the design and character of the listed building. These windows are of classical proportions (taller than they are wide) with square heads and central mullion and transom and are of historic and architectural interest.
- 15.3 The Council's Conservation Officer advises that these windows are in a poor condition and have been altered in the past. Whilst it is not possible to salvage the existing units, it is important to ensure the design and construction of the new units match the existing windows as close as possible.
- 15.4 Windows C & D are to be slim double glazed units but the generic window details are not acceptable for replacement windows in listed buildings and precise window details are required and these may be obtained by a suitable condition.
- 15.5 The statutory duty in Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in respect of development which affects a listed building or its setting, the local planning authority "*shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses..*"
- 15.5 The proposal would not harm the character and appearance of the designated heritage asset that is the listed building and the proposal would comply with Core Strategy Policy HE1 as it would conserve a heritage asset and its significance, and is also in accordance with paragraphs 189, 195, 197 & 199 of the NPPF.

16.0 Conclusion

16.1 The proposal is acceptable and would not result in any harm to the designated Heritage Asset that is the listed building and approval is recommended.

17.0 Recommendation

Grant, subject to the following conditions;

1. The work to which this listed building consent relates must be begun not later than the expiration of three years beginning with the date on which the consent is granted.

Reason: This condition is required to be imposed by reason of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended)

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

Location Plan

Site Plan

Drawing No. A106: Proposed floor plans

Drawing No. A107: Proposed elevations east & west

Drawing No. A108: Proposed elevations south & north

Drawing No. A109: Proposed window elevations

Reason: To preserve the architectural and historical qualities of the building.

3. Prior to the installation of the replacement windows, specific details of the proposed windows, to include full joinery details at a scale of not less than 1:10 shall be submitted to and agreed in writing by the Local Planning Authority (LPA). All works shall then be undertaken strictly in accordance with the details as approved, unless minor alterations are agreed in writing by the LPA.

Reason: To maintain the integrity of this historic building


Background Documents:

Case Officer: James Brightman

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

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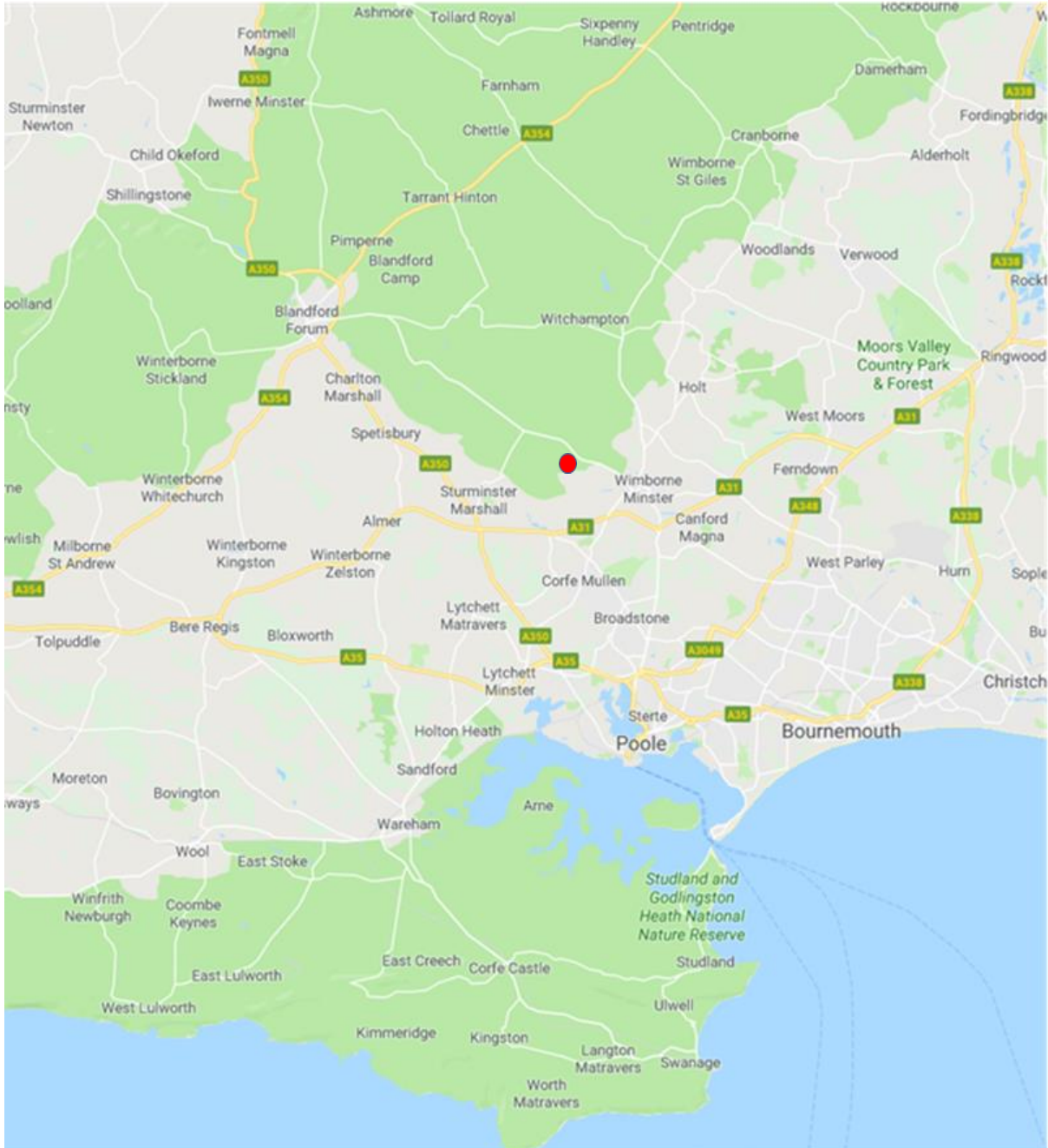
Eastern Planning Committee
20 July 2022

Approximate site location 

Application reference: 3/20/1725/LB

Site address: Pamphill First School, Pamphill, Wimborne, BH21 4EE

Proposal: Replacement of four windows



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Application Number:	P/HOU/2022/01307		
Webpage:	Planning application: P/HOU/2022/01307 - dorsetforyou.com (dorsetcouncil.gov.uk)		
Site address:	54 Sandy Lane, Upton, Poole, BH16 5LX		
Proposal:	Square off front of property, erect rear extension, with addition of new first floor accommodation to converted roof space with new dormer to side elevation.		
Applicant name:	Mr Scott Williams		
Case Officer:	Victoria Chevis		
Ward Member(s):	Cllr Brenton, Cllr Pipe and Cllr Starr		
Publicity expiry date:	22 April 2022	Officer site visit date:	21 March 2022
Decision due date:	9 May 2022	Ext(s) of time:	9 May 2022

1.0 The Nominated Officer has identified this application to come before the Planning Committee in light of the concerns raised by ward members and the town council in relation to overlooking of the property behind the development and the need for the condition to secure obscured glazing.

2.0 Summary of recommendation:

Grant planning permission subject to conditions.

3.0 Reason for the recommendation:

- Para 14 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise
- 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 subject to a planning condition to secure obscure glazing.
- There are no material considerations which would warrant refusal of this application

4.0 Key planning issues

Issue	Conclusion
Principle of development	Acceptable development within Upton settlement boundary
Scale, design and appearance	Acceptable

Impact on neighbouring amenity	Acceptable subject to condition
Impact on the character of the area	Acceptable

5.0 Description of Site

The site lies in the urban area of Upton which has a relatively high density of development. 54 Sandy Lane is 1 of a run of 11 bungalows on the north side of the highway which have been modified and adapted in a wide range of ways, with a variety of materials used. On the south side of the highway are a mix of detached houses to the east and modified bungalows to the west.

All the bungalows on the north of the highway are detached and set back more than a car's length from the pavement. The bungalow to the east of the site (no. 52) sits slightly forward of the application property whereas the dwelling to the west (no. 56) is set back.

The site slopes up from the road with the finished floor level of no. 54 being over 1 metre higher than road level, similar to the neighbouring properties. It is also set back more than 10 metres from the pavement.

The dwelling sits on a good-sized plot with a steep drive to the east of the property and provision for parking 2 cars at the front; the dropped curb only serves the drive at present.

6.0 Description of Development

Amended plans were received 29 March 2022 which relocated the front door and access steps back to the side of the property instead of to the front. These plans supersede those originally submitted and form the basis of consideration for this application. Re-consultation was undertaken following receipt of these plans.

The proposal is to square off the front of property, erect a rear extension, and to provide new first floor accommodation by converting the roof space expanded by a new dormer to the east elevation and a new gable end formed on the north elevation.

7.0 Relevant Planning History

6/1974/0492 Decision: GRA Decision Date: 28/01/1975

Extension to bedroom.

6/1976/0853 Decision: GRA Decision Date: 17/03/1977

New roof to form additional dormer rooms.

6/2008/0672 Decision: GRA Decision Date: 24/11/2008

Erect attached double garage; lay footpath at rear.

6/2010/0392 Decision: GRA Decision Date: 03/08/2010

Erect rear timber balcony on west elevation.

P/PAP/2021/00497 Decision: RES Decision Date: 21/02/2022

Extend and square off the front of the building adding a garage and loft conversion.

The pre-application advice considered 2 proposals, A to extend forward of the principle elevations and add an additional storey and B, to square off the property and extend to the rear with an additional storey. The conclusion was that proposal A would not be considered acceptable due to the impact on the street scene and character of the area. Proposal B was considered more favourable with further assessment needed to fully consider any impacts on amenity for neighbouring properties.

8.0 List of Constraints

- Within Upton settlement boundary.
- Within an area susceptible to groundwater flooding.
- Registered wildlife species nearby - West European Hedgehog.
- Road class: D – Sandy Lane

9.0 Consultations

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

Consultees

1. P - Lytchett Minster & Upton TC (received 23/03/2022)

- Object: support neighbour's objection on overlooking

2. W - Lytchett Matravers and Upton Ward

Cllr Pipe – 23/03/2022

- Object due to overlooking of bungalow to the rear

Cllr Brenton – 21/04/2022

- Object due to overlooking of bungalow to the rear
- No clear drawing of street scene

Representations received

The application was advertised by means of site notices.

One member of the public has submitted representations objecting to the proposal on the following grounds:

- Rear gable end window will overlook the property to the rear of the site causing a loss of privacy.
- Work has already started.
- No details of roof height.

10.0 Relevant Policies

Adopted Purbeck Local Plan Part 1:

The following policies are considered to be relevant to this proposal:

- Policy SD - Presumption in favour of sustainable development
- Policy LD - General location of development
- Policy D - Design

Material Considerations

Emerging Local Plans:

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

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

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

The *Purbeck Local Plan (2018-2034) Submission January 2019* ('the Submitted Draft Purbeck Local Plan') was submitted for examination in January 2019. At the point of assessing this application, examination of the Submitted Draft Purbeck Local Plan is ongoing, hearing sessions and consultation on *Proposed Main Modifications* and additional consultation on *Further Proposed Main Modifications* having been undertaken and a further public hearing session scheduled to be held on 22 July 2022. Updates on the latest position on the plan's examination and related documents (including correspondence from the Planning Inspector, Dorset Council and other interested parties) are published on Dorset Council website (www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/purbeck-local-plan/purbeck-local-plan-latest-news).

Having regard to the plan's progress through the examination and Dorset Council's position following consultation on the Proposed Main Modifications and the Further Proposed Main Modifications, at this stage only limited weight should be given to the

Emerging Draft Purbeck Local Plan. In the preparation of this report, account has been taken of the following draft policies of the Emerging Draft Purbeck Local Plan, but these policies should be accorded little weight in the determination of the application

- E12: Design
- E4: Assessing flood risk
- E10: Biodiversity and geodiversity

National Planning Policy Framework

Section 2: Achieving sustainable development

Section 4: Decision-making

Section 11: Making effective use of land

Section 12: Achieving well-designed places

Other Material Considerations

Purbeck District Design Guide supplementary planning document adopted January 2014.

Townscape Character Appraisal

National Planning Practice Guidance

11.0 Human rights

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property.

This recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

12.0 Public Sector Equalities Duty

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:-

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove or minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty.

It is not considered that the proposed extension and alterations to the dwelling would result in any disadvantage to persons with protected characteristics once the construction phase has been completed. During construction those with limited mobility may be more affected by any noise and disturbance.

13.0 Financial benefits

There are no financial benefits relating to this householder application. The proposal is not liable for a CIL payment.

14.0 Climate Implications

The proposal is for extensions and alterations to a dwelling. These will be constructed to current building regulation requirements and will be serviced by suitable drainage to prevent surface water flooding.

15.0 Planning Assessment

Principle of development

- 15.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications must be determined in accordance with the development plan for an area, except where material considerations indicate otherwise.
- 15.2 The site is situated within the settlement boundary of Upton. As such, the principle of the proposed development is acceptable in accordance with Purbeck Local Plan Policies D, SD and LD. There is no ‘in principle’ objection to the proposed development, subject to the consideration of all other material planning issues.

Impact on the character of the area

- 15.3 The existing bungalow sits on a modest sized plot with sufficient space to accommodate the proposed extensions without overwhelming the existing building in terms of scale. The retained rear garden area will be over 12 metre in depth. The design and materials maintain a domestic character and appearance. The existing ridge height will be retained and extended to the rear so that the property will not appear higher than those around it and the introduction of a rear gable and dormer can be achieved without harm to the overall residential character of the area in which there are variations in architectural style and materials.
- 15.4 The proposals will be compatible with and maintain the character and qualities of this part of Upton which accords with policy D: Design, of the Purbeck Local Plan and E12: Design, of the Emerging Local Plan.

Impact on neighbouring amenity

- 15.5 The Town Council, Ward Member Cllr Pipe and the residents at 28 Greenacre Close have all objected to the proposal on the grounds that the proposed first floor rear windows intended to serve a bedroom will directly overlook the lounge, dining room and kitchen windows in the property directly behind the site, 28 Greenacre Close.
- 15.6 Number 54 Sandy Lane and adjoining properties are sited on a hillside so that the properties are higher than Sandy Lane highway and land level continue to rise across the rear garden to the back boundary of 28 Greenacre Close. The bungalow at 28 Greenacre Close is at a slightly higher level, as land levels continue to rise, so the 2m high boundary fencing between the properties is not entirely effective at screening the windows on the southern elevation facing the application site. The garden of no. 28 is on the western side and is approximately 2-3 metres lower.
- 15.7 There is a fall-back position for the applicant to construct a rear roof extension incorporating first floor windows under permitted development rights, but it is noted that the proposal under consideration will bring those windows approx. 3.5m closer to the rear boundary. It is necessary to assess whether the positioning would result in demonstrable harm to neighbouring amenity that would warrant refusal.
- 15.8 The Council's District Design Guide SPD (para 35) suggests generally a distance of 21 metres between buildings on similar levels with windows facing back to back. The distance from the proposal as it stands is approx. 15m building to building and approx. 17-18.5 metres from the rear first floor windows to the living and dining room windows of 28 Greenacre Close (approximately). However, the Design Guide goes on to note that this 21m distance may be reduced provided it does not result in significant loss of neighbour privacy in certain cases which are comparable to this application.
1. Where an area is established as high density.

Upton is regarded as a high-density residential area which is supported by the 'Townscape Character Appraisal' (TCA) for Upton;

'since 2000 development has mostly comprised small scale infill and redevelopment of existing properties at higher densities, with houses and flats in order to make the best use of land (2.5.5).'
 2. Where the buildings are offset so that direct overlooking is avoided.
- 15.9 The siting of 28 Greenacre Close is offset to the east of the rear of 54 Sandy Lane, although that property has been extended east with an attached double garage which includes a rear window (6/2008/0672). Officers consider that oblique views towards the rear (south facing) windows of no. 28 from one of the bedroom windows proposed in no. 54 would be acceptable.

- 15.10 Officers also note the existing potential for overlooking in the locality from both 54 and 56 Sandy Lane. 56 Sandy Lane has a first-floor window that looks directly into the lounge and dining room windows of 28 Greenacre Close, although local knowledge suggests that to date this has not served habitable accommodation. The existing property at 54 Sandy Lane sits slightly lower than 28 Greenacre Close but prior to the erection of higher boundary fencing there was already a line of sight from the existing ground floor windows into the lounge and dining room windows of 28 Greenacre Close which are slightly elevated. The garden level at 54 Sandy Lane also rises from the property to the rear fence and a clear view of the windows in question can also be taken from this raised position.
- 15.11 During the course of the application, in response to concerns raised, the applicant has agreed that the western element of the rear first floor window could be obscure glazed to reduce the potential for overlooking. The other triangular window to the east on the same elevation would provide the necessary outlook to secure appropriate amenity for the future occupiers of the room and this would ensure that any views are oblique.
- 15.12 It is acknowledged that there will be a degree of overlooking of no. 28 as a result of this proposed development. Due to the distances involved it is considered necessary and reasonable to secure the obscure glazing of half of the first-floor window, the half closest to the western boundary. That and its use as a bedroom reduces the potential for significant overlooking, which otherwise might be expected from additional habitable living areas within the property. The degree of overlooking arising from the clear glazed element is not judged to result in a harmful degree of overlooking taking account of the oblique angles and location within the urban area. It is recognised that a perception of overlooking can be unneighbourly, but the degree of harm is not judged to necessitate refusal.
- 15.13 Cllr Pipe also references a loss of privacy to the garden of number 28 Greenacre Close but the garden in question is located on the western side of the property and is at a considerably lower level such that any views towards it will be obscured by the property itself and the boundary fence.
- 15.14 The obscure glazing of the proposed dormer windows in the east of the property which are to serve bathrooms is also considered necessary and reasonable to protect the amenity of future residents. Rooflights serving bedrooms in the western elevation are not judged to result in harmful overlooking.

16.0 Conclusion

For the reasons set out above the proposal is considered to accord with national and local planning policies and therefore approval is recommended subject to the conditions as set out below.

17.0 Recommendation

To grant planning permission subject to the following conditions:

Recommendation: Approve 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 (as amended).

- 2.The development hereby permitted shall be carried out in accordance with the following approved plans: (041-03, 041-04A, 041-05A and 041-06A)

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

- 3.Prior to the first use of the Master Bedroom the first floor window in the north elevation closest to the west boundary must be glazed with obscure glass to a minimum industry standard privacy level 3 and any opening part shall be top hung or fitted with an opening restrictor limiting the opening to 150mm. The window shall thereafter be retained in this manner.

Reason: To safeguard the amenity and privacy of the occupiers of adjoining residential property

- 4.In the first instance and on all subsequent occasions the windows in the east elevation must be glazed with obscure glass to a minimum industry standard level 3.

Reason: To safeguard the amenity and privacy of the occupiers of adjoining residential property

Informative Notes:

1. Please check that any plans approved under the building regulations match the plans approved in this planning permission or listed building consent. Do not start work until revisions are secured to either of the two approvals to ensure that the development has the required planning permission or listed building consent.

2. Informative: National Planning Policy Framework Statement

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

The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and

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- as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

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

Background Documents:

Case Officer: Victoria Chevis

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

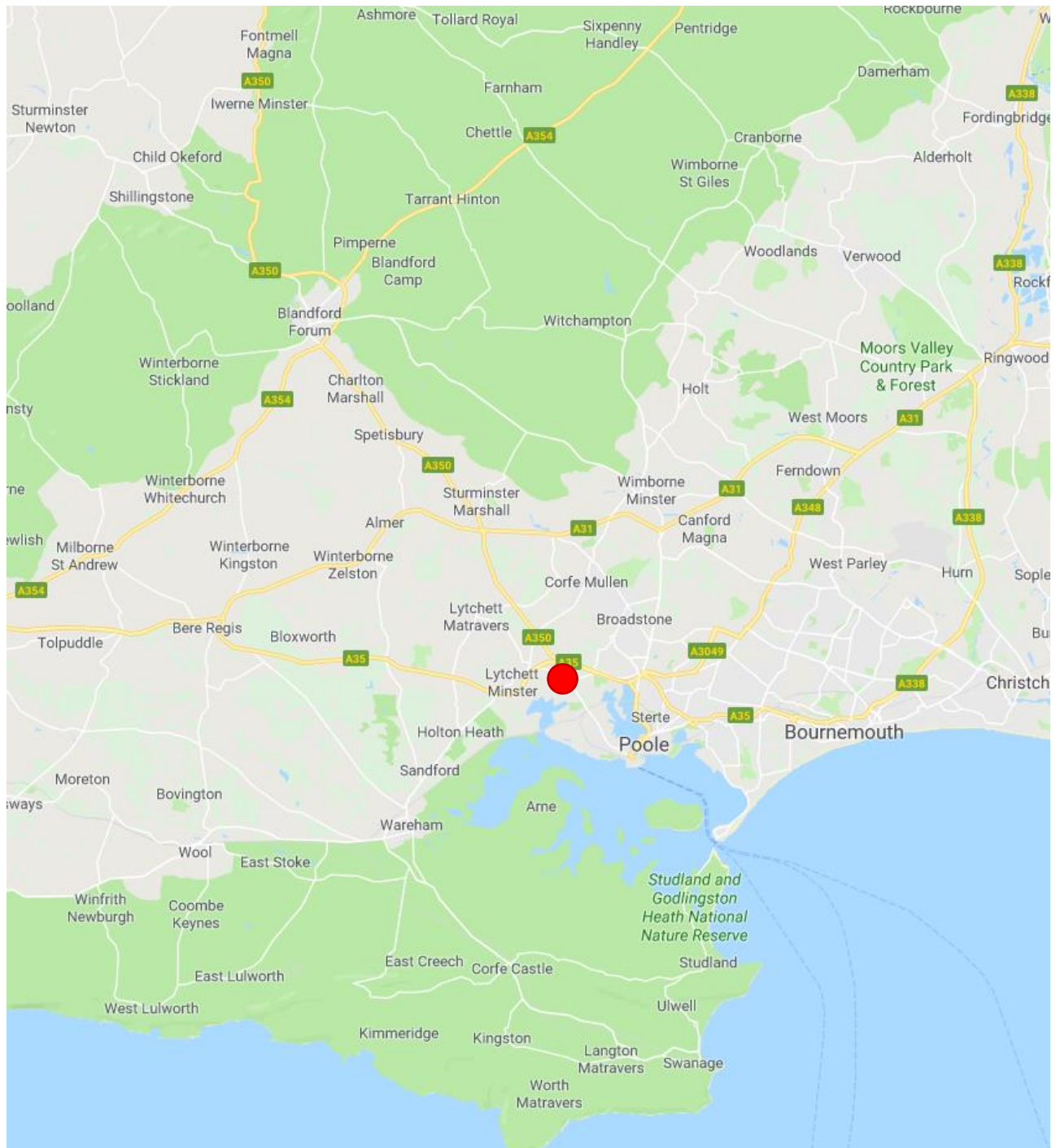
The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.

● Approximate Site Location

Application reference: P/HOU/2022/01307

Site address: 54 Sandy Lane, Upton, Poole

Proposal: Square off front of property, erect rear extension, with addition of new first floor accommodation to converted roof space with new dormer to side elevation.



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