



## Eastern Area Planning Committee

**Date:** Wednesday, 4 September 2024  
**Time:** 10.00 am  
**Venue:** The Allendale Centre, Hanham Road, Wimborne, Dorset, BH21 1AS

**Members (Quorum: 6)**

David Tooke (Chair), Duncan Sowry-House (Vice-Chair), Alex Brenton, Toni Coombs, Beryl Ezzard, Scott Florek, Spencer Flower, Barry Goringe, Hannah Hobbs-Chell, David Morgan, Andy Skeats and Bill Trite

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

For more information about this agenda please contact Democratic Services Meeting Contact [megan.r.rochester@dorsetcouncil.gov.uk](mailto:megan.r.rochester@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.	<b>APOLOGIES</b>	
	To receive any apologies for absence	
2.	<b>DECLARATIONS OF INTEREST</b>	
	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.	<b>MINUTES</b>	5 - 16

To confirm the minutes of the meeting held on Wednesday 31<sup>st</sup> July 2024.

#### **4. REGISTRATION FOR PUBLIC SPEAKING AND STATEMENTS**

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. Please refer to the Guide to Public Speaking at Planning Committee. [Guide to Public Speaking at Planning Committee](#)

The deadline for notifying a request to speak is 8.30am on Monday 2<sup>nd</sup> September 2024.

#### **5. PLANNING APPLICATIONS**

To consider the applications listed below for planning permission

#### **6. P/FUL/2023/00864 - BLUE WATERS AND LICHEN HAVEN, GLEBE ESTATE, STUDLAND, SWANAGE, BH19 3AS 17 - 48**

Erect 3 no. dwellings with associated parking, access and landscaping. (demolish existing dwellings).

#### **7. P/HOU/2023/06781 - 11A BESTWALL ROAD, WAREHAM, BH20 4HY 49 - 64**

Proposed single storey front and two storey rear extension, plus construction of two side dormers within new roof and a balcony on the rear elevation.

#### **8. P/HOU/2024/00735 - HAWTHORNE, 5 THE GREEN, BLOXWORTH, WAREHAM, BH20 7EX 65 - 80**

Conversion of the garage to a studio ancillary to the dwelling and construction of an extension to proposed studio, store and patio. Alterations to rear of property. Surface front garden area. Install air conditioning unit.

#### **9. 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.

#### **10. EXEMPT BUSINESS**

To move the exclusion of the press and the public for the following item in view of the likely disclosure of exempt information within the meaning of paragraph 3 of schedule 12 A to the Local Government Act

1972 (as amended). The public and the press will be asked to leave the meeting whilst the item of business is considered.

**There are no exempt items scheduled for this meeting.**

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## EASTERN AREA PLANNING COMMITTEE

### MINUTES OF MEETING HELD ON WEDNESDAY 31 JULY 2024

**Present:** Cllrs David Tooke (Chair), Duncan Sowry-House (Vice-Chair), Alex Brenton, Toni Coombs, Beryl Ezzard, Scott Florek, Spencer Flower, David Morgan, Andy Skeats and Bill Tritte

**Apologies:** Cllrs Barry Goringe and Hannah Hobbs-Chell

**Officers present (for all or part of the meeting):**

Elizabeth Adams (Development Management Team Leader), Lara Aintree (Senior Lawyer - Regulatory), James Brightman (Senior Planning Officer), Kim Cowell (Development Management Area Manager (East)), Claire Hicks, Joshua Kennedy (Democratic Services Officer), Ellie Lee, Emma MacDonald (Planning Officer) and Megan Rochester (Democratic Services Officer)

**85. Declarations of Interest**

Cllr Beryl Ezzard made a declaration in respect of agenda item 11 that she would not take part in the debate or vote but would speak as the Local Ward Member and would withdraw herself from the meeting once she had made her representation.

Cllr Scott Florek, made a declaration to agenda item 10, it was agreed that he would not take part in the debate or vote, nor would he speak as the Local Member. He agreed to withdraw himself from the meeting.

Cllr Duncan Sowry-House made a declaration to agenda item 10, it was agreed that he would not take part in the debate or vote but would speak as the Local Ward Member and would withdraw himself from the meeting once he had made his representation.

**86. Minutes**

The minutes of the meeting held on Wednesday 24<sup>th</sup> April were confirmed.

**87. Registration for public speaking and statements**

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

88. **Planning Applications**

Members considered written reports submitted on planning applications as set out below.

89. **P/RES/2024/01209 - 97 and 99 High Street, Sturminster Marshall, BH21 4AT**

Update:

- There was an additional plan Drawing No. DD06B Proposed floor & roof plans houses 3-5 that had not been published within the officer's report.

With the aid of a visual presentation including plans and aerial photographs, the Case Officer identified the site and explained the proposal and relevant planning policies to members. Photographs of the proposed street scenes highlighted the existing buildings and details of the refused dwellings were discussed. Images of the proposed elevations, roof plans and an artist impression of the proposal were also included within the presentation. Details of the proposed landscaping as well as the impact on the character and appearance of the area and setting of the listed Holly Cottage were outlined. As well as highlighting the impact on the living conditions of occupants adjacent to the proposal, members were informed of the site history, that the principle of development had been approved in outline and that there was no harm to the adjacent heritage assets. There was no adverse impact on the character and appearance of the immediate area and the scale of the dwelling was now deemed acceptable having been reduced following the refusal of a previous application.

In addition to this the Case Officer also provided members with submitted images of the proposed elevations, floor and roof plans. The officer's recommendation was to grant planning permission for both applications subject to conditions set out in the officer's report.

**Public Participation**

The planning agent addressed the committee and introduced himself as a representative on behalf of the applicant. Mr McKeon explained the history of the proposal which had previously been refused due the impact on the nearby listed building. The proposal had been revised and the proposed street scenes had reduced in scale. He highlighted that there had been an increase in spacing between the properties, there was no harm to the heritage asset and the units had reduced in scale. The strategic positioning of the bedroom window would have not created harm or overlooking. The agent extended their thanks to the officers and expressed their opinion that the best possible scheme had been presented to members. To conclude, Mr McKeon suggested that the proposal built upon positive aspects of the previous application and in principle, it was an attractive and good scheme which included good parking provision which contributed to the character and appearance of the High Street.

### Members questions and comments

- Clarification regarding the history of the development.
- Clarification regarding the scale of the development and the proposed floor space.
- Biodiversity mitigation
- Noise attenuation and boundaries to protect the amenity of neighbours.
- Confirmation of the landscaping scheme.
- Members noted the objections raised from the Parish Council and their comments regarding the scale of the development not being in keeping with the area.
- Consideration of solar panels.
- Reduction in the height of the proposal.
- Clarification regarding the proposed road surfacing materials for noise mitigation.
- Referred to the need for an additional condition to remove permitted development rights for extensions above ground floor level for the proposed dwellings.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having considered the officer's report and presentation; the written representatives; and what they had heard at the meeting, a motion to **APPROVE** the officer's recommendation to **GRANT** planning permission as recommended, was proposed by Cllr Spencer Flower, and seconded by Cllr Andy Skeats, subject to the additional condition of permitted development rights above ground floor level as well as conditions set out in the officer's report.

**Decision:** To grant the officer's recommendation for approval subject to the additional condition to remove permitted development rights for extensions above ground floor level as well as the conditions set out in the officer's report.

### 90. **P/FUL/2024/00495 - 1 Cherry Tree Close, St Leonards and St Ives, BH24 2QN**

Update:

- There was a typo in the report regarding space standards.

With the aid of a visual presentation including plans and aerial photographs, the Case Officer identified the site and explained the proposal and relevant planning policies to members. Drawings of the proposed floor plans, elevations and block plan were shown. Images of the existing and proposed development and street scenes were also included. The principle of development in this location was explained along with examples of 'backland' development in the vicinity, the impact upon neighbouring amenity, amenity of future occupiers, trees and landscaping. In addition to this, details regarding highways, parking, flooding, drainage and impacts to Dorset heathlands were also set out. The principle of development was considered to be acceptable and accorded with local policy KS2. Therefore, the officer's recommendation was to grant subject to conditions set out in the officer's report.

## **Public Participation**

Cllr Parker spoke on behalf of the Parish Council in objection to the proposal. He referenced the site as being in a rural area, and considered the proposal to be overdevelopment which did not preserve the character of the area. In addition to this, the Parish Council considered the proposal to breach policies HE2 and HE3 of the Christchurch and Ease Dorset Local Plan as well as policies the East Dorset Local Plan. The speaker advised that parking was inadequate, there were no visitor spaces and parking would worsen on an already narrow road. He referenced 'backland' development at 9 Cherry Tree close and expressed concern over development elsewhere in St Leonards but stressed that members needed to consider each application on its own merits. Concerns were also raised about surface water flooding, and he hoped members would refuse the officers recommendation.

## **Members questions and comments**

- Clarification regarding fire building regulations and emergency vehicle access.
- Confirmation on imposing conditions regarding pumping systems.
- Questions regarding whether there had been evidence as to whether surface water flooding had worsened.
- Clarification as to whether there was a site management plan and rational for continuation of construction.
- Concerns regarding local impact and surface water flooding.
- Members were sympathetic to the concerns raised by the Parish Council.
- Members noted that there were engineering solutions to mitigate flooding risk.
- Concerns regarding parking provision.
- Amendment to condition 6 identified as necessary to amend the hours of construction in the interests of neighbouring amenity.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having considered the officer's report and presentation; the written representatives; and what they had heard at the meeting, a motion to **APPROVE** the officer's recommendation to **GRANT** planning permission as recommended, was proposed by Cllr Toni Coombs, and seconded by Cllr Duncan Sowry-House with the additional condition of a site management plan to include contractors arrangements for parking as well as an amendment to condition 6 regarding an alteration to the hours of construction, with a restriction to 6pm instead of 7pm as proposed in the officer recommendation.

**Decision:** To grant the officer's recommendation for approval subject to conditions set out in the officer's report, an additional condition to secure a site management plan and an amendment to condition 6 regarding an alteration to the hours of construction.



91. **P/FUL/2023/03855 - Kemps Country House, Wareham Road, East Stoke**

Update:

- The Case Officer provided an update regarding Nutrient Neutrality. The Nitrogen Reduction in Poole Harbour Supplementary Planning Document could no longer be given weight and alternative mitigation to avoid harm to Poole Harbour Special Protection Area would be required prior to a positive determination of the planning application.

With the aid of a visual presentation including plans and aerial photographs, the Case Officer identified the site and explained the proposal and relevant planning policies to members. Photographs of the existing site and proposed plans were shown. Members were provided with details of the housing delivery test and the previously refused scheme. The Case Officer also referred to the planning designations and constraints, in particular noting surface water flood risk, the National Landscape (AONB), Tree Preservation Order and groundwater flood risk susceptibility. The scale, layout, design and impact on character and appearance of area were considered to be acceptable subject to conditions. Therefore, the officer's recommendation was that Members grant delegated power to the Head of Planning to grant permission subject to conditions set out in the officer's report if nutrient mitigation could be secured and otherwise refuse the application.

**Public Participation**

There was no public participation.

**Members questions and comments**

- Questions regarding rainwater diversion and whether there had been any consideration to the inclusion of solar panels, rainwater collection or heat pumps.
- Bat mitigation
- Clarification regarding what the mitigation was that members were voting on.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having considered the officer's report and presentation; the written representatives; and what they had heard at the meeting, a motion to **APPROVE** the officer's recommendation to **GRANT** planning permission subject to nitrate mitigation or **REFUSE** permission is mitigation could not be secured, was proposed by Cllr Duncan Sowry-House, and seconded by Cllr David Morgan.

**Decision:** Grant planning permission subject to conditions once mitigation to secure nutrient neutrality has been secured. Refuse permission if no mitigation secured within 6 months or extended date approved by the Head of Planning.

92. **P/FUL/2024/00337 - Mushroom Field, Furzebrook Road, Stoborough**

With the aid of a visual presentation including plans and aerial photographs, the Case Officer identified the site and explained the proposal and relevant planning policies to members. Photographs of the site and existing access were shown. Members were provided with details of the visibility splay plan, site context and location plan which included details of the site plan identifying the proposed new entrance referencing the constraints to the existing access. The officer also highlighted the planning designations including details of the Dorset National Landscape (AONB), the Dorset heathlands buffer as well as the surface water flood risk. The proposal was supported by sufficient justification and evidence to determine that subject to conditions, the proposal was acceptable in principle in the countryside and would further the purposes of conserving and enhancing the natural beauty of the Dorset National Landscape. Therefore, the officer's recommendation was to grant subject to conditions set out in the officer's report.

### **Public Participation**

Mr Jones addressed the committee as the site owner. He informed members that the proposal was currently situated within a 5-acre field which had been abandoned since 2021 and since this time there had been a significant level of forced access. The new owners (since 2023) wanted to create a safe access to enable the site to serve its original agricultural purpose; vehicle access was essential. Mr Jones highlighted the history of the proposal, noting a larger entrance had previously been refused. Since, the applicant had revised their plans and reduced the gate size to comply. He hoped members would support the officer's recommendation otherwise the field would be abandoned and unproductive.

### **Members questions and comments**

- Access for neighbouring properties.
- Queried rationale for this application coming to committee.
- Clarification regarding what comments had been made by the Highways Department.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having considered the officer's report and presentation; the written representatives; and what they had heard at the meeting, a motion to **APPROVE** the officer's recommendation to **GRANT** planning permission as recommended, was proposed by Cllr Alex Brenton, and seconded by Cllr David Morgan.

**Decision:** To grant approval in line with the officer's recommendation.

### 93. **P/VOC/2024/00411 - 33 Corfe View Road, Corfe Mullen, BH21 3LY**

With the aid of a visual presentation including plans and aerial photographs, the Case Officer identified the site and explained the proposal and relevant planning policies to members. Photographs of the existing street scene as well as approved and proposed elevations and floor plans were shown. Members were informed

that the principle of development had already been established and they were provided with details of the site context and location plan. The Case Officer highlighted that the scale, design, impact on character and appearance were considered to be acceptable and that the proposed amendments to windows and doors would reduce neighbour perception of overlooking compared to the extant consent. The scale and form of the development had already been granted and the variation of conditions proposed minor material amendments to the previously approved windows, doors and external materials. The officer's recommendation was to grant subject to conditions.

### **Public Participation**

Mr Selby spoke in objection to the proposal on behalf of 7 neighbours. He referenced correspondence on file and stated that the existing dwelling was overbearing, overlooked other properties and impacted amenity. He considered the officer report misleading and suggested members should view the property for themselves. Mr Selby also expressed his disappointment regarding damage to the roads from large lorries, resulting in dust, dirt and sand covering the area and questioned who was responsible. He asserted that the proposal was inappropriate, referring to it as a monstrosity, and informed members that he had paid a sum to plant trees to mitigating overlooking. The windows were not an issue, but the cladding would be unacceptable. He urged members to refuse.

Mr Shenoy spoke in support of the proposal. He expressed his opinion that the development was a well-designed modern building which makes a positive addition to Corfe Mullen. Mr Shenoy noted the criticism received from other residents; however, he considered that the development would be beneficial to the area. He hoped members would support the officer's recommendation.

Ms McCormick spoke on behalf of Mr Mills, the owner, in his absence. Within his representation he noted other residents' opinions, however, assured members that they weren't developers, they were just hoping to create a family home within an area which they felt captivated by. The applicant hoped members would support the officer's recommendation as the cladding would soften the appearance of the building. Mr Mills also responded to comments made by the town council within his representation by stating that the proposal was tucked away from view. He considered that it aligned with the NPPF and maintained the character of the area.

Cllr Sowry-House made a representation as the Local Ward Member. He was pleased to see local residents raising their concerns and attending committee. Cllr Sowry-House did not agree that the cladding proposed was appropriate for the site. He assured members that he did not have any concerns regarding windows, however, he hoped members would overturn the officer's recommendation and refuse.

### **Members questions and comments**

- Concerns regarding the scale of the proposal.
- Concerns regarding the colour of the proposed cladding.
- Clarification regarding the details of condition 2 to ensure that it was more in keeping with the area.

- Members noted the amendments were proposed by the applicant to reduce the visual impact, however, they noted the comments made by local residents and their concerns about the visual impact.
- Vegetation screening opportunities were considered to mitigate the impact on neighbouring properties.
- The development was considered to be prominent within the street scene.
- Cllr Toni Coombs proposed to grant the officers recommendation, Cllr David Morgan seconded the proposal; however, the motion fell at the vote.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having considered the officer's report and presentation; the written representatives; and what they had heard at the meeting, a motion to **REFUSE** the officer's recommendation to **GRANT** planning permission as recommended, was proposed by Cllr Spencer Flower, and seconded by Cllr Alex Brenton.

**Decision:** To refuse the officer's recommendation for approval for the following reasons.

The proposed cladding of the first-floor extensions in a dark colour would amplify the visual impact of the enlarged building to the detriment of local visual amenity resulting in harm to the character of the area contrary to policy HE2 of the Christchurch and East Dorset Local Plan: Part 1, Core Strategy.

94. **P/HOU/2024/01422 - Alexander House, 33 Stoborough Meadow, Wareham, BH20 5HP**

With the aid of a visual presentation including plans and photographs, the Case Officer identified the site and explained the proposal and relevant planning policies to members. Photographs of the dwelling and plans of the proposed elevations were shown, including details of the proposed cedar cladding. Members were provided with a summary of the key issues and third party comments which raised concerns regarding the proposal not being in keeping with the area, impacting the Dorset National Landscape, and the street scene due to its prominent location. The Case Officer advised members that the proposed modifications would not harm the character of the area subject to a condition to ensure the materials and colour for the cladding were acceptable. There was no wider impact on the Dorset National Landscape and were no significant impact on neighbours. The principle of development was considered acceptable. Therefore, the officer's recommendation was to grant subject to conditions set out in the officer's report.

**Public Participation**

Local residents spoke in objection to the proposal. They explained that the housing estate had won awards due to its high standard of design. They noted that Alexander House was in a prominent position and asserted that cladding was an appropriate material to use. It was highlighted that there were currently no other buildings within the vicinity which had cladding to the extent proposed, therefore it

was not in keeping with the character of the area and would have looked out of place, causing the area to lose its distinctive characteristics. Residents were concerned that if approved, it would set a precedence within the village. The site being situated near the National Landscape (AONB) was also discussed as well as the other materials which had been used to create other dwellings within the area. Residents hoped that members would listen to their concerns and overturn the officer recommendation on the basis of inappropriate designs and materials.

Mr George Robson spoke on behalf of his father Mr Andrew Robson, the applicant. He explained to members that he lived at the property with his parents. Mr Robson explained that when the existing rendering was applied, it had not been done so properly and therefore as it was a prominent property, something had to be done. Careful consideration had been undertaken to ensure that the materials were appropriate. The applicants highlighted the need for replacing more sustainable windows and their desire to make their property look more respectable.

The Local Ward Member made a representation in objection to the proposal of behalf of over 50 residents and the Parish Council. Cllr Ezzard highlighted that the proposal was designed by an award-winning architect and informed members that it was a focal point when entering the site. The Local Ward member noted the comments received by the applicant, however she felt that the original builders should have been informed if the cladding work had not been completed correctly. She highlighted the history of the site and that any change should have come to committee.

In accordance with Procedural Rule 8.1 the committee voted to extend the duration of the meeting.

#### **Members questions and comments**

- Clarification regarding what weight could have been given to the Purbeck Local Plan.
- The site was made up of a design variance with a variety of materials.
- Cladding was not in keeping with the style or grandeur of the building. It was not appropriate for the house within the location.
- Members referred to policy E2 of the Arne neighbourhood Plan, the LP policies and Purbeck Design Guidance and did not consider that the proposal was in keeping with the area.
- Significant property on the site which was designed by an award-winning architecture.
- Members noted that they did not have issues with fascia and windows, their concerns lay with the scale of the proposed cladding.
- PD rights were removed to safeguard the character of the estate. The previous Purbeck Council had gone to great lengths to preserve this; therefore, the successor council should not alter or undermine those decisions.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having considered the officer's report and presentation; the written representatives; and what they had heard at the meeting, a motion to **REFUSE** the officer's recommendation to **GRANT** planning permission as recommended, was proposed by Cllr Toni Coombs, and seconded by Cllr Duncan Sowry-House.

**Decision:** To refuse the officer's recommendation for approval for the following reasons.

- The proposed cladding of the entire first floor of the dwelling would be unsympathetic with the property and estate design, would not reflect local distinctiveness and would not truly integrate with its surroundings, given its prominent location, contrary to Policy E12 of the Purbeck Local Plan, Policy 2 of the Arne Neighbourhood Plan and the Purbeck District Design Guide.

95. **P/FUL/2024/01190 - St Ives County First School, Sandy Lane, St Leonards and St Ives, Dorset, BH24 2LE.**

With the aid of a visual presentation including plans and aerial photographs, the Case Officer identified the site and explained the proposal and relevant planning policies to members. Photographs of street scenes, proposed elevations and floor plans were shown. Members were also provided with details of the site context and location plan with the planning constraints highlighted. The proposal was within the urban area where the principle of development had been considered acceptable, subject to any material planning considerations. The design was appropriate and was well screened from public vantage points. No significant trees had been affected and the proposal was acceptable subject to condition for biodiversity enhancement measures. The officer explained the relationship with neighbouring properties and trees; no significant harm from the small classrooms was identified. The officer's recommendation was to grant subject to conditions set out in the report.

**Public Participation**

There was no public participation.

**Members questions and comments**

- Members were pleased to support the officer's recommendation as they felt it was needed to support the educational needs of small groups within the school setting.
- Confirmation regarding red grandis cladding.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having considered the officer's report and presentation; the written representatives; and what they had heard at the meeting, a motion to **APPROVE** the officer's recommendation to **GRANT** planning

permission as recommended, was proposed by Cllr David Morgan, and seconded by Cllr Duncan Sowry-House.

**Decision:** To grant the officer's recommendation for approval.

96. **Urgent items**

There were no urgent items.

97. **Exempt Business**

There was no exempt business.

**Decision Sheet**

**Duration of meeting:** 10.00 am - 2.38 pm

**Chairman**

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# Agenda Item 6

Eastern Area Planning Committee

4<sup>th</sup> September 2024

<b>Application Number:</b>	P/FUL/2023/00864		
<b>Webpage:</b>	<a href="https://dorsetcouncil.gov.uk">Planning application: P/FUL/2023/00864 - dorsetforyou.com (dorsetcouncil.gov.uk)</a>		
<b>Site address:</b>	Blue Waters and Lichen Haven, Glebe Estate, Studland, Swanage, BH19 3AS		
<b>Proposal:</b>	Erect 3 no. dwellings with associated parking, access and landscaping. (demolish existing dwellings)		
<b>Applicant name:</b>	Mr and Mrs Phillip and CJ McIntrye and Ranger		
<b>Case Officer:</b>	Cari Wooldridge		
<b>Ward Member(s):</b>	Cllr Brooks (Cllr Wilson following 2024 local elections)		
<b>Publicity expiry date:</b>	20 July 2023	<b>Officer site visit date:</b>	03/03/23
<b>Decision due date:</b>	30 September 2024	<b>Ext(s) of time:</b>	Yes
<b>No of Site Notices:</b>	3		
<b>SN displayed reasoning:</b>	The site notices were displayed in prominent positions in the interest of maximising awareness of the application.		

**1.0** The application has been referred to committee for consideration by the Service Manager for Development Management and Enforcement.

**2.0 Summary of recommendation:**

The committee GRANT planning permission subject to conditions as set out in Section 18 of this report.

**3.0 Reason for the recommendation:** as set out in paras 16 – 17 of this report and summarised as follows:

- Section 38(6) of the Planning and Compensation Act 2004 provides that determinations must be made in accordance with the development plan unless material considerations indicate otherwise.
- The application site is located within a settlement boundary where the principle of development is acceptable. The proposal is acceptable in its scale and design in the context of the Dorset National Landscape (formerly known as AONB).

- The proposal is acceptable in respect of impacts on highway safety, public rights of way, flood risk and drainage, biodiversity, and trees and landscaping.
- There is considered to be no significant harm to neighbouring residential amenity.
- There will be no adverse effect on the integrity of designated sites (identified within the Appropriate Assessment).
- There are no material considerations which would warrant refusal of this application.

#### 4.0 Key planning issues

Issue	Conclusion
Principle of development	Acceptable within settlement boundary. Supply of an additional dwelling (net gain) in accordance with Policy H2 of the Purbeck Local Plan 2024.
Affordable housing requirement and second home restriction	Policy requirement for affordable housing provision not triggered. Second home restriction to be conditioned.
Layout, scale, design and impact on the character and appearance of the area, the Dorset National Landscape (DNL) (formerly known as AONB) and Purbeck Heritage Coast	Acceptable subject to conditions.
Impact on neighbouring amenity	Acceptable subject to condition.
Ground stability and levels	Acceptable subject to condition.
Biodiversity	Acceptable subject to condition.
Drainage and Flood Risk	Acceptable subject to condition.
Highway impacts and car parking	Acceptable subject to condition.
Trees and landscaping	Acceptable subject to condition.
Sustainable development	Acceptable.

#### 5.0 Description of Site

- 5.1 The application site comprises two existing residential plots on the northwestern edge of the residential 'Glebe Estate' in Studland. The site currently contains two dwellings, their gardens and outbuildings. Given the hillside setting of the Glebe Estate, the plots are raised in relation to the agricultural fields and estate road to the north with a further rise in levels to the south as the estate extends up the hillside.

- 5.2 The site is enclosed along the private estate roads by low level Purbeck stone walling with timber fencing subdividing the existing two plots and forming boundary treatments with the neighbouring properties to the east and south.
- 5.3 The existing houses are set towards the back (south) of their plots. Areas of garden are located to the north and side(s) of the existing dwellings and contain limited trees and other landscaping. Views extend northwards towards Studland and the coast. Neighbouring properties to the south and west consist of recent replacement dwellings and are of a more contemporary architectural design and finish whereas properties to the east remain more traditional in character. Both existing properties are served by their own vehicular accesses and parking spaces.
- 5.4 Although separate to Studland village, the Glebe Estate is contained within a tightly drawn settlement boundary with land outside forming 'countryside'. The estate has seen much recent redevelopment as evidenced by the increasing number of replacement and infill dwellings – often of higher density – and of a contemporary architectural design which takes advantage of the expansive views to the north.
- 5.5 The site is located within the Dorset National Landscape (formerly known as AONB) which washes over the estate and the nearby settlements of Studland and Swanage. It is also located within the Purbeck Heritage Coast.

## 6.0 Description of Development

- 6.1 The application follows two sets of pre-application advice provided in November 2021 and August 2022. It is proposed to demolish two existing dwellings on the northern edge of the Glebe Estate (detached 'Blue Water' and semi-detached 'Lichen Haven') and erect three detached dwellings shown below in an extract from the submitted block plan:



Plot 1 – 3 storey, 4-bedroom detached house with integral double garage and pool on the ground floor, bedrooms and bathrooms on the first floor, and open plan living space on the second floor. Balconies on the north elevation to serve the first and second floors and flat roof.

Plot 2 – 3 storey, 4-bedroom detached house with integral double garage and pool on the ground floor, bedrooms and bathrooms on the first floor, and open plan living space on the second floor. Balconies on the north elevation to serve the first and second floors and hipped roof.

Plot 3 – 3 storey, 3-bedroom detached house with basement to include pool and integral parking, 2 bedrooms at ground floor level and master bedroom and open plan living space at first floor level. Ground floor level with access to rear garden and wrap around terrace to serve open plan space at first floor level. Flat partial sedum roof.

Plots 1 and 2 are to be set back into the hillside with limited space to the rear (south), small areas of garden to the front (north) and driveways with parking also to the north accessed from the private road.

Plot 3 is to be located to the south of Plot 1 on a higher level of the hillside with the principal elevation facing westwards and a small rear garden to the east. The driveway with parking is to be accessed from the private road to the west of the plot.

- 6.2 The application is supported by cross sections, street scenes, a Landscaping Plan, a Landscape Visual Impact Assessment, a Foul and Surface Water Drainage Strategy and Drainage Plan, an Ecological Impact Assessment and Biodiversity Plan, An Arboricultural Impact Assessment, Method Statement and Tree Protection Plan, a Sustainability Statement, a Nutrient Neutrality Statement and a Planning / Design and Access Statement.

## 7.0 Relevant Planning History

### 7.1 Blue Waters:

Application number	Proposal	Decision
6/1976/0094	Erect 2 extensions to form bedroom, bathroom, kitchen study etc	Granted 13/05/1976
6/1990/0663	Demolish existing bungalow and erect new split-level dwelling	Granted 20/12/1990
6/1995/0752	Demolish existing bungalow and erect new split-level dwelling (Renewal)	Granted 06/02/1996

### 7.2 Lichen Haven (formerly known as The Nook):

Application number	Proposal	Decision
6/1981/0020	Erect external stairway	Granted 05/03/1981

6/1985/0686	Erect a porch and garage	Refused 03/12/1985
6/1986/0461	Erect extension to form bathroom and toilet	Refused 11/11/1986
6/1986/0462	Erect a garage	Granted 11/11/1986
6/1986/0463	Erect Conservatory extension	Refused 12/11/1986
6/1991/0511	Erect water tank housing incorporating additional window to bathroom	Granted 05/09/1991

### 7.3 Relevant pre-application advice:

P/PAP/2022/00432 - 30/08/2022 - Demolish two existing dwellings rationalise land and erect three detached dwellings – Summary of advice: Taking into account comments in respect of proposed layout, retention of separation gaps and open corner, removal of boundary fencing, removal of box design, excessive light spillage, high level windows & ground stability assessment, you may wish to progress towards the submission of a planning application. Please note the outstanding issue in respect of Nutrient Neutrality in the Poole Harbour Catchment.

### 8.0 List of Constraints

Studland settlement boundary

Site of Special Scientific Interest (SSSI) impact risk zone - To enable the identification of potential risk posed by new residential development proposals to nearby SSSIs, SACs, SPAs and Ramsar sites.

Dorset Heathlands - 5km Heathland Buffer

Nutrient Catchment Area

Poole Harbour Recreation Zone

Dorset National Landscape (formerly known as Area of Outstanding Natural Beauty (AONB)) - statutory protection Local Planning Authorities to seek further the purposes of conserving and enhancing the natural beauty of the area of outstanding natural beauty- National Parks and Access to the Countryside Act of 1949 & Countryside and Rights of Way Act, 2000

Purbeck Heritage Coast

Risk of Groundwater Emergence; Groundwater levels are at least 5m below the ground surface.; Flooding from groundwater is not likely

Radon: Class: Less than 1%

Right of Way: Bridleway SE22/12 - Distance: 30.53

Natural England Designation - RAMSAR: Dorset Heathlands (UK11021); - Distance: 1739.85 and RAMSAR: Poole Harbour (UK11054); - Distance: 4645.36

## 9.0 Consultations

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

### Consultees

#### 1. **Natural England**

No comments received.

#### 2. **Ramblers Association**

No comments received.

#### 3. **Dorset National Landscape (AONB) Team**

Application below threshold to provide comment as fewer than 10 dwellings and on a site smaller than 0.5ha.

The AONB Landscape Character Assessment and Management Plan may assist the application appraisal.

#### 4. **Dorset Council Highways**

No objection subject to conditions relating to turning / manoeuvring and parking construction and an electric vehicle charging scheme.

#### 5. **Dorset Council Trees**

No objection subject to:

Excavations for Plot 2 extend into Root Protection Area of T1 and T2. T1 has potential to become larger as not yet mature. Suggest the dwelling on Plot 2 moved further forward to allow greater separation for growth.

Boundary retaining is to be installed using contiguous piles which will limit potential impact on the trees.

Plot 3 extent of disturbance unlikely to harm health or stability of T2.

Arboricultural Method Statement must be followed through to completion of construction – condition if minded to approve.

Proposed landscaping - NTO1 & NTO3 be revised to Austrian pine or holm oak – similarly NTO5 & 6 for visibility in long distance views.

**6. Dorset Council Building Control**

No comments received.

**7. Dorset Council Rights of Way**

No objection. Public right of way SE22/12 will be access route for development and must remain open and maintained during and after construction.

**8. Dorset Council Waste Team**

No comments received.

**9. Dorset Council Coastal Risk Management**

*Comments of 24/04/23:*

Proposed cross sections show a significant cut into the existing slope. The applicant should submit further information dealing with this matter, both during construction and after construction. A structural solution suitable with the geology of the site – and any other constraints – would need to be proposed.

*Comments of 19/05/23:*

A Geotechnical Factual & Interpretative report has been submitted outlining options for the retention of the excavation both in temporary and permanent scenario, its advice shall be followed.

An experienced structural engineer will need to review this report and propose an appropriately designed solution for the retention of the excavation. The report suggests that it could be either a bored piled or reinforced concrete wall. If a piled wall is chosen, a specialist piling contractor should be consulted regarding the most appropriate pile type for the site and ground conditions.

Support subject to condition.

**10. Studland Parish Council**

Object.

Overdevelopment of plot.

Large scale out of character with area and surroundings.

Adverse visual impact in sensitive area of AONB and world heritage site.

Lack of adequate infrastructure to support the further development – electricity supply, disposal of sewerage and wastewater, narrowness of service road.

Request application deferred to Planning Committee for consideration.

**11. Ward Member– Cllr Brooks prior to May 2024 local elections**

Overdevelopment of site.

Mains drainage too close to Poole harbour to warrant building of extra housing (phosphates / nitrates).

Type of development not needed in Studland – affordable housing required.

Adds to threat of creep from Sandbanks into AONB.

**Representations received**

Three site notices were displayed as detailed above.

Total - Objections	Total - No Objections	Total - Comments
16	0	1

**Summary of comments:**

Supportive of redevelopment and care and detail of application and appearance of new houses.

Overdevelopment of plot.

Suburban development with no gardens / lack of green space.

Out of character with area – scale, design, and intensity.

2 appropriately sized properties are acceptable but 3 are not.

Scale of development and size of dwellings would set precedent for future development on estate – particularly of older houses.

Three storey development is significant change to character and will appear out of keeping in street scene.

Don't disagree with three storey high buildings, provided that they are built into the steep slope and don't interrupt the roof height lines already in existence.

Extra driveways on private estate with no consent.



Burden to services (power and water) which are already at limit and subject of disruptions.

Harmful impact on AONB. Recommend the AONB Team asked to comment further.

Overbearing impact on neighbours.

Harmful impact on social cohesion and amenity of Glebe Estate residents.

Grateful concerns regarding wrap around balcony and impact on Driftwood have been taken into consideration.

Plot 3 higher than hedge serving Driftwood. Concern overview loss of view from main living area.

Request restriction on any further additions to top of flat roof of Plot 3.

Concern over separation of Lichen Haven from Almondbury – damage, lack of completion of exposed wall, ongoing repair of exposed wall and roof above garage. Request condition to enter land for observation and maintenance.

Proposed hedge on boundary of Almondbury and Plot 2 could become tall and invasive. Height should be restricted by condition.

Impact on mature trees on southern boundary of site – within site and on adjacent land. Three trees missed out of Tree Assessment.

Support permanent residents as opposed to second homes / holiday rental.

Harmful impact on biodiversity.

Request consideration by planning committee.

## **10.0 Duties**

s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

Clause 85 of the Countryside and Rights of Way Act (2000) requires Local Planning Authorities to seek to further the purposes of conserving and enhancing the natural beauty of National Landscape (AONB)

## **11.0 Relevant Policies**

### Development Plan

**The Purbeck Local Plan (2018-2034) Adopted 2024 – Date of adoption 18/07/24**

Policy V1: Spatial strategy for sustainable communities

Policy E1: Landscape

Policy E4: Assessing flood risk

Policy E5: Sustainable drainage systems (SuDs)

Policy E7: Conservation of protected sites

Policy E8: Dorset heathlands

Policy E9: Poole Harbour

Policy E10: Biodiversity and geodiversity

Policy E12: Design

Policy H2: The housing land supply

Policy I2: Improving accessibility and transport

Policy I3: Green infrastructure, trees, and hedgerows

### 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:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- 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
- 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**

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

The revised NPPF 2023 introduced a reduced housing land supply requirement for local planning authorities that have met certain criteria as set out in paragraph 266 of the NPPF. This relaxes the requirement to demonstrate 5 years' worth of deliverable housing sites for Local Planning authorities that meet certain requirements. Dorset Council does not currently benefit from the provisions of paragraph 226 and therefore must demonstrate a five-year supply. In the Purbeck area the published supply position of 3.73 years means the tilted balance in paragraph 11 of the NPPF is engaged for every application. The delivery of additional housing to meet the shortfall in supply should therefore be given significant weight in planning decisions.

## **Emerging Neighbourhood Plans**

N/A

## **National Planning Policy Framework**

Paragraph 11 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.

Other relevant NPPF sections include:

Section 4 'Decision making': Para 38 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

Section 5 'Delivering a sufficient supply of homes' outlines the government's objective in respect of land supply with subsection 'Rural housing' at paragraphs 82-84 reflecting the requirement for development in rural areas.

Section 11 'Making effective use of land'

Section 12 'Achieving well designed and beautiful places' indicates that all development to be of a high quality in design, and the relationship and visual impact of it to be compatible with the surroundings. In particular, and amongst other things, Paragraphs 131 – 141 advise that:

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.

Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

Section 14 'Meeting the challenges of climate change, flooding and coastal change'

Section 15 'Conserving and Enhancing the Natural Environment' - In Areas of Outstanding Natural Beauty (National Landscapes) great weight should be given to conserving and enhancing the landscape and scenic beauty (para 182). Decisions in Heritage Coast areas should be consistent with the special character of the area and the importance of its conservation (para 184). Paragraphs 185-188 set out how biodiversity is to be protected and encourage net gains for biodiversity.

## Other material considerations

Dorset AONB Landscape Character Assessment

Eastern Area Planning Committee

4<sup>th</sup> September 2024

Dorset AONB Management Plan 2019-2024

Dorset Heathlands Planning Framework 2020-2025 Supplementary Planning Document

Poole Harbour Recreation 2019-2024– supplementary planning document April 2020.

Dorset Council Level 1 Strategic Flood Risk Assessment

Dorset Council Interim Guidance and Position Statement Appendix B: Adopted Local Plan policies and objectives relating to climate change, renewable energy, and sustainable design and construction. December 2023.

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

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

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

Dorset Biodiversity Protocol

Purbeck Housing Land Supply report (April 2023)

Purbeck District design guide supplementary planning document adopted January 2014.

## **12.0 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.

## **13.0 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 considered that the proposed development would not disadvantage persons with protected characteristics.

#### 14.0 Financial benefits

What	Amount / Value
Material Considerations	
N/A	N/A
Non-material Considerations	
Council Tax	£2534.88 (based on average Council Tax Band D)
CIL	To be collected in accordance with SPD contribution requirements

#### 15.0 Environmental Implications

15.1 There will be environmental impacts from the demolition of the two existing dwellings resulting in waste and emissions. The supporting sustainability statement identifies that wherever possible materials from demolition will be incorporated into the new development with those unable to be used being recycled. It also notes that the existing buildings are thermally inefficient. The proposal is for three detached dwellings which will be constructed to current building regulations standards reducing heat loss from building fabric and incorporating efficient water heating systems and LED lighting. Suitable drainage will prevent any additional impact on terms of flood risk. Soft landscaping and biodiversity measures will be secured.

#### 16.0 Planning Assessment

##### Principle of development

16.1 The application site is located within the settlement boundary of Studland and the proposed replacement dwellings and one additional dwelling are considered to be acceptable in principle in accordance with Policy V1: Spatial strategy for sustainable communities and the settlement hierarchy of the Purbeck Local Plan 2024.

16.2 The proposal will provide three new dwellings within the application site with a net increase of one dwelling towards the Housing Land Supply for the Purbeck area (Policy H2 of the Purbeck Local Plan 2024).

Affordable Housing requirement and Second Home restriction

- 16.2 Following adoption of the Purbeck Local Plan (2018-2034) 2024 on 18<sup>th</sup> July 2024, Policies H11: Affordable Housing and H14: Second Homes must be taken into consideration.
- 16.3 Policy H11 sets a low affordable housing threshold for designated rural areas and requires the provision of 20% affordable housing – in the form of a commuted sum - for proposals of 2 – 9 dwellings. As detailed above, the proposal will provide a net gain of a single dwelling. This does not trigger the affordable housing requirement of Policy H11.
- 16.4 In respect of new housing within the Dorset National Landscape (formerly known as AONB), Policy H14 requires a restriction in perpetuity to ensure that such homes are occupied only as a principal residence. This requirement does not apply to a single home that is proposed as a replacement for an existing home and for new homes which are commercially let for holiday makers. In this case, two of the proposed dwellings will replace existing homes and the restriction will only apply to the ‘net gain’ of a single dwelling – Plot 3. Officers recommend that a restrictive condition (Condition 14) is included on the decision in respect of this plot only to ensure compliance with Policy H14.

Layout, scale, design and impact on the character and appearance of the area and the Dorset National Landscape (DNL) (formerly known as AONB) and Purbeck Heritage Coast

- 16.5 Glebe Estate is located in a prominent hillside setting which is visible in wider landscape and seascape views from the north, east and west. The Estate forms an isolated area of development to the south of Studland village on otherwise open downland. It comprises a residential estate that is highly visible in the landscape as land levels rise from the north leading up to the top of the ridge of Ballard Down to the south. The estate is visually intrusive within the landscape setting with some softening of impact by existing landscaping. Despite being contained within a settlement boundary, it is both physically and visually distinct from Studland village, in terms of building layout, style and materials. There are noticeable variations in the scale (mass and height) of individual buildings and there is no identifiable building form or character; more modern, larger redevelopments of older and smaller properties are generally of a contemporary design with orientation northwards and views towards the coast.
- 16.6 Although the application site is located at the lowest level of the estate, its siting on the northern edge of the estate (within the settlement boundary) remains raised in relation to agricultural land to the north. Whilst the proposed development would be viewed against the backdrop of existing development on the higher hillside levels to the south, the open corner position of the site nevertheless means that visual impacts of the proposed development on landscape views within the DNL and Purbeck Heritage Coast are key considerations. The two existing dwellings within the site - whilst single storey in nature - are positioned on the southern sections of their plots, and due to the steep rise in land levels from south to north, are raised in respect of the estate access road and lower land to the north. The existing gardens

serving the properties consist of steeply sloping land to the north, with both properties located at a high level and being visually prominent within wider views of the estate.

- 16.7 The proposal takes advantage of the hillside setting, utilising the variation in land levels to build into the hillside and replace the existing single storey dwellings with three three-storey dwellings. Therefore, whilst the proposed dwellings are three storeys in height, their impact from higher levels of the hillside would be two-storey in nature.
- 16.8 The existing estate development on the hillside already dominates views, and despite the siting of the proposal on the northern boundary, the proposed dwellings are not considered to appear more harmfully intrusive within the estate setting than more recent redevelopment on higher levels of the hillside to the south. Due to the minor scale of the development, the Council's National Landscape/AONB Officer has advised that the proposal is below the threshold on which comments would normally be provided but that the duty of regard to further the purposes of the AONB should be taken into consideration. It is noted that objections (Parish, neighbours, and ward member) have raised concerns over the potential impacts of the proposal and potential future incremental cumulative redevelopment on the landscape setting.
- 16.9 Paragraph 182 of the NPPF advises that:

*Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues... The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.*

The site is located within the Purbeck Ridge landscape character area. This is defined in the Dorset AONB Landscape Character Assessment as maintaining a strong character:

*'...a dominant steep sided, undulating chalk ridge, separating and contrasting to the flat heathlands in the north and the patchwork landscape of the Corfe Valley to the south. The physical dominance of this dramatic landform is clearly evident from the surrounding landscapes.'*

- 16.10 The Landscape Character Assessment notes that:

*'The Glebeland Estate, south of Studland, is an anomalous inclusion within an otherwise undeveloped character area, with the development being clearly visible across a wide area.'*

In terms of planning guidelines, the assessment advises that:

- New housing development within the setting of the scarp should be small scale and complement the form and character of the historic settlement pattern.

- Extension toward the scarp should be carefully controlled and should incorporate appropriate native planting to help assimilate it into the landscape.
- Development that encroaches on the scarp should be strongly resisted.
- Important views to and from the ridge / escarpment should be protected and enhanced.
- Limitations to and mitigation of noise and light pollution are required, recognising the impact these issues have on tranquillity and undeveloped rural character.
- Unnecessary and prolonged noise and light pollution should be avoided and good design is required to limit the impacts with use of appropriate planning conditions to secure ongoing control.

16.11 Given the sensitive location of the site, the application is supported by a Landscape Visual Impact Assessment (LVIA). This concludes that the proposed development would have some effect on the visual amenity of the wider landscape beyond the site boundary. Nevertheless, the assessment concludes that when in place, any harm to visual amenity brought about by the proposed development, would, subject to mitigation measures, be of an acceptable level.

16.12 Objections have been received from the Parish Council, Ward Member and neighbours in respect of the scale and density of development proposed and impact on the Dorset National Landscape. The proposal would result in the net gain of a single dwelling on a site within the defined settlement boundary, and the minor scale of the proposed residential development is considered to be acceptable. No encroachment on the scarp is proposed outside of the established settlement boundary. Whilst the proposed layout would result in an increased density of development, it does not harmfully impact on the tiered pattern of development that is established from north to south on the hillside. It does however make an effective use of land within an established settlement boundary.

16.13 It is noted that higher density developments have replaced lower density layouts on the estate, such as more recent redevelopment directly to the south of the application site where two dwellings were replaced by three (6/2014/0118). Whilst each application is assessed on its own merits, the proposed development is not considered to result in a significantly more harmful visual impact on views from within the Dorset National Landscape above that already experienced by the wider intrusive impact of the estate so as to warrant a recommendation of refusal. It is also noted that existing and proposed planting, the incorporation of local and natural materials in the external finish, and the retention of existing boundary walling will all serve to limit and mitigate impacts of the new dwellings.

16.14 The heights of the new dwellings take advantage of the change in land levels on the hillside resulting in buildings of graduated heights that will sit comfortably against the backdrop of the higher-level buildings to the south. This relationship is demonstrated in the proposed street scene drawing (043/B) which indicates the relationship of the height of the proposed dwellings with the properties to either side and on higher levels to the south.



- 16.15 Proposed glazing extents are no greater than those incorporated on similar redevelopments within the estate and measures are included within the design to limit glare during the day and light spill at night. These include overhangs on Plots 1 and 3 to reduce reflection and glare. Windows have been designed to avoid reflection and it is proposed that anti reflective glass will be installed together with sliding screens to minimise light emission. This is detailed on the submitted plans where it is necessary to reduce glare.
- 16.16 In summary, whilst the proposed development will result in a visual impact on the Dorset National Landscape and Heritage Coast due to its sensitive settlement edge location, the impacts are not considered to result in harm that would warrant a recommendation of refusal in terms of harm to the wider landscape character of the area. The proposal is considered to accord with Policy E1: Landscape of the Purbeck Local Plan 2024.
- 16.17 In terms of the proposed layout and scale, the three larger dwellings do increase the density of development on the site reducing the spaciousness of the layout. This was a key consideration at pre-application stage and amendments were made to the proposal in terms of plot and dwelling orientation and design to achieve a layout that retains the existing character of openness between Plots 1 & 2 and the access road to the north, while the angled siting of the dwelling on Plot 1 continues to retain the open northwest corner of the site. The limited harm to the character of the estate resulting from loss of spaciousness is modest in the context of iterative changes which over time have increased the size of dwellings relative to their plots. Overall, the layout and density of development maximises the capacity of the plot to an acceptable level and is considered to promote an effective use of land within the defined settlement boundary. The proposal is considered to accord with the objectives of Section 11 of the NPPF and Policy E12: Design of the Purbeck Local Plan 2024.
- 16.18 The Glebe Estate includes a wide variation in dwelling design from the remaining traditional dwellings to more recent replacement dwellings of contemporary / modern appearance. The proposal includes contemporary dwellings of varied design and roof types which are considered acceptable in relation to general character of the estate. A number of alterations to the design were made through the pre-application advice process to increase separation gaps between the properties and reduce potential overbearing impacts of the proposal on neighbouring amenity. The modern design finish does not appear out of keeping with neighbouring properties to the south or west and the range of proposed materials (Purbeck stone, render, timber cladding, composite cladding, and aluminium windows) are considered acceptable within the prominent position subject to a condition on the decision requiring full details of all external finishes to be submitted to the Council for approval. In summary, the design and materials are considered to comply with Policy E12: Design of the Purbeck Local Plan 2024.

Impact on neighbouring amenity

- 16.19 Existing properties on Glebe Estate are subject of mutual overlooking and loss of privacy due to the hillside setting and estate layout. Nevertheless, the proposed

development should seek to minimise harmful impacts on neighbouring privacy as a result of overlooking, overshadowing, and overbearing impacts as far as possible so as not to cause additional harm above that currently experienced. The design and layout of the proposed dwellings has been carefully reviewed and arranged to minimise direct window to window overlooking.

- 16.19 The layout of Plots 1 and 2 are very similar. No south (rear) facing windows are proposed to serve either dwelling with all main habitable windows facing north to take advantage of views towards the coast. First floor side facing windows serve bathrooms and are detailed on the submitted plans as obscure glazed and can be conditioned to be retained as such. Second floor side facing windows serving habitable rooms are high level (min 1.8 m from finished floor level to bottom of window) and would not result in harmful overlooking or loss of privacy to neighbouring properties. Balconies proposed at first and second floor levels include 1.8 m high obscure glazed privacy screening or solid wall screening to prevent sideways overlooking or loss of privacy to neighbouring amenity. Retention of the privacy screening can be conditioned. Proposed roof lights to serve the stairwell will also not result in any harmful loss of privacy to neighbouring amenity.
- 16.20 Plot 3 has a different layout and design to Plots 1 & 2. The basement is served by a single rooflight above the pool. At ground floor level, whilst north facing windows will look onto the rear elevation of Plot 1 they will not harmfully impact future occupiers of either property. Ground floor south and east facing openings include access to a boot room, an obscure glazed bathroom window, and an entrance hall / stairway window. There is considered to be no harmful loss of privacy to neighbour amenity resulting from these windows. Ground floor windows on the east elevation serve two bedrooms. These provide access directly into the rear garden and there is considered to be no significant harm to the neighbouring amenity of the existing and proposed dwellings. At first floor, a single window serves the south elevation, and this is obscure glazed. The west elevation is served by three high level windows which would not allow overlooking.
- 16.21 North facing openings include a large bedroom window and a Juliet balcony serving the open plan living accommodation (lounge, dining, kitchen). There would be no harmful impacts on the future occupiers of Plots 1 & 2 as a result due to the lack of south facing openings in their rear elevations. The first-floor balcony off the east elevation is to be finished in 1.8 m high obscure glazed screening to ensure no harmful loss of privacy to neighbours to the east and south. The north facing section of the balcony will be served by lower-level glazing but given the lack of impact on the future occupiers of Plots 1 & 2, this is considered to be acceptable.
- 16.22 In summary, it is considered that the variations in land levels and the design and layout of each property enable each proposed dwelling to be served by adequate natural light and outlook whilst not harmfully impacting upon the amenity of the existing residential properties by way of loss of privacy or overlooking.
- 16.23 In terms of overshadowing and loss of light to neighbouring properties, the dwelling of 'Driftwood' to the south of Plot 3 is most directly impacted. A letter of objection has

been received from the occupiers of Driftwood raising concern over the height of the dwelling on Plot 3 in proximity of their boundary and requesting that additional storeys of development are restricted.

- 16.24 Driftwood was constructed as part of a recent redevelopment on the hillside to the south. It is located at a higher level than the application site and is orientated to take advantage of views to the north. The two-storey dwelling includes habitable rooms at both ground and first floor levels which are served by primary windows facing northwards. Submitted Proposed Site Section A-A (040/B) sets out the relationship between the application site and Driftwood including existing and proposed ground levels. A distance of approx. 10 m is retained between the north elevation of Driftwood and the dividing boundary and approx. 12 m between the north elevation of Driftwood and the south elevation of the proposed dwelling.
- 16.25 Whilst it is accepted that the occupiers of Driftwood will lose some existing views to the north, particularly to the ground floor rooms, the loss of views do not form a material planning consideration that is able to form a reason for refusal of the proposal. Overshadowing, overbearing development and loss of light are however material considerations in the determination of the application. Nevertheless, the distances involved are very similar to those achieved on the development to the south, and the height of the proposed dwelling - due to variations in land levels - falls outside 25 degrees (BRE Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice 2011) when measured vertically from the ground floor habitable windows (most affected) of the higher-level Driftwood. Given existing boundary treatments and landscaping, officers consider that the relationship between Plot 3 and Driftwood is acceptable in amenity terms. Issues raised in relation to loss of light, overshadowing or overbearing impact to the north facing habitable windows of Driftwood are not considered to result in a degree of demonstrable harm that would warrant refusal of the proposal.
- 16.26 The occupiers of 'Almondbury' to the east of Plot 2 have raised concern over the separation of Lichen Haven from their property (to which it is attached) to allow for the new development, including potential damage to their property, lack of completion of the exposed wall, and the need for ongoing repairs of the exposed wall and roof. They have requested a condition on the decision that will allow them to enter the application site for future observation and maintenance. This is a private issue between both landowners and does not form a material planning issue to be considered as part of the current application.
- 16.27 The occupiers of Almondbury have also raised concern of the potential height of the proposed hedge along the boundary between Almondbury and Plot 2 which they consider could become tall and invasive. As the height of hedges is dealt with by other legislation (the Anti-social Behaviour Act), it is not necessary or reasonable to apply a restrictive condition as requested. An informative note can draw attention to the need to maintain hedges to avoid affecting the enjoyment by neighbours of their homes and gardens (informative note 7).
- 16.28 In terms of future occupier amenity, it is noted that each of the proposed dwellings has a limited amenity area for private use. However, given the larger areas of amenity

space retained to the front of the properties, provision of terraces and balconies, the inclusion of pools and easy access to the countryside and coast, it is considered that the limited level of amenity space is acceptable in this instance.

- 16.29 Officers have considered whether it is reasonable to restrict permitted development (PD) of the proposed dwellings. Given the siting of the dwellings on restricted plots with limited space to the sides and rear, and the limitations applicable to properties within the National Landscape (AONB land is Article 2(3) land within which roof extensions require express permission) significant restrictions are already in place, and it is not considered necessary to remove PD rights other than to restrict additional windows serving Plot 3.
- 16.30 In summary, the proposed development is considered to be acceptable in accordance with Policy E12: Design of the Purbeck Local Plan 2024, the Purbeck Design Guide SPD 2014, and guidance contained within BRE Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice 2022.

#### Ground stability and levels

- 16.31 There are considerable level differences affecting the site and its curtilage and the proposed works will include significant excavation. The submitted Planning Statement advises that a Site Investigation and Slope Stability Report has been prepared which concludes that chalk bedrock is encountered at a shallow depth across much of the area. In terms of slope stability, the report advises that cut slopes in structured chalk are considered to be stable with an inclination of between 70 and 80 degrees. Furthermore, the presence of a predominant sub vertical and sub horizontal discontinuity regime within trial pit faces would suggest a minimal risk of planar wedge and toppling failure.
- 16.32 The report was not submitted with other supporting documents for consideration as part of the application. The Council's Project Engineer was consulted on the proposal and, due to the significant cut into the existing slope, advised that further information was required in the form of a structural solution that is suitable to deal with the geology of the site – and any other constraints – both for during and after construction. A Ground Investigation Report was submitted by the applicants and considered by the Council's Project Engineer who has commented that the submitted Geotechnical Factual & Interpretative Report outlines options for the retention of the excavation both in temporary and permanent scenario, and its advice should be followed. In addition, an experienced structural engineer will need to review the report and propose an appropriately designed solution for the retention of the excavation – the report suggests that it could be either a bored piled or reinforced concrete wall. If a piled wall is chosen, a specialist piling contractor should be consulted regarding the most appropriate pile type for the site and ground conditions. The Engineer raises no objection subject to a condition on the decision to deal with the outstanding matters.
- 16.33 In terms of site and finished floor levels, following liaison with the planning agent, amended section plans for each plot and an amended Site Section now include finished ground floor levels and ridge height levels which will form part of the approved plans.

### Biodiversity

#### *Biodiversity Impacts and Net Gain*

- 16.31 The application is supported by an Ecological Impact Assessment and Dorset Natural Environment Team approved Biodiversity Plan which identify no biodiversity interest at the site and set out measures to achieve biodiversity gain and mitigation in respect of nesting birds and the known presence of badgers within 1km of the site. The proposed net gain includes the incorporation of bat bricks, swallow bricks, bee bricks, hedgehog friendly gravel boards / holes and native planting. Implementation of the Biodiversity Plan and the net gain can be secured by way of a condition on the decision.

#### *Appropriate Assessment*

- 16.34 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 site also falls within the Poole Harbour Nutrient Catchment Area. The proposal for a net increase in residential units, 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.
- 16.32 An Appropriate Assessment has been undertaken in accordance with requirements of the Conservation of Habitats and Species Regulation 2017, Article 6 (3) of the Habitats Directive having due regard to Section 40(1) of the Natural Environment and Rural Communities Act 2006 and the NPPF, which shows that there is no unmitigated harm generated by the proposals to interests of nature importance. Mitigation in relation to impacts on Heathland will be secured by CIL and mitigation in respect of impacts on nutrient deposition within Poole Harbour will be secured by way of a pre-commencement condition (number 3).
- 16.35 The proposed development is considered to be acceptable in accordance with policies E7: Conservation of Protected Sites, E8: Dorset Heathlands, E9: Poole Harbour, and E10: Biodiversity and Geodiversity of the Purbeck Local Plan 2024.

### Drainage and Flood Risk

- 16.33 The site is located in Flood Zone 1 and is not subject of surface water flood risk or susceptible to groundwater flooding (Dorset SFRA Level 1 Mapping). The application is accompanied by a Foul and Surface Water Drainage Strategy indicating how surface water will be dealt with. This includes permeable pavements for the parking areas. Site soakaway tests have been undertaken and a sustainable urban drainage scheme (SUDS) has been designed to ensure adequate disposal of surface water using deep bore soakaways into the underlying chalk. It is proposed to connect the foul to the existing Wessex Water foul sewer that serves the estate. The proposals have been discussed with the Council's Drainage Engineer who has advised that they have no objection subject to a condition on the decision requiring full implementation of the approved details. On this basis, the proposal is considered to accord with Policies E4: Assessing Flood Risk and E5: Sustainable Drainage Systems of the Purbeck Local Plan 2024.

Highway Impacts and Car Parking

- 16.36 The proposal provides each dwelling with an individual driveway access off the private estate road, which will provide opportunities for parking in addition to proposed integral garages. The level of proposed parking within the site (1 space on driveway per dwelling and 2 spaces in integral garage) is satisfactory and accords with County parking guidance. Due to limited parking opportunities on the estate a condition will secure that the garaging is retained in perpetuity.
- 16.37 The Council's Highway Engineer was consulted on the proposal and has not raised any objection on grounds of highway safety subject to conditions on the decision to secure the proposed turning/manoeuvring and parking construction as detailed on the submitted plans also the submission of an electric vehicle charging scheme. The Highway Engineer also requested that the red line of the application site be extended to include all of the private estate road to the adopted public highway at Watery Lane. Officers have considered this request and due to the tarmac finish of the private estate road, it is not considered necessary to secure an extension to the red line.
- 16.38 The site is served by private roads within the Glebe Estate. These are not the responsibility of, or maintained by, the Highway Authority. Any damage or obstruction to the private roads during construction or any service provision issues would be a civil matter between the parties involved. However, as detailed above, it is considered reasonable to request the submission of a Construction Environmental Management Plan by way of a condition on the decision notice. This will ensure that clear information is provided to neighbours and other users of the estate roads in respect of works taking place at the site and deliveries, car parking etc. Subject to this and highway conditions, the proposal is considered to be acceptable in accordance with Policy I2: Improving Accessibility and Transport of the Purbeck Local Plan 2024.

Trees and landscaping

- 16.39 The proposal is supported by an Arboricultural Assessment, with Tree Protection Plan and Arboricultural Method Statement. The details confirm that the proposed development will result in the removal of one short conifer hedge, T4h, with other neighbouring trees being unaffected. Replacement tree planting is included in the soft landscaping scheme to provide future tree cover and landscape amenity to the area. The Council's Tree Officer has been consulted on the details and advised a number of amendments to ensure no impact on Root Protection Areas and variation to proposed planting to secure softening of the site in longer range views. The requested amendments have been included in an amended report and site plan, and subject to a condition requiring full implementation of the details, the proposals are considered to be acceptable.
- 16.40 Given the prominent siting, a soft landscaping scheme has been submitted in support of the proposal to soften visual impacts of the built development on the Dorset AONB landscape designation. The landscaping plan has also been considered by the Council's Tree Officer who has recommended variations to planting on the north and western boundaries to ensure softening of the development in wider landscape views. Conditions on the decision will ensure full implementation of the scheme in accordance with the amended AMS and Landscaping Plan. Similarly precise details

of all hard landscaping proposals need to be carefully considered to ensure that the finishes are appropriate to the site location. This can also be dealt with by way of a condition on the decision. In summary, tree impacts, and landscaping are considered to be acceptable in accordance with Policy I3: Green infrastructure, trees and hedgerows of the Purbeck Local Plan 2024.

#### Sustainable Development

16.38 A Sustainability Statement has been submitted with the application. This advises that the development is based on Passivhaus principles including high insulation, minimal thermal bridging, a continuous air barrier, use of ground source heat pumps, maximisation of solar gain, incorporation of overhangs to reduce heat gain and light pollution. The new dwellings will be more energy efficient than the existing, incorporating modern water heating systems, the use of LED lighting and reduced carbon footprint.

#### Other Considerations

16.39 Rights of Way – The application site is in close proximity of a public right of way. Informative information – as provided by the Rights of Way Officer – can be included on the decision notice to ensure that there is no obstruction or damage caused as a result of the development.

#### Housing Land Supply

16.40 The Purbeck area has a published housing land supply position of 3.73 years. Although an Annual Position Statement for a combined Dorset Housing Land Supply identifying a five year housing supply has been produced, several large sites are disputed and the document is currently with the Planning Inspectorate for assessment. Taking the precautionary approach, in accordance with paragraph 11(d) of the NPPF, it is judged that the Purbeck housing policies are out of date and a presumption in favour of sustainable development applies. In this case, the housing policies are the most important for determining the application, and permission should be granted unless:

i. The application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

16.42 In this case the NPPF policies in respect of development within the Dorset National Landscape are not considered to provide clear reasons for refusing the development proposed, and no adverse impacts have been identified that would outweigh the benefit of the contribution made to the housing supply. The proposal is therefore considered to be sustainable development for the purposes of NPPF paragraph 11.

### **17.0 Conclusion**

For the above reasons, the application is judged to accord with the development plan as a whole and there are no material considerations indicating that permission should be refused.

## 18.0 Recommendation

### Grant subject to the following conditions:

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

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

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

011 B Proposed Block and location Plan

012 B Proposed Site Plan

013 Proposed Ground Floor Plan Plot 1

014 Proposed First Floor Plan Plot 1

015 Proposed Second Floor Plan Plot 1

016 Proposed Roof Plan Plot 1

017 A Proposed Front Elevation Plot 1

018 A Proposed Side Elevation Plot 1

019 A Proposed Rear Elevation Plot 1

020 A Proposed Side Elevation Plot 1

021 B Proposed Section Plot 1

022 Proposed Ground Floor Plan Plot 2

023 Proposed First Floor Plan Plot 2

024 Proposed Second Floor Plan Plot 2

025 Proposed Roof Plan Plot 2

026 A Proposed Front Elevation Plot 2

027 A Proposed Side Elevation Plot 2

028 A Proposed Rear Elevation Plot 2

029 A Proposed Side Elevation Plot 2

030 B Proposed Section Plot 2

031 Proposed Basement/Ground Floor Plans Plot 3

032 B Proposed First and Roof Plans Plot 3

033 B Proposed Front Elevation Plot 3

034 A Proposed Side Elevation Plot 3

035 C Proposed Rear Elevation Plot 3

036 B Proposed Side Elevation Plot 3

037 B Proposed Section Plot 3

040 B Proposed Site Section AA

042 B Proposed Street Scene 01

043 B Proposed Street Scene 02

LANDP001 2 Landscaping Plan

22728-GAP-XX-XX-DR-C-9000 P02 Drainage Outline Scheme.pdf

22728-GAP-XX-XX-RP-C-DSS V2 Drainage Strategy.pdf



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

3. No development shall commence until the necessary nutrient mitigation credits to mitigate the impacts of the development on the Poole Harbour Special Protection Area and Ramsar have been secured from a nutrient provider accredited by Dorset Council and a copy of the Nutrient Credit Certificate demonstrating that purchase, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that sufficient mitigation is provided against any impact which may arise from the development on the Poole Harbour Spa and Ramsar.

4. Before any groundworks commence on the site, a Construction Management Plan (CMP) must be submitted to and approved in writing by the Council. The CMP 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
  - dust, noise and vibration suppression
  - site safety and security
  - delivery, demolition, construction and working hours.

The approved Construction Management Plan shall be adhered to throughout the construction period for the development.

Reason: To minimise the likely impact of the proposed development on the amenity of neighbouring properties.

5. Prior to the commencement of any groundworks on the site, the following reports must be submitted to the Council and formally approved in writing.
  - A Site Investigation Report including:
    - (a) Full details of ground conditions across the site;
    - (b) Identification of any likely ground instability;
    - (c) Detailed design of all retaining walls / retention of excavations;
    - (d) Detailed design of all foundations;
    - (e) Full drainage plans.
  - A Site Excavation Plan including details of:
    - (i) all temporary excavation supports;
    - (ii) ongoing monitoring of the site to identify any localised ground movement or ground water seepage;
    - (iii) measures to immediately deal with any identified localised ground movement or ground water seepage;
    - (iv) design details / plans / drawings that identify the impact of slope unloading as a result of the excavation works and future building loadings;All geotechnical aspects of the above reports must be designed by an experienced geotechnical engineer or equivalent competent person. Following

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written approval, the implementation of all works must be carried out as approved by the Council and under the supervision of a Geotechnical Engineer or equivalent competent person.

Reason: In the interest of protecting the site from issues relating to land instability.

6. Prior to development above damp-proof course level, details and samples of all external facing materials for the walls, roofs, and balconies shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the development shall proceed in accordance with such materials as have been agreed.

Reason: To ensure a satisfactory visual appearance of the development.

7. Prior to the commencement of any development hereby approved, above damp course level, full details of hard landscape works shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include where relevant: (i) proposed finished levels or contours; (ii) means of enclosure and new boundary treatments; (iii) hard surfacing materials; and (iv) proposed and existing functional services above and below ground (eg drainage, power, communications cables, pipelines, etc indicating lines, manholes, supports, etc).

Reason: Landscaping is considered essential in order to preserve and enhance the visual amenities of the locality.

8. Prior to installation, full details of all extracts, flues, vents, etc. shall be illustrated on plans / elevations and submitted to the Local Planning Authority for agreement in writing. Thereafter, the development shall be carried out in accordance with the agreed details.

Reason: To preserve the character and appearance of the area.

9. Prior to first occupation or use of the development hereby approved the drainage scheme as detailed in the Foul and Surface Water Drainage Strategy by GAP Ltd (22728-GAP-XX-XX-RP-C DSS v2 submitted on 15th May 23) and Drainage Strategy Plan 22728-GAP-XX-XX-DR-C 0001/P02 (submitted on 15th May 23) shall be implemented in full and thereafter maintained and retained.

Reason: To ensure adequate facilities are provided in the interests of flooding and pollution.

10. Before the dwellings are brought into use, the windows and balcony privacy panels identified on the approved plans as being obscure glazed must be

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glazed with obscure glass to a minimum industry standard privacy level 3 as identified on the submitted plans. Thereafter the obscure glazing shall be retained as such.

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

11. The detailed biodiversity mitigation, compensation and enhancement/net gain strategy set out within the approved Biodiversity Plan certified by the Dorset Council Natural Environment Team on 17 January 2023 must be implemented in accordance with any specified timetable and completed in full (including photographic evidence of compliance being submitted to the Local Planning Authority in accordance with section J of the Biodiversity Plan) prior to the substantial completion, or the first bringing into use of the development hereby approved, whichever is the sooner. The development shall subsequently be implemented entirely in accordance with the approved details and the mitigation, compensation and enhancement/net gain measures shall be permanently maintained and retained.

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

12. Before the development hereby approved is first occupied or utilised the turning and parking shall be constructed in accordance with the approved plans. Thereafter, these areas must be permanently maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper and appropriate development of the site in the interest of highway safety.

13. The development shall be carried out in accordance with the details of finished floor and ridge levels as included on the following approved plans: Proposed Section, Plot 1 021/B, Proposed Section, Plot 2 030/B and Proposed Section, Plot 3 037/B .

Reason: In the interests of visual and neighbouring amenity.

14. The dwelling on Plot 3 hereby approved shall only be occupied by persons as their sole or principal residence and verifiable evidence to demonstrate proof of compliance shall be made available to the Local Planning Authority within 14 days of receipt of its request.

Reason: To ensure that the approved properties are not used as second homes in accordance with policy H14 of the emerging Purbeck Local Plan in the interests of the sustainability of local communities and meeting local housing need.

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15. The development hereby approved shall proceed only in accordance with the details set out in the Arboricultural Impact Assessment and Method Statement (Ref: DS/73323/SC) dated 27th June 2023, Plan TC1 - Tree Protection Plan & Arboricultural Method Statement (Ref: DS/73323/SC) dated 27th June 2023, and Plan TC2 - Tree Protection Plan & Arboricultural Method Statement (Ref: DS/73323/SC) dated 27th June 2023 all by Treecall Consulting Ltd, setting out how the existing trees are to be protected and managed before, during and after development.

Reason: To ensure thorough consideration of the impacts of development on the existing trees

16. The soft landscaping works detailed on approved drawing LANDP001/2 dated 29th August 2023 must be carried out in full during the first planting season (November to March) following commencement of the development or within a timescale to be agreed in writing with the Local Planning Authority. The soft landscaping shall be maintained in accordance with the agreed details and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the satisfactory landscaping of the site and enhance the biodiversity, visual amenity and character of the area.

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), no additional window(s) or other opening(s) permitted by Class A of Schedule 2 Part 1 of the 2015 Order shall be constructed in the south elevation of Plots 1, 2 and 3 as hereby approved.

Reason: To protect neighbouring amenity.

18. The integral garages shall be retained for use as garages and shall not be incorporated into the living areas of any dwelling.

Reason: To retain garage provision in the interests of sufficient on-site parking provision.

#### **Informative Notes:**

1. Informative note: (Second homes condition explanation)

For the purposes of condition number 14 (Second Homes condition) the Council defines a principal residence as a property that is the occupier's only or main residence, where the residents spend the majority of their time when not

working away from home. This includes tenants renting a property from a landlord.

Evidence of compliance with this condition could include, but is not limited to, occupiers being registered on the local electoral register and being registered with a local general practitioner.

2. The applicant(s) is (are) advised that the proposed development is situated in close proximity to the property boundary and "The Party Wall etc. Act 1996" is therefore likely to apply.
3. Informative: 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. Street Naming and Numbering  
The Council is responsible for street naming and numbering within our district. This helps to effectively locate property for example, to deliver post or in the case of access by the emergency services. You need to register the new or changed address by completing a form. You can find out more and download the form from our website [www.dorsetcouncil.gov.uk/planning-buildings-land/street-naming-and-numbering](http://www.dorsetcouncil.gov.uk/planning-buildings-land/street-naming-and-numbering)
5. Informative Note - The Council notes that the proposals involve significant excavation and alteration of land levels. It is the applicant / developer's responsibility to ensure that any excavations and subsequent retaining walls are structurally satisfactory to perform the desired function and the works do not affect the stability of the site itself or surrounding land.
6. Informative: The applicant is advised that the granting of planning permission does not override the need for existing rights of way affected by the development to be kept open and unobstructed until the statutory procedures authorising closure or diversion have been completed. Developments, in so far as it affects a right of way should not be started until the necessary order for the diversion has come into effect.
7. Informative: Future occupiers are advised that hedges should be maintained at a reasonable height to avoid harm to their reasonable enjoyment of their property. High hedges are the subject of Part 8 of the Anti-Social Behaviour Act 2003.

8. 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
- 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:

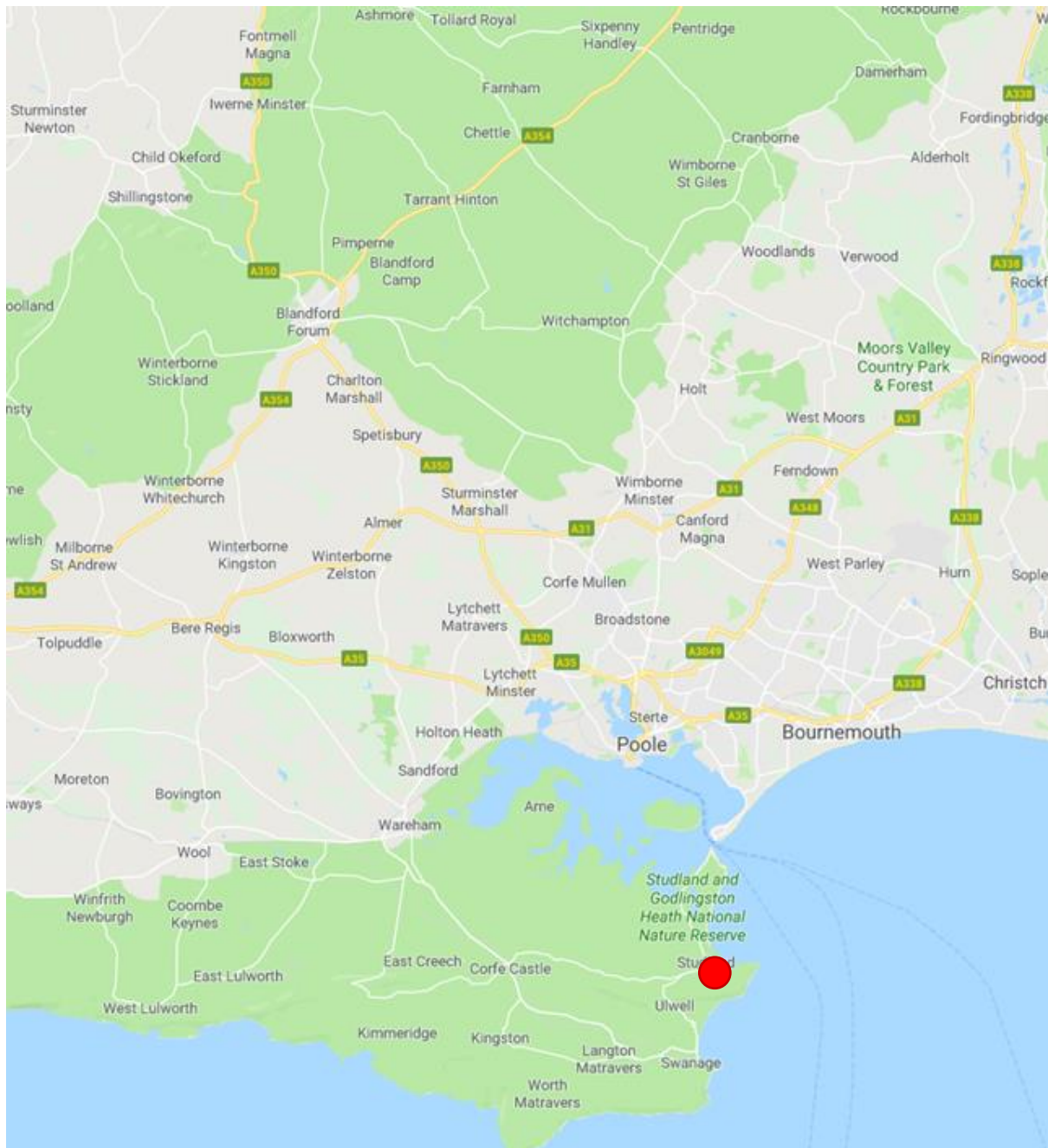
- The applicant/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.
- The applicant was provided with pre-application advice.

● Approximate Site Location

Application reference: P/FUL/2023/00864

Description of development: Erect 3 no. dwellings with associated parking, access and landscaping. (demolish existing dwellings)

Site address: Blue Waters and Lichen Haven, Glebe Estate, Studland, Swanage, BH19 3AS



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# Agenda Item 7

Eastern Area Planning Committee  
04 September 2024

<b>Application Number:</b>	P/HOU/2023/06781		
<b>Webpage:</b>	<a href="https://www.dorsetcouncil.gov.uk">Planning application: P/HOU/2023/06781 - dorsetforyou.com (dorsetcouncil.gov.uk)</a>		
<b>Site address:</b>	11A Bestwall Road, Wareham, BH20 4HY.		
<b>Proposal:</b>	Proposed single storey front and two storey rear extension, plus construction of two side dormers within new roof and a balcony on the rear elevation		
<b>Applicant name:</b>	Mr Christopher Nash		
<b>Case Officer:</b>	Simon Burditt		
<b>Ward Member(s):</b>	Cllr Ezzard and Cllr Holloway		
<b>Publicity expiry date:</b>	7 January 2024	<b>Officer site visit date:</b>	19 May and 14 December 2023 8 February 2024.
<b>Decision due date:</b>	14 March 2024	<b>Ext(s) of time:</b>	14 March 2024
<b>No of Site Notices:</b>	Three site notices were put up by the case officer on 14 December 2023.		
<b>SN displayed reasoning:</b>	<p>One site notice was tied on to a telegraph pole at the front of the application site.</p> <p>One site notice was tied to the gate in Bestwall Road that serves the allotment gardens.</p> <p>One site notice was tied to the gate post at the entrance to the allotment gardens off North Bestwall Road.</p> <p>The site notices were displayed in prominent positions in the interest of maximising awareness of the application.</p>		

**1.0** The application has been referred to Committee for decision by the Service Manager for Development Management and Enforcement.

**2.0 Summary of recommendation:**

The committee GRANT planning permission subject to conditions as set out in Section 18 of this report.

**3.0 Reason for the recommendation:** as set out in paras 16 – 17 of this report and summarised as follows:

- Section 38(6) of the Planning and Compensation Act 2004 provides that determinations must be made in accordance with the development plan unless material considerations 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.
- There are no material considerations which would warrant refusal of this application.

**4.0 Key planning issues**

Issue	Conclusion
Principle of development	Acceptable -The property is located within the Wareham settlement boundary where the principle of development is acceptable.
Layout, scale, design and impact on the character and appearance of the area and the Dorset National Landscape (DNL) (formerly known as AONB).	Acceptable- on balance- subject to conditions
Impact on the living conditions of the occupants and neighbouring properties	Acceptable- subject to conditions.
Flood risk and drainage	Acceptable -The application site is not located within an area where there are flood risk or drainage issues.
Highway impacts, safety, access and parking	Acceptable – two parking spaces are provided. There are no highway safety concerns
Impact on trees	Acceptable - There are no significant trees at the application site or near to the boundaries.
Biodiversity	Acceptable – no loss of biodiversity

**5.0 Description of Site**

The application site, number 11A Bestwall Road, is a single storey dwelling located on the north side of Bestwall Road in Wareham within a comparatively narrow plot.

The bungalow has an asymmetrical design with access via a driveway that slopes downhill into the application site.

The area is characterised by residential properties of various sizes and designs, however this particular part of Bestwall Road on the north side consists of predominantly single storey dwellings. To the rear of the residential properties are the Wareham allotments.

## 6.0 Description of Development

Planning permission is sought for the construction of a single storey front extension and a two-storey rear extension, plus the construction of two side dormers within the new roof and a balcony on the rear elevation.

The front driveway is to be revised to create two adjacent off-street parking spaces. The stepped access to the existing basement garage will be retained but vehicular access to the garage will be closed off by a new retaining wall.

The proposals were amended by plans received on 29 February 2024 which introduced an obscured glazed privacy screen around the proposed rear balcony and lowered the roof of the proposed dormers by approximately 0.20 metres below the main ridge height.

## 7.0 Relevant Planning History

Application reference	Description	Decision	Officer comment
316136	Construct bungalow	Granted July 1972	habitable accommodation on the ground floor, with a garage at basement level accessed by a drive that slopes downwards from the road
P/PAP/2023 /00194	'Raise roof to enable loft conversion with dormer windows, rooflights and rear balcony, plus two storey extension. Level driveway to form parking spaces'.	Officer pre application Response issued	In summary the proposal was unacceptable but it was considered likely that it could be made acceptable by changes to the design to lower the eaves, reduce the bulk (reduce width of dormers) and soften the visual impact within the street-scene (e.g. darker cladding and reduced front glazing). Balcony set within the roof so harm to neighbouring amenity unlikely but obscure glazing/high level windows in the roof anticipated to be necessary.

## 8.0 List of Relevant Constraints

The application site is located within the Wareham settlement boundary

Dorset National Landscape (formerly known as Area of Outstanding Natural Beauty (AONB)) - statutory protection Local Planning Authorities to seek further the purposes of conserving and enhancing the natural beauty of the area of outstanding

natural beauty- National Parks and Access to the Countryside Act of 1949 & Countryside and Rights of Way Act, 2000

Adjacent to but outside of the Green Belt (to the north)

Dorset Heathlands 5km zone

## 9.0 Consultations

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

### Consultees

#### 1. Wareham Town Council

Recommend refusal.

Existing property contrasts with the character of the street due to the restrictive width of the site.

Concerns in respect of the size increase and overdevelopment.

The proposals do not represent good design.

Concerns regarding overshadowing and loss of privacy for adjacent properties.

#### 2. Ward Member - Councillor Ezzard

No comments received

#### 3. Ward Member - Councillor Holloway

No comments received

### Representations received

Total - Objections	Total - No Objections	Total – Comments in support
2	0	1

### Summary of third-party representations:

#### Objections

- Overlooking from proposed extension and balcony.
- Overshadowing and loss of light- reduction in afternoon daylight
- Overbearing impact due to the orientation of the application property,
- Balcony could be a source of noise and disturbance.
- Limited space between the application dwelling and neighbouring dwelling, therefore proposed extension would be almost on the boundary.
- Boundary fence between serves no purpose.
- Proposed extensions, panels and parking at front would result in an urbanised appearance.

**Support:**

- The dwelling needing repairs and modernisation.
- Other dwellings within the street have been developed recently and these proposals would be in keeping.

**10.0 Duties**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

Clause 85 of the Countryside and Rights of Way Act (2000) requires Local Planning Authorities to seek to further the purposes of conserving and enhancing the natural beauty of National Landscape (AONB)

**11.0 Relevant Policies**

Development Plan

**The Purbeck Local Plan (2018-2034) (adopted 18 July 2024).**

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

V1: Spatial strategy for sustainable communities.

E1: Landscape

E12: Design.

I2: Improving accessibility and transport.

**Wareham Town Neighbourhood Plan 2019-2034 (made November 2021)**

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

LDP2: Design of New Development outside Wareham Conservation Area

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:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- 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

- 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**

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

### **National Planning Policy Framework (December 2023)**

Paragraph 11 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.

Other relevant NPPF sections include:

- Section 4. Decision making: Paragraph 38 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- Section 12 'Achieving well designed and beautiful places' indicates that all development to be of a high quality in design, and the relationship and visual impact of it to be compatible with the surroundings. In particular, and amongst other things, Paragraphs 131 – 141 advise that:

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.

Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

- Section 14 'Meeting the challenges of climate change, flooding and coastal change.'
- Section 15 'Conserving and Enhancing the Natural Environment'- In Areas of Outstanding Natural Beauty (National Landscapes) great weight should be given to conserving and enhancing the landscape and scenic beauty (para 182).

Other material considerations

Dorset AONB Landscape Character Assessment

Dorset AONB Management Plan 2019-2024

District Design Guide - Supplementary planning document.

Dorset Council Interim Guidance and Position Statement Appendix B:

Dorset Council Interim Guidance and Position Statement Appendix B: Adopted Local Plan policies and objectives relating to climate change, renewable energy, and sustainable design and construction. December 2023.

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

## **12.0 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.

## **13.0 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. During construction of the proposed development those neighbours with disabilities who are unable to leave their homes are likely to be more impacted, but this would be for a limited period of time.

## **14.0 Financial benefits**

None

## 15.0 Environmental Implications

The proposal is for extensions and alterations to the existing dwelling which will be constructed to current building regulations standards. There will be some carbon emissions arising from the works.

## 16.0 Planning Assessment

### Principle of development.

- 16.1 The application site is located within the Wareham settlement boundary and the proposed extensions and alterations are acceptable in principle as they accord with Policy V1 'Spatial strategy for sustainable communities' and the settlement hierarchy of the Purbeck Local Plan.

### Layout, scale, design and impact on the character and appearance of the area and the Dorset National Landscape (DNL) (formerly known as AONB).

- 16.2 Bestwall Road is a residential street with a mixture of architectural styles. The prevailing form in this close vicinity of the application site is hipped roof bungalows set back behind front gardens, but the property itself has an alternative, a-symmetric form. Number 9, to the west, has been extended by the addition of dormers and other forms of extension and alteration are evident on the southern side of the road; for example, number 12 has been extended to form first floor accommodation under a pitched roof.
- 16.3 The proposed single storey extension on the front elevation and raised roof with dormers would achieve a dwelling that would appear much more symmetrical when viewed from the street. Property heights in the area are similar but not uniform; the existing eaves height is to be retained and it is judged that the proposed 0.8m increase to the ridge height can be accommodated without appearing overly tall or dominant in the context of neighbouring ridge heights. The set back of the dormers by approximately 5m from the front elevation will ensure that they are partially screened by neighbouring roofs, thereby limiting the visual impact of their bulk in the streetscene to an acceptable degree.
- 16.4 It is proposed to render the dwelling at ground level which is in keeping with neighbouring dwellings. At first floor timber cladding is proposed. The concrete tiles are to be replaced with slate effect tiles and black UPVC windows and doors are proposed, similar to the approved development at no. 12 along the street.
- 16.5 The proposal to create two parking spaces to the front of the site will increase the extent of hardstanding. This would result in a modest loss of green landscaping in the streetscene, but the degree of hard surfacing is not out of character with other properties in the near vicinity.
- 16.6 Plots on the northeastern part of Bestwall Road, including the application site, lie within the Dorset National Landscape where there is a statutory requirement to further the purposes of conserving and enhancing natural beauty. The proposed



extensions would not detract from the Valley Pasture character of the area in which the rivers are the key context and the visual unity of the valley is to be retained. When viewed from the neighbouring allotments and from the Public Right of Way approximately 140m to the north the additional height and bulk of the property at first floor level would not appear obtrusive or out of keeping.

- 16.7 The design of the existing dwelling already represents a departure from the prevailing character of development in the street-scene and officers judge that, in this context and on balance, the scale and design of the proposed extensions and alterations would avoid demonstrable harm and can positively integrate with the street-scene as required by Purbeck Local Plan policy E12: Design and Wareham Neighbourhood Plan policy LDP2: Design of New Development outside Wareham Conservation Area. The proposals would not have a harmful impact on landscape character within the Dorset National Landscape as required by Purbeck Local Plan policy E1: Landscape.

Impact upon the amenity and privacy of neighbouring properties.

- 16.8 Local Plan policy E12 requires that development should avoid any harmful impacts on local amenity including from overshadowing and overlooking.
- 16.9 The neighbouring properties to no. 11A are bungalows; 11 Bestwall Road to the west and 15 Bestwall Road to the east. To the rear (north) of the application site are allotment gardens. Objections have been raised by neighbours that the development would result in harm to their amenities. A site visit was undertaken to number 11 Bestwall Road and number 15 Bestwall Road on 8 February 2024 to inform the assessment.

*Impacts on 11 Bestwall Road:*

- 16.10 No. 11 Bestwall Road has three obscure glazed windows facing towards the application site which serve a bathroom, toilet and an ensuite. There is an intervening distance of approximately 1.0 metre between these windows and the boundary wall with the application site. The proposals include the installation of a 1.05m fence on top of the existing boundary wall to increase the overall height to 2 metres which would accord with permitted development rights.
- 16.11 The proposed single storey front extension is to be constructed adjacent to the western boundary, approximately 1.7m from the flank wall of no. 11 Bestwall Road. The close proximity of the new development and introduction of additional bulk from the extended roof is anticipated to result in some loss of light to no. 11's east facing windows but as these do not serve habitable rooms the weight that can be given to the reduced light levels is limited.
- 16.12 Any overlooking from new windows at ground floor level will be restricted to an acceptable level by the proposed two-metre-high boundary treatment between the properties. A condition can be imposed to ensure that the boundary treatment is retained.

- 16.13 The proposed rear extension to no. 11A will extend approximately 3m beyond the rear elevation of no. 11 which the ridge of the dwelling will be raised by 0.8m and increased in length by 1.5m to the rear. It is recognised that the west dormer and enclosed rear balcony will be near the site boundaries. Nevertheless, as eaves height would remain unchanged and number 11 would continue to benefit from an open vista to the north, it is judged that the proposal would not result in demonstrable harm from an overbearing impact, nor would the loss of some morning light to the neighbours' rear fenestration result in harm that would justify refusal.
- 16.14 The applicants have explained that they wish to erect a fully enclosed balcony; plans submitted during the course of the application show the balcony enclosed by a 1.7m high privacy screen. Given the limited width of the plot (7.6m) and opportunities that would otherwise exist for harmful overlooking, both to the garden of no. 11 and beyond, it is judged that balcony screening is required and this should be secured by condition on any approval (no. 5).

*Impacts on 15 Bestwall Road*

- 16.15 15 Bestwall Road has two windows in its flank wall facing the application site, both serving bedrooms and currently subject to the application of obscure film to the lower part of the windows. There is an intervening distance of approximately 2.45 metres between wall-to-wall between number 15 Bestwall Road the application property.
- 16.16 The proposed roof extensions will increase the visual presence of no. 11A for the occupiers of no. 15 and may reduce daylight to the two side windows of that neighbouring property, but due to pre-existing shading no significant harm has been identified to neighbouring amenity from the roof alterations; a similar dormer arrangement could be achieved under permitted development rights. Additionally, it is noted that the side window to the rear is a secondary window for number 15 as the rear room also receives daylight from a set of glass patio doors.
- 16.17 At ground floor level an existing window in 11A Bestwall Road will be retained and a new obscure glazed door fitted; the door is in the original dwelling so can be achieved as permitted development. At first floor level the proposed dormer has two windows to serve bedrooms. Due to their position and the angle of view down to the windows in number 15 the windows are not judged to result in harmful overlooking of the neighbouring dwelling, but in order to protect the privacy of the garden immediately to the rear of number 15 Bestwall Road, any grant of planning permission should include a condition to ensure that the rear-most window is glazed with obscure glass and maintained in that condition (no. 4).
- 16.18 As explained above, the limited width of the application site and the positioning of the existing bungalow means that the proposed rear enlargement would be in close proximity to number 15 Bestwall Road and it would extend approximately 4m further north than the rear elevation of no. 15. There will be some overshadowing of the neighbouring property in the afternoon / evening from the rear extension, but the modest increase to the ridge length (approximately 1.5 metres) and height will limit the impacts and the occupiers will continue to benefit from the openness of land to the north.

- 16.19 The balcony privacy screens will help to ensure the continued privacy of the property and neighbours at number 15 Bestwall Road and other properties to the east.
- 16.20 Along the boundary between the application site and number 15 Bestwall Road there is some hedging that is unlikely to be able to be retained when the development takes place. Given the proximity of the proposed extension to the boundary and to ensure the continued privacy of the property and neighbours at number 15 Bestwall Road, any grant of planning permission should include a condition to prevent the insertion of any windows, doors or openings within the east elevation of the rear extension (no. 6).
- 16.21 Overall, it is judged that subject to conditions to mitigate overlooking, harm to amenity that would justify refusal has been avoided so the proposal does not conflict with Purbeck Local Plan Policy E12.

Impact on amenity of future residents.

- 16.22 NPPF paragraph 135 encourages development to achieve a high standard of amenity for existing and future users. The proposed rear bedroom would have an obscure glazed side window and a balcony that is enclosed by 1.7 metres high privacy screens but, as the distance between the glazed bedroom door and the northern privacy screen would be approximately 2.9 metres, it is anticipated that this arrangement would maintain some outlook of the sky for the occupants and achieve the privacy there are seeking. As a combination the proposed glazing would provide an acceptable amount of daylight and, on balance, sufficient outlook for future occupiers using this bedroom within the enlarged dwelling to achieve acceptable levels of amenity.

Parking and highway safety.

- 16.23 The proposal will increase the number of bedrooms from 2 to 3. The property currently benefits from a garage and a driveway providing at least one parking space. The proposal would remove vehicular access to the garage but would achieve two off-street parking spaces so continues to accord with the Dorset Council parking standards and policy I2 of the Purbeck Local Plan.

Biodiversity

- 16.23 The application is supported by a preliminary bat roost assessment which identified that there was no evidence of bats using the building and negligible potential for bat use. Opportunities for a bat tube/brick or box and a bird box were identified. Details and installation can be secured by condition, in the interests of biodiversity to accord with policy E10: Biodiversity and geodiversity (no. 7).

## **17.0 Conclusion**

For the above reasons, on balance, the development proposed accords with the development plan and the National Planning Policy Framework (December 2023) (NPPF). The proposal is considered to form sustainable development for the

purposes of the NPPF paragraph 11. There are no material considerations which indicate that permission should be refused. Approval is recommended subject to conditions.

**18.0 Recommendation: Grant subject to the following conditions:**

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans:  
drawing number 22150-00-01 revision B (location plan)  
drawing number 22150-00-03 revision D (proposed site plan, proposed elevations, proposed floor plans and proposed cross section)

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

3. Details of the roof tile and cladding materials to be employed on the external faces of the development hereby permitted be submitted to and approved in writing by the Local Planning Authority prior to their use on the dwelling.

Reason: To protect the character and appearance of the area.

4. Before the first floor rear bedroom entitled 'Master Bedroom' on drawing number 22150-00-03 revision D (proposed site plan, proposed elevations, proposed floor plans and proposed cross section) received on 29 February 2024 is brought into use, the window for this room within the east (side) elevation must be glazed with obscure glass to a minimum industry standard privacy level 3 with the northern opening element hinged on the north side of the opening. Thereafter the window openings and obscure glazing shall be retained as such.

Reason: To safeguard the amenity and privacy of the occupiers of adjoining residential property, specifically number 15 Bestwall Road, Wareham.

5. Before the first use of the balcony on the rear (north) elevation hereby approved, the obscure glazed privacy screens for the west (side) elevation, the east (side) elevation and the north elevation of the balcony as detailed on drawing number 22150-00-03 revision D (proposed site plan, proposed elevations, proposed floor plans and proposed cross section) received on 29 February 2024 shall be fully installed and fitted with glass of a minimum industry standard of obscurity level 3. All of the privacy screens shall then be permanently retained in that condition.

Reason: To protect the privacy of nearby residential properties and nearby residents.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), no windows, doors or other openings permitted by Class A of Schedule 2, Part 1 of the 2015 Order shall be constructed or inserted within the east (side) elevation of the rear extension hereby approved.

Reason: To safeguard the amenity and privacy of the occupiers of adjoining residential property, specifically number 15 Bestwall Road, Wareham.

7. Details of one bat and one bird box shall be submitted to and agreed in writing by the Local Planning Authority and shall be installed on the property as agreed prior to first occupation or use of the development hereby approved. The bat and bird boxes shall thereafter be retained and maintained.

Reason: To enhance or protect biodiversity.

### **Informative Notes:**

1. Informative note - Matching plans.

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

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
- 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 / agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.

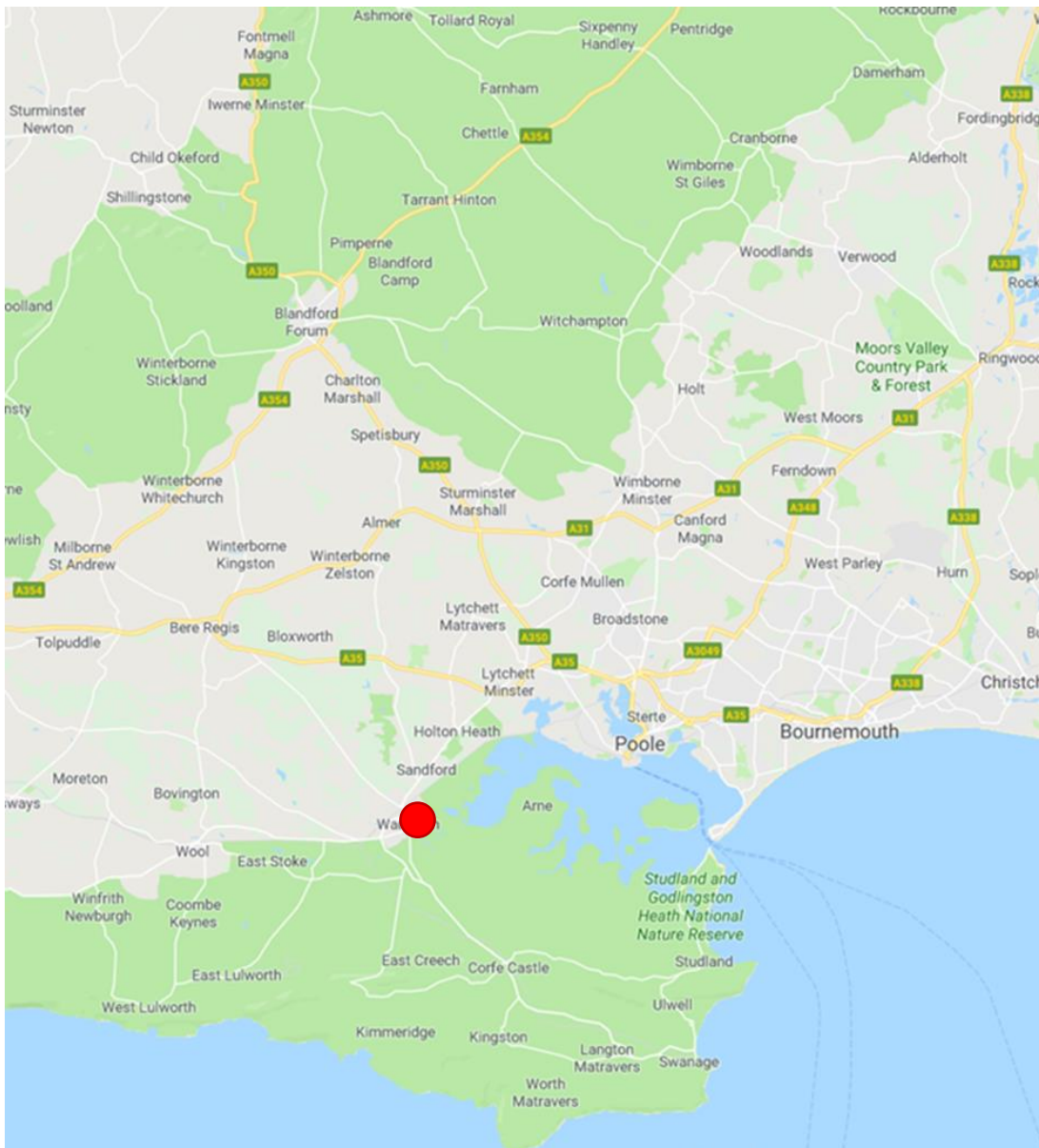
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● Approximate Site Location

Application reference: P/HOU/2023/06781

Description of development: Proposed single storey front and two storey rear extension, plus construction of two side dormers within new roof and a balcony on the rear elevation

Site address: 11A Bestwall Road, Wareham, BH20 4HY



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# Agenda Item 8

Eastern Area Planning Committee  
4 September 2024

<b>Application Number:</b>	P/HOU/2024/00735		
<b>Webpage:</b>	<a href="https://www.dorsetcouncil.gov.uk">Planning application: P/HOU/2024/00735 - dorsetforyou.com (dorsetcouncil.gov.uk)</a>		
<b>Site address:</b>	Hawthorne, 5 The Green, Bloxworth, Wareham, BH20 7EX.		
<b>Proposal:</b>	Conversion of the garage to a studio ancillary to the dwelling and construction of an extension to proposed studio, store and patio. Alterations to rear of property. Surface front garden area. Install air conditioning unit.		
<b>Applicant name:</b>	Mr and Mrs Baker		
<b>Case Officer:</b>	Simon Burditt		
<b>Ward Member(s):</b>	Cllr Beddow and Cllr Baker		
<b>Publicity expiry date:</b>	12 March 2024	<b>Officer site visit date:</b>	20 February 2024
<b>Decision due date:</b>	22 April 2024	<b>Ext(s) of time:</b>	22 April 2024
<b>No of Site Notices:</b>	Two site notices were put up by the case officer on 20 February 2024.		
<b>SN displayed reasoning:</b>	<p>One site notice was tied on to the timber fencing at the front of the application property, facing towards number 6 The Green.</p> <p>One site notice was tied on to the telegraph pole to the south of the application site, to the west of the property called 'The Gables'.</p> <p>The site notices were displayed in prominent positions in the interests of maximising awareness of the application.</p>		

**1.0** The application has been referred to committee for consideration by the Chair of the Eastern Area Planning Committee.

**2.0 Summary of recommendation:**

The committee GRANT planning permission subject to conditions as set out in Section 18 of this report.

**3.0 Reason for the recommendation:** as set out in paragraphs 16 – 17 of this report and summarised as follows:

- Section 38(6) of the Planning and Compensation Act 2004 provides that determinations must be made in accordance with the development plan unless material considerations indicate otherwise.

- The proposal will result in a loss of on-site parking opportunities in a rural location, but the property already benefits from extant consent to convert the garage.
- No significant harm to the character of the area or neighbouring amenity has been identified.
- There are no material planning considerations which would warrant refusal of this application.

#### 4.0 Key planning issues

Issue	Conclusion
Principle of development	Acceptable in principle.
Scale, design, impact on character and appearance	Acceptable: subject to conditions
Impact on the living conditions of the occupants and neighbouring properties	Acceptable: the proposals could impact neighbouring amenity as a result of loss of parking provision, but this is no different to the extant consent. A condition can control noise impact from the proposed air conditioning unit.
Flood risk and drainage	Acceptable: the proposed hard surfacing for the front of the property is permeable and an Acco drain is proposed to manage run-off.
Highway impacts, safety, access and parking	Acceptable: no harm anticipated. Parking impacts are considered more fully below.

#### 5.0 Description of Site

The application site, number 5 The Green is located at Bloxworth which is a village without a settlement boundary. Number 5 The Green is a detached dwelling that is part of a comparatively modern development having been granted planning permission in July 2003. The original design of the development is sympathetic to the rural character in which it is set, incorporating thatched roof cottages with tiled garages. Surrounding the rear garden of the application site is a fence.

The area does not benefit from any landscape designation but the cluster of cottage style dwellings around the Green has created a sense of place maintaining a rural character. Regarding land levels, there is a very gentle slope such that the front garden of the application site is slightly lower than the green area to the north and the northwest of the rear garden is lower again.

#### 6.0 Description of Development

Planning permission is sought to:

- extend and the convert the existing detached double garage to provide ancillary residential accommodation (studio), including a utility room and WC;
- further extend the outbuilding with the creation of a rear store and covered garden seating area with air conditioning unit and low level flu.
- extend the rear patio

- reduce the depth of a first floor window on the rear elevation (by approx. 0.4m to 1.12m)
- raise (approx. 0.15m) and reinforce the existing rear veranda canopy on the rear elevation of the dwelling enabling the removal of the existing glazing posts
- lay a hard surface to the front garden area.

## 7.0 Relevant Planning History

Application	Development	Decision	Comment
6/2003/0458	Erect six dwellings and garages; construct new access roads - revised scheme to Planning Permission 312411 (granted on 5 April 1967).	Granted 18/07/2003	Conditions remove permitted development rights for: - Additions & alternations to dwellings inc. conversion of garages - Hard surfacing - Erection of boundary treatment
6/2021/0333	Convert garage into studio. Extend to create utility room and garden room.	Granted 23/12/2021	Larger garage extension than now proposed.

## 8.0 List of Constraints

Dorset Heath Designation Buffer 5km

Poole Harbour Nutrient Catchment Area

SGN - High pressure gas pipeline 1km or less from Regional High Pressure Pipelines (>7 bar); - Distance: 813.39.

Wessex Water Risk of foul sewer inundation 2023 Medium Risk of Foul Sewer Inundation

Higher Potential ecological network

Site of Special Scientific Interest (SSSI) impact risk zone

Radon: Class 1

## 9.0 Consultations

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

### Consultees

#### 1. Wessex Water

No objection. Some comments have been received in relation to the installation of new water supply and disposal requirements, the disposal of

rainwater from new drives and roofs and issues where proposed extensions are close to a public sewer or water main.

## **2. Dorset Council Highways**

No objection.

The site proposal is served off a private lane that eventually adjoins the adopted public highway with the D unclassified road.

The development intends to change the existing onsite parking arrangement, however the Highway Authority considers that the proposal does not present a material harm to the transport network or to highway safety and consequently has no objection.

## **3. Bloxworth Parish Meeting**

Objection on the following grounds:

Departure from the spirit of the original development of 6 dwellings- reference to documentation from the early 2000's when the site was developed and a painting that reflects the rural nature of the development and the lack of need for additional parking due to the provision of garages.

The double garage at the site has been extended and the current proposals will make the dwelling much larger than it was in 2006.

Anticipated parking issues arising from the proposal associated with loss of garage. Additional parking opportunity to the west should be included in the application to consider the effect as a whole.

The drive collects water and floods at variance with the Flood Risk Assessment. The removal of the front garden will make this situation worse. Need provision and linkage to surface water drainage at the rear of the property.

## **4. Ward Member- Councillor Beddow**

No comments received

## **5. Former Ward Member- Councillor Wharf (consultation was pre May election)**

No comments received

### **Representations received**

Two site notice were displayed, one to the front of the application site and one on the approach to the application site. Two sets of third-party neighbour representations

objecting to the proposals were received, plus four sets of comments in support of the proposals.

Total - Objections	Total - No Objections	Total – Comments in support
1	0	4

**Summary of comments of objections:**

Ongoing parking problems on The Green development.

Loss of garage will prevent compliance with Dorset parking standards.

One off-street parking space is insufficient to serve the enlarged dwelling, would lead to vehicles narrowing the access contrary to Building Regulation B5 clearances for emergency services.

Opportunity for additional parking space to the west of the site.

Conversion of front garden reduces attractiveness of the village Green, does not reflect the high standard of design needed in the location.

Proposed air conditioning unit will result in disturbance.

Flooding issues on the access road, drainage plan required.

Additional parking needed prior to any construction work.

Low level solid fuel chimney discharging below thatch may invalidate house insurance.

**Summary of comments of support:**

Anticipate improved drainage.

Existing parking arrangements will remain the same as they have been for many years.

**10.0 Duties**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

**11.0 Relevant Policies**

Development Plan

**The Purbeck Local Plan (2018-2034) Adopted 2024 – Date of adoption 18 July 2024.**

V1: Spatial strategy for sustainable communities

E10: Biodiversity and geodiversity

E12: Design

I2: Improving accessibility and transport

### 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:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- 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
- 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**

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

#### **National Planning Policy Framework (December 2023).**

Paragraph 11 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.

Other relevant NPPF sections include:

- Section 4. Decision making: Paragraph 38 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

- Section 12 ‘Achieving well designed and beautiful places’ indicates that all development to be of a high quality in design, and the relationship and visual impact of it to be compatible with the surroundings. In particular, and amongst other things, Paragraphs 131 – 141 advise that:  
The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development. Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.
- Section 14 ‘Meeting the challenges of climate change, flooding and coastal change.’

#### Other material considerations

Dorset Council Interim Guidance and Position Statement Appendix B: Adopted Local Plan policies and objectives relating to climate change, renewable energy, and sustainable design and construction. December 2023.

Residential Car Parking Provision – Local Guidance for Dorset (May 2011).

Purbeck District Design Guide - Supplementary planning document.

### **12.0 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.

### **13.0 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 considered that the proposed development would not disadvantage persons with protected characteristics.

#### **14.0 Financial benefits**

None

#### **15.0 Environmental Implications**

The proposals are for extensions and alterations to an existing dwellinghouse, as such there are unlikely to be any significant environmental implications.

#### **16.0 Planning Assessment**

##### Principle of development.

The application site, number 5 The Green, is located at Bloxworth which is a village without a settlement boundary. Bloxworth is at the bottom of the settlement hierarchy for Local Plan Policy V1: Spatial strategy for sustainable communities, so opportunities for development in this area are limited. The proposals are for extensions and alterations to an existing dwellinghouse and the additional accommodation within the garage, although detached, is shown to be dependent upon the main dwelling (washing facilities) so there is no conflict with policy V1, but it is judged appropriate that the ancillary use is secured by condition (no. 7).

##### Scale, design, impact on character and appearance.

Number 5 The Green is a detached dwelling that is part of a comparatively modern development having been granted planning permission in July 2003. The original design of the 6 dwelling development is sympathetic to the rural character in which it is set, incorporating thatched roof cottages with tiled garages. The area does not benefit from any landscape designation, but the cluster of dwellings around the green, a grassed area, has created a sense of place.

The proposal would alter the front of the garage building replacing the garage doors with vertical boarding, raise the eaves by approx. 0.4m to approx. 3m high and reorientate the roof so that the cropped gable (currently on the sides) is at the front. The outbuilding will continue to appear subordinate to the dwelling and, as the garage sits back from the dwelling, the changes will not be prominent in the street-scene. Appropriate cladding can be secured by condition (no.3). A similar arrangement has previously been judged acceptable (6/2021/0333).

The proposed extension to the rear of the converted garage is shown with a lower pitched roof than that proposed for the garage and is smaller than the extension that was previously approved, now retaining approx. 0.9m separation from the side and rear boundary. Set within a spacious and enclosed rear garden, this single storey element together with alterations to the rear first floor window and existing rear veranda of the main dwelling would have a limited and acceptable impact upon the character and appearance of the area. The enlarged rear patio with two steps down to the lawn will cover approximately 20% of the retained rear garden with the remainder available for planting.



The proposed replacement of the areas of grass and planting to the front of the dwelling with a resin surface would alter the characteristic layout of the cottages forming 'The Green' as each property currently has a small front garden that is laid to grass or planted. The hard surfacing of the garden in front of no. 5 will change the setting of the property, but the substantial grassed area to the north makes a much greater contribution to setting, contributing to the open, verdant character, so it is not anticipated that the increase in hard surfacing would result in demonstrable harm to the character of the area.

The proposed hard surfacing relates to a comparatively limited area; the western portion would be approximately 4.5metres in width and have a depth of approximately 3.7metres. The eastern portion is tapered, with a maximum width of 7metres and have a maximum depth of approximately 3.5metres. On balance, since the property is viewed in the context of the grassed space onto which it fronts, it is judged that the proposal would not have an unacceptable visual impact on the street scene and character of the area, subject to a condition to secure an appropriate resin colour (no. 4).

Overall, it is judged, on balance, that subject to conditions the proposal accords with the requirements of Local Plan Policy E12: Design in respect of positive integration with its surroundings.

#### Impact on the living conditions of the occupants and neighbouring properties.

The proposed garage extensions lie close to the eastern boundary shared with no. 6 The Green. That property faces northwest with its garden to the south and east. The closest part of the property to the shared boundary is a double garage attached to the dwelling.

The scale and design of the proposed extensions and alterations are such that they would not result in a loss of amenity due to a reduction in daylight or overlooking for neighbours. Concerns have been raised in relation to access and parking; these are considered separately below.

As part of the proposals, it is intended to install an air conditioning unit close to the western site boundary. As the application site is located within a rural area where background noise is likely to be limited, a noise assessment is judged necessary prior to installation to ensure that the air conditioning unit does not result in harm to the amenity of nearby residential properties and neighbours (condition 5).

Subject to conditions it is judged that the proposal accords with the requirements of policy E12 in respect of impacts on local amenity.

#### Highway impacts, safety, access and parking.

The loss of parking spaces arising from the proposed conversion of the garage is an important consideration but needs to be assessed in the light of the extant planning permission (6/2021/0333) for the conversion of the garage to additional accommodation.

When the previous application was granted the case officer noted that the internal size of the garage was approximately 5.7 metres in width and approximately 5.3 metres in depth. The latter figure failed to take account of the extension that had been added increasing the depth to over 6 metres for a width of 4.61 metres, but this error was not material to the conclusion as the internal width still did not accord with the 'Residential Car Parking Provision – Local Guidance for Dorset' (May 2011) for a double garage; the garage could not be considered to provide two parking spaces. After considering the opportunities for parking in front of the garage it was judged that the loss of the garage parking would not justify refusal.

The Council's records for the original planning permission 6/2003/0458 include a main site layout plan offering limited details; the garage for no. 6 (unit 16) is not clear but a split driveway in front of nos. 5 and 6 (units 15 and 16 on the plan) is evident. Usually, driveways are available for parking in addition to any garaging but having visited the site it is apparent that due to layout limitations there is space for only one vehicle to park in front of the western garage (closest to the house). A further tandem parking space in front of this parking space or a parking space in front of the eastern garage would appear to conflict with the need to retain space for the manoeuvring of vehicles in connection with neighbouring property, number 6 The Green. Loss of the garage parking provision would therefore leave the property with only one useable parking space, which is contrary to the standards identified by the 2011 guidance. This identifies that where only one parking space is provided then a 3 or 4 bedroom property should also have access to one unallocated parking space and a visitor parking space in the vicinity, neither of which are available; the new areas of hardsurfacing proposed in front of the property are not large enough to provide a parking space.

Local Plan Policy I2 requires that proposals should 'provide for adequate parking levels across Purbeck'. Given the rural location it is anticipated that occupiers will be reliant upon private vehicles and therefore the proposed reliance on one parking space is contrary to this policy. This may lead to the parking of vehicles in areas needed for manoeuvring to the detriment of neighbouring amenity.

Potential impacts on amenity arising from insufficient parking provision were envisaged by the original 2003 planning permission by the removal of permitted development rights to convert garages, however the subsequent extant planning permission to convert the garage must be given weight in the planning balance. There has been no material change to policy in respect of design or parking since the extant consent for the garage conversion was granted that would outweigh the fallback position available to the applicants, so it would be unreasonable to refuse planning permission on the grounds of insufficient parking. Objectors have drawn attention to opportunities to increase parking provision to the west of the site and this remains an option for the applicant if they have additional parking needs, subject to planning permission.

It is understood that the property deeds identify areas to be kept clear, ensuring that manoeuvring space is maintained for the occupiers of number 6 The Green. An informative note will be added to remind applicants of the need to comply with land law which is outside of the planning process.

Whilst the proposal conflicts with policy I2, the extant permission for the conversion for the garage is a material consideration that weighs in favour of approval.

#### Flood risk and drainage.

The Council's Strategic Flood Risk Assessment does not identify any risk of flooding of the application site and its surrounds but public representations have include reference to the land in front of number 5 The Green becoming flooded; standing water on the access road was evident during the site visit on 20 February 2024.

The proposed surface for the front of the property would replace soft landscaping and although a permeable surface is proposed, the need for a new drain on the eastern side of the proposed hard surfacing has been identified to direct any additional run off away from the access. This can be secured by condition (no. 6) in order that the existing situation is not worsened and the proposal accords with policy E4: Assessing Flood Risk.

#### Additional issues.

A low flue is proposed to be installed within the roof of the garage extension which appears to be for a solid fuel appliance (wood burner). Although the extension will be roofed in slate, the flue will be located approx. 12m from the thatched dwelling and approximately 19m from neighbouring no. 6, which is also thatched; there is a risk that any active sparks could be carried on the wind to the thatch which could result in ignition.

Building Control regulations control flue heights to limit risk, but Historic England have also undertaken research and have produced advice about how the risk can be reduced. The most relevant advice to this proposal is the need for frequent and proper care of the flue; the frequency will depend upon the fuel used. It is also highlighted that stoves should never be used as incinerators to burn wastepaper and rubbish or left unattended until ventilation controls are set to normal. Since the degree of risk is associated with the use and maintenance of the flue it is not judged that a condition that would meet the tests of reasonableness and enforceability. An informative note will guide applicants to Historic England's advice so that they can minimise risks.

### **17.0 Conclusion**

Although the application does not provide appropriate parking to accord with policy I2, which could result in localised amenity issues, in the light of the fallback provided by the extant permission for the garage conversion it is judged that, on balance, there are no reasons to refuse planning permission.

### **18.0 Recommendation**

#### **Grant, subject to the following conditions:**

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans:  
drawing number S – 1446 – 01 (location plan and block plan)  
submitted as part of the application and  
drawing number PL – 1446 – 201 – revision G (proposed elevations, proposed ground floor plan and proposed layout of front garden)  
received on 23 July 2024.

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

3. Details of the materials to be employed on the external face of the garage development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to first use on the site.

Reason: To ensure the satisfactory visual relationship of the new development with the existing dwelling and to protect the character and appearance of the area.

4. The resin bound surface for the front garden area hereby approved shall match the colour known as 'Crantock' in the Oltco permeable resin 'Naturals range' and shall thereafter be retained that colour.

Reason: To ensure the satisfactory visual relationship of the new development with the existing property and to protect the character and appearance of the area.

5. Before the installation of the air conditioning unit, a noise assessment and details of the ongoing maintenance of the air conditioning unit must be submitted to and approved in writing by Dorset Council as the local planning authority. The air conditioning unit that is installed must then accord with the details submitted within the approved noise assessment and the air conditioning unit must continue to be maintained in accordance with the approved details.

Reason: To protect the amenity of nearby residential properties and neighbours in relation to noise and vibration.

6. The surface water drain shown on plan PL-1446-201 G shall be installed concurrently with the laying of the approved hardstanding to the front of the property and shall thereafter be maintained and retained.

Reason: To avoid increased flooding from surface water.

7. The development permitted shall not be occupied at any time other than for purposes ancillary to the residential dwelling known currently as Hawthorne.

Reason: To protect Habitats Sites and because the development is in an area where a separate dwelling would be contrary to the adopted local plan.

### **Informative Notes:**

1. Informative note - Matching plans.

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

2. The applicant is reminded of the need to comply with land law as well as planning law. The proposal will leave the dwelling with only one parking space (2.4m x 6m) alongside the dwelling as the remainder of the land is needed for vehicle manoeuvring.

3. The applicants are advised that installing a solid fuel burner close to thatched properties is associated with risk of fire. To reduce risk it is recommended that the Fire Protection Association advice is followed:

[historicengland.org.uk/content/docs/advice/fpa-fire-thatched-properties-leaflet-2018pdf/](https://historicengland.org.uk/content/docs/advice/fpa-fire-thatched-properties-leaflet-2018pdf/)

4. 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
- 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 / agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.

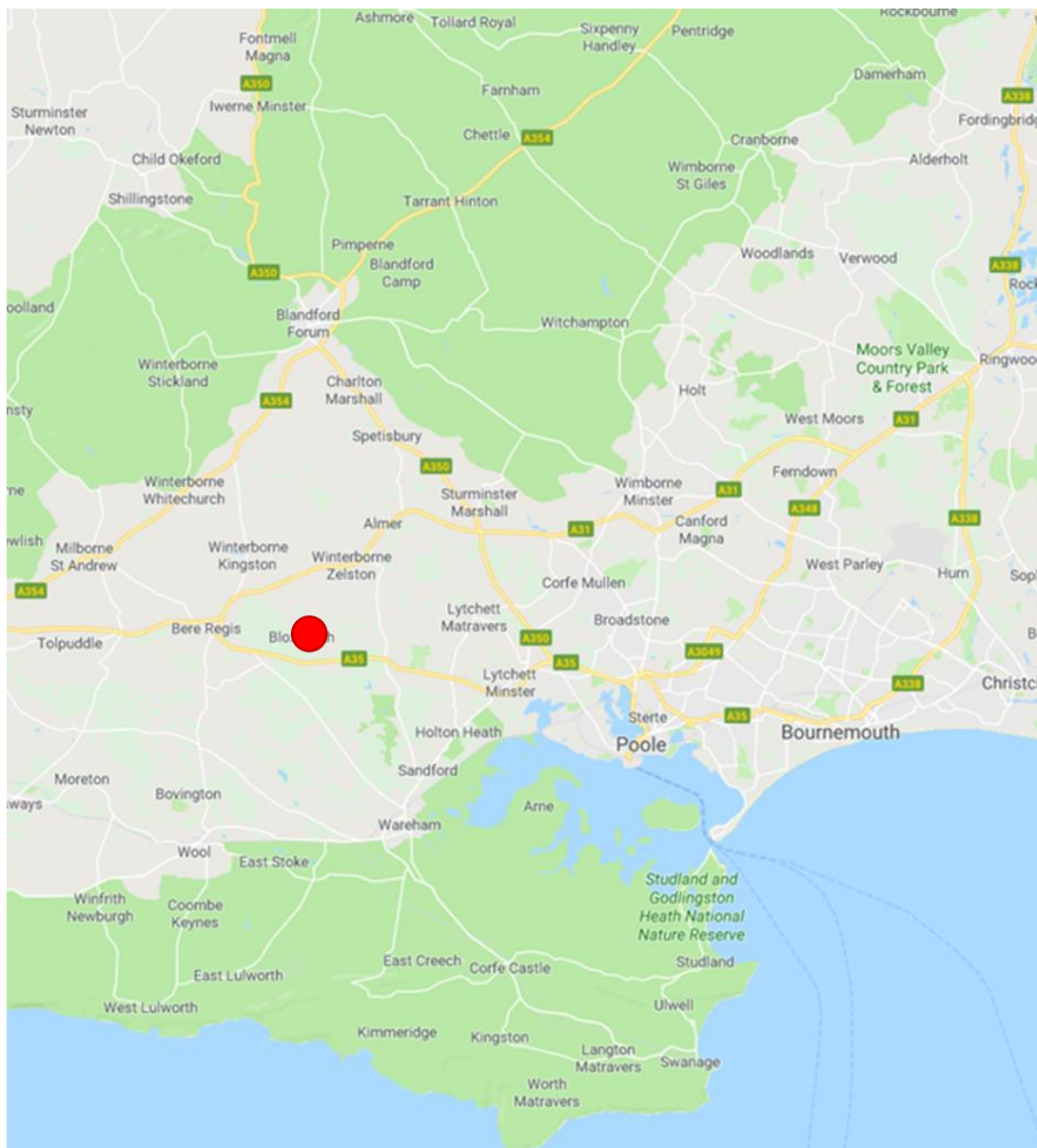
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● Approximate Site Location

Application reference: P/HOU/2024/00735

Description of development: Conversion of the garage to a studio ancillary to the dwelling and construction of an extension to proposed studio, store and patio. Alterations to rear of property. Surface front garden area. Install air conditioning unit.

Site address: Hawthorne, 5 The Green, Bloxworth, Wareham, BH20 7EX



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