

1.0 APPLICATION NUMBER: [2/2019/1223/FUL](#)

SITE ADDRESS: Land At 9 - 10 Pigeon Close Blandford St Mary Dorset

PROPOSAL: Erect 4 No. dwellings and create new vehicular and pedestrian access (demolish existing garage)

APPLICANT: Edgewater Developments

CASE OFFICER: Cass Worman

WARD MEMBERS: Cllr. Andrew Kirby

REASON APPLICATION IS GOING TO COMMITTEE: At request of Head of Planning, following Scheme of Delegation consultation

2.0 Summary of Recommendation: GRANT subject to conditions

3.0 Reason for the Recommendation:

- Para 14 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise
- The location is considered to be sustainable and the proposal is acceptable in its design and general visual impact on the character of the site and locality.
- There is not considered to be any significant harm to neighbouring residential amenity.
- There would be no harm to protected trees and appropriate landscaping would be secured by means of condition.
- There are no material considerations which would warrant refusal of this application.

4.0 Table of key planning issues:

Issue	Conclusion
Principle of development	The application site is within the settlement boundary for the town, identified in Policy 2 for further growth. The principle of development for the erection of 4 No. chalet style dwellings has been established following previous application 2/2019/0169/FUL having been granted
Economic benefits	The development would result in the erection of four dwellings within the settlement of Blandford St Mary
Scale, design, impact on character and appearance of Conservation Area	Introduction of 4 No. 2 storey dwellings, arranged in a semi-detached layout, would not be uncharacteristic of the area given the mix and

	density of housing within the locality. The layout and density of the dwellings reflects the local grain of development. The dwellings would be finished in materials that would be in-keeping with the local vernacular.
Access and Parking	The scheme provides five car parking spaces in an allocated parking area accessed from Knights Close
Amenity	The design of the dwellings has been considered to minimise the impact on neighbour amenity and to safeguard the amenity for future occupiers
Trees, Landscaping & Biodiversity	The site is currently amenity garden area with ornamental planting and poor quality garden hedgerow. An approved Biodiversity Mitigation and Enhancement Plan accompanies the application

5.0 Description of Site:

The site lies within the settlement boundary of Blandford Forum, within a housing estate containing varying forms of development; the eastern side being post-war with relatively large plots with detached and semi-detached dwellings; development to the south and west being more modern and higher density.

The application site is the rear gardens of 9 and 10 Pigeon Close. These gardens back onto Birch Avenue behind; an area of grass verge and scrubby hedgerow lies between the rear of the gardens and Birch Avenue.

6.0 Description of Proposal:

6.1 Erection of 4 No. 2 storey dwellings, in the form of 2 semi-detached units. The dwellings would be red brick, with hipped clay tiled roofs. Garden areas would lie to the rear of the dwellings, backing onto the back gardens of 9-10 Pigeon Close.

6.2 Each dwelling has an open front porch leading to the proposed pedestrian path which would link the properties with access onto the corner of Birch Avenue and Knights Close. The properties would be set just below existing ground level, and planting and a low level wall to the front the development is proposed.

6.3 New access and a new car parking area with spaces for 5 cars, is proposed off Knights Close. A communal bin storage area is also provided.

7.0 Relevant Planning History:

Application: 2/2019/0169/FUL

Proposal: Erect 4no. chalet style dwellings with associated amenity space and car parking

Decision: Approve

Decision Date: 25.03.2019

8.0 Constraints:

- Within Settlement Boundary: Blandford Forum
- WW Sewer Consultation - High Risk of Foul Sewer Inundation

9.0 Consultations:

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

Winterborne North Ward

Object - poor design and over-development (the density is too high)

Blandford St Mary Parish Council

Object - Over development of the site and concerns over access for the proposed 5 dwellings.

Officer Note - No response from the Parish Council was received when re-consulted when the scheme was amended to four dwellings.

Transport Development Management

No objection subject to conditions (vehicle access construction, access gradient 1 in

Wessex Water

The proposal is located in an area prone to sewer flooding caused by high levels of groundwater during prolonged periods of wet weather. WW recommend details of foul drainage system agreed via condition.

Tree Officer South

No objection subject to conditions (new planting and landscaping)

Representations:

No representations were received at time of report preparation

10. Relevant Planning Policies:

North Dorset Local Plan Part 1 2011-2031

- Policy 1 – Sustainable Development
- Policy 2 – Core Spatial Strategy
- Policy 4 - The Natural Environment

- Policy 6 – Housing Distribution
- Policy 7 – Delivering Homes
- Policy 16 – Blandford
- Policy 23 – Parking
- Policy 24 – Design
- Policy 25 – Amenity

National Planning Policy Framework (2019)

2. Achieving sustainable development

4. Decision-making

11. Making effective use of land

- Achieving appropriate densities

122. Planning policies and decisions should support development that makes efficient use of land, taking into account:

...

d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change

e) the importance of securing well-designed, attractive and healthy places.

12. Achieving well-designed places

127. Planning policies and decisions should ensure that developments:

- *a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- *b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- *c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- *d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- *e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and*

other public space) and support local facilities and transport networks; and

- *f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

Other material considerations

The Blandford + Neighbourhood Plan 2011 - 2033 has been submitted to Dorset Council for examination. An independent examiner is currently examining the plan. A hearing relating to the plan took place on the 12 November 2019. The inspector's report has not yet been published. There is no specific conflict with the draft Neighbourhood Plan in relation to this current proposal.

11. Human Rights:

Article 6 - Right to a fair trial.

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

The first protocol of Article 1 Protection of property

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

12. 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 PSED

This application is for four new dwellings, which would comply with current Building Regulations. The front of each dwelling is accessed via a level path from Birch Avenue/Knights Close.

13. Financial Benefits:

Jobs would be created during the construction stage.

Occupants would make use of local services.

The dwellings would generate council tax.

The proposal would contribute to the rural economy in terms of increased support for local businesses.

14 Climate Implications:

The proposed development would result in erection of 4 dwellings within the settlement boundary of Blandford, identified by Policy 2 of the North Dorset Local Plan as a sustainable location for further growth.

The dwellings would be designed to meet current building regulations which would help reduce the carbon footprint of the ongoing heating and running of the buildings

15 Planning Assessment:

- Principle of development
- Design
- Amenity
- Access and parking
- Biodiversity & Landscaping
- Drainage
- Rights of Way

15.1 Principle of development

The proposal follows a previous approval of four chalet bungalows, in a terraced arrangement on the site, ref 2/2019/0169/FUL

The application site is located within the settlement boundary of the town of Blandford.

This application originally proposed a row of five terraced units which was considered to be overdevelopment of the site, sitting too close the boundary and resulting in a cramped form of development. Following discussion with officers, the applicant submitted new plans, and the application now seeks consent for four two storey dwellings, in the form of two semi-detached units.

Local plan policy 2 supports infill residential development within the established settlement boundaries. Blandford is one of the District's four main towns and the focus for development in the District. The NPPF supports development of new housing in sustainable locations.

The lack of a 5 year housing land supply adds additional weight to the proposal. The NPPF states that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole. No such harm has been identified in this instance. This is discussed in the following sections of the report.

15.2 Design

The site plan shows a layout which with sufficient land available to accommodate the development of the row of two, two storey, semi-detached units. The properties would face onto Knights Close & Birch Close. The existing verge would be retained, so a soft buffer would be retained to the front of the development which is characteristic of the estate.

Adequate spacing would be retained to the neighbouring buildings behind, 9 and 10 Pigeon Street, retaining ample rear gardens 10-12 metres deep. Each of the new dwellings is provided with at least 8 metres of garden space to the rear. This layout results in plentiful space between the new dwelling and the existing dwellings behind, and ensures that the development would not appear cramped or congested in its appearance or siting.

Each dwelling would have an open porch leading to the pedestrian path which links the properties with access onto the corner of Birch Avenue and Knights Close. The properties would be set just below existing ground level and planting and a low level wall to the front the development is proposed.

The dwellings are 2 storeys in height, with hipped roofs. They are similar in size, design, and layout to other developments in the immediate setting and the development would not appear dominant or overbearing to the street scene. It is proposed to set the dwellings below street level which will further reinforce the recessive nature of the design.

The dwellings would be constructed of brick, red in colour with clay effect tiles to the roof – these materials are similar to, and would compliment those in the vicinity. These are simple and appropriate materials for the estate which features a mixture of post-war and more modern dwellings.

The proposals are considered to be in keeping with the character of the area with regards to scale, appearance and layout, and would not have an adverse impact on the visual amenities of the character of the site or locality.

The surrounding estate is a mixture of post-war housing which is a lesser density than the newer housing sited to the west of the site. The proposed dwellings are two-bedroomed units, of a good size, with adequate sized gardens, and one parking space.

Considering the discussion above, and taking into account the dwellings are a set of two, semi detached two storey dwellings, set back from the side boundary; the density of the proposed development is considered to be acceptable, and ample amenity space for each dwelling is provided to front and rear. It is officer opinion that the scheme does not represent a cramped or constrained form of development.

15.3 Amenity

Policy 25 of the Local Plan and the NPPF seek to safeguard the amenity of existing and future occupiers of land and buildings.

The host dwellings to the rear at Pigeon Close would retain ample rear gardens of over 10 metres in depth. The new dwellings would have rear gardens of 8 metres. This ensures sufficient distance between the dwellings to prevent over and in-looking. The layout of the new dwellings is oblique, such that the rear windows of 9 and 10 Pigeon Close do not directly overlook the rear gardens of the proposed dwellings. Fenestration has been designed such that no overlooking would result from the development.

The new two storey dwellings are of a sufficient distance from neighbouring properties so as not to result in overshadowing or overbearing.

The proposed development would not have a significant adverse impact on the living conditions of occupiers of neighbouring residential properties.

15.4 Biodiversity & Landscaping

The site is currently amenity garden area with ornamental planting and poor quality garden hedgerow. The previously approved application was accompanied by an approved Biodiversity Mitigation and Enhancement Plan (BMEP), and identical recommended measures are proposed for this scheme (BMEP certificate currently being acquired by the Dorset Natural Environment Team). With the implementation of the approved biodiversity mitigation and enhancement measures, the proposal would have no adverse impacts on biodiversity interests. The proposed measures would include tree planting, bee bricks, bat access tiles and the fencing at the northern boundary and any new fencing will have 20cm squared cuts in the base boards to allow mammals access to the gardens.

15.5 Drainage

The proposal is located in an area prone to sewer flooding caused by high levels of groundwater during prolonged periods of wet weather. Therefore, a sealed system is required to ensure no groundwater enters the foul water drainage system. A condition seeking details of the proposed foul drainage system to be submitted to and agreed by the LPA is recommended.

Details of surface water drainage will follow the SuDS hierarchy and will be subject to building regulations.

15.6 Rights of Way

The proposals would maintain the rights of way: the pavement along Birch Avenue would remain unaltered, as would the path to the west of the site linking Birch Avenue to Pigeon Close. Details of the proposed boundary treatment alongside the footpath linking Birch Avenue to Knights Close is not provided, details of which would be secured via condition to ensure the boundary treatment would not result in an overbearing enclosure to users of this linking section of footpath. It is deemed important to restrict permitted development rights with regards to alteration of the boundary treatment to protect the amenity of users of this path.

15.7 Access and parking

A New access off Knights Close, and off-road car parking for five spaces would be provided. Dorset Council Highways have no objections to the proposals subject to conditions. The proposal would not compromise road safety and there is sufficient parking considering this sustainable location of the development within the Blandford settlement boundary. Pedestrian access to the front of the dwellings via new level path from the corner of Knights Close and Birch Avenue is proposed.

16.0 Conclusion

- 16.1** The proposed development is considered to comply with the relevant policies of the Local Plan and sections of the National Planning Policy Framework as previously listed. Permission for four dwellings has been previously granted on this site.
- 16.2** The proposed development would not have an adverse impact on the amenity currently enjoyed by occupiers of neighbouring residential properties
- 16.3** The design of the scheme is acceptable, using simple materials characteristic of the surrounding development. The layout, of four, two bedroomed houses, laid out as a pair of semi-detached dwellings, off-set from the boundary, with adequate amenity space to front and rear, does not represent a cramped or constrained form of development.
- 16.4** An approved BMEP accompanies the application, and landscaping and new planting would be secured by means of a condition to both enhance biodiversity and visual amenity.
- 16.5** The proposed development would not have an adverse impact on highway safety and adequate parking is provided, which would be secured by condition.

16.6 Weighing in favour of granting permission is the contribution to the housing supply of four much needed units of accommodation. No demonstrable harm has been identified and with this in mind, permission should be granted in line with the requirements of the NPPF.

16.0 Recommendation

GRANT subject to conditions

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 strictly and only in accordance with the following approved drawings and details:

9232/200; 9232/201; 9232/202; 9232/203;

forming the approved application.

Reason: For the avoidance of doubt and to clarify the permission.

3. Prior to development above damp proof course level, samples of materials to be used in the construction and finish of the walls and roof; shall be made available on site and retained in that location thereafter for the inspection and approval of the Local Planning Authority. Any such samples shall require approval to be obtained in writing from the Local Planning Authority and the development shall thereafter accord with the approved materials.

Reason: To safeguard the character of the locality and the appearance of the development.

4. Prior to works above damp proof course level, full details of both hard and soft landscape proposals shall, by reference to site layout drawings of an appropriate scale, be submitted to and approved in writing by the Local Planning Authority. The details shall include, the following information:

(a) Means of enclosure, including details of proposed height, materials and finish. Thereafter, no individual house shall be first occupied until the agreed means of enclosure for its plot boundaries have been completed.

(b) Planting plans, to include: Written specifications; schedule of plants, species, size, proposed numbers and densities; implementation & maintenance timetables. The development shall thereafter accord with the approved details.

Reason: To ensure the provision of amenity afforded by appropriate landscape design

5. Before any foul drainage pipe work is installed, the details of that system and how it will be implemented to ensure it results in a sealed system, must be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter accord with the approved drainage scheme and shall be completed before first occupation or use of the development.

Reason: To avoid drainage problems as a result of the development to ensure that no groundwater enters the foul water drainage system within the site.

6. Before the development hereby approved is occupied or utilised the turning and parking shown on Drawing Number 9232/200 must have been constructed. 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 and to ensure that highway safety is not adversely impacted upon.

7. Before the development is occupied or utilised the first 5.00 metres of the vehicle access, measured from the rear edge of the highway (excluding the vehicle crossing - see the Informative Note below), must be laid out and constructed to a specification submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that a suitably surfaced and constructed access to the site is provided that prevents loose material being dragged and/or deposited onto the adjacent carriageway causing a safety hazard.

8. Before the development is occupied or utilised, the first 5.00 metres of any access, access crossing and drive must be constructed to a gradient not exceeding 1 in 12.

Reason: To ensure that the public highway can be entered safely.

9. There must be no gates hung so as to form obstruction to the vehicular access serving the site.

Reason: To ensure the free and easy movement of vehicles through the access and to prevent any likely interruption to the free flow of traffic on the adjacent public highway.

10. Prior to occupation or use, the mitigation measures as detailed in the approved Biodiversity Mitigation Plan dated (tbc) XXXX shall be completed in full. Thereafter the scheme shall be maintained as detailed in the approved plan

Reason: To minimise impacts on biodiversity.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) (with or without modification) no enlargements or alterations of the dwellinghouse hereby approved, permitted by Schedule 2 Part 1 of the 2015 Order, shall be erected or constructed.

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

12. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), no fences, walls, gates or other means of enclosure permitted by Class A of Schedule 2 Part 2 of the 2015 Order shall be erected around the curtilage of any dwellinghouse hereby permitted in a position forward of any wall of that dwelling house which fronts onto a road, private drive, footway, footpath or open space area.

Reason: To protect visual amenity and the character of the area.

13. Prior to the construction of any foundation, precise details of the finished floor level of the proposed dwellings shall be submitted to the local planning authority for approval in writing. The development shall be carried out strictly in accordance with the agreed details.

Reason: To ensure that the dwellings are set below street level which will further reinforce the recessive nature of the design and ensure that the dwellings relate properly to the surrounding development.

1. Informative - Dorset Highways:

The vehicle crossing serving this proposal (that is, the area of highway land between the nearside carriageway edge and the site's road boundary) must be constructed to the specification of the County Highway Authority in order to comply with Section 184 of the Highways Act 1980. The applicant should contact Dorset Highways by telephone at Dorset Direct (01305 221000), by email at dorsetdirect@dorsetcc.gov.uk, or in writing at Dorset Highways, Dorset Council, County Hall, Dorchester, DT1 1XJ, before the commencement of any works on or adjacent to the public highway.

3. Informative – Wessex Water:

According to WW records, there are no recorded public sewers or water mains within the red line boundary of the development site. Please refer to the notes and map submitted by WW for advice on what to do if an uncharted pipe is located.

The proposal is located in an area prone to sewer flooding caused by high levels of groundwater during prolonged periods of wet weather. Separate systems of drainage on site must be completely watertight and vent stacks rather than durgo valves must be used to prevent restricted toilet use during these prevailing conditions

The surface water strategy:

Surface water flows, generated by new impermeable areas, must not be connected to the foul water network which will increase the risk of sewer flooding and pollution. The surface water strategy for the proposed site must follow the SuDS hierarchy, and will be subject to building regulations