

REPORT SUMMARY

REFERENCE NO.	3/19/1365/FUL		
APPLICATION PROPOSAL	Erection of 14 commercial units for B1(b), B1(c) and B8 use together with access and associated parking		
ADDRESS	Land North of Casa Velha, Ringwood Road, Three Legged Cross, Wimborne, Dorset, BH21 6RB		
RECOMMENDATION - Grant, subject to conditions: (see Section 12 of the report for the full recommendation)			
REASON FOR REFERRAL TO COMMITTEE The nominated officer has requested that the application be determined by committee due to impact on neighbouring amenity			
SUMMARY OF REASONS FOR RECOMMENDATION <ul style="list-style-type: none">The proposed is located within the urban area of Three Legged Cross, where the principle of new employment development is generally acceptablethere are not considered to be any matters which would warrant a refusal of planning permission in this case.			
INFORMATION ABOUT FINANCIAL BENEFITS OF PROPOSAL Not applicable			
APPLICANT	Westcroft Construction Ltd	AGENT	Chapman Lily Planning Ltd
WARD	Verwood	PARISH/ TOWN COUNCIL	Verwood Town Council
PUBLICITY EXPIRY DATE	16 January 2020	OFFICER SITE VISIT DATE	10 October 2019
DECISION DUE DATE	18 December 2020	EXT. OF TIME	TBC
RELEVANT PLANNING HISTORY – Application Site			
App No	Proposal	Decision	Date
3/18/0921/PAM	9 no. detached dwellings on Land to the North of Casa Velha with new access onto West Moors Road. 3 no. commercial units with parking and new day nursery.	N/A	Written response 02/05/2018
RELEVANT PLANNING HISTORY – Adjacent Land			
3/18/3235/OUT	Outline application with access for consideration for the erection of 9, two storey, properties. (Outline: Approval sought for Access only)	Granted	12/04/2019

3/19/1699/RM	Erection of 9, two storey, properties. (Reserved Matters following PA 3/18/3235/OUT Appearance, Landscaping, Layout and Scale.)	TBC	TBC
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MAIN REPORT

1.0 DESCRIPTION OF SITE AND SURROUNDINGS

- 1.01 The application site is open land situated to the south of Ringwood Road. It is located within the main urban area of Three Legged Cross and within 400m of Holt and West Moors Site of Specific Interest (SSSI). The site measures approximately 0.58ha.
- 1.02 The application site is bordered by Ringwood Road to the north; an access road to the east that services the Oakdene Nursing Home located to the east; the residential dwellings of Oakdene Orchard and Casa Vehla to the south (also serviced by the access road); and currently open land to the west that has an extant planning permission, PA 3/18/3235/OUT, for 9 dwellings.
- 1.03 The current access is from Ringwood Road which services Oakdene Nursing Home, Oakdene Orchard and Casa Vehla. It is proposed to use the same access and a Certificate B has been provided where notice has been served on Oakdene Orchard, Casa Vehla and Dorset Council.
- 1.04 The site has a well vegetated boundary to the north with closed board fencing adjacent to the public highway, which provides screening and adds to the semi-rural character to this part of Ringwood Road. There is also some vegetation to the southern boundary. The western boundary is currently open and the eastern boundary has approx. 2m high closed board fencing.
- 1.05 As noted previously there is an extant planning permission (PA 3/18/3235/OUT - *Outline application with access for consideration for the erection of 9, two storey, properties. (Outline: Approval sought for Access only)*) for 9 dwellings to the west by the same applicant and currently has a reserved matter application under consideration (3/19/1699/RM - *Erection of 9, two storey, properties. (Reserved Matters following PA 3/18/3235/OUT Appearance, Landscaping, Layout and Scale.)*)).
- 1.06 It is also noted a pre-application meeting and response was given, 3/18/0921/PAM, for the site as a whole for 9 dwellings, 3 commercial units and a day nursery. In some neighbour objections received it is noted pre-app advice is not made available publicly. It is not Council practice to consult on pre-application submissions of this nature, nor are responses publicised.
- 1.07 Pre application advice is given by officers without the involvement of external consultees, neighbours or other interested parties and generally without the

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benefit of a site visit. The views given are not a formal decision of, nor are they binding, on the local planning authority.

The Council is subject to requirements under the Freedom of Information Act 2000 and Environmental Information Regulations 2004. Where the Council receives a request to disclose any information in relation to a pre-application discussion, it will notify and consult with the 'applicant' concerning its possible release.

The Council reserves the right, to disclose any such information it deems appropriate and shall be responsible for determining at its absolute discretion whether the information is exempt from disclosure in accordance with the FOIA or EIR.

2.0 PROPOSAL

2.01 This is a full planning application for:

'Erection of 14 commercial units for B1(b), B1(c) and B8 use together with access and associated parking.'

2.02 in response to consultee comments and officer concerns, revised plans were submitted in December 2019.

Changes include:

- Units moved further away from Ringwood Road to allow existing vegetation to be retained and additional landscaping added.
- Units moved away from the southern boundary with additional landscaping added
- Unit layout revised to allow for the above changes
- Units fronting Ringwood Road reduced from 5 to 4 units and divided into one separate larger unit and a block of 3
- Eaves height of units to the south reduced to the rear to reduce bulk and impact on neighbouring amenity
- Additional landscaping provided to the western boundary.

2.03 The 14 units proposed are arranged in three blocks of 4 to the north, 6 back to back to the centre and 4 to the south. The existing access from Ringwood Road is shown to be retained and will service the proposed units.

2.04 Proposed materials are typical of those provided for commercial units with profile cladding, glazing and standing seam roofs.

2.05 The existing trees along the Ringwood Road frontage are to be retained and additional planting provided. Additional planting and landscaping will also be provided to west and southern boundaries.

2.06 50 vehicle parking spaces are proposed and 20 cycle spaces.

3.0 SUMMARY OF INFORMATION

	Proposed
Site Area (ha)	0.58ha
Floor Area	Total - 1163.02 m2
Use	B1 Business (up to 1163.02m2) – Uses which can be carried out in a residential area without detriment to its amenity. Specifically: B1 (b) – Research and development B1 (c) – Light Industrial B8 – Storage or distribution (up to 388m2 only)
Approximate Ridge Height (m)	All units - 7m
Approximate Eaves Height (m)	Units 1- 10 (north and centre) – 5.3m Units 11-14 (south) – 4.5 (rear), 5.3m (front)
Approximate Depth & width (m)	Unit 1 (north) - 11 x 11.7m Units 2 - 4 (north) – 11x 7.5m Units 2 -10 (centre) – 10.5 x 8.2m Units 11-14 (south) – 13.5 x 7.3m
Materials	Profile cladding, glazing, standing seam roof
Parking Spaces	50 vehicle 20 cycle
No. of Storeys	Units 1 -10 have been designed to allow for possible future mezzanine levels internally. Units 11-14 will have no upper levels due to the restricted eaves height to the rear.

4.0 RELEVANT PLANNING CONSTRAINTS

Highways

Heathland 400m Consultation Area / 400-5k Consultation area

Main Urban Area

5.0 POLICY AND OTHER CONSIDERATIONS

5.01 Development Plan:

Christchurch and East Dorset Core Strategy (Part 1) 2014 (CS)

KS1	Presumption in favour of sustainable development
KS5	Provision of Employment Land
KS11	Transport and Development
KS12	Parking Provision
HE2	Design of new development
HE3	Landscape Quality
ME1	Safeguarding biodiversity and geodiversity
ME3	Sustainable development standards for new development
ME4	Renewable energy provision for residential and non-residential developments
ME6	Flood Management, Mitigation and Defence
ME2	Protection of the Dorset Heathlands
PC1	Christchurch and East Dorset Employment Land Hierarchy

East Dorset Local Plan 2002 (EDLP) (saved policies)

DES2	Criteria for development to avoid unacceptable impacts from types of pollution
DES6	Landscaping schemes in rural areas and on the edge of settlements should be of indigenous species.
DES7	Criteria controlling the loss of trees.
DES11	Criteria for ensuring developments respect or enhance their surroundings.

5.02 Government Guidance

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

6.0 LOCAL REPRESENTATIONS

- 6.01 In addition to letters to neighbouring properties, a site notice was posted outside the site on the 10 October 2019 with an expiry date for consultation of the 03 November 2019. Neighbours were also reconsulted by letter for the revised design on 02 January 2020.
- 6.02 One letter of support was received from a neighbouring address noting they support the proposed use as housing cannot be provided given the proximity to the SSSI; it would support the local economy; and that the revised plans are preferred.

6.03 In total 20 letters of objection from 12 addresses were received raising the following issues:

	Initial Consultation Response October 2019	Revised Design Consultation Response January 2020
Proposed Use	There are enough industrial estates already provided in the area	There are enough industrial estates already provided in the area
Impact on Character of the area	<p>Not in keeping with the residential character of the area</p> <p>Proposed use will have a negative impact on the character of the area</p>	<p>Not in keeping with the residential character of the area</p> <p>Proposed use will have a negative impact on the character of the area</p>
Neighbouring Amenity	<p>Proposed use will have a negative impact on neighbouring amenity through noise, disturbance, smells, vibration, loss of light, overshadowing and views</p> <p>Vibrations from additional heavy vehicles will impact neighbouring properties</p>	<p>Proposed use will have a negative impact on neighbouring amenity through noise, disturbance, smells, vibration, loss of light, overshadowing and views</p>
Traffic/access/parking	<p>Increased traffic will impact negatively on the area</p> <p>Surrounding road infrastructure will not cope with additional traffic, in particular lorries</p> <p>Highway safety concerns in relation to increased</p>	<p>Increased traffic will impact negatively on the area</p> <p>Surrounding road infrastructure will not cope with additional traffic, in particular lorries</p> <p>Highway safety concerns in relation to increased traffic, in particular</p>

	<p>traffic, in particular lorries, and the use of near-by bus stops by school children</p> <p>Highway safety concerns I relation to the near-by mini roundabout</p> <p>Will impact on access to the nursing home</p> <p>Insufficient parking provided</p>	<p>lorries, and the use of near-by bus stops by school children</p> <p>Highway safety concerns I relation to the near-by mini roundabout</p> <p>Will impact on access to the nursing home</p>
Landscaping/trees	<p>Insufficient landscaping provided</p> <p>Increased pollution will impact negatively on protected trees</p>	
Other	<p>Pre-application advice is not publicly available</p> <p>Cumulative impact of the proposed in relation to other industrial estates in the area needs to be considered</p> <p>Increased pollution will impact negatively on the near by SSSI</p> <p>Some of the information provided in the submitted PDA and Noise Impact Assessment is considered to be incorrect</p>	

7.0 CONSULTATIONS

The following responses were received from consultees in relation to the initially submitted and revised design.

Dorset Council Planning Policy

Initial Design 10/12/2019	<ul style="list-style-type: none"> - The application site is not allocated for employment development in the Christchurch and East Dorset Local Plan Part 1 – Core Strategy. - However, it is located within the urban area of Three Legged Cross. Within this area the principle of new
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	<p>employment development is generally acceptable subject to consideration of matters such as character and appearance, highway safety, impact on the living conditions of the occupiers of neighbouring properties etc.</p> <ul style="list-style-type: none"> - Consequently, subject to the proposal meeting policy requirements in respect of such matters, Planning Policy does not object to the proposed development.
Revised Design	<ul style="list-style-type: none"> - N/A reconsult not required

Natural England

Initial Design 15/11/2019	<ul style="list-style-type: none"> - No objection subject to securing approved BMEP
Revised Design	<ul style="list-style-type: none"> - N/A reconsult not required

Verwood Town Council

Initial Design 4/10/2019	<ul style="list-style-type: none"> - Contrary to Policy HE2, layout, site coverage would have a detrimental impact on the residents of the adjacent nursing home, architectural style, scale, bulk, materials, landscaping, visual impact and relationship to nearby properties including minimising general disturbance to amenity. - We fully support the representation made by East Dorset Environment Partnership
Revised Design 09/01/2020	<ul style="list-style-type: none"> - Contrary to Policy HE2, layout, site coverage would have a detrimental impact on the residents of the adjacent nursing home, architectural style, scale, bulk, materials, landscaping, visual impact and relationship to nearby properties including minimising general disturbance to amenity.

DC Highways

Initial Design 08/10/2019	<ul style="list-style-type: none"> - For a development of this type and scale I would expect drawings to be submitted detailing the following: <ul style="list-style-type: none"> • The proposed carriageway widths. • The location of pedestrian footpaths. • Service margins. • A swept path analysis proving that large service vehicles (both rigid and articulated) can drive freely around the site. • Speed reduction methods employed on the highway to
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	<p>restrict speeds to 20mph or less.</p> <ul style="list-style-type: none"> • Junction markings and give way lines. • The exact dimensions of the visibility splays to be provided at the junction onto Ringwood Road. <p>- Are the internal highways to be offered for adoption?</p>
Initial Design 13/11/2019	<p>- The agent has confirmed that it not their intention to offer the internal estate road layout for adoption under s38 of the Highways Act.</p> <p>- No objection subject to conditions in relation to access, visibility splays, cycle parking and gates</p>
Revised Design 20/01/2020	<p>- The Highway Authority has nothing further to add to its previous observation dated 13 November 2019</p>

EDEP

Initial Design 30/04/2019	<p>Objection for the following reasons:</p> <ul style="list-style-type: none"> - The application has provided no evidence of need. Policy PC1 does not include a requirement for windfall sites. - The total requirement for SE Dorset up to 2028 is 173ha. Thus the combined two Local Plans have identified a substantial overprovision (57ha) for the plan period. - The Local Plan Review for Dorset Council is underway and employment site allocation will be addressed strategically across the whole LPA area. - The policy requirement for flexibility (Policy PC2) to which the applicant refers (PDAS 5.22) relates to potentially using some employment land for non B1, B2 and B8 uses – eg housing and <u>not</u> flexibility in where employment sites are located. <i>Ad hoc</i> ribbon development of industrial sites along the widely acknowledged sub-standard heavily trafficked C2 is unacceptable and does not comply with fundamental planning principles or the Core Strategy. - It is difficult to see how B8 (warehousing) could not adversely impact on adjacent residential properties and their amenity. No evidence has been provided to the contrary. The PDAS appears to have assumed no residential use during daytime. - No evidence has been submitted to demonstrate that the development would not exacerbate transport problems in the immediate area or South East Dorset generally.
Revised Design 15/01/2020	<p>- We maintain our objection to this application for the reasons given in our earlier response but note that a BMEP</p>

	<p>has now been submitted and approved.</p> <ul style="list-style-type: none"> - We note and support the Tree Officer's advice that the units should be pulled back from the road to allow for meaningful long term planting. - The revised drawings show the units are still closer to Ringwood Road than the building line of the adjacent nursing home. - We recommend that if the LPA is minded to support this application, consideration should be given to using larger (rootballed) replacement trees and shrubs along the frontage to ensure that screening is achieved in a reasonable time. - In terms of species selection and provenance, any new additional planting should comply with the BMEP. The number of trees will need to be increased and a revised BMEP submitted for approval.
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CED Trees

Initial Design 22/11/2019	<ul style="list-style-type: none"> - The report shows the retention of most of the important trees within the site, however unfortunately this includes the loss of the entire vegetative screen on the front boundary, coincidentally facilitating the positioning of the units closer to the front boundary. - The impact the x5 units will have on the semi-rural street scene. While it is, as so often the case, easy for an applicant to come up with a mitigating planting scheme. In this case the space is not there to plant anything meaningful for the long term benefit of the area. - Ideally the pulling back of the units away from the road to increase the buffer would be the ideal solution and putting forward with a properly thought out planting scheme which will add to both the street scene and act to hide/soften the development.
Revised Design 20/01/2020	<ul style="list-style-type: none"> - The site layout has now changed resulting in the front units being brought further back into the site, the result of which allows the vegetative screen fronting Ringwood road to be retained as is, which makes the scheme more acceptable. The submitted tree survey and protection plan however does not represent the updated scheme and needs to be updated to show the new layout and how that frontage screen is to be protected from the development and safely retained. However, this can be a condition. - No objection subject to tree protection condition

Initial Design	- No response
Revised Design 20/10/2020	- Having to reverse more than 12m into Units 1 – 4. A dedicated bin collection point “BCP” closer to the main road for these units to deliver their bins to is required.

DC Environmental Health

Initial Design 23/11/2019	- The applicant has submitted a noise assessment for the proposed site. We could potentially agree a suitable noise condition to protect the amenities of nearby residents however concerns that the monitoring locations used to determine the background noise levels are not representative. I note the recently secured residential permitted development on the west section of the land (3/18/3235/OUT) and feel the noise consultant should include a third monitoring location at the closest boundary between the new residential properties and the proposed industrial units. The background levels at that point are likely to be lower than those used in the model and the noise levels due to the proposed industrial units would be higher.
Initial Design 16/12/2019	<ul style="list-style-type: none"> - Further clarification provided by the applicant in relation to the noise assessment has been provided. - Giving consideration to the comments made by the noise consultant the noise assessment is considered acceptable. However, conditions are required in relation to noise, light spill, external plant, to control times of both unit operations and deliveries to the site, construction management statement to be provided.
Revised Design 03/01/2020	- No further comments

Wessex Water

Initial Design 21/11/2019	<ul style="list-style-type: none"> - Holding objection - Surface water drainage information is incorrect, to be revised - Foul water drainage information not provided
Revised Design 21/01/2020	- Existing Sewer - Satisfied that the layout gives consideration to the surface water sewer and the

	<p>proposed buildings do not conflict with the sewer easement. This is a critical sewer and the developer will need to contact Wessex Water to agree protection arrangements and working method statements for construction in proximity of the sewer. Trees must not be planted within 6m of the sewer.</p> <ul style="list-style-type: none"> - Surface Water - Separate systems of drainage are required. Surface water flows to be disposed of in accordance with Suds Hierarchy and NPPF Guidelines. The drainage strategy proposes to discharge via infiltration which will be subject to the approval of the Lead Local Flood authority with associated flood risk measures. The placing of soakaway crates or infiltration within the sewer easement will not be permitted. The developer has considered a contingency strategy should infiltration testing prove unsatisfactory. Wessex water will accept a connection to the 900mm public surface water sewer at a restricted rate, if other methods of drainage in the SUDS hierarchy have been proven not viable. Technical details to be agreed with the regional engineer at detailed design stage. Surface water connections to the public foul sewer network will not be permitted. Land drainage run-off shall not be permitted to discharge either directly or indirectly to the public sewerage system. - Foul Drainage - The drainage strategy proposes an off site foul sewer to the west connecting to the 150mm public foul sewer in West Moors Road. We are aware of granted development on the adjoining site to the west, and a strategic approach that caters for both developments should be applied when installing sewers, minimising disruption to the local community. A Section 98 sewer requisition may be required where crossing third party land. The 150mm public sewer in West Moor Road discharges to the Three Legged Cross pumping station. Cumulative development represents a 10% increase in the catchment of the pumping station and upon grant of planning a review of the capacity at Three Legged Cross pumping station is required to determine if any necessary improvement works are required. Developers may connect to the nearest public sewer on a size for size basis at their cost and Wessex Water will undertake
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	<p>any necessary network improvements to accommodate permitted development funded by infrastructure charges. The nearest public foul sewer to this site is the 225mm to the north in Ringwood Road. In the first instance, if the development is able to achieve a gravity connection to the Ringwood Road sewer, that is our preferred point of connection. A connection north to this sewer would avoid increasing foul loading through the Three Legged Cross pumping station. We can agree in principle to accept development flows to the public foul network and will seek to work with the developer to achieve the most sustainable gravity foul sewer solution.</p>
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LFA

Initial Design 21/11/2019	- Additional information required in relation to surface water and foul drainage
Revised Design	- With additional information provided we withdraw our previous recommendation of a (Holding) Objection and confirm that we have no 'In-Principle Objection' to the proposed development subject to attachment of conditions in relation to surface water drainage to any planning approval granted and compliance with the (conceptual) drainage strategy that has been outlined

Environment Agency

Initial Response	- No response
Revised Design	- No response

8.0 APPRAISAL

8.01 The main planning considerations for this application are:

- The principle of development
- Impacts on the character of the area
- Impacts on neighbouring amenity
- Highway safety and parking
- Nature Conservation
- Trees and Landscaping
- Drainage

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- 8.02 These points and other material considerations are discussed under the headings below.

Principle of development

- 8.03 The guidance contained in the National Planning Policy Framework (NPPF) and the National Planning Policy Guidance is material considerations in the determination of this application.
- 8.04 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications must be determined in accordance with the development plan for an area; except, where material considerations indicate otherwise.

Principle of development

- 8.05 The application is a major planning application seeking full consent to create employment land to meet the current and projected need for such land as advocated in Policy KS5 (Provision of Employment Land) of the Christchurch and East Dorset Core Strategy (Part 1).
- 8.06 The Bournemouth and Poole Workspace Study 2012 forms this evidence base that informs the level of future employment land provision in the Bournemouth and Poole Strategically Significant City and Town (SSCT). This study identifies a requirement of 173ha of employment land for B1, B2 and B8 use classes to be delivered across the Bournemouth and Poole SSCT in the plan period (between 2011-2031). Currently there is a supply of 150ha of employment land that is capable of coming forward over this period.
- 8.07 The level of employment land provision identified in Policy KS5 is necessary to address the projected requirements across the Bournemouth and Poole SSCT and reflects the availability of employment land across the area and the shortages of supply. In these respects it is important for the economies of the districts and the wider sub region for sufficient employment land to come forward in Christchurch and East Dorset.
- 8.08 It is acknowledged that the application site is not allocated for employment development in the Christchurch and East Dorset Local Plan Part 1 – Core Strategy. However, it is located within the urban area of Three Legged Cross. Within this area the principle of new employment development is generally acceptable subject to consideration of matters such as character and appearance, highway safety, impact on neighbouring amenity etc.
- 8.09 It should also be noted the application site is within the zone of influence of Dorset Heathlands SPA/Ramsar and Dorset Heaths SAC. As the development is located within 400m of these statutory protected sites, no net increase in residential dwellings is permitted.

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- 8.10 Given the above there is no objection to the principle of the proposed development subject to all other matters being acceptable and compliance with other Core Strategy policies.

Impact of the proposal on the character of the area

- 8.11 Section 12 of the NPPF highlights the importance of good design which should contribute positively to making places better for people. Local Plan Policy HE2 requires that development should be compatible with or improve its surroundings in relation to 11 criteria which include layout, site coverage, architectural style, bulk, height, materials, landscaping and visual impact.
- 8.12 This part of Ringwood Road has a semi-rural character interspersed by residential development with commercial development in the proximity to the east.
- 8.13 A number of objections were received and the officer raised concerns that the initial proposed design, in particular the 5 units fronting Ringwood Road would impact negatively on the character of the area. A revised design was submitted in December 2019 to address issues raised.
- 8.14 The 14 units will be arranged in three blocks of 4 units to the north, 6 back to back to the centre and 4 to the south. The 6 units to the centre and the 4 to the south will be less visible from Ringwood Road and have less impact on the character of the area. As such it is the 4 units fronting Ringwood Road that will have the most impact.
- 8.15 In order to reduce the impact on the character of the area the previously proposed 5 units were reduced to 4 and the layout revised to a 'dog leg' format with one larger separate unit to the west and the 3 other units forming a block. This reduced the scale and massing of the proposal making it less dominating to the public highway. The proposed units were also set back from the road frontage by 8m to be more inline with the adjacent residential dwellings to the west and to provide more opportunity for landscaping to provide screening.
- 8.16 Details of landscaping have not been provided but the planning and tree officers are satisfied sufficient landscaping for screening can be provided in the areas identified in the site plan and a condition has been added for landscape details to be provided (conditions 5 & 6). A condition has also been added to preclude adverts along the Ringwood Road frontage so that the visual amenity of the area is not compromised by a plethora of advertising along the roadside boundary (condition 20).
- 8.17 The buildings themselves are typical industrial units although more consideration has been given to the articulation of the units fronting Ringwood Road. The height of the buildings (ridge- 7m, eaves 4.5-5.3m) is considered to be commensurate with two storey residential dwellings in the immediate surroundings.

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- 8.18 Materials typical of industrial units will be used including profile cladding, glazing and standing seam roof. The details of these materials have not been specified and given the location where units will front Ringwood Road it is considered necessary to condition that samples of materials be provided in order to protect the character of the area (condition 3).
- 8.19 Overall the design approach taken is considered acceptable and would not warrant refusal. The proposal meets policies HE2 and HE3 of the CS.

Impacts on Neighbouring Amenity

- 8.20 Adjacent and opposite the application site there a number of residential dwellings in the surrounding area. In particular Oakdene Nursing Home to the east on the other side of the access road and Casa Vehla and Oakdene Orchard to the south. There are also residential dwellings on the opposite side of Ringwood Road to the north and future occupants of the extant permission to the west need to be considered. A number of objections were received in relation to impact on neighbouring amenity including noise, disturbance, smells, vibration from traffic, loss of light, overshadowing and loss of views.
- 8.20 The proposed use for B1, is defined as *'uses which can be carried out in a residential area without detriment to its amenity'*. These include the proposed uses of B1 (b) (research and development), B1 (c) (light industrial). It is acknowledged B8 (storage and distribution) is also proposed but this is only for one third of the proposed units and has been conditioned as such. The closest dwellings are 13-14m from the proposed units and this is Casa Vehla to the south and Oakdene Nursing Home to the east. The rest of the units are 14-25m from surrounding residential dwellings. Also units are generally bordered by roads (on and off site) to the east, west and Ringwood Road to the north. The only exception to this is unit 11 to the south west, where it is adjacent to neighbouring amenity space and the garage of the extant planning permission to the west.
- 8.21 Noise – A noise assessment has been provided and DC Environmental Health (EH) has been consulted. The EH officer raised initial concerns in relation to the noise assessment and requested an additional monitor to be placed on site. The noise consultant provided further clarification and noted the additional monitor would not change the findings. With the justification provided the EH officer concluded this was acceptable subject to conditions in relation to noise, lighting and hours of operation in order to protect neighbouring amenity, which have been added (conditions 14,15, 17 & 18). An informative has also been added to note if substantiated noise complaints from nearby residents in the future are received, the Council has a duty to investigate and take action to abate any statutory nuisance identified (informative 4).

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- 8.22 Disturbance – Concerns have been raised that the proposed will disturb neighbouring dwellings with regards to noise, smells and vibration from traffic. As aforementioned, a Class B1 uses are uses that can be carried out in a residential area without detriment to its amenity and only up to 388m² will be used for B8. As such it is not considered the proposed will have an impact that would warrant refusal. Noise, external plant, hours of operation and lighting matters have been restricted by condition to protect neighbouring amenity (conditions 14,15, 17 & 18) and traffic matters are dealt with below.
- 8.23 Overlooking – overlooking of neighbouring amenity space is not anticipated from any of the proposed units where glazed areas are to the front and rear elevations only and the orientation of units are such that they do not directly overlook neighbouring properties. Also there is sufficient distance from neighbouring boundaries and units are generally bordered by roads (on and off site). No windows are proposed to the rear elevation of units 11-14 (to the south) to prevent overlooking. Landscaping has been proposed to the closest neighbouring boundaries (west and south) and a condition has been imposed for the details of this to be provided to ensure it is sufficient and another condition to ensure it is retained.
- 8.24 Loss of light – The proposed is not considered to cause demonstrable over massing or overshadowing of the adjoining site and would not lead to a loss of amenity as it is a sufficient distance from neighbouring dwellings (13-25m), is 7m at the ridge height only and 4.5-5.3m at eaves height. The only concerns regarding impact on amenity was raised in relation to unit 11 and Casa Vehla to the south and the dwelling to the west that forms part of the extant planning permission. Concerns raised have been addressed by moving these units forward and by reducing the eaves height to the rear to 4.5m. Landscaping has also been increased to these boundaries.

Highway safety and parking

- 8.25 Vehicular access to the site will be via the existing access road which currently services the Oakdene Care Home, Oakdene Orchard and Casa Vehla.
- 8.26 There have been a number of objections in relation to impact on traffic, access and parking and that a transport statement has not been provided. The application has been assessed by Dorset Council Highways who have not requested a transport statement. A transport assessment covers major developments where the traffic or person trip impact is significant in both volume and area of impact. In this instance, DC Highways was satisfied that the likely impact is not significant and that the information submitted in support of the proposal was sufficient for the Highway Authority to make an informed and balanced recommendation. DC Highways has advised there is no objection subject to conditions in relation to parking, access, visibility splays, road construction and gates, these will be applied (conditions 8, 9, 10, 11, 12, 13). There is no conflict with Policy KS11 of the CS accordingly.

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- 8.27 The 14 units have associated parking located to the front with 50 dedicated car parking spaces and 20 cycle parking spaces.
- 8.28 The site is located within the urban area of Three Legged Cross with easy access to local public transport, including a bus stop right outside the application site on Ringwood Road.
- 8.29 The Dorset Non-Residential Parking Guidance sets out the parking and cycle parking requirements to serve a given use as detailed below:-

B1 – 1 per 30m²

B8 – 1 per 200m²

Based on the worst case scenario where all units are B1 at 1163.02m² the proposed requires 39 parking spaces. A total of 50 vehicle parking spaces and 20 cycle parking spaces have been provided.

- 8.30 DC Highways in conjunction with the case officer have assessed the number of parking spaces and conclude the proposal provides more than ample on-site spaces and complies with Policy KS12 of the Core Strategy (CS) as it would provide adequate vehicle parking facilities in accordance Dorset Council Standards.

Nature Conservation

- 8.31 The application site is located in close proximity a number of sites of nature conservation of various levels of significance. These include the Dorset Heaths Special Area of Conservation (SCA) and RAMSAR site and Holt And West Moors SSSI.
- 8.32 A Biodiversity Survey and Biodiversity Mitigation Plan and NET Certificate of Approval has been provided. Dorset NET has been consulted with no objections subject to a condition securing the BMP.
- 8.33 Natural England has been consulted and has no objection subject to a condition securing the BMP.
- 8.34 This Biodiversity Mitigation Plan seeks to provide for nesting birds, bees, and provide additional trees and landscaping and habitat. This will be secured by condition (condition 19).
- 8.35 The proposal accords with Policy ME1 of the Core Strategy.

Trees and Landscaping

- 8.36 The initial design was located in close proximity to Ringwood Road. The planning and tree officers raised concerns that this would impact negatively on existing vegetation and that insufficient space was provided for additional landscaping and screening to protect the semi-rural feel of the road frontage.

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- 8.37 A revised design was submitted where the proposed units are set back approx. 8m from the public highway, which is considered sufficient by the tree officer to allow for appropriate land scaping and screening.
- 8.38 The majority existing trees on site are to be retained, with only the loss of two trees. An additional 19 trees will be planted and areas of landscaping provided.
- 8.39 Details of hard/soft landscaping and boundary treatments have not been provided but the planning and tree officers are satisfied that sufficient landscaping and planting can be provided within the revised plan. A condition has been imposed for landscaping details to be submitted and agreed by the LPA in writing to ensure it is provided (conditions 5&6).
- 8.40 The Council's Tree Officer has assessed the proposal and has no objection subject to a condition to update the tree protection information with the revised plan and ensure protection is delivered (condition 7).
- 8.41 With the placing of conditions securing tree protection and landscape planting the proposal meets Policies HE2 and HE3 of the CS and Policies DES6 and DES11 of the EDLP.

Surface Water and Foul Drainage

- 8.42 The site is relatively flat and is shown to fall within Flood Zone 1 (low risk, fluvial) and is at no modelled risk of pluvial flooding (during the 1-in-30 and the 1-in-100 year events) according to the EA's Risk of Flooding from SW mapping. Although the site itself is at low risk of flooding the RoFfSW mapping shows a significant surface water flood risk to an area approximately 50m to the west of the site, just on the other side of West Moors Road. Pluvial flooding is shown to occur at this location at all modelled events above and including the 1-in-30 year event. The LFA also hold flood records relevant to a number of properties just north of the site.
- 8.43 All major development proposals are to be supported by a site-specific drainage strategy in accordance with the recommendations of the revised NPPF, relevant technical guidance and best practice. Accordingly, the management of surface water runoff must demonstrate that the proposed development is not to be placed at risk and that no off-site worsening is to result.
- 8.44 Dorset Council's (DC) Lead Local Flood Authority (LLFA) has been consulted regarding the surface water drainage proposals. DCC act as the relevant in this matter. The Environment Agency (EA) has also been consulted along with Wessex Water; no responses have been provided from the EA.
- 8.45 The issues for consideration is whether the proposed surface water and foul drainage strategies are acceptable.

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- 8.46 Surface water is proposed to be attenuated by permeable paving, soakaway systems and attenuated discharge to an existing surface water sewer.
- 8.47 Wessex Water has raised no objection to the proposed surface water proposals and advise technical details will need to be agreed with the Authorities engineers.
- 8.48 DC LLFA initially raised a holding objection as further information was required. Further information was submitted and DC LLFA now advises no objection subject to conditions of surface water drainage details being provided (conditions 21 & 22).
- 8.49 The foul drainage strategy proposes an off site foul sewer to the west connecting to the 150mm public foul sewer in West Moors Road. Wessex Water note they are aware of granted development on the adjoining site to the west, and a strategic approach that caters for both developments should be applied when installing sewers, minimising disruption to the local community. They also note they can agree in principle to accept development flows to the public foul network and will seek to work with the developer to achieve the most sustainable gravity foul sewer solution.

Waste Collection

- 8.50 Dorset Waste Partnership was consulted regarding waste collection and raised no objections but requested a bin collection point for units 1-4 to be provided.
- 8.51 A revised site plan was submitted on 31/01/2020 showing a waste collection point to the east of units 1-4 and the proposed layout is now considered acceptable for waste collection. This has been confirmed by email by DWP as acceptable on 03/02/2020.

Community Infrastructure Levy (CIL)

- 8.52 As new business premises the application is not liable for CIL.

Conclusion

- 8.53 It is acknowledged the application site is not allocated for employment development in the Christchurch and East Dorset Local Plan Part 1 – Core Strategy. However, it is located within the urban area of Three Legged Cross, where the principle of new employment development is generally acceptable subject to other material planning considerations being complied with.
- 8.54 Having assessed the material considerations as outlined within the report above, with the conditions set out in this report there are not considered to be any matters which would warrant a refusal of planning permission in this case. Approval subject to the following conditions is therefore recommended.

9.0 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

- 9.1 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.

10.0 PUBLIC SECTOR EQUALITIES DUTY

- 10.1 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.

- 10.2 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.

11.0 CLIMATE IMPLICATIONS

- 11.1 The proposal would not increase the number of vehicle trips to the campus when the car park is completed, as it is to rationalise the existing parking at the campus. The proposal may reduce vehicle emissions by reducing the distance staff vehicles travel on the campus as there would be a reduction of vehicles travelling into the campus beyond the existing car park.
- 11.2 There would be some impact from the loss of the trees and vegetation needed to be removed to make way for the parking spaces, and an increase in vehicle trips during the construction phase. As such the development will have some modest climate implications.
- 11.3 The proposed tree planting would provide some compensation for the loss of the trees and help mitigate against the impact from the loss of the trees.

Recommendation: Grant, subject to the following conditions:

Conditions

[Officer note: All pre-commencement conditions agreed with the agent by email dated 03/02/2020]

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

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

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

- 19112.11 Rev H Proposed Site plan
- 19112.12 Rev B Proposed Elevations
- 19112.13 Rev B Proposed Elevations
- 19112.14 Rev B Proposed Elevations
- 19112.15 Rev C Proposed Elevations
- 19112.16 Rev D Proposed Street Elevations
- 19289-901 P3 Road Layout
- 19289-990 P3 Vehicle Tracking

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

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

Reason: This information is required prior to above ground work commencing to ensure satisfactory visual relationship of the new development to the existing.

4. (Use)
The premises hereby approved shall be used only for B1 (b) – research and development B1 (c) – light industrial (up to 1163.02m²); and B8 – storage or distribution (up to 388m² only); and for no other purpose whatsoever, (including any other purpose in Parts A and B) of the schedule to the Town

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and Country Planning (Use Classes) Order 1987 or any subsequent re-enactment).

Reason: To ensure that (i) adequate vehicle parking can be accommodated on site (ii) and to protect neighbouring amenity.

5. (Landscape Design)

No development above DCP (damp proof course) shall take place until full details of both hard and soft landscape works and boundary treatments have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include hard surfacing materials; means of enclosure; details of boundary planting, schedules of plants (noting species, plant sizes and proposed numbers/densities where appropriate).

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

6. (Landscaping - Implementation)

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

Reason: This information is required prior to occupation of development in order to ensure the implementation of the scheme is carried out in accordance with the approved plans and to accord with Policies HE2 and HE3 of the Local Plan and Government Guidance contained in the National Planning Policy Framework.

7. (Tree Protection Plan)

Prior to any equipment, materials or machinery being brought onto the site for the purposes of development, an updated tree protection plan annotated with the updated site layout and location of soakaways and service routes shall be submitted to the LPA and approved in writing. Where and if these are located within the root protection areas of trees shown on the submitted Tree Protection Plan, a method statement shall be submitted to the Local Planning Authority for written approval prior to any development commencing on site. Their installation will then be in strict accordance with the approved plans and method statement.

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

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8. (Estate Road Construction (adopted or private))
Before the development is occupied or utilised the access, geometric highway layout, turning and parking areas shown on Drawing Number 19289-901 Rev P3 must be constructed, unless otherwise agreed in writing by the Planning Authority. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.

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

9. (Vehicle access construction)
Before the development is occupied or utilised the first 15.00 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.

10. (Cycle parking)
Before the development is occupied or utilised the cycle parking facilities shown on Drawing Number 19289-901 Rev P3 must have been constructed. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper construction of the parking facilities and to encourage the use of sustainable transport modes.

11. (Gates)

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.

12. (Visibility Splays)

Before the development hereby approved is occupied or utilised the visibility splay areas as shown on Drawing Number 19289-901 Rev P3 must be cleared/excavated to a level not exceeding 0.60 metres above the relative level of the adjacent carriageway. The splay areas must thereafter be maintained and kept free from all obstructions.

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Reason: To ensure that a vehicle can see or be seen when exiting the access.

13. (Open Storage)

No goods, plant or material shall be deposited or stored in the open or displayed for sale in the open on the site without the prior consent in writing of the Local Planning Authority.

Reason: In order to protect the amenities of the area, and to maintain adequate parking areas.

14. (Noise)

The noise levels from the use and premises hereby permitted shall not exceed the predicted noise levels set out in the submitted Noise Impact Assessment by Acoustic Consultant Ltd ref: 7800/PR/BL Rev B, July 2019.

Reason: To protect the amenities of nearby residents.

15. (External Plant)

Details of any external plant to be installed shall be submitted to and approved in writing by the Local Planning Authority before any such installation is carried out. The installation shall then be implemented precisely in accordance with these agreed details which shall then not be varied without express written permission. Furthermore, no additional external plant shall be installed without the express written permission of the Local Planning Authority.

Reason: This information is required prior to occupation of the development hereby approved to safeguard the amenities of the area and to minimise the possibility of inconvenience to nearby residents and to accord with Policies HE2 of the Local Plan.

16. (CMS)

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i) the parking of vehicles of site operatives and visitors
- ii) loading and unloading of plant and materials
- iii) storage of plant and materials used in constructing the development
- iv) wheel washing facilities
- v) measures to control the emission of dust and dirt during construction

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- vi) a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: In the interest of the living conditions of nearby residents and sustainable development.

17. (Lighting)

Details of any floodlighting to be installed shall be submitted to and approved in writing by the Local Planning Authority before any such installation is carried out. The installation shall then be implemented precisely in accordance with these agreed details which shall then not be varied without express written permission. Furthermore, no additional external lighting shall be installed without the express written permission of the Local Planning Authority.

Reason: This information is required prior to occupation of the development hereby approved to safeguard the amenities of the area and to minimise the possibility of inconvenience to nearby residents and to accord with Policies HE2 of the Local Plan.

18. The development hereby approved shall only be in operation during the hours 07:00 to 21:00 Mondays to Saturdays, and 09:00 to 18:00 Sundays including deliveries to site.

Reason: to protect the amenities of nearby residential properties.

19. (Biodiversity)

The development hereby approved shall not be first brought into use unless and until the mitigation measures as detailed in the approved mitigation plan ABR Ecology Ltd dated 08/09/2019 have been completed in full, unless any modifications to the agreed mitigation plan as a result of the requirements of a European Protected Species Licence, or the results of subsequent bat surveys have first been submitted to and agreed in writing by the local planning authority. Thereafter approved mitigations measures shall be permanently maintained and retained in accordance with the approved details, unless otherwise first agreed in writing by the local planning authority.

Reason: In the interests of nature conservation.

20. (Adverts)

There shall be no advertisements or other signage displayed on the north walls of units 1-4 that face onto Ringwood Road.

Reason: In order to protect the visual amenity.

21. (Surface water management)

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

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

22. (Surface water management)

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

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

Informatives:

1. The vehicle crossing serving this proposal (that is, the area of highway land between the nearside carriageway edge and the site's road boundary) must be constructed to the specification of the Highway Authority in order to comply with Section 184 of the Highways Act 1980. The applicant should contact Dorset Highways by telephone at 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.
2. As the new road layout does not meet with the Highway Authority's road adoption standards or is not offered for public adoption under Section 38 of the Highways Act 1980, it will remain private and its maintenance will remain the responsibility of the developer, residents or housing company.
3. If the applicant wishes to offer for adoption any highways drainage to DC, they should contact DC Highway's Development team at

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DLI@dorsetcouncil.gov.uk as soon as possible to ensure that any highways drainage proposals meet DCC's design requirements.

4. The applicant is advised if substantiated noise complaints from nearby residents in the future are received the Council has a duty to investigate and take action to abate any statutory nuisance identified within the remit of part III of the Environmental Protection Act 1990.

Background Documents:

Case Officer: Naomi Shinkins

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

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

Planning Committee

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