

**1.0 Application Number:** 6/2018/0606

**Webpage:** <https://planningsearch.purbeck-dc.gov.uk/Planning/Display/6/2018/0606>

**Site address:** Spyway Orchard, Durnford Drove, Langton Matravers, Swanage, BH19 3HG

**Proposal:** Rural exception site for a development of 28 dwellings (22 affordable and 6 open market) - Reserved Matters - access, layout, appearance, scale & landscaping

**Applicant name:** Ms Zoe Wensley-Smith, Aster Homes Ltd

**Case Officer:** Anthony Bird

**Ward Member(s):** Cllr Cherry Brooks

The application is being presented to the Planning Committee as the Service Manager for Development Management and Enforcement considers that it is appropriate for the Committee to determine the application given the site history and the extent of local community interest in the development.

**2.0 Summary of recommendation:**

To **GRANT** approval of reserved matters subject to conditions

**3.0 Reason for the recommendation:** as set out in paras 15 and 16.

- The National Planning Policy Framework (NPPF) says that approval should be granted for sustainable development unless specific policies in the NPPF indicate otherwise.
- Approval would help deliver affordable housing in an acceptable location in accordance with an outline planning permission.
- The detailed design proposals are acceptable in terms of impact on the character and appearance of the area.
- There are no objections on highway safety or traffic grounds.
- There will not be demonstrable harm to neighbouring residential amenity.
- There are no material considerations that warrant refusal of the application.

**4.0 Key planning issues**

Issue	Conclusion
Detailed design and impact on character and appearance of the area, including the AONB and protected trees	Acceptable subject to conditions.
Highway safety, access and parking	Acceptable subject to conditions.

Impact on residential amenity	Acceptable. No demonstrable harm on existing neighbouring properties. Satisfactory relationship will exist between dwellings within the development.
Ecology/Biodiversity	No issues. Biodiversity Mitigation is already secured by a condition attached to the outline planning permission.
Housing type	Acceptable.

## 5.0 Description of Site

The site has a total area of 1.57 hectares. It is located to the south of Langton Matravers village outside the defined Settlement Boundary. It is within the open countryside that forms part of the Dorset Area of Outstanding Natural Beauty. Trees on the site are subject of tree preservation orders.

Vehicular access to the land is obtained via Dunford Drove which runs along the western site boundary of the application site. This boundary is defined by a Purbeck stone wall. Public rights of way (footpaths) are located immediately to the north and west of the site. Beyond the right of way along the northern boundary of the site are the rear gardens of dwellings fronting Dunford Drove and Gypshayes. To the south of the application site is holiday accommodation at Langton House, the common boundary to which has relatively recently been demarked by a 2m high close boarded timber fence.

Natural land levels fall from south to north. A modern agricultural building is located within the site towards the western boundary.

## 6.0 Description of Development

The proposal is for a development comprising 28 dwellings, of which 22 are affordable housing units and 6 are open market housing units. Following the grant of outline planning permission under reference 6/2015/0687, this is an application that seeks approval for all of the reserved matters for the development; that is access, layout, scale, appearance and landscaping.

The national planning practice guidance identifies consideration of reserved matters as comprising:

- access – this relates to the accessibility to and within the site;
- layout – this relates to the way in which buildings, routes and spaces within the development are situated and orientated in relation to each other, and to buildings and spaces outside the development;

- scale – this relates to the height, width and length of each proposed building;
- appearance – this relates to the aspects which determine the visual impression a building or place makes, including building form and architecture;
- landscaping - this relates the treatment of land (not buildings), including the laying out of gardens, new planting, walls and fencing.

During the processing of the application various amendments to the proposals were made, with the revised plans/documentation subject of appropriate re-consultation and publicity. The changes evolved from discussions with officers and in response to considerations arising from representations made by the local community and technical consultees.

The scheme now relates to eleven separate two storey buildings that will provide 6 one bedroom apartments, 4 two bedroom houses, 10 three bedroom houses and 8 four bedroom houses.

## **7.0 Relevant Planning History**

The site has had an extensive planning history, including several appeals. In July 2016 under application reference 6/2015/0687 outline planning permission was refused (with all matters reserved) for a rural exception site comprising a development of 22 affordable and 6 open market dwellings. An appeal against this decision was made and subsequently allowed by the Planning Inspectorate in March 2017. This application seeks approval for the reserved matters pursuant to that outline planning permission.

Attached to the outline planning permission is a Planning Obligation (under Section 106) that secures the affordable housing to meet local needs. In addition two express 'pre-commencement approval' conditions were included in the permission requiring (i) the submission and implementation of a surface water management scheme for the development site, and (ii) arrangements for foul water drainage disposal from the development. Conditions were also included requiring work to be carried out in accordance with a specified Arboricultural Method Statement (AMS) and an approved Biodiversity Mitigation Plan (BMP). Consequently although drainage issues in particular have been raised by the local community, none of the above matters are for consideration as part of this reserved matters application. It is however important to emphasise the significance of the conditions. Most especially since the failure by a developer to comply with 'pre-commencement' requirements could potentially invalidate a planning permission as well as lead to enforcement action.

Concurrent with this reserved matters submission, is an application for 'non-material' amendments to the AMS and BMP (under reference 6/2019/0086). This is a mechanism to enable the contents of these documents to properly align with

design details of the reserved matters. It will however only be determined after a decision is made on the reserved matters application.

## **8.0 List of Constraints**

Property within the parish of Langton Matravers, but outside a Settlement Boundary

Property within Dorset Area of Outstanding Natural Beauty (AONB ): (statutory protection in order to conserve and enhance the natural beauty of their landscapes - National Parks and Access to the Countryside Act of 1949 & Countryside and Rights of Way Act, 2000)

Natural England standing advice applies. This property is within 5km of a European Habitat (SSSI)

Property within the Purbeck Heritage Coast

Property within Mineral Safeguarding Area

Property subject of Tree Preservation Orders

Property intersects Public Rights of Way (two footpaths)

Property within 500m of Ancient Woodland

An ordinary watercourse is within the site boundary

## **9.0 Consultations**

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

### **Consultees**

#### **Natural England**

No objection. Provides comments in relation to nearby SSSI's, SAC's and Heathlands SPA.

#### **Wessex Water**

Guidance provided in relation to existing water main and public foul sewer crossing the site and potential conflict of the layout with a Statutory Easement. Advises no public surface water sewers in the site vicinity.

#### **Dorset Police – Crime Prevention and Design Advisor**

Notes that Secured by Design (SBD) accreditation is not being applied for at this time, but recommends the development meets the SBD guidance.

#### **Dorset AONB Landscape Planning Officer**

No objections. Notes the appeal Inspector deemed the relatively localised harm to the AONB to be outweighed by the benefits of the proposed housing. Considers revised layout an improvement and the proposed materials palette comprising slate roofs, elevational treatments of render/brick and Purbeck stone acceptable. Provides detailed observations on landscaping matters which are capable of being conditioned.

#### **Dorset Council – Highway Management**

No objection. Recommends the imposition of three conditions.

#### **Dorset Council – Rights of Way**

No objection. Subject to the full width of the nearby public footpaths remaining open and available to the public, with no materials or vehicles stored on these routes. Otherwise a temporary Path Closure Order must be obtained. The surface of the rights of way must be maintained or properly repaired.

#### **Dorset Council - Senior Tree & landscape Officer**

No objections, subject to the imposition of conditions.

#### **Dorset Council - Senior Housing Officer (Policy and Enabling)**

Supports the size of the affordable housing detailed within this reserved matters application. Satisfied that the proposal is capable of meeting an identified current local need.

#### **Dorset Council – Minerals and Waste Planning Authority**

No objections.

#### **Dorset Council as Lead Local Flood Authority (LLFA)**

Point out that LLFA ongoing involvement as statutory consultee is required in respect of the detailed design and discharge of relevant surface water drainage condition of the outline planning permission. At this stage discretionary comment offered. Extremely sensitive location with adjacent land, property and infrastructure at risk of fluvial/surface water flooding downstream of the site. Advise that a precautionary approach be adopted in this matter until the issues and concerns are adequately addressed.

#### **Langton Matravers Parish Council**

OBJECTIONS (received 11 January 2019, 13 May 2019, 16 December 2019, 16 January 2020 and 26 February 2020):

Scale and layout: Increased risk of flooding. Scale of the development is not appropriate within the AONB: the development is too large in this context. The

mix of housing type is not appropriate for local need, which is mainly for the smaller dwellings.

Access: Problems with safety of pedestrians (lack of footway etc.), Difficult for both public and emergency vehicles, negative impact on rights of way. There will be problems with the impact of increased traffic on i) the narrow lane to Spyway Car Park and ditch/drainage there; ii) possible blocking of Emergency vehicles; iii) Vehicle movement within Durnford Drove and at its junction with the High Street (B3069).

Landscape: Detrimental in terms of tree-felling and current look and feel of area. The proposed number and maturity of trees to be planted is totally insufficient to replace the unjustifiably large number of trees to be felled, some with TPOs. Dorset Council's Biodiversity protocol must be followed.

Existing and New Conditions:

- a) Drainage. The Council is concerned about drainage/sewerage and surface water management; they are not happy that existing plans will meet the conditions imposed. Ineffective drainage/sewerage systems may result in flooding and damage in other parts of the village, and this is unacceptable.
- b) Construction and Vehicle Impact Management Statement. The Council asks that before any development goes ahead, the developers provide a full and robust Construction Management Statement indicating how noise, pollution, vehicle movements and other matters will be managed and mitigated during the construction phase and addresses how vehicle movements will be co-ordinated with contemporaneous developments. This should include a timetable of proposed activities and agreement to minimise effect on neighbours and traffic in the village. Guideline document for construction traffic management requirements submitted.
- c) Climate Emergency. The Council asks that, in line with Dorset Council's Climate Emergency statement, the plans are altered to include solar panels, ground/air source heat pumps or other types of carbon neutral design throughout.

### **Representations received**

Objections received from the Campaign to Protect Rural England (CPRE) supporting the local community concerns as summarised below.

Objections received from the occupiers of 63 nearby properties and the occupier of 1 property in Harrow, primarily on the following grounds:

- Development unacceptable outside of the village and adverse AONB and Heritage Coast impact
- Excessive scale/density out of character with the area/considerable loss of trees/light pollution

- Does not comply with policy RES. It is not small, has too much market housing, it does not address affordable housing need in Langton Matravers. Exceeds identified affordable housing need in Langton Matravers
- Loss of privacy, adverse impact on the amenity of neighbouring properties
- Will generate excessive traffic and highway safety problems. Dunford Drove and High Street inadequate to serve development. Adverse impact on footpaths
- Cause/exacerbate surface water and foul water flooding problems. Concerns at the inadequacy/unacceptability of the drainage information provided. All aspects of drainage and water supply should also be considered at this stage.
- Adverse impacts on protected species/wildlife.

1 representation received on behalf of the owner of nearby properties advising no objection to the size or character of the proposal but concerned about highway safety and surface water drainage difficulties.

1 representation received from the occupier of a nearby property expressing support for the proposal.

Representation from the Governors of St George CE VA Primary School, Langton Matravers supporting in principle any development that would bring more pre and primary aged pupils to the School due to the falling number of children living in the catchment area.

## **10.0 Relevant Policies**

### Purbeck Local Plan Part 1 (PLP1):

Policy SD – Presumption in Favour of Sustainable Development

Policy LHH: Landscape, Historic Environment and Heritage

Policy D: Design

Policy IAT: Improving Infrastructure and Transport

Policy RES: Rural Exception Site

Policy AH: Affordable Housing

Policy BIO: Biodiversity and Geodiversity

Policy DH: Dorset Heaths International Designations

Policy DEV – Development Contributions

Bournemouth, Dorset and Poole Minerals Strategy (2014)

Policy SG1: Mineral Safeguarding Area

National Planning Policy Framework (NPPF):

*Chapter 2: Achieving sustainable development*

*Chapter 4: Decision-making*

- Paragraphs 47 & 48 – Determining applications
- Paragraphs 54 & 55 – Planning conditions and obligations

*Chapter 5: Delivering a sufficient supply of homes*

- Paragraph 77 – Rural housing

*Chapter 9: Promoting sustainable transport*

- Paragraphs 108, 109 & 110 – Considering development proposals

*Chapter 12: Achieving well-designed places*

- Paragraphs 124, 127 & 130 - Achieving well-designed places

*Chapter 15: Conserving and enhancing the natural environment*

- Paragraphs 170, 172 & 173 - Conserving and enhancing the natural environment
- Paragraph 175 & 177 – Habitats and biodiversity

Purbeck Local Plan 2018-2034.

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

**Other material considerations**

Dorset AONB Management Plan 2019-2024

Dorset AONB Landscape Character Assessment & Management Guidance 2008.

Dorset Heathlands Planning Framework 2020 – 2025 Supplementary Planning Document adopted March 2020.

Purbeck District Design Guide Supplementary Planning Document adopted January 2014.

Purbeck District Affordable Housing Supplementary Planning Document 2012-2027 adopted April 2013.



National Design Guide.

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

Dorset biodiversity appraisal and mitigation plan.

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

## 11.0 Human rights

Article 6 - Right to a fair trial.

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

The first protocol of Article 1 Protection of property.

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

## 12.0 Public Sector Equalities Duty

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

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

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

- Access; arrangements made to ensure people with disabilities or mobility impairments or pushing buggies have been accommodated within the development (footpath links and access crossing points).

## 13.0 Financial benefits

What	Amount / value
Non Material Considerations	
CIL Contribution	£511959.69

New Homes Bonus	None payable in this case as the outline planning permission was granted on appeal.
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#### 14.0 Climate Implications

The appeal Inspector considered the site to be “in a fairly sustainable location on the edge of the village”. As such it is within reasonable access to local facilities and services, including the village school, resulting in less need to travel. The new dwellings will be built in accordance with the relevant Building Regulations. On this basis it is not considered the proposal will have a significant impact on climate change.

#### 15.0 Planning Assessment

##### **Detailed design and impact on character and appearance of the area, including the AONB and protected trees**

The site is within the AONB and the National Planning Policy Framework (NPPF) states that great weight should be given to conserving landscape and scenic beauty in AONBs. Policies D and LHH of the Purbeck Local Plan Part 1 (PLP1) require development proposals to positively integrate with their surroundings and to conserve the appearance, setting, character, interest, integrity, health and vitality of landscape assets. Similarly PLP1 Policy CO refers to rural exception sites being acceptable subject to not having a significant adverse impact on, amongst other things the visual environment. The appeal Inspector identified that there would only be some fairly limited adverse impact on the character and appearance of the area and that the site was suitable as a rural exception site outside of the identified settlement boundary of Langton Matravers and the open market housing proposed was acceptable. Taking account of the development plan as a whole, the Inspector concluded that the scheme would be a sustainable form of development for which there is a presumption in favour.

As the Inspector observed the development would occupy an existing fairly large, gently sloping field adjacent to the southern edge of Langton Matravers. The site contributes to the open and spacious setting of the village in this location, along with fields to the east and west of the site and the open grounds of Langton House to the south. Unlike those surrounding areas, the site is relatively discrete due to the presence of trees around its perimeter and trees and vegetation opposite the site on the western side of Durnford Drove.

It is not considered that any aspect of the reserved matters proposed indicate that the limited adverse impact identified by the Inspector will change or be increased.

The development is relatively dense compared to the nearby existing village properties, particularly those of Gypshayes backing onto the footpath running along the northern site boundary. Those properties have particularly long and mature rear gardens. From vantage points on footpaths to the east and south-east of the site, it would also be seen to in the context of the much more clearly visible dwellings of The Hyde, to the north-east of the site. Those dwellings are generally located fairly close together, lining the road up to the edge of the open countryside.

The proposed buildings are set away from the eastern boundary. Together with the high degree of softening/screening from the trees surrounding the site, even in winter months with the leaves off, neither the scale or appearance of the buildings or the layout of the site suggest the proposal would have a dominating effect on that existing open setting south of the settlement.

The arboricultural information originally submitted with the application assessed that a large number (in excess of 100) of the protected trees on the site should be felled, partly in the interests of general tree management and partly to enable the construction of the development. This generated a significant number of objections from the local community. Following discussion with the applicant it has been agreed that only the minimum number of trees should be removed. This amounts to a total of 37 trees required to be removed in order for the development (including allowing for the provision of a contractor's compound) to proceed and a specific condition is recommended to control this.

From footpaths to the south of the site extending beyond the car park at the southern end of Durnford Drove, and those to the west of the site, the situation remains as described by the Inspector. The proposed development would be largely screened or softened by a combination of intervening landform, trees, or the significant combined massing of buildings relating to Langton House. From those westerly footpaths, the closest part of the development comprising the nearest dwelling to Durnford Drove would also be seen to some extent in the context of those existing dwellings fronting that road immediately to the north. In front of the site the access and nearest houses to Dunford Drove are the most prominent public aspects of the development. These are on the side of the site nearest to the existing houses fronting the road and in that context the site layout and the proposed scale and appearance of the buildings are acceptable. Those dwellings on the southern side of the site are set well back from the road and behind the existing barn and trees. They will not be unduly prominent in the landscape.

In summary the overall design of the development is considered to be of a sufficiently high quality. Although a number of planning conditions are necessary to properly control details of the development, including for example, precise information on the external building materials, additional tree planting and a

restriction on external lighting. This will ensure these details are acceptable within the AONB.

### **Impact on residential amenity**

The Inspector considered that a scheme could be designed to avoid an unacceptable level of overlooking of neighbouring properties and a harmful loss of privacy and that this would also apply in respect of any concerns relating to loss of sunlight or daylight or any overbearing impact.

The Inspector noted the pleasant openness and tranquillity of the countryside to the south of the settlement experienced when walking along the footpath to the north of the site, particularly as the dwellings to the north are significantly screened by the mature vegetation within the intervening rear gardens. The Inspector also acknowledged that the relatively high density of the proposal would in visual terms distract from that existing locally appreciated character. However, in terms of noise generation, once completed, the Inspector concluded that being a residential development where there are mainly rear gardens backing onto that path, it is unlikely that the levels generated would be to a harmful extent. In terms of construction activity the Inspector noted that whilst this would inevitably generate varying degrees of noise in the local context, it would be over a relatively limited period of time.

The proposed detailed design of the development is set out in such a way that the new dwellings are sufficiently far away from existing neighbouring properties for there to be no adverse impacts in terms of loss of light, unacceptable overlooking or any other matters. Within the development itself, the design and layout of the buildings takes proper account of the amenity of the future occupiers of the new dwellings.

### **Highway safety, access and parking**

This application does not raise any new considerations in relation to the appeal decision in which the Inspector stated that it was unlikely that the additional number of vehicles arising from the development would cause such an increase in traffic flows on the local network as to materially affect its capacity or increase the risk of collisions, including at existing road junctions with Durnford Drove. Despite concerns raised by local residents about the junction with the High Street, the Inspector noted that there were not any recorded accidents and that it meets the minimum visibility standards.

Highway Management have no objections to proposals, which have been modified to ensure satisfactory access and parking arrangements will serve the development. Dorset Waste Partnership has confirmed to the applicant that they would collect from this private (unadopted) estate road.

The point of access to the site, from the existing shared access served off the end of Durnford Drive, is to be visually distinctive being surfaced with red coloured mastic asphalt (macadam) and delineated from access road or highway with raised granite setts. This compliments and emphasises the existing private arrangement to drivers leaving Durnford Drive that they have left the highway using the standard familiar arrangement of dropped pre-cast concrete (PCC) kerbs with 25mm upstand as per normal vehicle crossings onto a shared surface as per a vehicle crossover or in this case the existing continuation of Durnford Drive. This then either transitions into the existing access shared with public footpath (SE16/route 25) or bifurcates and transitions back to a more traditional arrangement of separate footway and carriageway within the new development where a raised kerb will help to keep vehicles off the footway. Both the end of Durnford Drive at the turning head and the internal access road each side of this shared area are wide enough for vehicles to pass. The shared area is sufficiently visible for all approaching users to see and be seen and a section of wall and trees are to be removed.

The scheme is capable of being satisfactorily developed without significant impacts on the adjacent public footpaths. The existence of these rights of way does not represent an impediment to the approval of the application.

### **Housing type**

Affordable housing provision within the development is subject to a Planning Obligation attached to the outline planning permission. This requires a detailed written scheme of affordable housing to be submitted to the Council for approval and separate from any reserved matter planning application. This scheme is required to provide a comprehensive amount of information, including affordable housing type, tenure, construction timing and details of the affordable housing provider. The scheme is not a matter to be considered or determined as part of a reserved matter submission.

The overall accommodation to be provided comprises 6 one bedroom apartments, 4 two bedroom houses, 10 three bedroom houses and 8 four bedroom houses

The Senior Housing Officer supports the size of the affordable housing detailed within the application and is satisfied that the proposal is capable of meeting an identified current local need.

The number of open market dwellings within the development is fixed in the outline planning permission and the Planning Obligation. It is not a matter for consideration as part of this reserved matters application.

### **Ecology/Biodiversity**

Biodiversity considerations in relation to this development comprise biodiversity mitigation and enhancement within the site and the mitigation of the impacts on internationally protected Dorset Heathlands.

In terms of the former, in the appeal decision the Inspector noted that the proposal had taken account of the likely presence within the site of Great Crested Newts and evidence of badger activity. Mitigation measures were included within a Council Natural Environment Team approved Biodiversity Mitigation Plan (BMP). This provided for enhanced habitat at the eastern end of the site, free from housing as well as other protection and enhancement measures. On this basis the Inspector was satisfied that the proposal would protect the biodiversity interests of the site and the implementation of the BMP was secured by an express condition of the outline planning permission. Consequently it is not part of the assessment of this application. As indicated earlier in this report adjustments and updating of the BMP are subject of application reference 6/2019/0086 and this will provide for biodiversity mitigation and enhancement required as part of the outline permission to align with the design detail of the reserved matters application if approved.

In terms of Dorset Heathlands, an Appropriate Assessment has been undertaken during the processing of the application in accordance with requirements of the Conservation of Habitats and Species Regulations 2017, Article 6 (3) of the Habitats Directive and having due regard to Section 40(1) of the NERC Act 2006 and the NPPF. Required mitigation of the impacts on internationally protected Dorset Heathlands will be dealt with through the Community Infrastructure Levy (CIL) charging process.

## **16.0 Conclusion**

There are no material considerations that warrant refusal of the application. The development has outline planning permission. Approval of these reserved matters would accord with the Development Plan and the objectives of the NPPF and would help deliver affordable housing in an acceptable location for a rural exception site.

The detailed design proposals are acceptable in terms of impact on the character and appearance of the area. There are no objections on highway safety or traffic grounds. There will not be demonstrable harm to neighbouring residential amenity.

## **17.0 Recommendation**

GRANT approval of Reserved Matters

With the following conditions:

1. The development permitted must be carried out in accordance with the following approved plans drawing numbers:

7502-L01, 7502-SK01, 7502-D02RevB, 7502-D03RevB, 7502-D04, 7502-D05, 7502-D06RevA, 7502-D07RevA, 7502-D08, 7502-D09, 7502-D10RevB, 7502-D11RevB, 7502-D12, 7502-D13, 7502-D14RevA, 7502-D15, 7502-D16, 7502-D17, 7502-D18, 7502-D19, 7502-D20RevA, 7502-D21RevA, 7502-D22RevA, 7502-D23, 7502-D24RevA, 7502-D25RevA, 7502-D26RevB, 7502-D27, 7502-D28, 7502-D29, LA01-D-Landscape Strategy, 18027-0202-P07 and 18027-WFB-00-ZZ-DR-C-0202.

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

2. Despite the information submitted with the application no trees shall be felled other than the following trees identified on the Soundwood Tree Consultancy drawing SW1a 'Tree Constraints Management Works' Tree numbers:- 288 sycamore, 301 sycamore, 302 ash, 307 ash, 308 hawthorn, Part G1 - 9 sycamore, G3 - 9 sycamore, G4 - 5 ash and 9 sycamore (total 37 trees).

Reason: To prevent the unnecessary removal of existing trees to ensure that the development does not have a detrimental impact upon the character and appearance of the Dorset AONB.

3. Despite the information submitted with the application this approval does not relate to any details of surface water drainage, foul water drainage, water supply or other utilities infrastructure shown on any approved drawing. Before any ground works start details of surface water management and foul water drainage disposal are required to be submitted to and approved in writing by the Council under the terms of condition numbers 4 and 5 of the outline planning reference 6/2015/0687.

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

4. Despite the information submitted with the application, before any above ground work takes place details of boundary walls, fencing and any changes to ground levels must be submitted to and approved in writing by the Council. The development must then be implemented in accordance with the approved details.

Reason: To ensure proper control is exercised on these details so that the development does not have a detrimental impact upon the character and appearance of the Dorset AONB.

5. Despite the information submitted with the application, before any above ground work takes place precise details of new tree and shrub and other planting shall be submitted to and approved in writing by the Council. The development must then be implemented in accordance with the approved details. All planting must take place within the first full planting season following the substantial

completion of the development or the first occupation of the dwellings, whichever is the sooner.

Reason: To ensure proper control is exercised on these details so that the development is enhanced and does not have a detrimental impact upon the character of the Dorset AONB.

6. Before any above ground work takes place a maintenance schedule and management plan in respect of the planting required under condition 5 shall be submitted to and approved in writing by the Council. The planting must then be maintained in accordance with the approved maintenance schedule and management plan. Any trees or plants of the agreed landscape scheme which within a period of five years from the completion of development die, are removed or become seriously damaged or diseased, must be replaced in the next planting season with others of similar size and species, unless local planning authority gives written permission to any variation.

Reason: To ensure the landscaping of the site establishes successfully.

7. The manufacturers name, product name and colour of: all external facing and roofing materials for the buildings; all surfacing materials of footpaths; accesses; driveways and; parking areas, must be submitted to and approved in writing by the Council before they are used on the proposal. The development must then be implemented using the approved materials.

Reason: To ensure satisfactory appearance of the development and in order to ensure that the materials used do not have a detrimental impact upon the Dorset AONB.

8. Before the development is occupied or utilised the access, geometric highway layout, turning and parking areas shown on Drawing Numbers 18027-0202-P07 and 7502-01-D02RevB must be constructed, unless otherwise agreed in writing by the Council. 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. Before the development hereby approved is occupied or utilised the visibility splay areas as shown on Drawing Number 18027-WFB-00-ZZ-DR-C-0202 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 for the lifetime of the development.

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



10. Before the development hereby approved is occupied or utilised provision must be made to ensure that no surface water drains directly from the site onto the adjacent public highway.

Reason: To ensure that the site is properly drained and that surface water does not flow onto the highway.

11. No street lamps or other external lighting fixtures may be installed in the development.

Reason: To avoid external lighting having a detrimental impact upon the character of the Dorset AONB.

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

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

14. Informative Note - Privately managed estate roads. 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.

15. Informative Note - Advance Payments Code. The applicant should be advised that the Advance Payments Code under Sections 219-225 of the Highways Act 1980 may apply in this instance. The Code secures payment towards the future making-up of a private street prior to the commencement of any building works associated with residential, commercial and industrial development. The intention of the Code is to reduce the liability of potential road charges on any future purchasers which may arise if the private street is not made-up to a suitable standard and adopted as publicly maintained highway. Further information is available from Dorset County Council's Development team. They can be reached by telephone at 01305 225401, by email at [dli@dorsetcc.gov.uk](mailto:dli@dorsetcc.gov.uk), or in writing at Development team, Dorset Highways, Environment and the Economy, Dorset County Council, County Hall, Dorchester, DT1 1XJ.

16. Informative Note - Fire safety. To fight fires effectively the Fire and Rescue Service needs to be able to manoeuvre its equipment and appliances to suitable positions adjacent to any premises. Therefore, the applicant is advised that they should consult with Building Control and Dorset Fire and Rescue Service to

ensure that Fire Safety - Approved Document B Volume 1 Dwelling houses B5 of The Building Regulations 2006 can be fully complied with.

17. Informative Note - Superfast broadband. Please give some thought to how your new development will be ready to connect to superfast broadband for use by the occupants. Find out more about BT Openreach and the Home Builders Federation cost sharing approach via this website link <http://www.newdevelopmentsopenreach.co.uk/> BT Openreach and Virgin Media also have the following guides: <http://www.newdevelopments-openreach.co.uk/developers-andarchitects/developershandbook.aspx> Page 25 [https://keepup.virginmedia.com/Content/networkExpansion/doc/New\\_Build\\_Developers\\_Guide.pdf](https://keepup.virginmedia.com/Content/networkExpansion/doc/New_Build_Developers_Guide.pdf) Dorset Council has also produced information for developers about providing fibre broadband in new housing developments at: <https://www.dorsetcouncil.gov.uk/business-consumers-licences/superfastdorset/about-superfastdorset/guidance-for-property-developers.aspx>.

18. Statement of positive and proactive working: In accordance with paragraph 38 of the National Planning Policy Framework, the Council takes a positive and creative approach to development proposals focused on solutions. The Council works with applicants/agents in a positive and proactive manner by; offering a pre-application advice service, and as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions. For this application: the applicant/agent was updated of any issues after the initial site visit; the opportunity to submit additional information to the scheme/address issues was given which were found to be acceptable.