

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

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

2.0 Summary of recommendation:

2.1 GRANT subject to conditions

3.0 Reason for the recommendation:

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

4.0 Key planning issues

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

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

5.0 Description of Site

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

6.0 Description of Development

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

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

7.0 Relevant Planning History

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

7.2 Pre-application advice was sought for the proposed.

8.0 Constraints:

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

9.0 Consultations

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

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

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

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

1 - Ferndown Town Council

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

2 - Natural England

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

3 - Dorset Council Highways

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

4 - DC Trees & Landscape

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

5 - DC Housing Officer

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

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

7 - Environment Agency

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

8 - Wessex Water

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

9 - Lead Flood Authority

Initial Design	<p>No objection subject to condition</p> <ul style="list-style-type: none"> - The site falls entirely within Flood Zone 1 (FZ 1 - low risk of fluvial flooding) - BGS data shows the site to sit above a bedrock of a Sedimentary Sand (Branksome Sand Formation), with no recorded superficial deposits. - On this basis and subject to necessary / site-specific ground investigation and consideration of seasonal fluctuations in ground water levels, it is thought likely that infiltration methodologies and soakaways will to be viable at this location. - The site is adjacent to an existing surface water sewer aligned with Ringwood Road, but is not known to currently discharge surface water into this system. - Whilst the site is not thought to be at risk of flooding the proposed scheme has the potential to exacerbate risk to adjacent areas if surface water runoff from the proposed (re)development is not adequately managed. In accordance with the recommendations of the revised National Planning Policy Framework (NPPF - July 2018) all development proposals are to be supported by a strategy of surface water management that is both viable & deliverable, and which demonstrates that the
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proposed development & any adjoining property or infrastructure are not to be placed at risk, or worsening.

- We acknowledge that the proposed scheme is supported by (limited) information outlining a proposed conceptual drainage strategy for the management of surface water runoff, specifically a Drainage Strategy plan (ref: SSP – 80480-02) dated 20/12/2019.
- However, we note that this plan document indicates the incorporation of strip / trench soakaways, rather than discharge to a Main Sewer as specified within section 11 of the relevant application form.
- On the basis of the conceptual Drainage Strategy shown on the supporting plan (ref: SSP – 80480-02) we have no in-principle objection to the proposed scheme, subject to the attachment of relevant planning conditions in respect of detailed design and maintenance requirements to any permission granted.

CONDITION (1)

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

REASON

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

CONDITION (2)

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

REASON

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

The conceptual drainage strategy presented in support of these proposals does not appear to be supported by ground investigation or necessary soakage testing to inform the detailed design. Should ground conditions not support the use of infiltration as proposed, it should not be assumed that a regulated discharge to the surface water sewer aligned within Ringwood Road will be acceptable to the operator without suitable mitigation or upsizing of the receiving system.

Revised Design	N/A – reconsult not required
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10 - Dorset Waste Services

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

11 - Dorset Council Landscape Design

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

12 - Dorset Council Urban Design

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

10.0 POLICY AND OTHER CONSIDERATIONS

Development Plan:

Christchurch and East Dorset Core Strategy 2014

East Dorset Local Plan 2002 (saved policies)

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

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

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

Policy HE2 - Design of New Development

Policy HE3 – Landscape Quality

Policy KS1 - Presumption in Favour of Sustainable Development

Policy KS11 - Transport and Development

Policy KS12 - Parking Provision

Policy LN1 - The Size and Type of New Dwellings

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

Policy LN3 - Provision of Affordable Housing

Policy ME1 – Safeguarding Biodiversity and Geodiversity

Policy ME2 - Protection of the Dorset Heathland

Policy ME4 – Renewable Energy Provision

Policy ME6 – Flood Management, Mitigation, and Defence

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

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

10.4 **Other Material Considerations**

Supplementary Planning Documents/Guidance:
Dorset Heathlands Planning Framework 2020 - 2025 SPD (DHPF)

National Guidance

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

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

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

Most relevant NPPF sections include:

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

11.0 Human rights

Article 6 - Right to a fair trial.

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

The first protocol of Article 1 Protection of property.

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

12.0 Public Sector Equalities Duty

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

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

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

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

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

13.0 Financial benefits

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

14.0 Climate Implications

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

15.0 Planning Assessment

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

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

Principle of development

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

Viability

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

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

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

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

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

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

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

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

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

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

Design and landscaping

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

Planning policies and decisions should ensure that developments:

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

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

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

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

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

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

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

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

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

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

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

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

Local Amenity and Standard of Accommodation

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

Highways

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

Trees

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

Biodiversity

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

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

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

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

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

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

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

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

Drainage

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

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

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

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

Servicing

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

16.0 Conclusion

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

Recommendation: Approval

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

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

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

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

FB7945/200 I Site Plan

FB7945/202 A Units 1 & 2

FB7945/203 B Units 3 & 4

FB7945/204 A Units 5 & 6

FB7945/205 A Units 7 & 8

FB7945/206 A Units 9 & 10

FB7945/207 B Units 11 & 12

FB7945/207 B Units 11 & 12

FB7945/208 D Suds Plan

FB7945/210 A Street Scenes

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Informatives:

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

Background Documents:

Case Officer: Naomi Shinkins

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