

Application Number:	P/VOC/2022/07839		
Webpage:	https://planning.dorsetcouncil.gov.uk/		
Site address:	Land at Leigh Road Colehill Wimborne BH21 2BZ		
Proposal:	<p>Application to Vary Condition 1 of Approved P/A 3/17/0848/FUL (<i>Hybrid planning application comprising 1) Full application for 44 dwellings with associated roads, footways, amenity areas, parking, open space, a drainage pumping station and a sustainable urban drainage system with surface water attenuation ponds in the eastern sector of the site as well as the provision of a principal access road from Leigh road as per the scheme approved under ref 3/14/1097/FUL other than the amended surface water drainage arrangements and</i></p> <p><i>2) Outline planning application for a First School of 1.2 hectares in extent with means of</i></p> <p><i>access via the road and footway system incorporated in the accompanying full application and other matters reserved :- all as part of the</i></p> <p><i>development provided for under Policy WWMC8 of the Christchurch and East Dorset Local Plan Part 1 - Core Strategy (2014).)</i></p> <p>To vary the extent of the site access further to detailed discussions with Dorset Highways</p>		
Applicant name:	Lewis Wyatt Construction Ltd		
Case Officer:	Naomi Shinkins		
Ward Member(s):	Cllr Roe and Cllr Dover		
Publicity expiry date:	02 Feb 2023	Officer site visit date:	11 January 2023
Decision due date:	15 March 2023	Ext(s) of time:	n/a

1.0 The application is to be determined by committee under paragraph 153 of the Dorset Council constitution, where the original permission was expressly granted by the Planning Committee.

2.0 Summary of recommendation:

GRANT subject to conditions and securing an additional affordable housing for the following reason:

- Proposed changes to conditions amend the access in line Dorset Council Highways requirements only and does not materially change the nature of development already approved.

3.0 Reason for the recommendation:

- Para 11 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise.
- Proposed changes to conditions amend the access in line with Dorset Council Highways requirements only and do not materially change the nature of the conditions to be amended.
- Proposed drainage is improved where a culvert diversion is no longer required.
- An additional affordable housing contribution will be secured by legal agreement as a result of the cost saving.
- There are no material considerations which would warrant refusal of this application.

4.0 Key planning issues

[Officer note: there have been no changes to the development plan or any other material circumstances in relation to this application and the previously approved application unless set out in this report].

Issue	Conclusion
Principle of development	Acceptable – established under PA 3/17/0848/FUL
Scale, design, impact on character and appearance	Acceptable – no changes proposed to the approved design other than the reduced access size which will provide betterment
Impact on amenity	Acceptable – no changes proposed to the approved design in relation to impact on amenity
Impact on landscape	Acceptable – no changes proposed to the approved design in relation to landscape
Economic benefits	Acceptable – no changes proposed to the approved design in relation to economic benefits
Access and Parking	Acceptable – no changes to proposed parking, changes to proposed access reduce junction size in line with DC Highways requirements
Drainage	Acceptable – no changes proposed to the approved design in relation to drainage other

	than the reduced access no longer requires the existing watercourse to be diverted and therefore provides betterment.
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5.0 Description of Site

- 5.1 The application site comprises an irregular shaped area of open agricultural land measuring approximately 4.84ha which is located to the south of the B3074 Leigh Road, 1.5km east of Wimborne.
- 5.2 The application site comprises two distinct land parcels with land to the south-west of Brookside Manor having been designated as land allocated to the Leigh Road New Neighbourhoods and this area is situated to the rear of existing residential development in both Leigh Road to the north and Brookside Road to the west. The other land parcel is located to the east of Brookside Manor and has been designated as land for a first school as set out in Policy WMC8.
- 5.3 Land to the south-west and south-east of the site is also allocated within the Leigh Road New Neighbourhood and planning permission was approved in June 2017 (Planning Ref: 3/15/0839/FUL).
- 5.4 A resolution to grant permission on this site, under PA 3/17/0848/FUL, was given by committee in October 2021 for residential development in full and a first school in outline. Permission was granted in April 2022 when the required legal agreement was secured.

6.0 Description of Development

- 6.1 The proposal is to amend the previously approved application 3/17/0848/FUL by varying the extent of the site access.
- 6.2 Amendments include:
- Layout amended (as agreed with DC highways)
 - Reduction to the size of the junction (as agreed with DC highways)
 - Existing culvert no longer diverted (as agreed with the Local Lead Flood Authority)
 - The remainder of the previously approved application remains unaltered.
- 6.3 A summary of the approved development is as follows:

	Proposed
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Application Site Area (approx.)	4.7ha
Number of residential units	44
Number of affordable units (AH)	0
Storey heights	2
Parking	134
Access	Leigh Road
Other uses	First School (outline only, no details)

7.0 Relevant Planning History

Application reference	Proposal	Decision	Decision Date
3/14/1097/FUL	Formation of new highway junction	Approved	26/05/2015
3/17/0848/FUL	Hybrid planning application comprising 1) Full application for 44 dwellings with associated roads, footways, amenity areas, parking, open space, a drainage pumping station and a sustainable urban drainage system with surface water attenuation ponds in the eastern sector of the site as well as the provision of a principal access road from Leigh road as per the scheme approved under ref 3/14/1097/FUL other than the amended surface water drainage arrangements and 2) Outline planning application for a First School of 1.2 hectares in extent with means of access via the road and footway system incorporated in the accompanying full application and other matters reserved :- all as part of the development provided for under Policy WWMC8 of the Christchurch and East Dorset Local Plan Part 1 - Core Strategy (2014)	Approved	01/04/2022

8.0 List of Constraints (relevant to the application only)

- Site of Nature Conservation Interest
- Groundwater Protection Zone
- Green Belt

9.0 Consultations

Consultees

The following responses were received from consultees in relation to the initially submitted and additional information (summary only, full comments available online).

9.01 - DC Highways

Initial Information	No objection
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9.02 – National Highways

Initial Information	No objection
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9.03 – Colehill Parish Council

Initial Information	No response
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9.04 – Wimborne Minster Town Council

Initial Information	No objection
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9.05 - Lead Flood Authority

Initial information	Holding objection <ul style="list-style-type: none">- Removal of realignment is welcomed- Further detail required – plans to be annotated with existing watercourse and culvert size details required
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Additional information	No objection subject to condition <ul style="list-style-type: none">- Culvert size has been agreed as per Land Drainage Consent approved.- Revised plan submitted to show existing watercourse is retained
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9.06 – Environment Agency

Initial Information	No response
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9.07 – Dorset Council Housing

Initial Information	No objection <ul style="list-style-type: none">- Further financial contribution is a reasonable approach to address the affordable housing contribution.
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9.08 Representations received

A site notice was posted outside the site on the 11/01/2023 with an expiry date for consultation 24 days after from the date of the notice. 1 representation was received advising they had no comments on the proposed.

10.0 Relevant 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 of the Christchurch and East Dorset Core Strategy Part 1 (2014) are of particular relevance in this case:

KS1	Presumption in favour of sustainable development
KS3	Green Belt
KS11	Transport and Development

Other

10.3 The guidance contained in the National Planning Policy Framework 2021 (NPPF), and the National Planning Practice Guidance are also a material consideration.

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.

Proposed changes to the access will not impact matters considered previously in relation to equalities. Standards required by inclusive mobility needs will still be met.

13.0 Financial benefits

What	Amount / value
Material Considerations	
Affordable housing contribution	Additional £99,911 to be secured by legal agreement
Heathland Mitigation	n/a – no change to previously approved
Non Material Considerations	
CIL	n/a – no change to previously approved

14.0 Climate Implications

Proposed changes to the access will not impact matters considered previously in relation to climate implications.

15.0 Planning Assessment

15.1 The main planning considerations for this application are:

- Principle of development and Green Belt
- Highways and access
- Flood Risk and Drainage

15.2 Principle of Development

15.2.1 The principle of development on this site has already been established. Local Plan Policy WMC8 (South of Leigh Road New Neighbourhood and Sports Village, Wimborne) identifies the area South of Leigh Road as an Allocation Site for a New Neighbourhood. WMC8 sets out that this will include 350 new homes, a Sports Village with new homes for Wimborne Town FC and Wimborne RFC, 8 hectares of other active sports pitches, changing facilities, teenage activity area, allotments, a local centre, land for a First School, and about 37 hectares for a country park.

15.2.2 Through Policy WMC8, the Green Belt boundary was amended to enable the residential and educational development proposed through the neighbourhood allocation to be on land outside of the Green Belt. The approved access remains within the Green Belt.

15.2.3 Under PA 3/17/0848/FUL it was considered likely that the principal access route's design and the proposed use of soft landscaping was acceptable in relation to the Green Belt where the likely visual harm would be limited by the flat nature of the proposed road and relatively unobtrusive nature of any associated features such as street lights and signs. The proposed variation will reduce the size of the junction which will not impact further on the Green Belt above what was previously approved.

15.2.4 The approved application also includes drainage works in the open area in the east of the Application Site. The approved drainage works is also within the Green Belt, that scheme was assessed against relevant local and national planning policies and considered acceptable. The Green Belt impact of the current proposal has been assessed in relation to that earlier approval.

15.2.5 The drainage element of the previously approved proposal involved subterranean pipes and attenuation basins. It was considered whilst these could be a comparatively raw feature in the local landscape initially, it was considered that over time as planting matures that these features, where they are visible above ground, would assimilate into the open landscape. As such, the drainage features were considered to preserve the openness of the eastern part of the application site within the Green Belt. The proposed removes the need for realignment of the existing watercourse with no further

changes to the proposed drainage. Therefore it will not impact further on the Green Belt above what was previously approved.

15.2.6 Overall, the proposed development is acceptable in principle in accordance with Local Plan Policies WMC8 and KS3 and NPPF Paragraphs 143, 144 and 146.

15.3 Highways and access

15.3.1 Local Plan Policy WMC8 sets out that vehicular access (for the Allocation Site) is to come from Leigh Road to the east of Brookside Manor. This has been approved under PA 3/17/0848/FUL.

15.3.2 The approved access has been redesigned in consultation with the Dorset Council Highways team, where it is reduced in sized and simplified in terms of layout.

15.3.3 The Highways team have been consulted on this application and raise no objection to the proposed.

15.3.4 Therefore, subject to conditions and informatives previously imposed on the approved application, the proposal accords with Local Plan Policy WMC8, KS9, KS11 and KS12.

15.4 Flood Risk and Drainage

15.4.1 Local Plan Policy ME6 (Flood Management, Mitigation and Defence) sets out inter alia that all developments will be required to demonstrate that flood risk does not increase as a result of the development proposed, and that options have been taken to reduce overall flood risk. Post-development surface water run-off must not exceed pre-development levels and options should have been sought to reduce levels of run-off overall. This will primarily be through the use of Sustainable Drainage Systems (SUDS) and a range of flood resistance and resilience measures. Space for such measures should be set aside within larger developments.

15.4.2 The Lead Flood Authority (LFA) raised no objection to the previously approved scheme subject to suitable pre-commencement conditions and informatives. Conditions in relation to the drainage for the residential development have been discharged.

15.4.3 The proposed variation does not change the previously approved drainage other than the reduced junction no longer requires the realignment of the existing culvert on Leigh Road.

15.4.4 The LFA has been consulted and has raised no objection to the proposed subject to a land drainage consent informative. Therefore the proposal accords with Local Plan Policy ME6.

15.5 Affordable Housing Contribution

15.5.1 A financial contribution of £110,000 towards affordable housing was secured under the original planning application. This sum was agreed based on a viability assessment, which included the cost of the approved signal junction.

15.5.2 Evidence has been submitted by the applicant which identifies a cost saving of £187,680 will be achieved by reducing the junction as proposed in this application. This figure has been verified by the Highways Team who deal with highways construction.

15.5.3 However the applicant has identified a number of aborted costs related to the planning application for the approved signal junction and its detailed design to the figure of £114,831. These costs have been reviewed by the Planning and Highways Teams and £87,769 has been agreed as reasonable aborted costs.

15.5.4 With the consideration of the aborted costs, there is an actual cost saving of £99,911, which the applicant has agreed to secure as a further financial contribution towards affordable housing via a legal agreement.

15.5.5 As the approved development is under construction and the changes to the junction have been requested by the Highways Team, a further financial contribution is considered a reasonable approach to address the affordable housing contribution. The Housing Officer has been consulted and agrees with this approach.

15.6 OTHER

15.6.1 Other matters considered under the approved application 3/17/0848/FUL are not affected by the proposed as follows:

Housing mix	Acceptable – no changes to the approved housing mix
Impact on character of the area	Acceptable – no changes to the approved design and layout
Landscaping	Acceptable – no changes to the approved design and layout
Trees	Acceptable – no changes to the approved design and layout
Servicing	Acceptable – no changes to the approved design and layout
Dorset Heathlands	Acceptable – no changes to the secured mitigation
Contaminated Land	Acceptable – no changes to the required conditions

Renewable Energy	Acceptable – no changes to the required conditions
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16.0 Conclusion

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 that the proposal as amended to reduce the proposed access and modified conditions is acceptable in relation to material planning considerations.

17.0 Conditions

A number of conditions (9,10,12,15,19 and 20) have been discharged on the previously approved application. These conditions have therefore been updated to read as compliance conditions, where applicable. An updated legal agreement is required to secure the additional affordable housing contribution as noted above and to secure land previously occupied by the diverted culvert to the school site.

18.0 Recommendation

A) Grant permission subject to the completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended) in a form to be agreed by the legal services manager to secure the following:

- further affordable housing contribution of £99,911
- amend the first school site boundary to include land previously occupied by the diverted culvert

And the conditions noted below

OR

B) Refuse permission if the legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended) is not completed by (6 months from the date of committee) or such extended time as agreed by the Head of Planning.

Conditions:

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

095_DI_08.4 Site Location Plan

095_DI_23.21 Planning Application Site Layout

095_DI_24.9 Parking Layout

095_DI_25.12 Boundary Materials Layout

095_DI_26.18 Landscape Strategy

095_DI_27.8 Site Sections

095_DI_38.4 Plot 2b The Paddocks

W511/07 A Leigh Road Junction

W511/06 O Proposed Drainage Arrangements

W511/24 B School Site Levels and Access

Spe-B-C rev A Spetisbury Plans and Elevations (Plots 1, 41, 42 & 43)

Spe-B-C-V Spetisbury Variant Plans and Elevations (Plot 27)

Chi-B-C Chickerell Cottage Plans and Elevations (Plots 2/3 & 32/33)

Reg-B-C Regis Cottage Plans and Elevations (Plot 4)

Ibb-R-C rev A Ibberton Cottage Plans and Elevations (Plot 5)

Gla-B-C rev A Glanville Cottage Plans and Elevations (Plots 6, 7 & 34)

Bea-B-C Beaminster Cottage Plans and Elevations (Plots 8/9)

Bea-R-C rev A Beaminster Cottage Plans and Elevations (Plots 10/11)

FBT 3-B rev A Flat Block Type 3B Plans and Elevations (Plots 12/13)

Bea-R-C-FBT4 rev A Beaminster Cottage & Flat Block Type 4 Plans and Elevations (Plots 14/15/16)

Dew-B-C Dewlish Cottage Plans and Elevations (Plots 17/18)

Gla-B-C-V Glanville Cottage Variant Plans and Elevations (Plot 19)

Ibb-R-C-V & Gla-B-C-H-V Ibberton Cottage and Glanville Cottage Plans and Elevations (Plots 20/21)

Man-B-I2 rev A Mannington Informal2 Plans and Elevations (Plot 22)

Upw-B-I Upwey Informal Plans and Elevations (Plot 23)

2036-P-210 Plans and Elevations Plot 24 LR-H-B-4

2036-P-211 Plans and Elevations Plot 25 LR-N-B-5

Ibb-R-C-V rev A Ibberton Cottage Variant Plans and Elevations (Plot 26)

Osm-B-C rev A Osmington Cottage Plans and Elevations (Plot 28)

Eve-B-C2 Evershot Cottage2 Plans and Elevations (Plot 29)

Sha-B-C-V rev A Shaftesbury Cottage Variant Plans and Elevations (Plots 30/31)

Lyt-B-C Lytchett Cottage Plans and Elevations (Plot 35)

Pul-B-C-V Pulham Cottage Variant Plans and Elevations (Plot 36)

Reg-B-C-V Regis Cottage Variant Plans and Elevations (Plot 37)

Gla-R-C Glanville Cottage Plans and Elevations (Plot 38)

Net-B-C Netherbury Cottage Plans and Elevations (Plots 39/40)
Upw-B-I-V Upwey Informal Variant Plans and Elevations (Plot 44)
DBO-B Double Garage with Home Office Plans and Elevations
2036-P401 Plans and Elevations - Single Garages
2033-P403 Plans and Elevations – Twin / Double Garages
2036-P404 Plans and Elevations – Triple Garages
2036-P406 Plans and Elevations – Double 90 Degree Garage

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

2. Before the development of the first school hereby approved is occupied a traffic calming scheme shall be constructed along the access road to the south of the proposed school site, between the two speed reducing bends to the south west and south east, in accordance with a specification first agreed in writing with the Local Planning Authority.

Reason: These specified works are seen as a pre-requisite for allowing the development to proceed, providing the necessary highway infrastructure improvements to mitigate the likely impact of the proposal.

3. Before the development hereby approved is occupied or utilised the following works must have been constructed in accordance with schemes that have been submitted to the Local Planning Authority and approved in writing:

- The construction of a new junction on Leigh Road which incorporates the needs of vehicle, cycles and pedestrians, to be agreed in writing with the Local Planning Authority.
- The diversion of the existing watercourse that runs along the south side of Leigh Road, in accordance with a scheme to be agreed in writing with the Local Planning Authority.

Reason: These specified works are seen as a pre-requisite for allowing the development to proceed, providing the necessary highway infrastructure improvements to mitigate the likely impact of the proposal.

4. Before the development hereby approved is occupied or utilised, the submitted Travel Plan (March 2017) must be implemented and operational.

Reason: In order to reduce or mitigate the impacts of the development upon the local highway network and surrounding neighbourhood by reducing reliance on the private car for journeys to and from the site.

5. The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plan 18009-BT5 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.

6. No construction work in relation to the development, including preparation prior to operations, shall take place other than between the hours of 07.30 hours to 18.00 hours Monday to Friday and 07.30 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.

7. The proposed surface water drainage for the site shall be carried out in accordance with the preliminary strategy documents as follows:

- W511-15B
- W511-06 Rev L
- W511-25
- 3-17-0848-FUL_Other+documents_FRA_Part_1
- 3-17-0848-FUL_Other+documents_FRA_Part_2
- 3-17-0848-FUL_Supporting Document_W511-FN02 FRA Supplementary Note
- 180315 RESPONSE W511-FN01 FULL
- Leigh Road W511-FN05 FRA Further Supplementary Note Oct 18

Reason: To prevent the increased risk of flooding or overwhelming of existing drainage infrastructure, and to protect water quality.

8. The development phase hereby permitted in full, namely the 44 dwellings with associated roads, footways, amenity areas, parking, open space, foul drainage pumping station, sustainable urban drainage system with surface water attenuation ponds and principle access road from Leigh Road, shall be begun before the expiration of three years from the date of this permission.

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

9. The surface water management for the phase permitted in full shall be carried out in accordance with 'W528-FN09 Surface Water Drainage Statement'.

The surface water scheme shall be implemented in accordance with the agreed details before the development of the school site is completed.

Reason: To prevent the increased risk of flooding or overwhelming of existing drainage infrastructure, and to protect water quality.

10. The maintenance and management of the surface water sustainable drainage scheme for the phase permitted in full shall be carried out in accordance with W528-FN10 Surface Water Drainage Maintenance & Management Plan.

The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. The details should be for the lifetime of the development and include 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 increase risk of flooding.

11. Before the development is occupied or utilised the access, geometric highway layout, turning and parking areas shown on Drawing Number 095_DA_23.20b (Site Layout) must be constructed, unless otherwise agreed in writing by the Local 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.

12. The development phase permitted in full and access road connecting it to the development permitted under application 3/14/1097/FUL, shall be carried out in accordance with the approved Construction Traffic Management Plan (CTMP)

'A015- CTMP-Construction Traffic Management Plan - Sheet 1' and 'A015-CTMP-Construction Traffic Management Plan - Sheet 2' for the residential development, access road and first school site levelling and access points

Reason: to minimise the likely impact of construction traffic on the surrounding highway network and prevent the possible deposit of loose material on the adjoining highway.

13. The development phase permitted in full shall not be first brought into use unless and until the protected species mitigation measures as detailed in the approved mitigation plan dated 19 June 2017 and subsequent addendum documents 'Leigh Rd Ecology Report Addendum' submitted 9 December 2020, 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 are required and 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, unless otherwise first agreed in writing by the Local Planning Authority.

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.

14. No residential development above DCP (damp proof course) shall take place until full details of soft landscape works based on drawing 095_DI_26.17 (Landscape Strategy) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried in accordance with the approved details. These details shall include soft landscaping design; details of tree planting to replace trees lost during the creation of the Leigh Road access; details of boundary planting, schedules of plants (noting species, plant sizes and proposed numbers/densities where appropriate).

All hard and soft landscape works including boundary treatments shall be carried out in accordance with the approved plans and details. The works shall be carried out prior to the occupation of the development to which they relate or in accordance with a programme agreed in writing by the Local

Planning Authority. Any planting found damaged, dead or dying in the first five years following their planting are to be duly replaced with appropriate species.

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

15. The residential development shall be built in accordance with the materials approved in the document ' Leigh Road - Condition 15 - Brick and Roof Tile Materials Palette'

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

16. The window(s) on the:

- * Southern elevation of Plot 2
- * South-western elevation of Plot 7
- * North-eastern elevation of Plot 19
- * North-western elevation of Plot 27
- * South-eastern elevation of Plot 29
- * North-western elevation of Plot 30
- * North-eastern elevation of Plot 31
- * South-western elevation of Plot 32
- * North-eastern elevation of Plot 33

shall be glazed with obscure glass to Level 5 Obscurity and shall either be a fixed light or hung in such a way as to prevent the effect of obscure glazing being negated by reason of overlooking and these shall be retained for the lifetime of the development. Furthermore, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, or any subsequent re-enactment, no further fenestration or door shall be installed in the said elevation without express planning permission.

Reason: To preserve the amenity and privacy of the adjoining properties.

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any subsequent re-enactment, the proposed single garages for plots 27 and 36 shall not be altered or extended, nor shall any new outbuilding be constructed within the curtilage of these dwellings, without express planning permission.

Reason: to protect the amenity of the neighbouring property 2B The Paddocks.

18. Works relating to site levels and finished floor levels for the residential development shall be undertaken strictly in accordance with the details as set out in drawing 'W511/28 Rev B Contours and finished Floor Levels'.

Reason: To ensure details of the proposal having regard to the existing site levels, flood risk mitigation and those adjacent hereto.

19. The residential development approved shall be carried out in accordance with the approved energy statement 'Leigh Road Energy Statement' and PV plan 'PV-100'.

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

20. The residential development approved shall be carried out in accordance with the approved water efficiency calculations for plots 1-44.

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.

21. The development phase hereby permitted in outline, namely the construction of a first school, shall be begun either before the expiration of three years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters.

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

22. (a) With the exception of site levelling and access connections, prior to commencement of development of the first school details of 'Reserved Matters', (that is any matters in respect of which details have not been given in the application and which concern the siting, design or external appearance of the building(s) to which this permission and the application relates, or to the means of access to the building(s) or the landscaping of the site) shall be submitted to and approved in writing by the Local Planning Authority.

(b) An application for approval of any 'Reserved Matters' must be made not later than the expiration of three years beginning with the date of this permission.

(c) The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the Reserved

Matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: (a) This condition is required to be imposed by the provisions of Article 5(1) of the Town and Country Planning (Development Management Procedure) Order 2015: (1) of the (b) and (c) These conditions are required to be imposed by Section 92 of the Town and Country Planning Act 1990.

23. With the exception of site levelling and access connections, prior to commencement of the first school development hereby approved in outline a Construction Traffic Management Plan (CTMP) for that part of the development must be submitted to and approved in writing by the Local Planning Authority. The CTMP must include:

- construction vehicle details (number, size, type and frequency of movement)
- a programme of construction works and anticipated deliveries
- timings of deliveries so as to avoid, where possible, peak traffic periods
- a framework for managing abnormal loads
- contractors' arrangements (compound, storage, parking, turning, surfacing and drainage)
- wheel cleaning facilities
- vehicle cleaning facilities
- Inspection of the highways serving the site (by the developer (or his contractor) and Dorset Highways) prior to work commencing and at regular, agreed intervals during the construction phase
- a scheme of appropriate signing of vehicle route to the site
- a route plan for all contractors and suppliers to be advised on
- temporary traffic management measures where necessary

The development must be carried out strictly in accordance with the approved Construction Traffic Management Plan.

Reason: to minimise the likely impact of construction traffic on the surrounding highway network and prevent the possible deposit of loose material on the

adjoining highway.

24. The first school development phase hereby approved shall not be first brought into use unless and until the protected species mitigation measures as detailed in the approved mitigation plan dated 19 June 2017 and subsequent addendum documents 'Leigh Rd Ecology Report Addendum' submitted 9 December 2020, 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 are required and 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, unless otherwise first agreed in writing by the Local Planning Authority.

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.

25. With the exception of site levelling and access connections no development shall take place in relation to the first school site until a detailed surface water management scheme for that part of the site, based upon the hydrological and hydrogeological context of the development has been submitted to and agreed in writing by the local planning authority. The surface water scheme shall be implemented in accordance with the agreed details before the development of the school site is completed.

Reason: To prevent the increased risk of flooding or overwhelming of existing drainage infrastructure, and to protect water quality.

26. With the exception of site levelling and access connections no development hereby approved shall take place in relation to the first school site until details of maintenance and management of the surface water sustainable drainage scheme for that part of the site 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. The details 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 increase risk of flooding.

Informatives:

1. Safeguards should be implemented during the construction phase to minimise the risks of pollution and detrimental effects to the water interests in and around the site. Such safeguards should cover the use of plant and machinery, oils/chemicals and materials; the use and routing of heavy plant and vehicles; the location and form of work and storage areas and compounds and the control and removal of spoil and wastes. We recommend
the applicant refer to the Environment Agency's Pollution Prevention Guidelines, which can be found at:
<https://www.gov.uk/guidance/pollution-prevention-for-businesses>
2. If any controlled waste is to be removed off site, then site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably authorised facility. If the applicant require more specific guidance it is available on the Environment Agency's website <https://www.gov.uk/howto-classify-different-types-of-waste>
3. The highway improvement(s) referred to in the recommended condition above shall be carried out to the specification and satisfaction of the Local Highway Authority in consultation with the Local Planning Authority and it will be necessary to enter into an agreement, under Section 278 of the Highways Act 1980 (or "Minor Works Agreement"), with the Local Highway Authority, before any works commence on the site.
4. The applicant is advised that, notwithstanding this consent, if it is intended that the highway layout be offered for public adoption under Section 38 of the Highways Act 1980, the applicant should contact Dorset County Council's Development team. They can be reached by telephone at 01305 225401, by email at dli@dorsetcc.gov.uk , or in writing at Development team, Dorset Highways, Environment and the Economy, Dorset Council, County Hall, Dorchester, DT1 1XJ
5. 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 Council's Development team. They can be reached by telephone at 01305 225401, by email at dli@dorsetcc.gov.uk, or in writing at Development team, Dorset Highways, Environment and the Economy, Dorset Council, County Hall, Dorchester, DT1 1XJ.

6. Given the proximity of some of the proposed gardens to neighbouring houses (which are not positively drained) and the required land raising to achieve finished floor levels, the applicant should ensure that over compaction of land near to these areas is prevented so that runoff into neighbouring gardens does not increase post construction. The Detailed Drainage Strategy (DDS) required in condition 16 should discuss how this will be managed during the construction phase as part of the Surface Water Construction Management Plan requested via this condition.
7. If the applicant wishes to offer for adoption any SW drainage to Wessex Water (WW) for adoption, they should contact WW as soon as possible. As we will expect to see evidence of a section 104 agreement in respect of any Discharge of Conditions application.
8. Prior Land Drainage Consent (LDC) may be required from DCC's FRM team, as relevant LLFA, for all works that offer an obstruction to flow to a channel or stream with the status of Ordinary Watercourse (OWC) – in accordance with s23 of the Land Drainage Act 1991. The modification, amendment or realignment of any OWC associated with the proposal under consideration, is likely to require such permission. We would encourage the applicant to submit, at an early stage, preliminary details concerning in-channel works to the FRM team. LDC enquiries can be sent to floodriskmanagement@dorsetcc.gov.uk.
9. The application should be read in conjunction with the S106 planning obligation (dated 1st April 2022) between:

Eastern Area Planning Committee
3 May 2023

(1) DORSET COUNCIL

(2) JOHN WILLIAM ARTHUR CORRINGHAM-RUDD AND DR JANE BETHAN DAVIES

(3) LEWIS WYATT (CONSTRUCTION) LIMITED

(4) NATIONAL TRUST FOR PLACES OF HISTORIC INTEREST OR NATURAL BEAUTY

And the Deed of Variation to secure the additional affordable housing contribution.

Background Documents:

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