

# Eastern Area Planning Committee

## 3<sup>rd</sup> May 2023

### Decision List

**Application Reference:** P/OUT/2021/05751

**Application Site:** Land at Matchams Stadium Matchams Lane St Leonards BH24 2BU

**Proposal:** Demolition of existing buildings and structures and erection of a continuing care retirement community with up to 330 extra care units (Use Class C2) and up to 60 bed care home (Use Class C2), associated communal and care facilities, landscaping and open space, Alternative Natural Greenspace (ANG), parking and infrastructure, means of access and internal access roads. Use of land as nature conservation area, to include ecological enhancements and restoration (outline application to determine access only with all other matters reserved)

**Recommendation:** **REFUSE permission for the reasons set out at the end of this report.**

#### **3.0 Reason for the recommendation:**

- The proposal would result in adverse impacts to the Dorset Heathlands SPA and New Forest SPA
- The proposal fails to make a policy-compliant contribution to affordable housing
- The proposal is contrary to green belt policy
- It has not been satisfactorily demonstrated that the proposed surface water drainage scheme can be viably implemented
- It has not been satisfactorily demonstrated that the proposal will not have adverse effects on the dark skies of the New Forest National Park

#### **Decision: Recommendation**

**REFUSE permission for the reasons set out below.**

1. The proposal would have adverse impacts on the Dorset Heathlands SPA and New Forest SPA which cannot be mitigated, contrary to Policy ME2 of the adopted Christchurch and East Dorset Local Plan – part 1 2014, the Dorset Heathlands Planning Framework 2020-2025 SPD, and paragraphs 180-182 of the National Planning Policy Framework. This forms a clear reason for refusal of the proposal in accordance with NPPF para 11 d) i.
2. The proposed development fails to make an appropriate contribution to affordable housing, contrary to Policy LN3 of the adopted Christchurch and East Dorset Local Plan – Part 1, 2014.
3. The proposal, by way of the parameters proposed for scale and massing, along with the urbanising effects of more regular traffic movements, represents inappropriate

development in the Green Belt. Contrary to Policy KS3 of the adopted Christchurch and East Dorset Local Plan – Part 1, 2014, and paragraphs 147-151 of the National Planning Policy Framework. This forms a clear reason for refusal of the proposal in accordance with NPPF para 11 d) i.

4. Insufficient information has been provided regarding surface water management from the development. It has not been demonstrated that the proposed surface water drainage scheme can be viably achieved on the site. Contrary to Policy ME6 of the adopted Christchurch and East Dorset Local Plan – part 1, 2014, and paragraphs 167 and 169 of the National Planning Policy Framework.
5. The proposal, by bringing artificial lighting into an area currently lit only sporadically, is likely to result in an increase in light pollution. Insufficient information has been submitted to fully understand the effects of the development on nearby receptors including the New Forest National Park. Contrary to Policy HE3 of the adopted Christchurch and East Dorset Local Plan 2014, and paragraphs 176 and 185 of the National Planning Policy Framework.

**Informatives:**

1. National Planning Policy Framework

In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development. The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and –
- as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

- The applicant and council have worked together to minimise the reasons for refusal.

2. If planning permission is subsequently granted for this development at appeal, it will be subject to the Community Infrastructure Levy (CIL) introduced by the Town and Country Planning Act 2008. A CIL liability notice will then be issued by the Council that requires a financial payment, full details of which will be explained in the notice.

**Application Reference:** P/VOC/2022/07839

**Application Site:** Land at Leigh Road Colehill Wimborne BH21 2BZ

**Proposal:** Application to Vary Condition 1 of Approved P/A 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).*

To vary the extent of the site access further to detailed discussions with Dorset Highways

**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.

**Decision:** 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

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](mailto: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](mailto: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](mailto:floodriskmanagement@dorsetcc.gov.uk).
9. The application should be read in conjunction with the S106 planning obligation (dated 1<sup>st</sup> April 2022) between:

(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.

**Application Reference:** P/RES/2022/08041

**Application Site:** Land East of New Road West Parley

**Proposal:** Reserved Matters submission comprising layout, scale, appearance and landscaping pursuant to condition 1 of outline permission ref.

3/17/3609/OUT for Phase 2 comprising 148 dwellings (Use Class C3) with public open space and landscaping. Vehicular access off Christchurch Road and Church Lane as approved in the outline planning permission.

**Recommendation:** Approval of Reserved Matters

**Decision: APPROVAL of Reserved Matters:**

Subject to the following conditions:

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

Proposed Site Layout Plan 22124-P101-T  
Site Layout SANG Line Plan 22124-P104  
Site Survey Plan 22124-S102-A  
Coloured Site Layout 22124/C101D  
Coloured Street Scenes AA-CC 22124/C102B  
Coloured Street Scenes DD-FF 22124/C103B  
Site Layout Parking Plan 22124-P105-H  
Proposed Boundary Treatments 22124-P106-J  
Site Layout Building Materials Plan 22124-P107-K  
Mix and Tenure Plan 22124-P108-H  
Building Heights 22124-P109-H  
Plots 239-240- & 269-270 Proposed Plans and Elevations 22124-P110-B – Plots 239-240, 272-273  
Plots 241-244 Proposed Plans and Elevations 22124-P111-C – Plots 241-244  
Plots 245-247 Proposed Plans and Elevations 22124-P112-B – Plots 245-247  
Plots 248 & 273 Proposed Plans and Elevations 22124-P113-B – Plot 248  
Plots 260-262 Proposed Plans 22124-P114-C – Plots 263-268  
Plots 263 & 266 Proposed Plans and Elevations 22124-P115-C – Plots 263-268  
Plots 264-265, 267-268 & 271-272 Proposed Plans and Elevations 22124-P116-B – Plots 270-271, 274-275  
Plots 274 Proposed Plans and Elevations 22124-P117-A – Plot 277  
Plots 276, 277, 278 & 280 Proposed Plans and Elevations 22124-P118-C – Plots 279,284,346, 347  
Plots 281, 289, 292, 307, 323 & 342 Proposed Plans and Elevations 22124-P119-C – Plots 283, 292, 295, 310, 326, 345  
Plots 281, 287 & 334 Proposed Plans and Elevations 22124-P120-B – Plots 291, 337  
Plots 283, 287, 300, 335 & 352 Proposed Plans and Elevations 22124-P121-C – Plots 286,290, 303, 338, 353  
Plots 283, 304, 308 & 345 Proposed Plans and Elevations 22124-P122-B – Plots 287,308, 311, 348  
Plots 285-286, 339-340, 353-354 & 355-356 Proposed Plans and Elevations 22124-P123-B – Plots 288, 289, 342-343, 356-357, 358-359  
Plots 290, 292, 305, 306, 307 & 323 Proposed Plans and Elevations 22124-P124- A – Plots 278, 282, 293, 294, 296, 309  
Plots 293, 322, 341 & 357 Proposed Plans and Elevations 22124-P125-B – Plots 297, 325, 344, 360  
Plots 362-364 Proposed Plans and Elevations 22124-P126-B – Plots 365-367  
Plots 301-302, 316-317 & 350-351 Proposed Plans and Elevations 22124-P127-B – Plots 304-305, 333-334, 353-354  
Plots 303-304 Proposed Plans and Elevations 22124-P129-B – Plots 306-307  
Plots 309-310 Proposed Plans and Elevations 22124-P130-A – Plots 312-313  
Plots 311 & 361 Proposed Plans and Elevations 22124-P131-C – Plots 285, 314, 364  
Plots 312-313, 332-333, 343-344 & 346-347 Proposed Plans and Elevations 22124-P132-A – Plots 280-281, 315-316, 335-336, 349-350  
Plots 314-315 & 328-329 Proposed Plans and Elevations 22124-P133-B – Plots 317-318, 331-332

Plots 318-321 Proposed Plans and Elevations 22124-P134-B – Plots 321-324  
Plots 325-327 & 358-360 Proposed Plans and Elevations 22124-P135-A – Plots 328-330,  
361-363  
Plots 336-338 Proposed Plans and Elevations 22124-P136-A – Plots 339-341  
Plot 348 Proposed Plans and Elevations 22124-P137-A – Plot 351  
Plot 349 Proposed Plans and Elevations 22124-P138-A – Plot 352  
Plots 294-296 Proposed Plans and Elevations 22124-P139-A – Plots 298-300  
Plots 365-366 Proposed Plans and Elevations 22124-P140-B – Plots 301-302  
Plot 324 Proposed Plans and Elevations 22124-P141-B – Plots 319-320  
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2. Prior to the commencement of any development hereby approved, above damp course level, and pursuant to the Energy Strategy Statement (Briary Energy (March 2021), full details of the Photo Voltaic panels and their positioning shall be submitted and approved in writing by the Local Planning Authority. All works are to be carried out in accordance with the approved details.

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

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) (with or without modification) no enlargement(s) of the dwellinghouse hereby approved on plot 384, permitted by Class A and Class B of Schedule 2 Part 1 of the 2015 Order, shall be erected or constructed.

Reason: To protect the amenity of neighbouring properties.

#### **Informatives:**

1. Informative: National Planning Policy Framework Statement

In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and
- as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

- The applicant/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.
- The applicant was provided with pre-application advice.

2. Informative: 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.

2. Informative: It is recommended that areas providing for the drying of washing within the rear amenity courtyards of flatted blocks.

**Application Reference:** P/FUL/2022/07443

**Application Site:** Warlands, 71 Burnbake Road, Verwood BH31 6ES

**Proposal:** Erect 3 dwellings (amended scheme)

**Recommendation:** GRANT subject to conditions

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

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

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

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

3. Before the development hereby approved is occupied or utilised the turning/manoeuvring and parking shown on Drawing Number P201 G must have been constructed. Thereafter, these areas, must be permanently maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper and appropriate development of the site and to ensure that highway safety is not adversely impacted upon.

4. Prior to development above damp proof course level, a soft landscaping and planting scheme shall be submitted to, and approved in writing, by the Local Planning Authority. The approved scheme, which shall include the retention of hedging along the boundaries with Bugdens Lane, shall be implemented in full during the planting season November – March following commencement of the development or within a timescale to be agreed in writing with the Local Planning Authority. The scheme shall include provision for the maintenance and replacement as necessary of the trees and shrubs for a period of not less than 5 years and the retention of front boundary hedging thereafter.

Reason: In the interest of visual amenity.

5. Prior to development above damp proof course level, details (including colour photographs) of all external facing materials for the wall(s) and roof(s) shall have been submitted to, and approved in writing by the Local Planning Authority. Thereafter, the development shall proceed in accordance with such materials as have been agreed.

Reason: To ensure a satisfactory visual appearance of the development.

6. The detailed biodiversity mitigation, compensation and enhancement/net gain strategy set out within the approved Biodiversity Plan certified by the Dorset Council Natural Environment Team on 16/07/2021 must be strictly adhered to during the carrying out of the development.

The development hereby approved must not be first brought into use unless and until the mitigation, compensation and enhancement/net gain measures detailed in the approved biodiversity plan have been completed in full, unless any modifications to the approved Biodiversity Plan as a result of the requirements of a European Protected Species Licence have first been submitted to and agreed in writing by the Local Planning Authority.

Thereafter approved mitigation, compensation and enhancement/net gain measures must be permanently maintained and retained in accordance with the approved details, unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To mitigate, compensate and enhance/provide net gain for impacts on biodiversity.

7. Details of 2 bat boxes, 2 bird boxes and 2 bee bricks shall be submitted to and agreed in writing by the Local Planning Authority which shall be erected as agreed prior to first occupation or use of the development hereby approved.

Reason: To enhance or protect biodiversity.

8. Prior to commencement of development hereby approved a Construction Traffic Management Plan and programme of works shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include construction vehicle details (number, size, type and frequency of movement), vehicular routes, delivery hours and contractors' arrangements (compound, storage, parking, turning, surfacing, drainage and wheel wash facilities). The development shall thereafter be carried out strictly in accordance with the approved Construction Traffic Management Plan.

Reason: In the interests of road safety.

#### **Informatives:**

1. Informative: National Planning Policy Framework Statement

In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and



- as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

- The applicant/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.

2. Informative: 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.
3. The proposed works are in the vicinity of the public right of way E54/1, as recorded on the County Definitive Map and Statement of rights of way. New housing will front onto this footpath (via Bugdens Lane) vehicle and pedestrian access will be required directly along E54/1 to access these properties.

Throughout the duration of the development the full width of the public footpath must remain open and available to the public, with no materials or vehicles stored on the route.

It should be noted that the use of this footpath by vehicular traffic without lawful authority is an offence contrary to the Road Traffic Act 1988. Any damage to the surface of the path attributable to the development must be repaired to Dorset Council's specification, in accordance with Section 59 of the Highways Act 1980.

The free passage of the public on all rights of way must not be obstructed at anytime. If the public are unlikely to be able to exercise their public rights on the above path, then a Temporary Path Closure Order must be obtained. This can be applied for through this office, but the application must be completed and returned at least thirteen weeks before the intended closure date. It should be noted that there is a fee applicable to this application.

4. The applicants are reminded that Bugdens Lane is a private road which may be subject to restrictions that lie beyond the remit of planning.
5. The developer is advised that the Construction Traffic Management Plan required by condition 8 should include measures to ensure that the condition of the Bugdens Lane is surveyed and photographed prior to commencement of works and the Lane reinstated to that condition prior to occupation of the dwellings hereby approved.

**Application Reference:** P/FUL/2023/01030

**Application Site:** Knoll Beach Ferry Road Swanage BH19 3AQ

**Proposal:** Disabled persons WC and changing building

**Recommendation:** GRANT subject to conditions

**Decision: Grant, subject to the following conditions:**

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

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

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

Drawing No. RADPT.0001 Rev 1: Planning Drawings

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

3. The building hereby approved shall incorporate the following flooding resilience measures prior to first use:

- Waterproof flooring (including 150mm up the walls)
- Floor gully to allow any water in the building to flow out via waste pipes
- Multipanel Hydrolock walling to prevent water reaching the plasterboard / timbers / insulation
- Sealed floor insulation to prevent water penetration
- Waterproof paint for the steel frame of the building
- Ventilation behind the cladding to allow walls to dry out easily
- Moisture resistant Insulation inside the walls
- Finished floor level to be higher than adjacent ground levels

Reason: To mitigate against the risk of groundwater flooding to the building.

4. Before using any external facing and roofing materials in the construction of the development, details of their manufacturer, colour and type shall have been submitted to and approved in writing by the Local Planning Authority (LPA). All works shall be undertaken strictly in accordance with the details as approved, unless otherwise agreed in writing with the LPA.

Reason: To ensure the development uses external materials appropriate for its context.

**Informative Notes:**

1. Informative: National Planning Policy Framework Statement

In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and
- as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

- The applicant/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.

2. Please check that any plans approved under the building regulations match the plans approved in this planning permission or listed building consent. Do not start work until revisions are secured to either of the two approvals to ensure that the development has the required planning permission or listed building consent.

3. In respect of Condition 3, flood proofing / to be included in the proposed building should accord with the Communities & Local Government advice 'Improving the flood performance of new buildings' (2007)

<https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings>