

|                                |   |                                 |          |
|--------------------------------|---|---------------------------------|----------|
| <b>Application Number:</b>     | P/FUL/2023/00864  |                                 |          |
| <b>Webpage:</b>                | <a href="https://dorsetcouncil.gov.uk">Planning application: P/FUL/2023/00864 - dorsetforyou.com (dorsetcouncil.gov.uk)</a> |                                 |          |
| <b>Site address:</b>           | Blue Waters and Lichen Haven, Glebe Estate, Studland, Swanage, BH19 3AS   |                                 |          |
| <b>Proposal:</b>               | Erect 3 no. dwellings with associated parking, access and landscaping. (demolish existing dwellings)                        |                                 |          |
| <b>Applicant name:</b>         | Mr and Mrs Phillip and CJ McIntrye and Ranger   |                                 |          |
| <b>Case Officer:</b>           | Cari Wooldridge   |                                 |          |
| <b>Ward Member(s):</b>         | Cllr Brooks (Cllr Wilson following 2024 local elections)  |                                 |          |
| <b>Publicity expiry date:</b>  | 20 July 2023  | <b>Officer site visit date:</b> | 03/03/23 |
| <b>Decision due date:</b>      | 30 September 2024   | <b>Ext(s) of time:</b>          | Yes      |
| <b>No of Site Notices:</b>     | 3   |                                 |          |
| <b>SN displayed reasoning:</b> | The site notices were displayed in prominent positions in the interest of maximising awareness of the application.          |                                 |          |

**1.0** The application has been referred to committee for consideration by the Service Manager for Development Management and Enforcement.

**2.0 Summary of recommendation:**

The committee GRANT planning permission subject to conditions as set out in Section 18 of this report.

**3.0 Reason for the recommendation:** as set out in paras 16 – 17 of this report and summarised as follows:

- Section 38(6) of the Planning and Compensation Act 2004 provides that determinations must be made in accordance with the development plan unless material considerations indicate otherwise.
- The application site is located within a settlement boundary where the principle of development is acceptable. The proposal is acceptable in its scale and design in the context of the Dorset National Landscape (formerly known as AONB).

- The proposal is acceptable in respect of impacts on highway safety, public rights of way, flood risk and drainage, biodiversity, and trees and landscaping.
- There is considered to be no significant harm to neighbouring residential amenity.
- There will be no adverse effect on the integrity of designated sites (identified within the Appropriate Assessment).
- There are no material considerations which would warrant refusal of this application.

#### 4.0 Key planning issues

| Issue   | Conclusion   |
|---|--|
| Principle of development  | Acceptable within settlement boundary.<br>Supply of an additional dwelling (net gain) in accordance with Policy H2 of the Purbeck Local Plan 2024. |
| Affordable housing requirement and second home restriction  | Policy requirement for affordable housing provision not triggered.<br>Second home restriction to be conditioned.                                   |
| Layout, scale, design and impact on the character and appearance of the area, the Dorset National Landscape (DNL) (formerly known as AONB) and Purbeck Heritage Coast | Acceptable subject to conditions.  |
| Impact on neighbouring amenity  | Acceptable subject to condition.   |
| Ground stability and levels   | Acceptable subject to condition.   |
| Biodiversity  | Acceptable subject to condition.   |
| Drainage and Flood Risk   | Acceptable subject to condition.   |
| Highway impacts and car parking   | Acceptable subject to condition.   |
| Trees and landscaping   | Acceptable subject to condition.   |
| Sustainable development   | Acceptable.  |

#### 5.0 Description of Site

- 5.1 The application site comprises two existing residential plots on the northwestern edge of the residential 'Glebe Estate' in Studland. The site currently contains two dwellings, their gardens and outbuildings. Given the hillside setting of the Glebe Estate, the plots are raised in relation to the agricultural fields and estate road to the north with a further rise in levels to the south as the estate extends up the hillside.

- 5.2 The site is enclosed along the private estate roads by low level Purbeck stone walling with timber fencing subdividing the existing two plots and forming boundary treatments with the neighbouring properties to the east and south.
- 5.3 The existing houses are set towards the back (south) of their plots. Areas of garden are located to the north and side(s) of the existing dwellings and contain limited trees and other landscaping. Views extend northwards towards Studland and the coast. Neighbouring properties to the south and west consist of recent replacement dwellings and are of a more contemporary architectural design and finish whereas properties to the east remain more traditional in character. Both existing properties are served by their own vehicular accesses and parking spaces.
- 5.4 Although separate to Studland village, the Glebe Estate is contained within a tightly drawn settlement boundary with land outside forming 'countryside'. The estate has seen much recent redevelopment as evidenced by the increasing number of replacement and infill dwellings – often of higher density – and of a contemporary architectural design which takes advantage of the expansive views to the north.
- 5.5 The site is located within the Dorset National Landscape (formerly known as AONB) which washes over the estate and the nearby settlements of Studland and Swanage. It is also located within the Purbeck Heritage Coast.

## 6.0 Description of Development

- 6.1 The application follows two sets of pre-application advice provided in November 2021 and August 2022. It is proposed to demolish two existing dwellings on the northern edge of the Glebe Estate (detached 'Blue Water' and semi-detached 'Lichen Haven') and erect three detached dwellings shown below in an extract from the submitted block plan:



Plot 1 – 3 storey, 4-bedroom detached house with integral double garage and pool on the ground floor, bedrooms and bathrooms on the first floor, and open plan living space on the second floor. Balconies on the north elevation to serve the first and second floors and flat roof.

Plot 2 – 3 storey, 4-bedroom detached house with integral double garage and pool on the ground floor, bedrooms and bathrooms on the first floor, and open plan living space on the second floor. Balconies on the north elevation to serve the first and second floors and hipped roof.

Plot 3 – 3 storey, 3-bedroom detached house with basement to include pool and integral parking, 2 bedrooms at ground floor level and master bedroom and open plan living space at first floor level. Ground floor level with access to rear garden and wrap around terrace to serve open plan space at first floor level. Flat partial sedum roof.

Plots 1 and 2 are to be set back into the hillside with limited space to the rear (south), small areas of garden to the front (north) and driveways with parking also to the north accessed from the private road.

Plot 3 is to be located to the south of Plot 1 on a higher level of the hillside with the principal elevation facing westwards and a small rear garden to the east. The driveway with parking is to be accessed from the private road to the west of the plot.

- 6.2 The application is supported by cross sections, street scenes, a Landscaping Plan, a Landscape Visual Impact Assessment, a Foul and Surface Water Drainage Strategy and Drainage Plan, an Ecological Impact Assessment and Biodiversity Plan, An Arboricultural Impact Assessment, Method Statement and Tree Protection Plan, a Sustainability Statement, a Nutrient Neutrality Statement and a Planning / Design and Access Statement.

## 7.0 Relevant Planning History

### 7.1 Blue Waters:

| Application number | Proposal  | Decision              |
|--------------------|---|-----------------------|
| 6/1976/0094        | Erect 2 extensions to form bedroom, bathroom, kitchen study etc         | Granted<br>13/05/1976 |
| 6/1990/0663        | Demolish existing bungalow and erect new split-level dwelling           | Granted<br>20/12/1990 |
| 6/1995/0752        | Demolish existing bungalow and erect new split-level dwelling (Renewal) | Granted<br>06/02/1996 |

### 7.2 Lichen Haven (formerly known as The Nook):

| Application number | Proposal                | Decision              |
|--------------------|-------------------------|-----------------------|
| 6/1981/0020        | Erect external stairway | Granted<br>05/03/1981 |

|             |  |                       |
|-------------|--|-----------------------|
| 6/1985/0686 | Erect a porch and garage   | Refused<br>03/12/1985 |
| 6/1986/0461 | Erect extension to form bathroom and toilet                          | Refused<br>11/11/1986 |
| 6/1986/0462 | Erect a garage   | Granted<br>11/11/1986 |
| 6/1986/0463 | Erect Conservatory extension   | Refused<br>12/11/1986 |
| 6/1991/0511 | Erect water tank housing incorporating additional window to bathroom | Granted<br>05/09/1991 |

### 7.3 Relevant pre-application advice:

P/PAP/2022/00432 - 30/08/2022 - Demolish two existing dwellings rationalise land and erect three detached dwellings – Summary of advice: Taking into account comments in respect of proposed layout, retention of separation gaps and open corner, removal of boundary fencing, removal of box design, excessive light spillage, high level windows & ground stability assessment, you may wish to progress towards the submission of a planning application. Please note the outstanding issue in respect of Nutrient Neutrality in the Poole Harbour Catchment.

### 8.0 List of Constraints

Studland settlement boundary

Site of Special Scientific Interest (SSSI) impact risk zone - To enable the identification of potential risk posed by new residential development proposals to nearby SSSIs, SACs, SPAs and Ramsar sites.

Dorset Heathlands - 5km Heathland Buffer

Nutrient Catchment Area

Poole Harbour Recreation Zone

Dorset National Landscape (formerly known as Area of Outstanding Natural Beauty (AONB)) - statutory protection Local Planning Authorities to seek further the purposes of conserving and enhancing the natural beauty of the area of outstanding natural beauty- National Parks and Access to the Countryside Act of 1949 & Countryside and Rights of Way Act, 2000

Purbeck Heritage Coast

Risk of Groundwater Emergence; Groundwater levels are at least 5m below the ground surface.; Flooding from groundwater is not likely

Radon: Class: Less than 1%

Right of Way: Bridleway SE22/12 - Distance: 30.53

Natural England Designation - RAMSAR: Dorset Heathlands (UK11021); - Distance: 1739.85 and RAMSAR: Poole Harbour (UK11054); - Distance: 4645.36

## 9.0 Consultations

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

### Consultees

#### 1. **Natural England**

No comments received.

#### 2. **Ramblers Association**

No comments received.

#### 3. **Dorset National Landscape (AONB) Team**

Application below threshold to provide comment as fewer than 10 dwellings and on a site smaller than 0.5ha.

The AONB Landscape Character Assessment and Management Plan may assist the application appraisal.

#### 4. **Dorset Council Highways**

No objection subject to conditions relating to turning / manoeuvring and parking construction and an electric vehicle charging scheme.

#### 5. **Dorset Council Trees**

No objection subject to:

Excavations for Plot 2 extend into Root Protection Area of T1 and T2. T1 has potential to become larger as not yet mature. Suggest the dwelling on Plot 2 moved further forward to allow greater separation for growth.

Boundary retaining is to be installed using contiguous piles which will limit potential impact on the trees.

Plot 3 extent of disturbance unlikely to harm health or stability of T2.

Arboricultural Method Statement must be followed through to completion of construction – condition if minded to approve.

Proposed landscaping - NTO1 & NTO3 be revised to Austrian pine or holm oak – similarly NTO5 & 6 for visibility in long distance views.

**6. Dorset Council Building Control**

No comments received.

**7. Dorset Council Rights of Way**

No objection. Public right of way SE22/12 will be access route for development and must remain open and maintained during and after construction.

**8. Dorset Council Waste Team**

No comments received.

**9. Dorset Council Coastal Risk Management**

*Comments of 24/04/23:*

Proposed cross sections show a significant cut into the existing slope. The applicant should submit further information dealing with this matter, both during construction and after construction. A structural solution suitable with the geology of the site – and any other constraints – would need to be proposed.

*Comments of 19/05/23:*

A Geotechnical Factual & Interpretative report has been submitted outlining options for the retention of the excavation both in temporary and permanent scenario, its advice shall be followed.

An experienced structural engineer will need to review this report and propose an appropriately designed solution for the retention of the excavation. The report suggests that it could be either a bored piled or reinforced concrete wall. If a piled wall is chosen, a specialist piling contractor should be consulted regarding the most appropriate pile type for the site and ground conditions.

Support subject to condition.

**10. Studland Parish Council**

Object.

Overdevelopment of plot.

Large scale out of character with area and surroundings.

Adverse visual impact in sensitive area of AONB and world heritage site.

Lack of adequate infrastructure to support the further development – electricity supply, disposal of sewerage and wastewater, narrowness of service road.

Request application deferred to Planning Committee for consideration.

**11. Ward Member– Cllr Brooks prior to May 2024 local elections**

Overdevelopment of site.

Mains drainage too close to Poole harbour to warrant building of extra housing (phosphates / nitrates).

Type of development not needed in Studland – affordable housing required.

Adds to threat of creep from Sandbanks into AONB.

**Representations received**

Three site notices were displayed as detailed above.

| Total - Objections | Total - No Objections | Total - Comments |
|--------------------|-----------------------|------------------|
| 16                 | 0                     | 1                |

**Summary of comments:**

Supportive of redevelopment and care and detail of application and appearance of new houses.

Overdevelopment of plot.

Suburban development with no gardens / lack of green space.

Out of character with area – scale, design, and intensity.

2 appropriately sized properties are acceptable but 3 are not.

Scale of development and size of dwellings would set precedent for future development on estate – particularly of older houses.

Three storey development is significant change to character and will appear out of keeping in street scene.

Don't disagree with three storey high buildings, provided that they are built into the steep slope and don't interrupt the roof height lines already in existence.

Extra driveways on private estate with no consent.



Eastern Area Planning Committee

4<sup>th</sup> September 2024

Burden to services (power and water) which are already at limit and subject of disruptions.

Harmful impact on AONB. Recommend the AONB Team asked to comment further.

Overbearing impact on neighbours.

Harmful impact on social cohesion and amenity of Glebe Estate residents.

Grateful concerns regarding wrap around balcony and impact on Driftwood have been taken into consideration.

Plot 3 higher than hedge serving Driftwood. Concern overview loss of view from main living area.

Request restriction on any further additions to top of flat roof of Plot 3.

Concern over separation of Lichen Haven from Almondbury – damage, lack of completion of exposed wall, ongoing repair of exposed wall and roof above garage. Request condition to enter land for observation and maintenance.

Proposed hedge on boundary of Almondbury and Plot 2 could become tall and invasive. Height should be restricted by condition.

Impact on mature trees on southern boundary of site – within site and on adjacent land. Three trees missed out of Tree Assessment.

Support permanent residents as opposed to second homes / holiday rental.

Harmful impact on biodiversity.

Request consideration by planning committee.

## **10.0 Duties**

s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

Clause 85 of the Countryside and Rights of Way Act (2000) requires Local Planning Authorities to seek to further the purposes of conserving and enhancing the natural beauty of National Landscape (AONB)

## **11.0 Relevant Policies**

Development Plan

**The Purbeck Local Plan (2018-2034) Adopted 2024 – Date of adoption 18/07/24**

Eastern Area Planning Committee

4<sup>th</sup> September 2024

Policy V1: Spatial strategy for sustainable communities

Policy E1: Landscape

Policy E4: Assessing flood risk

Policy E5: Sustainable drainage systems (SuDs)

Policy E7: Conservation of protected sites

Policy E8: Dorset heathlands

Policy E9: Poole Harbour

Policy E10: Biodiversity and geodiversity

Policy E12: Design

Policy H2: The housing land supply

Policy I2: Improving accessibility and transport

Policy I3: Green infrastructure, trees, and hedgerows

### Material Considerations

#### **Emerging Local Plans:**

Paragraph 48 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

#### **The Dorset Council Local Plan**

The Dorset Council Local Plan Options Consultation took place between January and March 2021. Being at a very early stage of preparation, the relevant policies in the Draft Dorset Council Local Plan should be accorded very limited weight in decision making.

The revised NPPF 2023 introduced a reduced housing land supply requirement for local planning authorities that have met certain criteria as set out in paragraph 266 of the NPPF. This relaxes the requirement to demonstrate 5 years' worth of deliverable housing sites for Local Planning authorities that meet certain requirements. Dorset Council does not currently benefit from the provisions of paragraph 226 and therefore must demonstrate a five-year supply. In the Purbeck area the published supply position of 3.73 years means the tilted balance in paragraph 11 of the NPPF is engaged for every application. The delivery of additional housing to meet the shortfall in supply should therefore be given significant weight in planning decisions.

## **Emerging Neighbourhood Plans**

N/A

## **National Planning Policy Framework**

Paragraph 11 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.

Other relevant NPPF sections include:

Section 4 'Decision making': Para 38 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

Section 5 'Delivering a sufficient supply of homes' outlines the government's objective in respect of land supply with subsection 'Rural housing' at paragraphs 82-84 reflecting the requirement for development in rural areas.

Section 11 'Making effective use of land'

Section 12 'Achieving well designed and beautiful places' indicates that all development to be of a high quality in design, and the relationship and visual impact of it to be compatible with the surroundings. In particular, and amongst other things, Paragraphs 131 – 141 advise that:

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.

Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

Section 14 'Meeting the challenges of climate change, flooding and coastal change'

Section 15 'Conserving and Enhancing the Natural Environment' - In Areas of Outstanding Natural Beauty (National Landscapes) great weight should be given to conserving and enhancing the landscape and scenic beauty (para 182). Decisions in Heritage Coast areas should be consistent with the special character of the area and the importance of its conservation (para 184). Paragraphs 185-188 set out how biodiversity is to be protected and encourage net gains for biodiversity.

## Other material considerations

Dorset AONB Landscape Character Assessment

Eastern Area Planning Committee

4<sup>th</sup> September 2024

Dorset AONB Management Plan 2019-2024

Dorset Heathlands Planning Framework 2020-2025 Supplementary Planning Document

Poole Harbour Recreation 2019-2024– supplementary planning document April 2020.

Dorset Council Level 1 Strategic Flood Risk Assessment

Dorset Council Interim Guidance and Position Statement Appendix B: Adopted Local Plan policies and objectives relating to climate change, renewable energy, and sustainable design and construction. December 2023.

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

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

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

Dorset Biodiversity Protocol

Purbeck Housing Land Supply report (April 2023)

Purbeck District design guide supplementary planning document adopted January 2014.

## **12.0 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.

## **13.0 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.

It is considered that the proposed development would not disadvantage persons with protected characteristics.

#### 14.0 Financial benefits

| What                        | Amount / Value   |
|-----------------------------|--|
| Material Considerations     |  |
| N/A                         | N/A  |
| Non-material Considerations |  |
| Council Tax                 | £2534.88<br>(based on average Council Tax Band D)                |
| CIL                         | To be collected in accordance with SPD contribution requirements |

#### 15.0 Environmental Implications

15.1 There will be environmental impacts from the demolition of the two existing dwellings resulting in waste and emissions. The supporting sustainability statement identifies that wherever possible materials from demolition will be incorporated into the new development with those unable to be used being recycled. It also notes that the existing buildings are thermally inefficient. The proposal is for three detached dwellings which will be constructed to current building regulations standards reducing heat loss from building fabric and incorporating efficient water heating systems and LED lighting. Suitable drainage will prevent any additional impact on terms of flood risk. Soft landscaping and biodiversity measures will be secured.

#### 16.0 Planning Assessment

##### Principle of development

16.1 The application site is located within the settlement boundary of Studland and the proposed replacement dwellings and one additional dwelling are considered to be acceptable in principle in accordance with Policy V1: Spatial strategy for sustainable communities and the settlement hierarchy of the Purbeck Local Plan 2024.

16.2 The proposal will provide three new dwellings within the application site with a net increase of one dwelling towards the Housing Land Supply for the Purbeck area (Policy H2 of the Purbeck Local Plan 2024).

Affordable Housing requirement and Second Home restriction

- 16.2 Following adoption of the Purbeck Local Plan (2018-2034) 2024 on 18<sup>th</sup> July 2024, Policies H11: Affordable Housing and H14: Second Homes must be taken into consideration.
- 16.3 Policy H11 sets a low affordable housing threshold for designated rural areas and requires the provision of 20% affordable housing – in the form of a commuted sum - for proposals of 2 – 9 dwellings. As detailed above, the proposal will provide a net gain of a single dwelling. This does not trigger the affordable housing requirement of Policy H11.
- 16.4 In respect of new housing within the Dorset National Landscape (formerly known as AONB), Policy H14 requires a restriction in perpetuity to ensure that such homes are occupied only as a principal residence. This requirement does not apply to a single home that is proposed as a replacement for an existing home and for new homes which are commercially let for holiday makers. In this case, two of the proposed dwellings will replace existing homes and the restriction will only apply to the 'net gain' of a single dwelling – Plot 3. Officers recommend that a restrictive condition (Condition 14) is included on the decision in respect of this plot only to ensure compliance with Policy H14.

Layout, scale, design and impact on the character and appearance of the area and the Dorset National Landscape (DNL) (formerly known as AONB) and Purbeck Heritage Coast

- 16.5 Glebe Estate is located in a prominent hillside setting which is visible in wider landscape and seascape views from the north, east and west. The Estate forms an isolated area of development to the south of Studland village on otherwise open downland. It comprises a residential estate that is highly visible in the landscape as land levels rise from the north leading up to the top of the ridge of Ballard Down to the south. The estate is visually intrusive within the landscape setting with some softening of impact by existing landscaping. Despite being contained within a settlement boundary, it is both physically and visually distinct from Studland village, in terms of building layout, style and materials. There are noticeable variations in the scale (mass and height) of individual buildings and there is no identifiable building form or character; more modern, larger redevelopments of older and smaller properties are generally of a contemporary design with orientation northwards and views towards the coast.
- 16.6 Although the application site is located at the lowest level of the estate, its siting on the northern edge of the estate (within the settlement boundary) remains raised in relation to agricultural land to the north. Whilst the proposed development would be viewed against the backdrop of existing development on the higher hillside levels to the south, the open corner position of the site nevertheless means that visual impacts of the proposed development on landscape views within the DNL and Purbeck Heritage Coast are key considerations. The two existing dwellings within the site - whilst single storey in nature - are positioned on the southern sections of their plots, and due to the steep rise in land levels from south to north, are raised in respect of the estate access road and lower land to the north. The existing gardens

serving the properties consist of steeply sloping land to the north, with both properties located at a high level and being visually prominent within wider views of the estate.

- 16.7 The proposal takes advantage of the hillside setting, utilising the variation in land levels to build into the hillside and replace the existing single storey dwellings with three three-storey dwellings. Therefore, whilst the proposed dwellings are three storeys in height, their impact from higher levels of the hillside would be two-storey in nature.
- 16.8 The existing estate development on the hillside already dominates views, and despite the siting of the proposal on the northern boundary, the proposed dwellings are not considered to appear more harmfully intrusive within the estate setting than more recent redevelopment on higher levels of the hillside to the south. Due to the minor scale of the development, the Council's National Landscape/AONB Officer has advised that the proposal is below the threshold on which comments would normally be provided but that the duty of regard to further the purposes of the AONB should be taken into consideration. It is noted that objections (Parish, neighbours, and ward member) have raised concerns over the potential impacts of the proposal and potential future incremental cumulative redevelopment on the landscape setting.
- 16.9 Paragraph 182 of the NPPF advises that:

*Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues... The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.*

The site is located within the Purbeck Ridge landscape character area. This is defined in the Dorset AONB Landscape Character Assessment as maintaining a strong character:

*'...a dominant steep sided, undulating chalk ridge, separating and contrasting to the flat heathlands in the north and the patchwork landscape of the Corfe Valley to the south. The physical dominance of this dramatic landform is clearly evident from the surrounding landscapes.'*

- 16.10 The Landscape Character Assessment notes that:

*'The Glebeland Estate, south of Studland, is an anomalous inclusion within an otherwise undeveloped character area, with the development being clearly visible across a wide area.'*

In terms of planning guidelines, the assessment advises that:

- New housing development within the setting of the scarp should be small scale and complement the form and character of the historic settlement pattern.

- Extension toward the scarp should be carefully controlled and should incorporate appropriate native planting to help assimilate it into the landscape.
- Development that encroaches on the scarp should be strongly resisted.
- Important views to and from the ridge / escarpment should be protected and enhanced.
- Limitations to and mitigation of noise and light pollution are required, recognising the impact these issues have on tranquillity and undeveloped rural character.
- Unnecessary and prolonged noise and light pollution should be avoided and good design is required to limit the impacts with use of appropriate planning conditions to secure ongoing control.

16.11 Given the sensitive location of the site, the application is supported by a Landscape Visual Impact Assessment (LVIA). This concludes that the proposed development would have some effect on the visual amenity of the wider landscape beyond the site boundary. Nevertheless, the assessment concludes that when in place, any harm to visual amenity brought about by the proposed development, would, subject to mitigation measures, be of an acceptable level.

16.12 Objections have been received from the Parish Council, Ward Member and neighbours in respect of the scale and density of development proposed and impact on the Dorset National Landscape. The proposal would result in the net gain of a single dwelling on a site within the defined settlement boundary, and the minor scale of the proposed residential development is considered to be acceptable. No encroachment on the scarp is proposed outside of the established settlement boundary. Whilst the proposed layout would result in an increased density of development, it does not harmfully impact on the tiered pattern of development that is established from north to south on the hillside. It does however make an effective use of land within an established settlement boundary.

16.13 It is noted that higher density developments have replaced lower density layouts on the estate, such as more recent redevelopment directly to the south of the application site where two dwellings were replaced by three (6/2014/0118). Whilst each application is assessed on its own merits, the proposed development is not considered to result in a significantly more harmful visual impact on views from within the Dorset National Landscape above that already experienced by the wider intrusive impact of the estate so as to warrant a recommendation of refusal. It is also noted that existing and proposed planting, the incorporation of local and natural materials in the external finish, and the retention of existing boundary walling will all serve to limit and mitigate impacts of the new dwellings.

16.14 The heights of the new dwellings take advantage of the change in land levels on the hillside resulting in buildings of graduated heights that will sit comfortably against the backdrop of the higher-level buildings to the south. This relationship is demonstrated in the proposed street scene drawing (043/B) which indicates the relationship of the height of the proposed dwellings with the properties to either side and on higher levels to the south.



- 16.15 Proposed glazing extents are no greater than those incorporated on similar redevelopments within the estate and measures are included within the design to limit glare during the day and light spill at night. These include overhangs on Plots 1 and 3 to reduce reflection and glare. Windows have been designed to avoid reflection and it is proposed that anti reflective glass will be installed together with sliding screens to minimise light emission. This is detailed on the submitted plans where it is necessary to reduce glare.
- 16.16 In summary, whilst the proposed development will result in a visual impact on the Dorset National Landscape and Heritage Coast due to its sensitive settlement edge location, the impacts are not considered to result in harm that would warrant a recommendation of refusal in terms of harm to the wider landscape character of the area. The proposal is considered to accord with Policy E1: Landscape of the Purbeck Local Plan 2024.
- 16.17 In terms of the proposed layout and scale, the three larger dwellings do increase the density of development on the site reducing the spaciousness of the layout. This was a key consideration at pre-application stage and amendments were made to the proposal in terms of plot and dwelling orientation and design to achieve a layout that retains the existing character of openness between Plots 1 & 2 and the access road to the north, while the angled siting of the dwelling on Plot 1 continues to retain the open northwest corner of the site. The limited harm to the character of the estate resulting from loss of spaciousness is modest in the context of iterative changes which over time have increased the size of dwellings relative to their plots. Overall, the layout and density of development maximises the capacity of the plot to an acceptable level and is considered to promote an effective use of land within the defined settlement boundary. The proposal is considered to accord with the objectives of Section 11 of the NPPF and Policy E12: Design of the Purbeck Local Plan 2024.
- 16.18 The Glebe Estate includes a wide variation in dwelling design from the remaining traditional dwellings to more recent replacement dwellings of contemporary / modern appearance. The proposal includes contemporary dwellings of varied design and roof types which are considered acceptable in relation to general character of the estate. A number of alterations to the design were made through the pre-application advice process to increase separation gaps between the properties and reduce potential overbearing impacts of the proposal on neighbouring amenity. The modern design finish does not appear out of keeping with neighbouring properties to the south or west and the range of proposed materials (Purbeck stone, render, timber cladding, composite cladding, and aluminium windows) are considered acceptable within the prominent position subject to a condition on the decision requiring full details of all external finishes to be submitted to the Council for approval. In summary, the design and materials are considered to comply with Policy E12: Design of the Purbeck Local Plan 2024.

Impact on neighbouring amenity

- 16.19 Existing properties on Glebe Estate are subject of mutual overlooking and loss of privacy due to the hillside setting and estate layout. Nevertheless, the proposed

development should seek to minimise harmful impacts on neighbouring privacy as a result of overlooking, overshadowing, and overbearing impacts as far as possible so as not to cause additional harm above that currently experienced. The design and layout of the proposed dwellings has been carefully reviewed and arranged to minimise direct window to window overlooking.

- 16.19 The layout of Plots 1 and 2 are very similar. No south (rear) facing windows are proposed to serve either dwelling with all main habitable windows facing north to take advantage of views towards the coast. First floor side facing windows serve bathrooms and are detailed on the submitted plans as obscure glazed and can be conditioned to be retained as such. Second floor side facing windows serving habitable rooms are high level (min 1.8 m from finished floor level to bottom of window) and would not result in harmful overlooking or loss of privacy to neighbouring properties. Balconies proposed at first and second floor levels include 1.8 m high obscure glazed privacy screening or solid wall screening to prevent sideways overlooking or loss of privacy to neighbouring amenity. Retention of the privacy screening can be conditioned. Proposed roof lights to serve the stairwell will also not result in any harmful loss of privacy to neighbouring amenity.
- 16.20 Plot 3 has a different layout and design to Plots 1 & 2. The basement is served by a single rooflight above the pool. At ground floor level, whilst north facing windows will look onto the rear elevation of Plot 1 they will not harmfully impact future occupiers of either property. Ground floor south and east facing openings include access to a boot room, an obscure glazed bathroom window, and an entrance hall / stairway window. There is considered to be no harmful loss of privacy to neighbour amenity resulting from these windows. Ground floor windows on the east elevation serve two bedrooms. These provide access directly into the rear garden and there is considered to be no significant harm to the neighbouring amenity of the existing and proposed dwellings. At first floor, a single window serves the south elevation, and this is obscure glazed. The west elevation is served by three high level windows which would not allow overlooking.
- 16.21 North facing openings include a large bedroom window and a Juliet balcony serving the open plan living accommodation (lounge, dining, kitchen). There would be no harmful impacts on the future occupiers of Plots 1 & 2 as a result due to the lack of south facing openings in their rear elevations. The first-floor balcony off the east elevation is to be finished in 1.8 m high obscure glazed screening to ensure no harmful loss of privacy to neighbours to the east and south. The north facing section of the balcony will be served by lower-level glazing but given the lack of impact on the future occupiers of Plots 1 & 2, this is considered to be acceptable.
- 16.22 In summary, it is considered that the variations in land levels and the design and layout of each property enable each proposed dwelling to be served by adequate natural light and outlook whilst not harmfully impacting upon the amenity of the existing residential properties by way of loss of privacy or overlooking.
- 16.23 In terms of overshadowing and loss of light to neighbouring properties, the dwelling of 'Driftwood' to the south of Plot 3 is most directly impacted. A letter of objection has

been received from the occupiers of Driftwood raising concern over the height of the dwelling on Plot 3 in proximity of their boundary and requesting that additional storeys of development are restricted.

- 16.24 Driftwood was constructed as part of a recent redevelopment on the hillside to the south. It is located at a higher level than the application site and is orientated to take advantage of views to the north. The two-storey dwelling includes habitable rooms at both ground and first floor levels which are served by primary windows facing northwards. Submitted Proposed Site Section A-A (040/B) sets out the relationship between the application site and Driftwood including existing and proposed ground levels. A distance of approx. 10 m is retained between the north elevation of Driftwood and the dividing boundary and approx. 12 m between the north elevation of Driftwood and the south elevation of the proposed dwelling.
- 16.25 Whilst it is accepted that the occupiers of Driftwood will lose some existing views to the north, particularly to the ground floor rooms, the loss of views do not form a material planning consideration that is able to form a reason for refusal of the proposal. Overshadowing, overbearing development and loss of light are however material considerations in the determination of the application. Nevertheless, the distances involved are very similar to those achieved on the development to the south, and the height of the proposed dwelling - due to variations in land levels - falls outside 25 degrees (BRE Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice 2011) when measured vertically from the ground floor habitable windows (most affected) of the higher-level Driftwood. Given existing boundary treatments and landscaping, officers consider that the relationship between Plot 3 and Driftwood is acceptable in amenity terms. Issues raised in relation to loss of light, overshadowing or overbearing impact to the north facing habitable windows of Driftwood are not considered to result in a degree of demonstrable harm that would warrant refusal of the proposal.
- 16.26 The occupiers of 'Almondbury' to the east of Plot 2 have raised concern over the separation of Lichen Haven from their property (to which it is attached) to allow for the new development, including potential damage to their property, lack of completion of the exposed wall, and the need for ongoing repairs of the exposed wall and roof. They have requested a condition on the decision that will allow them to enter the application site for future observation and maintenance. This is a private issue between both landowners and does not form a material planning issue to be considered as part of the current application.
- 16.27 The occupiers of Almondbury have also raised concern of the potential height of the proposed hedge along the boundary between Almondbury and Plot 2 which they consider could become tall and invasive. As the height of hedges is dealt with by other legislation (the Anti-social Behaviour Act), it is not necessary or reasonable to apply a restrictive condition as requested. An informative note can draw attention to the need to maintain hedges to avoid affecting the enjoyment by neighbours of their homes and gardens (informative note 7).
- 16.28 In terms of future occupier amenity, it is noted that each of the proposed dwellings has a limited amenity area for private use. However, given the larger areas of amenity

space retained to the front of the properties, provision of terraces and balconies, the inclusion of pools and easy access to the countryside and coast, it is considered that the limited level of amenity space is acceptable in this instance.

- 16.29 Officers have considered whether it is reasonable to restrict permitted development (PD) of the proposed dwellings. Given the siting of the dwellings on restricted plots with limited space to the sides and rear, and the limitations applicable to properties within the National Landscape (AONB land is Article 2(3) land within which roof extensions require express permission) significant restrictions are already in place, and it is not considered necessary to remove PD rights other than to restrict additional windows serving Plot 3.
- 16.30 In summary, the proposed development is considered to be acceptable in accordance with Policy E12: Design of the Purbeck Local Plan 2024, the Purbeck Design Guide SPD 2014, and guidance contained within BRE Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice 2022.

#### Ground stability and levels

- 16.31 There are considerable level differences affecting the site and its curtilage and the proposed works will include significant excavation. The submitted Planning Statement advises that a Site Investigation and Slope Stability Report has been prepared which concludes that chalk bedrock is encountered at a shallow depth across much of the area. In terms of slope stability, the report advises that cut slopes in structured chalk are considered to be stable with an inclination of between 70 and 80 degrees. Furthermore, the presence of a predominant sub vertical and sub horizontal discontinuity regime within trial pit faces would suggest a minimal risk of planar wedge and toppling failure.
- 16.32 The report was not submitted with other supporting documents for consideration as part of the application. The Council's Project Engineer was consulted on the proposal and, due to the significant cut into the existing slope, advised that further information was required in the form of a structural solution that is suitable to deal with the geology of the site – and any other constraints – both for during and after construction. A Ground Investigation Report was submitted by the applicants and considered by the Council's Project Engineer who has commented that the submitted Geotechnical Factual & Interpretative Report outlines options for the retention of the excavation both in temporary and permanent scenario, and its advice should be followed. In addition, an experienced structural engineer will need to review the report and propose an appropriately designed solution for the retention of the excavation – the report suggests that it could be either a bored piled or reinforced concrete wall. If a piled wall is chosen, a specialist piling contractor should be consulted regarding the most appropriate pile type for the site and ground conditions. The Engineer raises no objection subject to a condition on the decision to deal with the outstanding matters.
- 16.33 In terms of site and finished floor levels, following liaison with the planning agent, amended section plans for each plot and an amended Site Section now include finished ground floor levels and ridge height levels which will form part of the approved plans.

## Biodiversity

### *Biodiversity Impacts and Net Gain*

- 16.31 The application is supported by an Ecological Impact Assessment and Dorset Natural Environment Team approved Biodiversity Plan which identify no biodiversity interest at the site and set out measures to achieve biodiversity gain and mitigation in respect of nesting birds and the known presence of badgers within 1km of the site. The proposed net gain includes the incorporation of bat bricks, swallow bricks, bee bricks, hedgehog friendly gravel boards / holes and native planting. Implementation of the Biodiversity Plan and the net gain can be secured by way of a condition on the decision.

### *Appropriate Assessment*

- 16.34 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 site also falls within the Poole Harbour Nutrient Catchment Area. The proposal for a net increase in residential units, 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.
- 16.32 An Appropriate Assessment has been undertaken in accordance with requirements of the Conservation of Habitats and Species Regulation 2017, Article 6 (3) of the Habitats Directive having due regard to Section 40(1) of the Natural Environment and Rural Communities Act 2006 and the NPPF, which shows that there is no unmitigated harm generated by the proposals to interests of nature importance. Mitigation in relation to impacts on Heathland will be secured by CIL and mitigation in respect of impacts on nutrient deposition within Poole Harbour will be secured by way of a pre-commencement condition (number 3).
- 16.35 The proposed development is considered to be acceptable in accordance with policies E7: Conservation of Protected Sites, E8: Dorset Heathlands, E9: Poole Harbour, and E10: Biodiversity and Geodiversity of the Purbeck Local Plan 2024.

## Drainage and Flood Risk

- 16.33 The site is located in Flood Zone 1 and is not subject of surface water flood risk or susceptible to groundwater flooding (Dorset SFRA Level 1 Mapping). The application is accompanied by a Foul and Surface Water Drainage Strategy indicating how surface water will be dealt with. This includes permeable pavements for the parking areas. Site soakaway tests have been undertaken and a sustainable urban drainage scheme (SUDS) has been designed to ensure adequate disposal of surface water using deep bore soakaways into the underlying chalk. It is proposed to connect the foul to the existing Wessex Water foul sewer that serves the estate. The proposals have been discussed with the Council's Drainage Engineer who has advised that they have no objection subject to a condition on the decision requiring full implementation of the approved details. On this basis, the proposal is considered to accord with Policies E4: Assessing Flood Risk and E5: Sustainable Drainage Systems of the Purbeck Local Plan 2024.

Highway Impacts and Car Parking

- 16.36 The proposal provides each dwelling with an individual driveway access off the private estate road, which will provide opportunities for parking in addition to proposed integral garages. The level of proposed parking within the site (1 space on driveway per dwelling and 2 spaces in integral garage) is satisfactory and accords with County parking guidance. Due to limited parking opportunities on the estate a condition will secure that the garaging is retained in perpetuity.
- 16.37 The Council's Highway Engineer was consulted on the proposal and has not raised any objection on grounds of highway safety subject to conditions on the decision to secure the proposed turning/manoeuvring and parking construction as detailed on the submitted plans also the submission of an electric vehicle charging scheme. The Highway Engineer also requested that the red line of the application site be extended to include all of the private estate road to the adopted public highway at Watery Lane. Officers have considered this request and due to the tarmac finish of the private estate road, it is not considered necessary to secure an extension to the red line.
- 16.38 The site is served by private roads within the Glebe Estate. These are not the responsibility of, or maintained by, the Highway Authority. Any damage or obstruction to the private roads during construction or any service provision issues would be a civil matter between the parties involved. However, as detailed above, it is considered reasonable to request the submission of a Construction Environmental Management Plan by way of a condition on the decision notice. This will ensure that clear information is provided to neighbours and other users of the estate roads in respect of works taking place at the site and deliveries, car parking etc. Subject to this and highway conditions, the proposal is considered to be acceptable in accordance with Policy I2: Improving Accessibility and Transport of the Purbeck Local Plan 2024.

Trees and landscaping

- 16.39 The proposal is supported by an Arboricultural Assessment, with Tree Protection Plan and Arboricultural Method Statement. The details confirm that the proposed development will result in the removal of one short conifer hedge, T4h, with other neighbouring trees being unaffected. Replacement tree planting is included in the soft landscaping scheme to provide future tree cover and landscape amenity to the area. The Council's Tree Officer has been consulted on the details and advised a number of amendments to ensure no impact on Root Protection Areas and variation to proposed planting to secure softening of the site in longer range views. The requested amendments have been included in an amended report and site plan, and subject to a condition requiring full implementation of the details, the proposals are considered to be acceptable.
- 16.40 Given the prominent siting, a soft landscaping scheme has been submitted in support of the proposal to soften visual impacts of the built development on the Dorset AONB landscape designation. The landscaping plan has also been considered by the Council's Tree Officer who has recommended variations to planting on the north and western boundaries to ensure softening of the development in wider landscape views. Conditions on the decision will ensure full implementation of the scheme in accordance with the amended AMS and Landscaping Plan. Similarly precise details

of all hard landscaping proposals need to be carefully considered to ensure that the finishes are appropriate to the site location. This can also be dealt with by way of a condition on the decision. In summary, tree impacts, and landscaping are considered to be acceptable in accordance with Policy I3: Green infrastructure, trees and hedgerows of the Purbeck Local Plan 2024.

#### Sustainable Development

16.38 A Sustainability Statement has been submitted with the application. This advises that the development is based on Passivhaus principles including high insulation, minimal thermal bridging, a continuous air barrier, use of ground source heat pumps, maximisation of solar gain, incorporation of overhangs to reduce heat gain and light pollution. The new dwellings will be more energy efficient than the existing, incorporating modern water heating systems, the use of LED lighting and reduced carbon footprint.

#### Other Considerations

16.39 Rights of Way – The application site is in close proximity of a public right of way. Informative information – as provided by the Rights of Way Officer – can be included on the decision notice to ensure that there is no obstruction or damage caused as a result of the development.

#### Housing Land Supply

16.40 The Purbeck area has a published housing land supply position of 3.73 years. Although an Annual Position Statement for a combined Dorset Housing Land Supply identifying a five year housing supply has been produced, several large sites are disputed and the document is currently with the Planning Inspectorate for assessment. Taking the precautionary approach, in accordance with paragraph 11(d) of the NPPF, it is judged that the Purbeck housing policies are out of date and a presumption in favour of sustainable development applies. In this case, the housing policies are the most important for determining the application, and permission should be granted unless:

- i. The application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

16.42 In this case the NPPF policies in respect of development within the Dorset National Landscape are not considered to provide clear reasons for refusing the development proposed, and no adverse impacts have been identified that would outweigh the benefit of the contribution made to the housing supply. The proposal is therefore considered to be sustainable development for the purposes of NPPF paragraph 11.

### **17.0 Conclusion**

For the above reasons, the application is judged to accord with the development plan as a whole and there are no material considerations indicating that permission should be refused.

## **18.0 Recommendation**

### **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:

011 B Proposed Block and location Plan

012 B Proposed Site Plan

013 Proposed Ground Floor Plan Plot 1

014 Proposed First Floor Plan Plot 1

015 Proposed Second Floor Plan Plot 1

016 Proposed Roof Plan Plot 1

017 A Proposed Front Elevation Plot 1

018 A Proposed Side Elevation Plot 1

019 A Proposed Rear Elevation Plot 1

020 A Proposed Side Elevation Plot 1

021 B Proposed Section Plot 1

022 Proposed Ground Floor Plan Plot 2

023 Proposed First Floor Plan Plot 2

024 Proposed Second Floor Plan Plot 2

025 Proposed Roof Plan Plot 2

026 A Proposed Front Elevation Plot 2

027 A Proposed Side Elevation Plot 2

028 A Proposed Rear Elevation Plot 2

029 A Proposed Side Elevation Plot 2

030 B Proposed Section Plot 2

031 Proposed Basement/Ground Floor Plans Plot 3

032 B Proposed First and Roof Plans Plot 3

033 B Proposed Front Elevation Plot 3

034 A Proposed Side Elevation Plot 3

035 C Proposed Rear Elevation Plot 3

036 B Proposed Side Elevation Plot 3

037 B Proposed Section Plot 3

040 B Proposed Site Section AA

042 B Proposed Street Scene 01

043 B Proposed Street Scene 02

LANDP001 2 Landscaping Plan

22728-GAP-XX-XX-DR-C-9000 P02 Drainage Outline Scheme.pdf

22728-GAP-XX-XX-RP-C-DSS V2 Drainage Strategy.pdf



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

3. No development shall commence until the necessary nutrient mitigation credits to mitigate the impacts of the development on the Poole Harbour Special Protection Area and Ramsar have been secured from a nutrient provider accredited by Dorset Council and a copy of the Nutrient Credit Certificate demonstrating that purchase, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that sufficient mitigation is provided against any impact which may arise from the development on the Poole Harbour Spa and Ramsar.

4. Before any groundworks commence on the site, a Construction Management Plan (CMP) must be submitted to and approved in writing by the Council. The CMP 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
  - dust, noise and vibration suppression
  - site safety and security
  - delivery, demolition, construction and working hours.

The approved Construction Management Plan shall be adhered to throughout the construction period for the development.

Reason: To minimise the likely impact of the proposed development on the amenity of neighbouring properties.

5. Prior to the commencement of any groundworks on the site, the following reports must be submitted to the Council and formally approved in writing.
  - A Site Investigation Report including:
    - (a) Full details of ground conditions across the site;
    - (b) Identification of any likely ground instability;
    - (c) Detailed design of all retaining walls / retention of excavations;
    - (d) Detailed design of all foundations;
    - (e) Full drainage plans.
  - A Site Excavation Plan including details of:
    - (i) all temporary excavation supports;
    - (ii) ongoing monitoring of the site to identify any localised ground movement or ground water seepage;
    - (iii) measures to immediately deal with any identified localised ground movement or ground water seepage;
    - (iv) design details / plans / drawings that identify the impact of slope unloading as a result of the excavation works and future building loadings;All geotechnical aspects of the above reports must be designed by an experienced geotechnical engineer or equivalent competent person. Following

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written approval, the implementation of all works must be carried out as approved by the Council and under the supervision of a Geotechnical Engineer or equivalent competent person.

Reason: In the interest of protecting the site from issues relating to land instability.

6. Prior to development above damp-proof course level, details and samples of all external facing materials for the walls, roofs, and balconies shall be 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.

7. Prior to the commencement of any development hereby approved, above damp course level, full details of hard landscape works shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include where relevant: (i) proposed finished levels or contours; (ii) means of enclosure and new boundary treatments; (iii) hard surfacing materials; and (iv) proposed and existing functional services above and below ground (eg drainage, power, communications cables, pipelines, etc indicating lines, manholes, supports, etc).

Reason: Landscaping is considered essential in order to preserve and enhance the visual amenities of the locality.

8. Prior to installation, full details of all extracts, flues, vents, etc. shall be illustrated on plans / elevations and submitted to the Local Planning Authority for agreement in writing. Thereafter, the development shall be carried out in accordance with the agreed details.

Reason: To preserve the character and appearance of the area.

9. Prior to first occupation or use of the development hereby approved the drainage scheme as detailed in the Foul and Surface Water Drainage Strategy by GAP Ltd (22728-GAP-XX-XX-RP-C DSS v2 submitted on 15th May 23) and Drainage Strategy Plan 22728-GAP-XX-XX-DR-C 0001/P02 (submitted on 15th May 23) shall be implemented in full and thereafter maintained and retained.

Reason: To ensure adequate facilities are provided in the interests of flooding and pollution.

10. Before the dwellings are brought into use, the windows and balcony privacy panels identified on the approved plans as being obscure glazed must be

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glazed with obscure glass to a minimum industry standard privacy level 3 as identified on the submitted plans. Thereafter the obscure glazing shall be retained as such.

Reason: To safeguard the amenity and privacy of the occupiers of adjoining residential properties.

11. 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 17 January 2023 must be implemented in accordance with any specified timetable and completed in full (including photographic evidence of compliance being submitted to the Local Planning Authority in accordance with section J of the Biodiversity Plan) prior to the substantial completion, or the first bringing into use of the development hereby approved, whichever is the sooner. The development shall subsequently be implemented entirely in accordance with the approved details and the mitigation, compensation and enhancement/net gain measures shall be permanently maintained and retained.

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

12. Before the development hereby approved is first occupied or utilised the turning and parking shall be constructed in accordance with the approved plans. 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 in the interest of highway safety.

13. The development shall be carried out in accordance with the details of finished floor and ridge levels as included on the following approved plans: Proposed Section, Plot 1 021/B, Proposed Section, Plot 2 030/B and Proposed Section, Plot 3 037/B .

Reason: In the interests of visual and neighbouring amenity.

14. The dwelling on Plot 3 hereby approved shall only be occupied by persons as their sole or principal residence and verifiable evidence to demonstrate proof of compliance shall be made available to the Local Planning Authority within 14 days of receipt of its request.

Reason: To ensure that the approved properties are not used as second homes in accordance with policy H14 of the emerging Purbeck Local Plan in the interests of the sustainability of local communities and meeting local housing need.

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15. The development hereby approved shall proceed only in accordance with the details set out in the Arboricultural Impact Assessment and Method Statement (Ref: DS/73323/SC) dated 27th June 2023, Plan TC1 - Tree Protection Plan & Arboricultural Method Statement (Ref: DS/73323/SC) dated 27th June 2023, and Plan TC2 - Tree Protection Plan & Arboricultural Method Statement (Ref: DS/73323/SC) dated 27th June 2023 all by Treecall Consulting Ltd, setting out how the existing trees are to be protected and managed before, during and after development.

Reason: To ensure thorough consideration of the impacts of development on the existing trees

16. The soft landscaping works detailed on approved drawing LANDP001/2 dated 29th August 2023 must be carried out in full during the first planting season (November to March) following commencement of the development or within a timescale to be agreed in writing with the Local Planning Authority. The soft landscaping shall be maintained in accordance with the agreed details and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the satisfactory landscaping of the site and enhance the biodiversity, visual amenity and character of the area.

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), no additional window(s) or other opening(s) permitted by Class A of Schedule 2 Part 1 of the 2015 Order shall be constructed in the south elevation of Plots 1, 2 and 3 as hereby approved.

Reason: To protect neighbouring amenity.

18. The integral garages shall be retained for use as garages and shall not be incorporated into the living areas of any dwelling.

Reason: To retain garage provision in the interests of sufficient on-site parking provision.

#### **Informative Notes:**

1. Informative note: (Second homes condition explanation)

For the purposes of condition number 14 (Second Homes condition) the Council defines a principal residence as a property that is the occupier's only or main residence, where the residents spend the majority of their time when not

working away from home. This includes tenants renting a property from a landlord.

Evidence of compliance with this condition could include, but is not limited to, occupiers being registered on the local electoral register and being registered with a local general practitioner.

2. The applicant(s) is (are) advised that the proposed development is situated in close proximity to the property boundary and "The Party Wall etc. Act 1996" is therefore likely to apply.
3. 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.
4. Street Naming and Numbering  
The Council is responsible for street naming and numbering within our district. This helps to effectively locate property for example, to deliver post or in the case of access by the emergency services. You need to register the new or changed address by completing a form. You can find out more and download the form from our website [www.dorsetcouncil.gov.uk/planning-buildings-land/street-naming-and-numbering](http://www.dorsetcouncil.gov.uk/planning-buildings-land/street-naming-and-numbering)
5. Informative Note - The Council notes that the proposals involve significant excavation and alteration of land levels. It is the applicant / developer's responsibility to ensure that any excavations and subsequent retaining walls are structurally satisfactory to perform the desired function and the works do not affect the stability of the site itself or surrounding land.
6. Informative: The applicant is advised that the granting of planning permission does not override the need for existing rights of way affected by the development to be kept open and unobstructed until the statutory procedures authorising closure or diversion have been completed. Developments, in so far as it affects a right of way should not be started until the necessary order for the diversion has come into effect.
7. Informative: Future occupiers are advised that hedges should be maintained at a reasonable height to avoid harm to their reasonable enjoyment of their property. High hedges are the subject of Part 8 of the Anti-Social Behaviour Act 2003.

8. 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.