

Eastern Area Planning Committee
Wednesday 4th September
Decision List

Application Reference: P/FUL/2023/00864

Application Site: Blue Waters and Lichen Haven, Glebe Estate, Studland, Swanage, BH19 3AS

Proposal: Erect 3 no. dwellings with associated parking, access and landscaping. (demolish existing dwellings)

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

Decision: **GRANT** subject to the following conditions and a s106 legal agreement to secure Affordable Housing contribution

or

if the applicant challenges the Affordable Housing contribution, then the application should return to the Planning Committee for consideration.

Or **REFUSE** if within 6 months (or longer period as agreed by the Head of Planning):

- no policy compliant affordable housing contribution is secured via s106, and
- the applicants have failed to provide full justification of particular circumstances that prevent the provision of affordable housing on the site in accordance with policy H11 of the Purbeck Local Plan 2024.

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 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 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.

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.

19. There shall be no external lighting of the residential plots unless details have first been submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed and maintained in accordance with the approved details.

Reason: To protect the character of the intrinsically dark Dorset National Landscape

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

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.

Application Reference: P/HOU/2023/06781

Application Site: 11A Bestwall Road, Wareham, BH20 4HY

Proposal: Proposed single storey front and two storey rear extension, plus construction of two side dormers within new roof and a balcony on the rear elevation

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

Decision: GRANT the officer's recommendation for approval subject to conditions set out in section 18 of the officer's report as well as additional condition 8.

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 number 22150-00-01 revision B (location plan)

drawing number 22150-00-03 revision D (proposed site plan, proposed elevations, proposed floor plans and proposed cross section)

drawing number 22150-00-17 (section BB)

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

3. Details of the roof tile and cladding materials to be employed on the external faces of the development hereby permitted be submitted to and approved in writing by the Local Planning Authority prior to their use on the dwelling.

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

4. Before the first floor rear bedroom entitled 'Master Bedroom' on drawing number 22150-00-03 revision D (proposed site plan, proposed elevations, proposed floor plans and proposed cross section) received on 29 February 2024 is brought into use, the window for this room within the east (side) elevation must be glazed with obscure glass to a minimum industry standard privacy level 3 with the northern opening element hinged on the north side of the opening. Thereafter the window openings and obscure glazing shall be retained as such.

Reason: To safeguard the amenity and privacy of the occupiers of adjoining residential property, specifically number 15 Bestwall Road, Wareham.

5. Before the first use of the balcony on the rear (north) elevation hereby approved, the obscure glazed privacy screens for the west (side) elevation, the

east (side) elevation and the north elevation of the balcony as detailed on drawing number 22150-00-03 revision D (proposed site plan, proposed elevations, proposed floor plans and proposed cross section) received on 29 February 2024 shall be fully installed and fitted with glass of a minimum industry standard of obscurity level 3. All of the privacy screens shall then be permanently retained in that condition.

Reason: To protect the privacy of nearby residential properties and nearby residents.

6. 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 windows, doors or other openings permitted by Class A of Schedule 2, Part 1 of the 2015 Order shall be constructed or inserted within the east (side) elevation of the rear extension hereby approved.

Reason: To safeguard the amenity and privacy of the occupiers of adjoining residential property, specifically number 15 Bestwall Road, Wareham.

7. Details of one bat and one bird box shall be submitted to and agreed in writing by the Local Planning Authority and shall be installed on the property as agreed prior to first occupation or use of the development hereby approved. The bat and bird boxes shall thereafter be retained and maintained.

Reason: To enhance or protect biodiversity.

8. Prior to the first use of the ground floor extensions hereby approved, a close-board boundary fence to increase the overall height of boundary enclosure on the western boundary to 2m, from the point adjacent to the front elevation of no. 11A to the rear boundary, shall be erected and thereafter maintained.?

Reason: In the interests of neighbouring amenity

9. Within 1 month of garage being blocked up, the parking spaces shall be constructed and made available in accordance with plan 22150-00-17. 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.

Informative Notes:

1. Informative note - Matching plans.

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

2. 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.

Application Reference: P/HOU/2024/00735

Application Site: Hawthorne, 5 The Green, Bloxworth, Wareham, BH20 7EX

Proposal: Conversion of the garage to a studio ancillary to the dwelling and construction of an extension to proposed studio, store and patio. Alterations to rear of property. Surface front garden area. Install air conditioning unit.

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

Decision: REFUSE for the following reason:

1. The proposed development fails to provide adequate parking provision as required by policy I2 (Improving accessibility and transport) of the Purbeck Local Plan 2018-2034 (adopted 2024). The proposal would increase pressure for parking elsewhere within the settlement and therefore does not represent good design contrary to policy E12 (Design) of the Purbeck Local Plan 2018-2034 (adopted 2024) and Chapter 12, in particular paragraph 130 of the National Planning Policy Framework (2023).

Informatives:

1. The plans that were considered by the Council in making this decision are:

S- 1446 - 01 The Location/Block plan

S- 1446 - 02 Existing Elevation and Floor plans

PL - 1446 - 201 G Proposed floor plans, elevations and sections received 23 July 2023

2. 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/ agent did not take the opportunity to enter into pre-application discussions.
- The applicant and council have worked together to minimise the reasons for refusal.