

Application Number:	P/FUL/2022/05152		
Webpage:	Planning application: P/FUL/2022/05152 - dorsetforyou.com		
Site address:	15 Dillons Gardens Lytchett Matravers Dorset BH16 6DW		
Proposal:	Demolish existing dwelling and erect 6no 4-bedroom detached houses with associated parking and access		
Applicant name:	Edgewater Homes Ltd		
Case Officer:	Ellie Lee		
Ward Member(s):	Cllr Brenton, Cllr Robinson and Cllr Starr		
Publicity expiry date:	2 December 2024	Officer site visit date:	28 April 2022
Decision due date:	27 February 2025	Ext(s) of time:	27 February 2025
No of Site Notices:	3 Site Notices		
SN displayed reasoning:	To ensure that the application is sufficiently advertised		

1.0 This application comes before planning committee at the request of the Committee Chair.

2.0 Summary of recommendation:

A) Delegate authority to the Service Manager for Development Management and Enforcement and Development Management Area Manager East to Grant planning permission subject to completion of a legal agreement under section 106 of the town and country planning act 1990 (as amended) to secure a 20% affordable housing contribution, and subject to conditions set out at the end of this report)

or

B) Refuse for the following reason if the legal agreement is not completed within 6 months of the resolution to grant consent, or such extended time as agreed by the Service Manager for Development Management and Enforcement and/or the Development Management Area Manager East

3.0 Reason for recommendation A: as set out in the paragraphs within section 17 onwards at the end of this report.

- The location within the settlement is sustainable.
- The proposal is acceptable in its design and general visual impact.
- There is not considered to be any significant harm to neighbouring residential amenity.
- The proposal does not present a material harm to the transport network or to highway safety and provides adequate parking.
- The proposed development would be acceptable in terms of trees and landscaping, subject to conditions.
- The proposed includes acceptable biodiversity mitigation and enhancement. Conditions can ensure that impacts on protected habitats can be avoided.
- There is no harmful impact from flood risk, subject to condition.
- Paragraph 11 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise.
- There are no material considerations which would warrant refusal of this application.

Reason for Recommendation B

- In the absence of a legally binding mechanism to secure affordable housing the proposal would be Contrary to Policy H12 of the Purbeck Local Plan 2018-2034

4.0 Key planning issues

Issue	Conclusion
Principle of the Development (Location of the Development)	Acceptable - In a sustainable location within the settlement boundary of Lytchett Matravers. The 6 new dwellings (to replace the existing 1 bungalow) will contribute to the housing supply.
Scale, Design and Impact upon the Character and Appearance of the Area	Acceptable – The site is large enough to accommodate development of this scale without harm to the character of the area.
Neighbouring Amenity	Acceptable - The proposal is not considered to result in significant harm to the amenity of neighbouring occupants, subject to conditions.
Highway Safety and Parking Provision	Acceptable – No harm to highway safety, and sufficient parking is provided on site.
Impact upon Trees and Landscaping	Acceptable – The proposal accords with local planning policies E1 and E10.

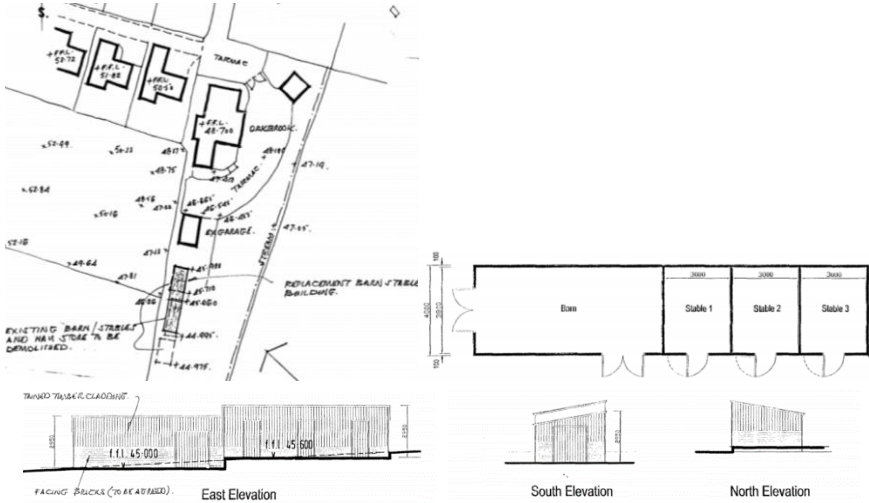

Issue	Conclusion
Impact upon Biodiversity	Acceptable – The proposal accords with local policies E10 subject to a biodiversity condition.
Impact on Dorset Heathland and Poole Harbour Habitat Sites	Acceptable – Mitigation secured by nutrient mitigation credits and CIL.
Flooding	Acceptable – The submitted Drainage Strategy has demonstrated the proposal is acceptable in terms of flood risk, subject to condition.
Affordable Housing Contribution	Acceptable - Subject to a s106 agreement to secure affordable housing contributions.

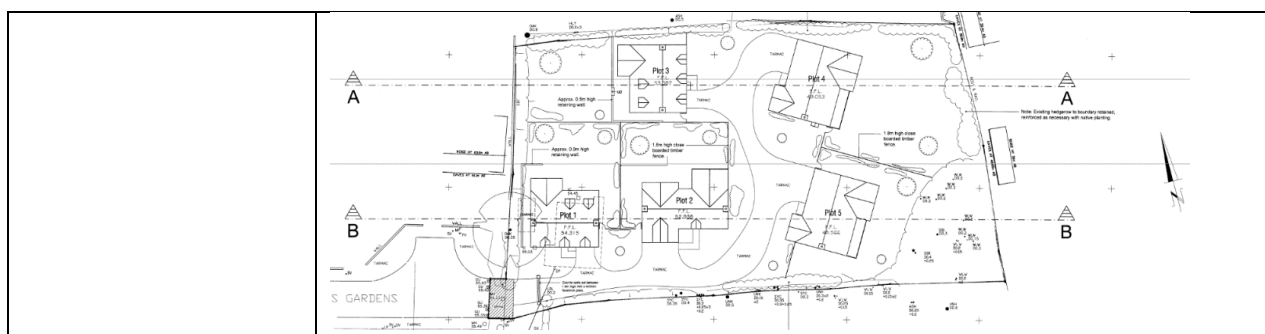
5.0 Description of Site

- 5.1 The site is within the urban area of Lytchett Matravers. Dillon Gardens is a residential street which extends east, from its junction with Wareham Road, down a gentle hillside. The site is accessed at the eastern extent of the highway, south of the private cul-de-sac that extends off Dillon Gardens serving 1-5 Fairview. Beyond the application site to the east is agricultural land which lies within the designated Green Belt and is in use as a smallholding associated with Oakbrook, a dwelling within the settlement to the north.
- 5.2 The site comprises 0.28ha which is currently occupied by a single bungalow, located fairly centrally in the plot and facing west, its garage and outbuilding. The rear garden slopes down to the east and is predominantly laid to lawn with trees and shrubs on the boundaries. Boundary treatments include close board fencing, post and rail fencing and post and mesh fencing together with hedging.
- 5.3 The predominant built form in Dillon Gardens is single storey detached dwellings facing onto the street behind front gardens which contribute to a low density residential character. The more recent development at Fairview to the north of the application site has made use of the topography to achieve two storey dwellings in smaller plots. Properties to the east have a single storey front elevation with two storeys to the rear; the low height of nos. 4 and 5 maintains views of the countryside beyond within the street scene.
- 5.4 To the south of the application site, Long View is a single storey dwelling on a plot of the same depth but narrower than the application site, accessed from a spur off Burbidge Close to the south.

6.0 Relevant Planning History

Application No.	Description	Decision	Date
P/HOU/2022/07919	<u>Long View, Burbidge Close:</u> Changes to windows & doors and internal remodelling to relocate existing annexe to first floor	Granted	03/02/2023

<p>P/FUL/2022/00691</p>	<p><u>15 Dillons Gardens:</u> Demolish existing buildings and erect 6no. houses with parking</p>	<p>Withdrawn</p>	<p>07/07/2022</p>
<p>P/HOU/2021/05597</p>	<p><u>Long View, Burbidge Close:</u> Erect first floor extension and internal remodelling</p>	<p>Granted</p>	<p>28/02/2022</p>
<p>6/2009/0159 (rear/east of application site)</p>	<p><u>Oakbrook:</u> Demolish existing outbuildings and erect a new barn/stable building. (Revised scheme to PA 6/2008/0712)</p> <p><i>Plans for 6/2009/0159:</i></p>  <p>The plans for 6/2009/0159 include a site plan showing the location of the 'REPLACEMENT BARN / STABLE BUILDING' relative to existing structures and boundaries. The floor plan shows a layout with a 'Barn' and three 'Stable' units (Stable 1, Stable 2, Stable 3). Three elevations are provided: 'East Elevation' showing a building with a 'TANKO TANGA CLADDING' and 'FACING BRICKS (TO BE ADDED)'; 'South Elevation'; and 'North Elevation'.</p>	<p>Granted</p>	<p>01/07/2009</p>
<p>3/2005/0665 (adjacent to north of application site)</p>	<p><u>14 Dillons Gardens (now Fairview):</u> Demolish existing dwelling and erect 5 two storey dwellings; modify vehicular access</p>	<p>Granted</p>	<p>07/09/2005</p>
	<p><i>Plans for 6/2005/0665:</i></p>  <p>The plan for 6/2005/0665 shows a site plan for '13 DILLONS GARDENS' and '14 DILLONS GARDENS'. It includes a 'PROPOSED GROUND LEVEL' profile and a 'SITE BOUNDARY'. The plan shows five two-story dwellings (PART 1, PART 2, PART 3, PART 4, PART 5) and a 'Garage' (PART 6). A vertical scale on the right indicates ground levels from 47.00 to 97.00.</p>		



7.0 List of Constraints

- Within settlement boundary of Lytchett Matravers
- Lytchett Matravers Neighbourhood Plan to 2031 (made June 2017)
- Within Dorset Heathlands 5km buffer
- Nutrient Catchment Areas - Poole Harbour Nutrient Catchment Area (covers whole application site)
- Adjacent to the Green Belt (not within Green Belt land which lies to the east)
- Risk of Surface Water Flooding Extent 1 in 1000 - areas only overlap the north-eastern site boundary in two places by 1.1m & 1.8m (near to the access to the properties in Fairview).
- Areas Susceptible to Groundwater Flooding; Superficial Deposits Flooding; < 25%; - covers whole site
- Natural England Designation - RAMSAR: Poole Harbour (UK11054); - Distance: 3885.94m from site
- Natural England Designation - RAMSAR: Dorset Heathlands (UK11021); - Distance: 4565.43m from site
- Site of Special Scientific Interest (SSSI) impact risk zone;
- SGN - High pressure gas pipeline 1km or less from Regional High Pressure Pipelines (>7 bar); - Distance: 345.42m from site

8.0 Consultations

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

Consultees

1. **Natural England – No objection, subject to mitigation** (25/11/2024)
 - Site lies within hydrological catchment of Poole Harbour SSSI, SPA and Ramsar. Listed Wetlands of International Importance under the Ramsar Convention (Ramsar) are protected as a matter of Government policy (National Planning Policy Framework).

- Natural England (NE) advises that developments which result in an increased nitrogen discharge to the Poole Harbour catchment should be considered, in combination, to have a likely significant effect on the above habitat and international sites.
- Therefore, an Appropriate Assessment (AA) under Regulation 63 is required to consider the proposed mitigation measures. The AA submitted includes a nitrogen budget for the application. As the Competent Authority, it is the Council's responsibility to ensure that you are confident that there is sufficient information to support the values used in the nitrogen calculation, and that the nutrient budget calculation is correct.
- The application intends to mitigate for the additional nitrogen load generated by the proposal by the purchase of credits from the approved scheme at Lyscombe Farm.
- We note that it is the intention of your Authority to use a Grampian styled planning condition to ensure sufficient credits are secured prior to commencement. I can confirm, provided the Council is satisfied that sufficient credits are available then, Natural England has no objection.
- Any permission should also ensure the house meets the 110L per person water use requirement, set out in the nutrient calculator for Poole Harbour.
- Therefore, it is that, on the basis that mitigation measures required for other adverse effects on habitats/international sites, in this case the Dorset Heathland's SPA, SAC and Ramsar, are secured prior to the commencement of development, the authority can conclude that Natural England has no further concerns about the conclusion reached in this AA.

2. Dorset Council - Highways: No objection, subject to conditions (13/09/2022)

No objection, subject to the following conditions:

- Vehicle access construction
- Turning/manoeuvring and parking construction
- Visibility splays as submitted
- No gates (to be hung so as to form obstruction to vehicular access serving the site)
- Electric vehicle charging point technical details
- Construction method statement to be submitted prior to commencement of development, and agreed in writing by the LPA

Recommended informative note:

- Vehicle crossing - Dorset Highways

3. Dorset Council - Trees – No objection, subject to conditions (19/10/2022 & 02/02/2023)

Tree Officer Response 19/10/2022:

Noted that there had been some vegetation clearance of the site, none of the trees were protected at the time but replacements should take account of this loss. Requested:

- Revised and updated Biodiversity Plan, Revised Tree Protection Plan with details of additional temporary ground protection.
- Detailed proposed Landscaping Scheme to include how the vegetation to the north of the proposed access will be maintained and by whom.

Tree Officer Response 02/02/2023:

The Tree Protection Plan 'RNapc/326/TPP/2' now details ground protection for both T1 & T3 and the Biodiversity Plan has been amended & approved accordingly. Conditions were suggested if case officer is minded to approve:

- Works to accord with approved tree protection plan and arboricultural method statement
- Pre-commencement meeting (TR9) referencing Tree Protection Plan RNapc/326/TPP/2 & Arb. Method Statement '326/AIA/2 Appendix B'
- Detailed proposed Landscaping Scheme to include how the vegetation to the north of the proposed access will be maintained and by whom.'

4. Dorset Council – Building Control – No comments received

5. Dorset Council – Rights of Way – No comments received

6. Dorset Waste Team – No comments received

7. Dorset Fire and Rescue – No comments received

8. Lytchett Matravers Parish Council – Object

Response of 28/09/2022:

The Parish Council objects on the following grounds:

- Inadequate stormwater disposal arrangements, likely to add to nutrient deposits into Poole Harbour catchment. Site already suffers from frequent flooding including by stormwater along Dillons Gardens, & site is within 20m of natural watercourse. No mitigation arrangements included in proposals. Local Wessex Water pumping station regularly overflows.

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- The proposal is out of keeping with the surrounding properties in terms of dwelling design / height / size and the density of buildings on the site.
- Loss of the rich biodiversity on this site.
- Inadequate highway access. Site beyond end of a very narrow residential road & section of unadopted & privately owned track. Significant concern over insufficient access for emergency vehicles, waste vehicles etc.
- Effects on already serious local traffic congestion problem arising from the insertion of more dwellings on this road. The Parish Council requests an embargo on any further development within the Lytchett Matravers settlement until the initiatives to alleviate parking & congestion problems on Wareham Road and around the primary school have been fully addressed. Proposals to address these well publicised problems have been in progress with Dorset Council now for several years.'

Response 23/03/2023:

- Additional information does not address Parish Council's objection.
- In the event that the proposals are approved, the Parish Council expects that the anticipated net carbon contribution is submitted, along with an emphasis on use of high efficiency insulation, installation of heat pumps & electric charging points etc, and separate drainage systems for foul water & surface water, with any hard standing to be permeable.

Response 15/02/2024:

- Previous objections still stand.
- Application should not be considered until adequate provisions are in place for drainage of surface water & rights issues for the drainage are resolved. Noted that survey could not be completed due to a blocked pipe.

9. **Lytchett Matravers and Upton Ward Members - Object**

Cllr Alex Brenton– Object (01/09/2022)

- Proposal is only slightly different from previous planning application.
- Application is still overdevelopment of the site. Positioning of Units 5 & 6 is more damaging to neighbours' amenity, with close proximity to boundary.
- Raised patio area will overlook neighbours.
- Too much hardstanding. Increase in tarmac & hardstanding will increase rainwater run-off. No adequate mitigation/collection & re-use system.
- No consideration of solar gain or natural ventilation.

Cllr Andrew Starr - Object (09/03/2023):

- Whilst amendments to the application are welcomed, especially PV panels, the proposal to replace 1 bungalow (albeit on a large plot) with 6 new homes is excessive and unsustainable, given lack of local amenities and poor access via narrow & steel cul-de-sac.

Cllr Alex Brenton - Comments (14/03/2023):

- Overdevelopment of the site, following great destruction of trees and local environment, prior to the submission of the planning application.
- Introduction of PV panels & more hedging may improve carbon footprint.

Cllr Alex Brenton - Comments (15/02/2024):

- Overdevelopment on the site.
- Proposal will inevitably lead to congestion and access issues regarding refuse vehicles, emergency vehicle and construction vehicles. access.
- Access to Dillons Gardens is via Wareham Road, which already has considerable road and parking issues relating to school pick-up/drop off.
- New dwellings on the site will lead to an increased number of cars.
- There is no employment within walking distances to accommodate the future occupiers of the new dwellings. Will lead to commuter travelling.
- Will increase sewage movement into an already overstretched sewage storage and treatment plant at Bulbury.
- Recommends the application goes to Planning Committee, or is deferred until road safety changes outside the primary school are addressed.

Representations received

Total - Objections	Total - No Objections	Total - Comments
25	0	1

Summary of Third Party Objections (25) and Comments (1):

- | | |
|---------------------------|--|
| Principle of Development: | <ul style="list-style-type: none"> • Contrary to Local Development Plan • Unsustainable location, nearest amenities 15 mins away. Lack of infrastructure locally. • Existing village already overpopulated |
| Design and Character: | <ul style="list-style-type: none"> • Cramped, overdevelopment, poor layout. Requires re-design so scheme is scaled down to 1-3 houses, and plots 3 & 4 should be omitted. • Ridge/eaves heights too high, harmful/adverse impacts on character of area and street scene. • Design, materials, layout and density are out of keeping. • Not in line with existing building lines. • Lack of landscaping, trees and greenery. • Land levels on site & neighbouring properties not been fully considered. |

Eastern Area Planning Committee

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	<ul style="list-style-type: none">• Contrary to local policy D, National Character Area 135, sections 39 & 41 of the Purbeck District Design Guide & Neighbourhood Plan Policy 1.• Suggestion that dwellings should have north-east front elevations.
Impact upon Neighbouring Amenity:	<ul style="list-style-type: none">• Harmful impacts upon neighbouring amenity- loss of privacy from overlooking (from first floor windows), overshadowing, loss of light/daylighting, noise and lighting disturbance. Contrary to policy D.• Units 5 & 6 overbearing• Separation distances not sufficient.• Request for obscure glazed rooflights or suitable minimum sill heights to reduce overlooking impacts.• Security lighting at Long View may impact• Lack of hedges to the rear of unit 1. Request for hedges condition.
Impact upon Trees & Landscaping:	<ul style="list-style-type: none">• Harm to trees, vegetation & negative impact on landscape.• Lack of landscaping detail.• Trees were felled prior to the submission.• Contrary to the Neighbourhood Plan.• Arboricultural Impact Assessment (AIA) and EcIA have conflicting tree recommendations on. Disagree with AIA conclusion that some trees have to be removed as they have 'liveability issues.'
Highways and Parking:	<ul style="list-style-type: none">• Suggested highway condition would involve 10m of the access for which the developer would not be responsible.• Inadequate parking provision on site, no visitor parking & narrow access• Increase in vehicles & traffic - harm to pedestrians. Highway safety - busy junctions between Dillons Gardens - Wareham Rd. Many parked cars/existing parking issues from school drop-off/pick up.• Access and turning not sufficient for emergency vehicle/service vehicle. Visibility splays and sight lines also not adequate/achievable.• Request for a construction management plan• Parking for each new dwellings should be to the front of each house.• Reference to NPPF para 111 and that proposal should be refused on highways grounds where the residual cumulative impacts are severe.
Impact upon Biodiversity:	<ul style="list-style-type: none">• Harmful impact on biodiversity. Insufficient mitigation for biodiversity loss.• No bat survey submitted. Concern that submitted. EcIA advises Bat Survey not needed. A further ecological survey should be required• Lower housing density would reduce the impact upon biodiversity• Contrary to the Neighbourhood Plan.• Should include suitable buffer zone on the east site boundary
Flooding:	<ul style="list-style-type: none">• Flood risk from surface water flooding, stormwater & adjacent properties• Surface water run-off from site would result in harmful impact to neighbouring properties & nearby brook (20m to SE of site) not mentioned• Inadequate existing pipe that runs all along the site to cope with surface water. Drainage insufficient on site, with existing soakaways (for 6 new houses). SuDs scheme insufficient to avoid flooding.

	<ul style="list-style-type: none">• Local Wessex Water pumping station regularly overflows.• Reference to geological surveys that indicate site is dominated by shrink-swell clays which lead to increased flooding, drainage & rainwater issues.• Indicative drainage scheme/condition concern to neighbouring occupants• Unresolved issue with the Council about flooding to the existing properties in Fairview (north of the application site).
Poole Harbour Nutrients:	<ul style="list-style-type: none">• The proposal will result in nutrients issues with regards to Poole Harbour.
Construction of Foundations & Construction Management:	<ul style="list-style-type: none">• Piling foundations unsuitable as would damage neighbouring properties.• On-site parking provided for building contractors – request that nearby residents be informed in advance.
Boundaries	<ul style="list-style-type: none">• Brick pillars on the boundary belonging should not be altered
Waste, Access for Emergency and Public Services:	<ul style="list-style-type: none">• Each new dwelling should have a standard size general waste and recycle bin, and also a separate glass waste collection area.• Waste may have to be collected by a private contractor.• Bins will be an eyesore
Neighbouring Smallholding:	<ul style="list-style-type: none">• Harmful impact on smallholding to east. Potential for complaints from future residents about noise from animals
Site ownership & Application Form:	<ul style="list-style-type: none">• The submitted Application Form states that notice was given to Fairview Residents Association. No such notice was received.• Neighbouring residents were not approached by the developer.• Issues of access fall into civil matters, but the scheme results in a poor relationship with the existing neighbouring dwellings.
Affordable Homes:	<ul style="list-style-type: none">• New homes are not affordable for young people in the village, and do not comprise affordable housing.
Submitted drawings and documents:	<ul style="list-style-type: none">• Dotted blue line showing neighbouring house outline inaccurate• Incorrect distance from amenities stated in Design & Access Statement• Finished floor levels are not provided on the drawings
Foul Drainage:	<ul style="list-style-type: none">• Inadequate details of proposed foul drainage.
Cables:	<ul style="list-style-type: none">• Access to overhead electricity & telephone cables connecting to number 15 are attached to a pylon located on land of a neighbouring property.

9.0 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.

10.0 Relevant Policies

Adopted Purbeck Local Plan:

The following policies are considered to be relevant to this proposal:

- 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 H1: Local housing requirement
- Policy H2: The housing land supply
- Policy H3: New housing development requirements
- Policy H6: Lytchett Matravers
- Policy H8: Small sites next to existing settlements
- Policy H9: Housing Mix
- Policy H11: Affordable housing
- Policy I2: Improving accessibility and transport
- Policy I3: Green infrastructure, trees, and hedgerows

Lytchett Matravers Neighbourhood Plan to 2031 (made June 2017):

- Policy 1 (NP Policy 1) sets out that non allocated ad hoc sites *'must make the most appropriate use of what land is available'* and new development should integrate well with the village and preserve or enhance the character of the village.
- Policy 2 (NP Policy 2) relates to design and sets out criteria which should be followed, including adequate storage space, sustainable waste management, sustainable drainage systems, appropriate mix of dwelling types/sizes to meet local housing need & demand, integrate with the site surroundings & village, minimise light pollution, include clearly defined private spaces, landscape led design, and that proposals should create a place with a locally inspired or otherwise distinctive character.
- Policy 3 (NP Policy 3) refers to 'Home Zones' which sets out that new development that involves the creation of new internal roads will be encouraged to introduce shared spaces and speed limits, utilising the principles of "Home Zones."
- Policy 4 (NP Policy 4) encourages the provision of open spaces, corridors, trees and hedgerows within new development.

Material Considerations

Emerging Local Plans:

Paragraph 49 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 draft 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.

National Planning Policy Framework (NPPF)

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 6 'Building a strong, competitive economy', paragraphs 88 and 89 'Supporting a prosperous rural economy' promotes the sustainable growth and expansion of all types of business and enterprise in rural areas, through

conversion of existing buildings, the erection of well-designed beautiful new buildings, and supports sustainable tourism and leisure developments where identified needs are not met by existing rural service centres.

- 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'- Paragraphs 192-195 set out how biodiversity is to be protected and encourage net gains for biodiversity.

National Planning Practice Guidance (NPPG)

Other material considerations

Dorset Heathlands Planning Framework 2020-2025 SPD

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.

District Design Guide SPD

Managing and using traditional building details in Purbeck

Poole Harbour Recreation 2019-2024 SPD

11.0 Human Rights

Article 6 - Right to a fair trial.

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

The first protocol of Article 1 Protection of property.

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

12.0 Public Sector Equalities Duty

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

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

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

The proposal would result in a net increase of 5 dwellings which will be required to meet Building Regulations. There may be some limited impact on persons with protected characteristics living in the locality during the construction period.

13.0 Environmental Implications

The proposal will result in carbon emissions during demolition and construction.

The application will be required to meet the Building Regulations. Solar panels are proposed to reduce carbon emissions from future occupiers.

14.0 Planning Assessment

Background

- 14.1 This planning application is a re-submission of a previous application ref: P/FUL/2022/00691 which was withdrawn.

Principle of the Development (Location of Development):

- 14.2 The application site is located within the settlement boundary of Lytchett Matravers and is identified as being within one of the ‘Key Service Villages’ as set out within paragraph 48 of the Purbeck Local Plan. The site also lies within the Lytchett Matravers Neighbourhood Plan (NP) area.
- 14.3 Local policy V1 (Spatial strategy for sustainable communities) directs new development towards the most sustainable locations of the former Purbeck District area, including the towns and villages within settlement boundaries. Development on unallocated sites within settlement boundaries is to be supported where the scale of development is proportionate to the size and character of the existing settlement, it does not harm the character and value of the settlement individually or cumulatively

through size, appearance and layout and contributes to a mix of different types and sizes of homes. Additionally, development should avoid harm to habitats sites. These issues are considered further later in the report.

- 14.4 It is considered that the proposal is of a proportionate scale to the size of the village and makes an appropriate use of the land available within the application site.
- 14.5 Third party objections received raised concerns that the proposal is contrary to the Purbeck Local Plan (and the former Local Plan), and that the site is in an unsustainable location with the nearest amenities 15 minutes' walk away. The distance to the nearest amenities to the north via Wareham Road is considered a reasonable walking distance from this sustainable location for new development
- 14.6 The 6 new dwellings (to replace the existing 1 bungalow) will contribute to housing supply, in accordance with local policy H2 (The housing land supply). Whilst all 6 dwellings will have 4 bedrooms, the scheme is of a modest scale where differentiation is not critical to its acceptability.

Scale, Design and Impact upon the Character and Appearance of the Area:

- 14.7 The site has an area of approximately 0.273 hectares. The existing building on site is a detached bungalow in a very spacious garden.
- 14.8 Relevant policies with regards to design and character are local policies E1 (Landscape) and E12 (Design), and Neighbourhood Plan Policies 2 and 3.
- 14.9 Neighbouring properties to the site vary in scale and design. Detached bungalows are the predominant form within the majority of Dillons Gardens but detached chalet bungalows and bungalows have been accommodated in the more recent development of Fairview (5 properties to the north of the site).
- 14.10 The Parish Council, the Ward Members and third party objectors have raised concerns that the proposal will represent overdevelopment with a cramped layout, poor design and an unacceptably high density. Comparisons have been made with the development adjacent at Fairview to the north of the site (granted planning permission under planning application 6/2005/0665) where 5 dwellings were achieved on a similar sized area. A harmful visual impact is anticipated as a result of the height of the new homes, their design & materials.
- 14.11 The National Model Design Code advises that outer suburbs should have densities of 20 to 40 dwellings per hectare (dph) and that villages have their own distinctive character often with 2 & 3 storey buildings in an informal layout. The proposed scheme has a housing density of 22 dph which uses the land on the site effectively with a layout which follows the topography. This proposed density is considered acceptable and generally accords with the guidance within the National Model Design Code and the NPPF which promotes the effective use of land in meeting the need for homes (section 11) in conjunction with good design (section 12).
- 14.12 The aims of the NPPF are supported by local planning policies E1 (Landscape) & E12 (Design) of the Local Plan which expect developments to take account of landform, the character of the landscape, cumulative impacts and existing trees and hedgerows and amongst other requirements, to demonstrate a high quality of design so that schemes positively integrate into their surroundings. Achieving

integrated design, and preservation and enhancements of the village character is also a key aim of the Neighbourhood Plan Policy 1.

- 14.13 The Purbeck Townscape Character Appraisal for Lytchett Matravers (2012) identifies Dillon Gardens as 'modern estate development' while Fairview and the application site at no. 15 are characterised by 'Neo-Vernacular style housing'. The characteristics of the latter include a relatively tight urban grain, two storey heights, vernacular neo-Georgian and Victoria styling with details including gables, chimneys, porches and casement and sash windows. The character assessment notes the need reference for local distinctiveness of the village and its architecture and avoidance of over dominance of parked vehicles in tighter schemes.
- 14.14 The proposed development would be on much lower land levels than other development within Dillons Gardens enabling the two storey forms to be accommodated. The scheme includes chimneys, porches, external wall treatments that include: red brick, render & stone, landscaping to the frontages, parking close to each property including some parking close to the sides of the new dwellings (units 1, 2 and 5), and the buildings define the roads and spaces, creating a place of distinctive character. These attributes align with the Neo-Vernacular Style Housing identified in the Purbeck Townscape Character Appraisal for Lytchett Matravers, which incorporates traditional architectural forms with contemporary features. However, to ensure that that any future extensions are in line with the local distinctiveness of this area, it is necessary for a condition to remove permitted development rights for extensions to the properties.
- 14.15 The proposed 6 new dwellings shown in the Proposed Site Plan above would be two storey detached dwellings, facing onto the new access road which curves southwards. The Purbeck Townscape Character Appraisal for Lytchett Matravers includes photographs of two storey residential development falling within the Neo-Vernacular Style Housing. Other two storey development is also evident in the locality on Wareham Road to the north-west of the site.
- 14.16 Planning permission was granted for extensions to the neighbouring property at Long View in Burbidge Close to the south of the site ref: P/HOU/2021/05597, for a 1 ½ / 2 storey building with the first floor extension granted permission in February 2022. A subsequent planning permission ref: (P/HOU/2022/07919) was also granted at the neighbouring property at Long View in Burbidge Close for an alternative scheme for extensions raising the height of the existing dwelling.
- 14.17 The proposed two storey pitched roof detached dwellings have a maximum ridge height of approximately 9 meters, but this drops to approximately 5.5m when the measuring from the rear elevations of proposed unit 6, to the south-east of the site, due to land level changes. The neighbouring property at Long View falls within the 'Mixed Residential' character type in the Purbeck Townscape Character Appraisal for Lytchett Matravers which comprises of a mix of bungalows and two storey houses. It is acknowledged that the units' ridge and eaves heights will be taller than the neighbouring dwellinghouse at Long View adjacent to the application site, by approximately 2.3m to 4.1m, but it is judged that the additional height of the new dwellings on the application site can be accommodated on the hillside without demonstrable harm to the character of the area.

- 14.18 In response to concerns about a lack of soft landscaping on the site, revised plans were received in March 2023 which also addressed concerns about the relationship with neighbours by including additional hedges to the site boundary to the south-west of Unit 1 (boundary adjacent to Long View), and some additional hedges to the south-east of Unit 2.
- 14.19 The proposal is considered to result in an integrated design within a pocket of land in the village and therefore generally accords with Neighbourhood Plan Policy 1.
- 14.20 The proposed development generally accords with Neighbourhood Plan Policy 2 principles with the clearly defined private spaces and results in an overall appropriate mix of dwelling types and sizes, when considered against other types and sizes within the local area.
- 14.21 The proposed layout of the site generally reflects 'Home Zone' principles, as advocated in the Lytchett Matravers Neighbourhood Plan Policy 3 by utilising shared surface streets and landscaping throughout the site.
- 14.22 The proposal is judged to accord with local planning policies E12 (Design) and E1 (Landscape), in terms of design and character and accords with para 130 within section 12 (Achieving well-designed places) within the NPPF.

Neighbouring Amenity:

- 14.23 Third party concerns were raised that the proposed scheme is contrary to sections 39 and 41 of the Purbeck District Design Guide as they are concerned about overbearing impacts due to a dominating effect and impacts on light to neighbouring properties. Other concerns raised are: privacy and overlooking impacts (from first floor windows), impact on general amenity and noise disturbance.
- 14.24 The northerly units were identified as a particular concern by Ward Members with concerns raised that the existing development to the site's north would be affected by a harmful sense of enclosure. The Case Officer has considered separation distances as well as building heights. All neighbouring properties are judged sufficiently distant from the proposed development to avoid significant harm arising from an overbearing impact or an unacceptable sense of enclosure.
- 14.25 It is also noted that some other properties nearby are closer to their respective boundaries than the proposed new dwellings are to the site boundary. The proposed development ensures that the new dwellings have appropriate spacing between the buildings and the boundaries.
- 14.26 With regards to concerns raised over the development overshadowing neighbouring properties, the proposed dwellings are two storey, but the buildings follow the site's topography which is lower to the rear of the site, and the houses are sufficiently spaced out within the application site to allow natural light between houses. It is not anticipated that there would be a harmful level of overshadowing from the new dwellings upon the occupants of neighbouring properties due to the acceptable separation distances and the layout of the development. Unit 5 is approximately 10.5m south of 5 Fairview so some overshadowing is anticipated in

the winter months but not to such a degree that it would justify refusal of planning permission.

- 14.27 It is important to secure the finished floor levels of the dwellings to avoid additional harm if they were raised and therefore a condition would be imposed on any approval requiring details of finished floor levels (Condition 7).
- 14.28 A third party objection raised concerns that there was a lack of hedges to the southern boundary to the rear of Unit 1. The amended Site Plan received in March 2023 has increased the amount of hedging to the rear boundary to overcome this concern. This amendment is also relevant to concerns raised by third parties that the existing neighbouring property's security lighting would affect the dwellings in the new development. The hedging, once established, will assist in mitigating any lighting issues that could arise. Security lighting that causes a nuisance would be subject to environmental protection legislation.
- 14.29 In relation to overlooking, given the separation distances to the other new properties and also to neighbouring dwellings outside of the site (as shown in the table below) and that some properties have windows in their side elevations, the proposal can be made acceptable by conditions that requires some of the windows to be obscure glazed and remove permitted development rights for further windows at Units 1, 2, 5 and 6 (condition 10). Such a condition would mitigate any harmful impact upon neighbouring amenity in terms of privacy and overlooking due to the sense of overlooking that may occur despite the appropriate separation distances.
- 14.30 With regards to noise and lighting disturbance from vehicles accessing & exiting the site, the extended access road is to the front of dwellings which already face onto a highway, albeit only serving 5 dwellings. It is not anticipated that the additional traffic would demonstrably affect neighbouring amenity.
- 14.31 Subject to conditions, the proposal is considered to generally accord with local planning policy E12 (Design) with regards to neighbouring amenity and is in accordance with section 12 of the NPPF.

Highway Safety and Parking Provision:

- 14.32 The Parish Council, Ward Members and third parties have raised concerns over the development's impacts upon highways safety, access and parking provision. The adequacy of the highway access has been questioned; the development is at the end of a narrow residential road (Dillons Gardens) and utilises a section of unadopted privately owned track. Concerns have been raised that emergency vehicles and waste vehicles will not be able to safely access the site. Traffic congestion in the area has been identified by objectors concerned that this could be exacerbated by the new dwellings on the site should permission be granted.
- 14.33 These objections have been considered, but the Council's Highways Officer has assessed the application and has judged that the access would be acceptable. No objections are raised subject to conditions which would ensure that the development is acceptable in terms of highway safety and parking provision. (Conditions 13 - 15).

- 14.34 In the latest revised drawings, a visitor parking space has also been included within the proposal scheme.
- 14.35 The Highways Officer has also recommended that a condition is added to ensure that there are no gates hung so as to form an obstruction of the vehicular access to the site (condition 19) and that a condition is added to ensure that details of the electric vehicle charging points are acceptable (condition 16).
- 14.36 Therefore, subject to conditions, the proposed development accords with local planning policy I2 (Improving accessibility and transport) and is considered acceptable. (Conditions 13, 14, 15, 16 and 19).

Impact upon Trees and Landscaping:

- 14.37 Third party objections raised concerns with regards to harm to trees, vegetation and a general impact upon landscaping, and also that the proposal is contrary to the Neighbourhood Plan.
- 14.38 Neighbourhood Plan (NP) Policy 4 advises that open spaces, trees and hedgerows are encouraged within new developments.
- 14.39 Following the submission of the revised Tree Protection Plan and a revised Arboricultural Impact Assessment which shows root protection areas for trees including those that are on or beyond the site boundaries, temporary ground protection and tree protective fencing, the Council's Tree Officer has no objection to the scheme, subject to conditions including a pre-commencement condition to secure protection. (Conditions 4 and 5).
- 14.40 Therefore, subject to these conditions the proposal scheme accords with local planning policies E1 (Landscape) and E10 (Biodiversity and Geodiversity), and generally accords with NP policy 4.

14.41 Impact upon Biodiversity:

- 14.42 Objections have been raised with regards to loss of biodiversity by the Parish Council and third parties.
- 14.43 The application is supported by a Biodiversity Plan (BP) and certified by the Council's Natural Environment team which secures construction avoidance zones, covered trenching & capped pipework, replacement of woody species and planting of new trees on site, a permanent 3m buffer to be maintained along the east tree line, hedgerow management, provision for animals (including bats, birds, bees) and gaps to fencing to allow movement for wildlife.
- 14.44 Subject to a condition requiring that the mitigation and enhancement set out within the approved Biodiversity Plan is adhered to, the proposal is in accordance with the Dorset Biodiversity Appraisal Protocol and local Policy E10 (Condition 12).

Impact on Dorset Heathland and Poole Harbour Habitat Sites:

- 14.45 The site lies within 5km of internationally designated Dorset Heathland habitat sites, and also lies within the Poole Harbour Special Character Area catchment.
- 14.46 Local policies E7 (Conservation of protected sites), E8 (Dorset heathlands) and E9 (Poole harbour) are relevant to the application.
- 14.47 The Parish Council's objection includes concerns over the site being within the Poole Harbour catchment area and that no mitigation arrangements are included in the proposals. The Parish Council have also raised that the local Wessex Water pumping Station regularly overflows.
- 14.48 A Conservation of Species and Habitats appropriate assessment has been undertaken which concludes that the mitigation available in the Dorset Heathlands Planning Framework 2020-2025 can be secured via the Community Infrastructure Levy (CIL) to ensure no harm arises from recreational effects associated with a net increase in residential dwellings & mitigation is also available to avoid harm to Poole Harbour.
- 14.49 Natural England have been consulted more than once within the planning application, and the most recent response (25/11/2024) confirms that they have no objection, subject to mitigation which includes the purchase of credits from the approved scheme at Lyscombe Farm which will need to be secured by planning condition. Natural England have also recommended should permission be granted, then the Building Control requirement to limit wholesome water usage to 100 litres should be imposed.
- 14.50 Natural England have advised that, on the basis that mitigation measures required for other adverse effects on habitats/international sites, in this case the Dorset Heathland's SPA, SAC and Ramsar, are secured prior to the commencement of the development, the authority can conclude that Natural England has no further concerns about the conclusion reached in this Appropriate Assessment.
- 14.51 Therefore, subject to a pre-commencement condition securing the necessary nutrient mitigation credits from an accredited nutrient provider, accompanied by a copy of the Nutrient Credit Certificate demonstrating the purchase (condition 8) and a limit on wholesome water (condition 18), the scheme is considered to accord with policies E7, E8 and E9 of the Local Plan.
- 14.52 A CIL informative note has been added.

Flooding

- 14.53 The site lies within an area that is at high risk of groundwater emergence, as the groundwater levels are close to the ground's surface.
- 14.54 Neighbourhood Plan policy 2 also encourages that local design principles are demonstrated, which may include sustainable drainage systems (SUDS) where they are appropriate.
- 14.55 The Parish Council and third parties have raised objections concerning flooding on site as surrounding sites already suffer from flooding, and that there are inadequate arrangements for the disposal of stormwater from the proposed development.

- 14.56 A surface water drainage strategy has been submitted and revised during the assessment of the application, detailing maintenance & management of flood risk.
- 14.57 Additional information received on 19/01/2024, includes a statement from a Solicitor (at Appendix H) which provides evidence that the '*client has easement rights to carry out any necessary repairs or replacement within their title deed*' and also confirmed that following the drainage survey (carried out June 2023) the trajectory of the existing pipe has a discharge direction towards the watercourse.
- 14.58 The revised submission included an amended version of Drainage Strategy drawing ref: 9566-102 (revision PL2), to accompany the revised Drainage Report.
- 14.59 Therefore, subject to a drainage condition (Condition 17) securing the maintenance and the management of flood risk on the site, the development is in accordance with local policy E4 (Assessing floor risk) and E5 (Sustainable drainage systems), and policies within section 14 of the NPPF.

Affordable Housing Contribution

- 14.60 Third party objections have been raised stating that the proposed new homes are not affordable to young people within the village and the homes are not 'affordable housing.'
- 14.61 The submitted application confirms that the proposed new dwellings are to be market housing. To accord with policy H11 (Affordable Housing), an affordable housing contribution is required for the proposed development. The applicants have confirmed that they will enter into a legal agreement to secure the necessary affordable housing commuted sum of £228,000.

Other Matters

Construction Management and Foundation Construction:

- 14.62 Third party objections were received which included requests for a Construction Management Plan to be submitted and a further request that neighbouring occupants should be notified if piling foundations are used.
- 14.63 Given the cul-de-sac location it would be reasonable and necessary to require a Construction Management Plan on any approval by condition. (Condition 6).
- 14.64 However, with regards to the type of foundations, in the event that this application granted permission, the type of foundations used is a matter which lies outside the scope of the planning system.

Site Boundaries:

- 14.65 Third party objections have advised that the brick pillars on the boundary belonging to Fairview Residents association should not be altered as a result of the development. The proposal doesn't identify any changes to these pillars, but if changes are proposed in the future permission would need to be sought from the landowner which is a civil matter.

Waste Collection

- 14.66 Whilst the matter of waste collection has been raised in objections by the Parish Council, Ward members & third parties, a bin collection point has been included in the amended site plan drawing to aid collection of refuse on collection days.
- 14.67 Matters of access have been considered by the Highways Officer, who has no objection to the proposals, subject to conditions. (Conditions 13, 14, 15 and 16).

Impact upon the Neighbouring Smallholding

- 14.68 A third party has raised concerns that the development would have a harmful impact upon the smallholding located outside of the site to east, and that future residents of the new house may complain about noise from animals, resulting in a negative impact upon the livelihood of the neighbour.
- 14.69 The application site is already in residential use which, if permission is granted, would intensify. Those living in close proximity to agricultural land should reasonably expect noise and smells from agricultural operations. Any future applications for agricultural development would need to take account of neighbours but this is not a reason to prevent development within the identified settlement.

Site Ownership & Application Form:

- 14.70 Third party concerns raised consider that notice was not given to the Fairview Residents Association, with regards to Certificate B on the submitted Application Form.
- 14.71 However, the Agent has submitted evidence that notice was served on the parties mentioned in Certificate B by posting the notice to the neighbours during August 2022 and also January 2025.
- 14.72 Concerns were raised within third party objections that the dotted blue line showing the neighbouring house (Long View) is inaccurate, that the distance of 15 minutes from the nearest amenities stated in the Design and Access Statement is incorrect and that the finished floor levels are not provided on the submitted drawings.
- 14.73 The dotted blue line on the submitted Indicative Site Sections drawing appears to follow the outline on the latest planning permission granted at Long View (which is the neighbouring property to the rear/south of the application site).
- 14.74 From a Google Maps search, the distance to the nearest grocery store is approximately 15 minutes' walk from the site.
- 14.75 With regards to finished floor levels, it is considered appropriate in this case that a condition is added. (Condition 7).

Foul Drainage:

- 14.76 A Ward Member has raised concerns the large dwellings will increase the sewage amount into the already overstretched Bulbury sewage storage & treatment plant.

14.77 Statutory undertakers are required to provide for new development so this is not a matter that would prevent planning permission being granted.

Electrical and Telephone Cables:

14.78 A third party comment received raised concerns that the access to overhead electricity and telephone cables can only be accessed via land of a neighbouring property. This would be a civil matter and is not a material consideration within this planning application.

Climate Change

14.79 The Parish Council's objection set out that should the application be granted permission, that they would expect the development to include anticipated net carbon contribution, the use of high efficiently insulation, heat pumps and electric vehicle charging points.

14.80 The Ward members also raised objection to the proposal lacking consideration of solar gain or natural ventilation.

14.81 These concerns are acknowledged, and an informative note has been added.

15.0 Conclusion

This application, which will secure new dwellings in a sustainable location within Lytchett Matravers, is judged to accord with the development plan as a whole.

There are no adverse impacts that would significantly and demonstrably outweigh the benefits of the contribution that the scheme affords to local housing supply.

Proposed pre-commencement conditions have been agreed by the planning agent.

16.0 Recommendation

Either:

A) Delegate authority to the Service Manager for Development Management and Enforcement and Development Management Area Manager East to grant planning permission subject to the completion of a legal agreement under section 106 of the town and country planning act 1990 (as amended) to secure a 20% affordable housing contribution in accordance with Policy H12 of the Purbeck Local Plan 2018-2034, and 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).

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

9556/200 A Location & Block Plans

9556/201 A Proposed Plans & Elevations Unit 1

9556/202 A Proposed Plans & Elevations Unit 2

9556/203 A Proposed Plans & Elevations Unit 3

9556/204 A Proposed Plans & Elevations Unit 4

9556/205 A Proposed Plans & Elevations Unit 5

9556/206 A Proposed Plans & Elevations Unit 6

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

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

4. Other than for the erection of tree protection, before any equipment, materials or machinery are brought onto the site, a pre-commencement site meeting between the Tree Officer, Arboricultural Consultant and Site Manager shall take place to confirm the methods of protecting trees on and adjacent to the site during development in accordance with the Arboricultural Method Statement within Appendix B of the Arboricultural Impact Assessment ref: 326/AIA/2 (produced by Richard Nicolson, dated 08/11/2022) and the Tree Protection Plan ref: RNapc/326/TPP/2 (produced by Richard Nicolson, dated 11/08/2022). The approved tree protection shall be positioned as shown on the Tree Protection Plan, ref: RNapc/326/TPP/2 before any equipment, materials or machinery are brought onto the site for the purposes of the development. The tree protection shall be retained until the development is completed and nothing shall be placed within the fencing, nor shall any ground levels be altered or excavations made without the written consent of the Local Planning Authority.

Reason: This meeting is required prior to commencement of development in the interests of tree protection and to accord with Policies HE2 and HE3 of the Core Strategy.

5. Prior to the commencement of any development hereby approved, above damp course level, details of all proposed means of enclosure, boundary walls and fences to the site, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be implemented in full accordance with the approved details.

Reason: In the interests of the amenities of the area.

6. Before the development hereby approved commences, a Construction Method Statement (CMS) must be submitted to and approved in writing by the Planning Authority. The CMS must include:
- (a) the parking of vehicles of site operatives and visitors,
 - (b) loading and unloading of plant and materials,
 - (c) storage of plant and materials used in constructing the development, and
 - (d) delivery and construction working hours.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason: To minimise the likely impact of construction traffic on the surrounding highway network and to avoid harmful impacts upon neighbouring amenity.

7. Prior to commencement of development, details of the finished floor levels of the dwellings hereby approved shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter, the agreed finished floor levels shall be constructed as approved.

Reason: To ensure that the finished floor levels of the dwellings are sufficient to avoid risk of flooding and are appropriate within the topography of the site.

8. No development shall commence until the necessary nutrient mitigation credits to mitigate the impacts of the development on the Poole Harbour Special Protection Area (SPA) and Ramsar have been secured from an accredited nutrient provider 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.

9. Notwithstanding the submitted landscaping details, no development above damp course level shall be carried out until a detailed Landscaping Scheme (to include how the vegetation to the north of the proposed access will be maintained and by whom) has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full during the planting season November - March following commencement of the development or within a timescale to be agreed in writing with the Local Planning Authority. The scheme shall include provision for the maintenance and replacement as necessary of the trees and shrubs for a period of not less than 5 years.

Reason: In the interest of visual amenity.

10. Prior to first occupation of the hereby approved development, the first floor windows and roof lights in the side elevations of the dwellings at plots 1, 2, 5 and 6 shall, shall be obscure glazed to a minimum industry standard privacy

level 5 or equivalent and fixed closed up to a height of 1.7 metres above the floor level of the rooms served with any opening parts more than 1.7 metres above the floor of the room in which the windows are installed; and these windows shall be retained as such thereafter.

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

11. Prior to first occupation of the hereby approved development, a 1.8 metre privacy screen shall be installed to the full length of the side elevations of the first floor balconies to the dwellings at Plots 5 and 6, and shall be retained thereafter.

Reason: To preserve the privacy of occupants of the adjoining properties.

12. The detailed biodiversity mitigation, compensation and enhancement/net gain strategy set out within the approved Biodiversity certified by the Dorset Council Natural Environment Team on 14/12/2022 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.

13. Before the development is occupied or utilised, the first 10 metres of the vehicle access, measured from the rear edge of the highway (excluding the vehicle crossing - see the Informative Note below), must be laid out and constructed to a specification submitted to and approved in writing by the Local Planning Authority.

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

14. Before the development hereby approved is occupied, the turning/manoeuvring and parking shown on Drawing Number 9556/200 A must have been constructed. Thereafter, these areas, must be permanently maintained, kept free from obstruction and available for the purposes specified.

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

15. Before the development hereby approved is occupied, the visibility splay areas as shown on the submitted plans must be cleared/excavated to a level not exceeding 0.6 metres above the relative level of the adjacent carriageway. The splay areas must thereafter be maintained and kept free from all obstructions.

Reason: To ensure that a vehicle can see or be seen when exiting the access.

16. The development hereby permitted must not be occupied or utilised until the precise technical details of the electric vehicle charging points and parking bays shown on Drawing Number 9556/200 A are submitted to the Planning Authority. These details require approval to be obtained in writing from the Planning Authority. The approved scheme must be constructed before the development is occupied or utilised and, thereafter, must be maintained, kept free from obstruction and available for the purpose specified.

Reason: To ensure the proper construction of the parking facilities and to encourage the use of plugin and ultra-low emission vehicles.

17. The surface water drainage scheme shall be implemented as detailed within the following approved surface water drainage documents, before the development is completed. Thereafter, the approved surface water drainage scheme shall be maintained.

101 revision PL1 Drainage Strategy Sheet 1 of 2 (dated 21/11/2023)

102 revision PL2 Drainage Strategy Sheet 2 of 2 (dated 18/01/2024)

Proposed Drainage Strategy within Sections 5 and also Section 6 (Summary and Conclusions) within the Foul and Surface Water Drainage Report ref: C2667 revision P2 (dated 18/01/2024)

Maintenance Schedule within Appendix G of the Foul and Surface Water Drainage Report ref: C2667 revision P2 (dated 18/01/2024)

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

18. Details of measures to limit the potential consumption of wholesome water use by persons occupying the new dwelling to 100 litres per person per day as measured in accordance with regulation 36 of the Approved Document for Part G2 of the Building Regulations 2010 (or any equivalent regulation revoking and/or re-enacting that Statutory Instrument) shall be submitted to and approved by the Local Planning Authority before the dwelling is occupied. The submitted details shall include a water consumption calculation for the dwelling in accordance with the Approved Documents referred to above.

The approved measures shall be implemented and maintained to the satisfaction of the Local Planning Authority thereafter.

Reason: To secure nutrient neutrality through effective mitigation in the interests of protected Habitat Sites.

19. There must be no gates hung so as to form obstruction to the vehicular access serving the site.

Reason: To ensure the free and easy movement of vehicles through the access and to prevent any likely interruption to the free flow of traffic on the adjacent public highway.

20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any subsequent re-enactment thereof: no extension to the dwellings, nor any garages or car ports shall be erected without express planning permission first being obtained.

Reason: In the interests of controlling matters which may be detrimental to the original visual concept and the balance of private space provision within this development.

21. 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 side or rear elevations of the dwellings hereby approved.

Reason: To protect the amenity of neighbouring properties.

22. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) (with or without modification) no enlargement(s) or alterations to the dwellinghouses hereby approved under permitted by Classes A, AA, B and/or C of Part 1, Schedule 2 of the 2015 Order, shall be erected or constructed.

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

Informative Notes:

1. Informative Note: Dorset Highways

The vehicle crossing serving this proposal (that is, the area of highway land between the nearside carriageway edge and the site's road boundary) must be constructed to the specification of the Highway Authority in order to comply with Section 184 of the Highways Act 1980. The applicant should contact Dorset Highways by telephone at 01305 221020, by email at dorsethighways@dorsetcouncil.gov.uk, or in writing at Dorset Highways, Dorset Council, County Hall, Dorchester, DT1 1XJ, before the commencement of any works on or adjacent to the public highway.

2. Informative: National Planning Policy Framework Statement

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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.

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. 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.
5. Please check that any plans approved under the building regulations match the plans approved in this planning permission or listed building consent. Do not start work until revisions are secured to either of the two approvals to ensure that the development has the required planning permission or listed building consent.
6. The applicant is encouraged to utilise opportunities to introduce solar gain or natural ventilation systems to the dwellings.
7. The net gain biodiversity measures required by condition 12 should accord with best practice guidance published on the Council's website
[https://www.dorsetcouncil.gov.uk/w/species-and-habitat-advice-notes-and-guidance-sheets?p | back url=%2Fsearch%3Fq%3Dspecies%2Band%2Badvice%2Bsheets](https://www.dorsetcouncil.gov.uk/w/species-and-habitat-advice-notes-and-guidance-sheets?p%20back_url=%2Fsearch%3Fq%3Dspecies%2Band%2Badvice%2Bsheets)

Or B) Refuse for the following reason if the legal agreement is not completed within 6 months of the resolution to grant (or reasonable time frame agreed by

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the Service Manager for Development Management and Enforcement and/or Development Management Area Manager East).

1. The application is contrary to Policy H12 of the Purbeck Local Plan 2018-2034 as there is no mechanism in place to secure the affordable housing contribution and it has not been demonstrated that affordable housing provision would make the development unviable.