

PLANNING COMMITTEE



Application Address	20 Chewton Farm Road Christchurch BH23 5QN
Proposal	Demolition of existing dwelling and erection of 14 apartments with underground parking
Application Number	8/20/0752/OUT
Applicant	Fortitudo Ltd
Agent	Chapman Lily Planning Ltd
Date Application Valid	24 September 2020
Decision Due Date	24 December 2020
Extension of Time Date (if applicable)	
Ward	Highcliffe & Walkford
Report status	Public
Meeting date	17 December 2020
Recommendation	Approve subject to conditions and Unilateral Undertaking
Reason for Referral to Planning Committee	Number of objections has exceeded the 20 letter trigger
Case Officer	Sophie Mawdsley

Description of Development

1. The application seeks outline permission for the demolition of the existing dwelling and the erection of a 3 storey building to accommodate 14 x 1 and 2 bed apartments with underground parking for 15 vehicles.
2. It is an outline application with approval sought for access, appearance, layout and scale at the outline stage. Landscaping is the only reserved matter.

3. The previous two applications on the site raised concerns with the impact of the development on the visual amenities and character and appearance of the locality. This current proposal is a response to the previous concerns raised, specifically in relation to the level of hardstanding and parking at the front of the site.
4. The gables on the front elevation measure 10.9m in height with the central ridge measuring 10m. The eaves on the side of the building measure 6.9m in height. The lower section at the rear has a ridge height of 9.5m.

Key Issues

5. The main considerations involved with this application are:
 - Principle of the development
 - Type and size of housing
 - Design, form, scale and layout
 - Impact on residential amenities
 - Access and highway arrangements
 - Impact on the trees and landscape
 - Biodiversity and Heathland mitigation
 - Surface water drainage

Planning Policies

Development Plan:

6. Christchurch and East Dorset Core Strategy 2014
 - KS1: Presumption in favour of sustainable development
 - KS2: Settlement Hierarchy
 - KS4: Housing Provision
 - KS11: Transport and Development
 - KS12: Parking Provision
 - HE2: Design of New Development
 - HE3: Landscape Quality
 - LN1: Size and type of new dwellings
 - LN2: Design, Layout and Density of New Housing Development
 - ME1: Safeguarding Biodiversity and Geodiversity
 - ME2: Protection of Dorset Heathlands
 - ME3: Sustainable Development Standards for New Development

Christchurch Borough Council Local Plan (2001) – Saved Policies

H9: Chewton Farm Estate

H12: Residential Infill

Supplementary Planning Documents:

- Dorset Heathlands Planning Framework SPD 2020
- Christchurch Borough-wide Character Assessment (2003)

The National Planning Policy Framework (2019)

7. 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. The relevant sections are;

Section 2 Achieving sustainable development

Section 5 Delivering a sufficient supply of homes

Section 12 Achieving well-designed places

Section 15 Conserving and enhancing the natural environment

Relevant Planning Applications and Appeals

8/20/0189 - Demolition of existing dwelling and erection of 14 apartments. Non-determination Appeal. Withdrawn.

An Appeal Statement was submitted by the Local Planning Authority recommending the application be refused due to the impact of the development on the character and appearance and visual amenities of the locality, contrary to policy HE2 and saved policy H9.

8/20/0691 - Demolition of existing dwelling and erection of 14 apartments. Withdrawn

Representations

8. 81 Objections have been received to the proposal on the following grounds;

- Incongruous development
- Flats out of character on Chewton Estate
- Cramming form of development and urbanisation
- Do not need more flats
- Increase traffic and parking on the road
- Chewton Farm Road unable to cope with additional vehicles

- Visually harm semi-rural road
- Excavation for underground parking result in noise and disturbance
- No footpaths and poorly lit on Chewton Farm Road
- Ruin ambience of area
- Overdevelopment and overbearing
- Building taller than others on road
- Visually intrusive and incompatible
- Highway safety issues on local roads, pedestrians and cyclists at danger
- Minimal change from 2 previous applications
- Underground parking does not solve problems with proposal
- No provision for visitors, deliveries and trades people
- Area is for family homes and gardens
- Loss of trees and open space
- Overlooking and loss of privacy
- Loss of light
- Impact the overall living environment
- Bulk and position of building inappropriate
- Underground parking increases scale and bulk of building
- Removal of soil cause flooding
- Contrary to policies HE2 and H9
- Wildlife rich area
- Decline in wildlife in area and within gardens
- Road has a 7.5 tonne limit so road will require re-surfacing
- Loss of existing beautiful bungalow
- Set a precedent
- In breach of covenants
- Threat to security of local residents
- Carbon footprint greatly increased
- Plans misleading
- Technical issues with the ramp and underground parking

- Mechanical ventilation to underground parking cause harm to neighbouring occupiers
- No benefits to wider community or local services
- Proposal does not address housing needs
- Policy H9 not related to housing supply

9. 21 representations of support have been received on the following grounds;

- Support redevelopment of brownfield sites
- Contribution towards housing targets
- Makes efficient use of land
- Energy efficiency and environmental benefits

Consultations

- **Natural England** - None received
- **BCP Trees & Landscaping**

10. The prominent trees on site are Oaks (T001+T003+T004), as per the submitted Tree Report ref: Chewton Farm Road 20 0281911/4, dated 25/09/20 and acknowledged in the Tree and Landscape Officer's comments dated 10/07 and 09/10/20. The proposed apartments and underground parking will be sited outside the root protection area of these trees and set back from them, not to cause future conflict with the built-form and established trees.

11. The removal of Oak (T002) due to its declining health provides an opportunity to plant new trees. The Officer agrees with the Report's suggested planting of one English Oak and one Sweet Chestnut and recommends that these are planted at the front of the site. This will enhance the sylvan character along Chewton Farm Road.

- **BCP Highways**

12. Chewton Farm Road is a traffic calmed street on the edge of Walkford and appears to be a popular alternative route between Highcliffe and New Milton. There are currently no footways along Chewton Farm Road, instead grassed verges line the road.

13. The proposed access includes the widening of the existing access on Chewton Farm Road. Visibility appears to be suitable for both vehicle – pedestrian visibility (with 2m x 2m visibility provided) and for vehicular visibility splays.

14. The development proposes 15 allocated car parking spaces under the main building and three visitor bays at ground level. The Christchurch parking standards indicate this is a "suburban" area. The parking bays under the

building appear to be on an allocated basis. A visitor requirement of three spaces is provided for as part of the proposals. Consequently, the scheme accords with the parking standards.

15. Parking bays provided are 2.6m x 5m, meeting the required guidelines considered to be acceptable by the Highway Authority (BCP Council). For end of aisle bays additional overhang room has been provided to allow for ease of exit and ensure the bays are used. A 6m aisle width has been provided enabling sufficient turning and manoeuvring spaces for vehicles entering and exiting the parking spaces. Sufficient appropriate transition ramps are included along between the underground parking area and ground level.
 16. 12 cycle parking spaces have been provided in line with the minimum cycle parking standards, albeit located at the rear of the site. Cycle parking should be located in a convenient position to encourage uptake of cycling within the proposed development. The cycle store could be integrated below the main building if the basement was enlarged slightly to accommodate it thereby reducing the amount of hard landscaping.
 17. Within the current proposals, the path to the cycle storage is long (~25m) with a 1.5m wide path. A hinged door system is provided. An enlarged waiting area to the front of the cycle store has been included to ease use of the store. A staircase into the basement is provided immediately adjacent the cycle store. A solitary Sheffield stand has been provided close to the entrance for visitor parking.
 18. A purpose-built bin store is proposed on the north boundary, approximately 11m from the site entrance. This exceeds the council's collection maximum pull distance policy. The bin store should be relocated closer to the site entrance if on street collection is to proceed, alternatively swept path analysis should be provided to confirm that a private contractor refuse vehicle can enter and exit the site in forward gear with sufficient manoeuvring space. Alternatively, a condition requiring private collection would be satisfactory.
- **BCP Lead Flood Authority**
19. As this is for the erection of 14 apartments it is classed as a major development and therefore needs to comply with Department for Environment, Food and Rural Affairs, Sustainable Drainage Systems - Non-statutory technical standards for sustainable drainage systems dated March 2015.
 20. The application form states that surface water will be disposed of to a soakaway which is fine (although it is slightly concerning that it is unknown what they intend to do with the foul sewage).
 21. Plan 100(version G) shows "something" out the front simply referred to as a "Suds system design TBC by specialist engineer" which is not very helpful BUT it does show that there is room to get a soakaway in that would comply with the

Building regulations. However the Drainage Strategy now includes the site investigation report which has identified actual soil infiltration rates on which to base an outline design and as such I am satisfied that a SuDs system can be provided.

22. I have no objections to this application from flooding / drainage point of view but I would ask that our normal SuDs condition is included in any approval because we should see/approve the final detail but it shouldn't be a problem.

23. Looking at the various data sources I would agree with the Drainage Strategy statement that there is not any significant flood risk. (See section 7.1 of the Planning, Design and Access Statement Incorporating an Energy Statement.)

- **BCP Waste and Recycling**

24. The orientation of the bins on plan fails to meet our guidelines, also the internal height and door width unless the design allows two complete segments to slide open simultaneously. The bin pull distance exceeds our 10m guideline. The application fails to meet the requirements of the WCA, however with an RMP detailing either a private collection service or for council collections with a suitable presentation point created and caretaker presentation and return to store conditioned in a grant of planning permission: No objection

Constraints

- SSSI Impact Risk Zone
- Highways Inspected Network
- Green Belt (adjacent)
- Airport Safeguarding
- Wessex Water Sewer Flooding
- Dorset Minerals Consultation Area - 49.96m
- Tree Preservation Order

Planning Assessment

Site and Surroundings

25. The site is currently occupied by a large detached characterful bungalow set within a large verdant plot on the northern side of Chewton Farm Road. The property is set at an angle to the front boundary and forward of the adjacent property at No 16.

26. The locality has a sylvan character site and there are substantial trees within the plots and in particular along the frontages of sites providing a mature spacious suburban character. The site is covered by a Tree Preservation Order (2020 No7). The most notable trees on the site are the three English Oaks; T001 is

located on the north-east corner and T003 and T004 positioned on the front corner of the site and on the south western boundary.

27. Chewton Farm Road is characterised by individual detached properties set within substantial sylvan gardens and with deep frontages. Saved policy H9 of the Christchurch Borough Council Local Plan (2001) has identified this immediate area as having a special character worthy of protecting. To the rear of the site Avenue Road is characterised by a much more typical suburban layout with a more uniform and higher density of properties. The southern side of Avenue Road (backing onto Chewton Farm Road) also lies within the H9 policy area, the northern side does not, although there is no apparent difference in the character in the two sides of Avenue Road.
28. The adopted Christchurch Borough-wide Character Assessment (2003) identifies the site within the NC Area 5c : Chewton Common – Walkford area and states;
- ‘The lines of Ringwood Road and Chewton Common Road represent some of the original routes through the area. Individual cottages front onto the roads giving occasional hints of the earlier development pattern. Individual detached houses front onto the Ringwood Road and Chewton Farm Road again reflecting the pre-estate housing. A small estate of large houses known as Chewton Farm Estate is characterised by more generous garden plots, and a small scale private roadway.’

Principle of development

29. There is a presumption in favour of sustainable development within the NPPF. Paragraph 11 of the NPPF states that where policies which are most important for determining the application are out of date, planning permission must be granted unless policies in the Framework provide a clear reason for refusing the development proposals. Following the publication of the Housing Delivery Test in February 2019, the Council cannot currently demonstrate a five year land supply with a 20% buffer applied. In high level terms, the Housing Delivery Test compares the net homes delivered over three years to the homes that should have been built over the same period (the housing requirement).
30. The ‘5 Year Housing Land Supply’ document has been updated in 2020 and now only considers the housing supply in the former Christchurch Borough Council area of the adopted Core Strategy (2014). The document confirms that in the next five years of the plan period, the housing supply is 1,668 set against a target of 2,094. This results in a shortfall of 426 dwellings over the Core Strategy target which includes a 20% buffer and the previous shortfall of the Core Strategy target. This equates to a 5 year supply of **3.98 years**.
31. It is recognised that as the site is not designated or relates to any of the policies as set out in footnote 6 of paragraph 11 of the NPPF (2019), the presumption in favour of sustainable development is engaged and the tilted balance applies to the scheme;

For **decision-taking** this means:

(c) Approving development proposals that accord with an up-to-date development plan without delay; or

(d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date ⁷, granting permission unless:

(i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed ⁸; or

(ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

32. NPPF Section 11 is clear that planning should make effective use of land. Paragraph 117 sets out that planning decisions should promote an effective use of land in meeting the need for homes. Paragraph 122 sets out that planning decisions should support development that makes efficient use of land, taking into account the availability of land suitable for accommodating it. The application of the tilted balance affects the weight which the Local Planning Authority can apply to policies such as H9 as such policies are out-of-date when applying the guidance in para.11.

Type and size of properties

33. Policy LN1 refers to the type and size of units. The Strategic Housing Assessment (SHMA 2015) states that 2 and 3 bedroom houses are what is mostly required in the Christchurch area (see Appendix C). The provision of 1 x 1 bed and 13 x 2 bed flats is not considered to technically meet this need. However, given the current housing land supply issues, the provision of 13 relatively spacious two bed units with parking is considered to be acceptable and there is not sufficient justification for refusing the application on based on this ground.
34. The policy also refers to the Housing Quality Indicators. Whilst these have been overtaken by the National Space Standards, they are still referred to in the adopted Local Plan and therefore are a material consideration. The proposed two bed units (4 bedspace) range between 67sqm and 83sqm and the one bed (2 bedspace) flat measures 55sqm. The HQI for Unit Size suggests that for a 4 bedspace unit (2 double bedrooms), the internal space should be between 67sqm and 75sqm and the internal space for a two bedspace (1 double bedroom) unit must be between 45 – 50sqm. Therefore, the proposal is considered to meet the HQI for Unit Sizes and complies with this aspect of Policy LN1.

Affordable Housing

35. Policy LN3 of the Local Plan stipulates that 40% of the units on site should be affordable or a financial contribution in lieu of on-site provision may be acceptable. However, a viability assessment was submitted with the planning application. On the previous application 8/20/0189 the assessment was independently assessed by the Valuation Office Agency and it was concluded there was no viability to provide an affordable housing contribution. This current application, with the inclusion of the underground parking which is an additional cost, is also considered to be unviable by the applicants to provide any affordable housing on site or a contribution to it off site.
36. Given the previous conclusions of the DVS and the subsequent assessment, it is the opinion of the Officers that this proposal is also unviable. Whilst it is regrettable no affordable housing provision is being secured, it has been accepted by the Council in light of policy LN3 and the NPPF which take account of viability issues.

Design, form and layout

37. Core Strategy (CS) Policy LN2 requires that the design and layout of new housing development should maximise the density of development but this is to be to a level which is acceptable for the locality. CS Policy HE2 complements the design requirements in section 7 of the NPPF by requiring that development be compatible with or improve its surroundings in relation to 11 criteria including layout, site coverage, visual impact and relationship to nearby properties.
38. Since the previous scheme, the siting of the building has remained the same; however there have been revisions to the front of the site and in particular the provision of the majority of the car parking at lower ground level under the building. This has enabled the front of the site to be more open with an increased level of soft landscaping and a reduced number of vehicles visible. The spacious character at the front of the site would be retained and it would no longer be dominated by hard surfacing. The intensification of residential use on the site would not be so apparent given the minimal parking visible in the street.
39. Policy H9 refers to Chewton Farm Road and the pre-ambles states that this area is worthy of protection and is at risk from infill development due to the potential loss of substantial residential properties in large plots providing large family accommodation which the Plan states is not in abundance throughout the remainder of the Plan area. The policy states development including one or more gardens should not be permitted where it adversely affects the special character and amenity of the established residential area.
40. It is recognised that this policy is nearly 20 years old; however the Core Strategy policy HE2 refers to development being of a high quality, reflecting and enhancing areas of recognised local distinctiveness. Having regard to the policy context and the concerns raised with the previous scheme, it is considered that the current application offers a more sensitive form of development and has responded to objections on the loss of spaciousness at the front of the site and

the extent of parking which would be visible from the street, emphasising the level of accommodation on the site. On balance it is no longer considered that the scheme is contrary to policies H9 and HE2.

41. The design and scale of the building is considered appropriate for the size of the plot and the scale of properties along Chewton Farm Road. The overall ridge height and eaves height respects the heights of the residential properties along the street. It is clearly recognised that the new building is significantly bigger than the existing dormer bungalow on the site; however the plot is large enough to accommodate the new building and there are sufficient separation distances between the proposed building, the boundaries and neighbouring buildings to retain the spacious character of the area. The building steps in towards the rear and has a lower ridge height, reducing the bulk and mass of built form within the rear part of the site. The scheme retains key trees and thereby the characteristic soft frontages of properties within Chewton Farm Road.
42. The design and appearance of the building is also appropriate for this sylvan setting. The gables on the front elevations with the bay windows provide interest and articulation. The originally proposed front dormer windows have been removed which simplifies the roof form and prevents the building looking top heavy. The proposed materials of brick, render, tile hanging and slate roof are traditional in nature and suitable for this location. It is considered the design of the building is compatible with the surroundings.
43. The scheme is considered to comply with the test in Policy HE2 to be compatible with or improve its surroundings in its layout; site coverage; architectural style; scale; bulk; height; materials and visual impact.

Residential Amenities

44. The existing building is set forward on the plot compared to No 16 Chewton Farm Road which is a two storey property to the south west of the application property. The proposed replacement building will maintain this forward position but sit square on the plot and parallel to the road. This would mean the south elevation adjacent to the boundary with No 16 would be highly visible from the adjacent plot and is of a greater scale than the existing dwelling. A number of category C trees would be removed along this boundary so it would open up the views between the plots. The new building would be sited 5 metres from the side boundary. No 16 has a wide plot and deep frontage and as such it is not considered the new building would appear overly intrusive or dominant to warrant refusing the proposal on this new built relationship.
45. There are a number of windows proposed for the south west elevation at ground, first and second floor level to serve bedrooms and bathrooms. These would afford views towards the front of No 16 and their parking area. The sidewall of the garage at No. 16 adjoins the side boundary with the application site. There are two first floor windows above the garage but no windows on the side elevation. The main large windows serving the living spaces of the

proposed flats all face the front or rear of the site. It is therefore considered the development has minimised the impact on the occupiers of No 16 from any potential overlooking or loss of privacy.

46. With regards to No 22, this is a two and half storey property positioned to the north of the application site which has a single storey garage closest to the boundary with the application site. The proposed building lies 4 metres off the boundary but does not project forwards of the front building line of No 22. The proposed building does project further to the rear; however it is stepped in and No 22 is angled away from the side boundary increasing the space between the buildings towards the rear.
47. There is a first floor window on the side elevation of No 22 and proposed bedroom and bathroom windows on the north east elevation of the proposed development. There is approximately 14 metres between the side of the new building and the side of No 22 (excluding the single storey garage). Given the angle and the siting of No 22, the relationship between the windows is considered to be acceptable and would not give rise to overlooking for existing occupiers of No 22 or future occupiers of the flats.
48. The properties to the rear of the site lie within Avenue Road. These properties have long rear gardens. The proposed building is positioned 13.4 metres from the rear boundary and the back to back relationship is approximately 36 metres with No 10a Avenue Road. It is appreciated the new building, due to its 2½-storey scale and height of 9.5 metres (at rear) will be visible from the rear gardens at the rear and there are dormer windows and doors with Juliette balconies on the second floor. However, due to the separation distances, the scheme is considered to minimise any potential loss of privacy.
49. The proposed development will result in a higher level traffic movements to the site than the existing single dwelling. However, with the location of the parking within the basement, it is considered the impacts of these movements within the site would be minimised. The residential use, although of a higher density than existing is compatible within this residential area and it is an acceptable relationship for residential properties to adjoin one another. Due to the size of the building and number of openings, there would be increased light levels on the site. However, as it is for a domestic purpose and again with the parking underground this reduces the requirement for high levels of external lighting at the front of the site.
50. The proposed ramp along the northern boundary to access the parking will increase vehicle movements along this side adjacent to No 22. In order to minimise disturbance to the occupiers, acoustic fencing can be erected along part of this side boundary. This can be secured by condition.
51. It is considered that the proposal will not result in adverse impacts on the residential amenities of the neighbouring occupiers and the siting and design of the building has minimised the impact on the properties to either side of the

appeal site. The scheme is considered to comply with the test in Policy HE2 to be compatible in its relationship to nearby properties including minimising general disturbance to amenity.

Parking and Access arrangements

52. The Dorset Parking Guidelines suggest that 14 allocated spaces are needed along with 3 unallocated spaces and 3 visitor spaces are required. There are 15 spaces shown in the basement and 3 visitor surface parking spaces at the front of the site. This level of provision is considered to be sufficient. There is cycle parking for up to 12 bikes provided in the basement.
53. There are no footpaths along Chewton Farm Road, just grass verges and therefore there is minimal opportunity for safe pedestrian access onto the public highway and access to the facilities within Highcliffe and Walkford. BCP Highways have raised no objection to the level of parking provision and the plans have been updated to take account of the comments made with regards to the location of the cycle parking at basement level.
54. The representations have raised concerns and comments about the level of parking provision and the potential for overspill parking on Chewton Farm Road. Currently there is very minimal parking on the main highway due to the large parking areas within each plot. Objections have also been raised with regards to the layout and construction of the basement parking. BCP Highways have considered the plans and have considered the scheme is acceptable. There is a suggested condition to secure further technical details as part of the reserved matters application and further detailed plans and scrutiny would come under Building Regulation approval to ensure structural integrity of this basement level.
55. It is not considered that the development would result in severe impacts on the local highway network and as such would not be contrary to the NPPF. Furthermore, the level of parking is considered to be sufficient having regard to the current Dorset Parking Guidelines and also the draft BCP 'Parking Standards' SPD 2020 (not currently adopted).

Trees and Landscape

56. As stated above, there is a TPO on the site. The proposal does involve removing a number of category C trees, especially on the south western boundary. The loss of the western red cedar (T005), sycamore (T006), Monterey cypress (T007) and sycamore (T008) will open up the site and as such the development would be more visible as you approach the site from the west. The oak on the front boundary (T002) which is identified as having previous significant work and has poor re-growth will also be felled providing views directly into the front of the site. However, the 4 category A trees are remaining on site, including two English oaks in the front corners of the site will continue to provide the plot with its verdant character.

57. The BCP Tree and Landscape Officer is satisfied with the proposals and is content that the building and parking spaces can be constructed without harm to the trees to be retained with the protection as identified in the Arboricultural Impact and Method Statement and accompanying plans in place.
58. The rear amenity space would not be substantially overshadowed by the remaining trees and as such there would be an acceptable built relationship between the building, amenity areas and protected trees around the boundaries of the site.
59. Full details of the soft and hard landscaping and its management and maintenance will be provided within a reserved matters application. This will provide an opportunity to secure replacement trees within the site, especially on the south western boundary. Condition 9 secures two semi-mature trees to be planted on the site and their location will be agreed with the Local Planning Authority.

Biodiversity and Protected Heathland

60. The application site lies within 5km but beyond 400m of Dorset Heathland which is designated as a Site of Special Scientific Interest and as a European wildlife site. The proposal for net increase in residential units is, in combination with other plans and projects and in the absence of avoidance and mitigation measures, likely to have a significant effect on the site. It has therefore been necessary for the Council, as the appropriate authority, to undertake an appropriate assessment of the implications for the protected site, in view of the site's conservation objectives.
61. Natural England has advised that on a site that lies between 400m and 5km from the SSSIs, an appropriate assessment may reasonably conclude that there would not be an adverse cumulative impact on the integrity of the SSSIs. This is on the basis of the adopted Dorset Heathlands Planning Framework 2015 - 2020 which will provide mitigation against the impacts of new dwellings on the heathland. The Framework requires a financial contribution from the applicant to go towards funding the mitigation measures which are provision of a financial contribution to go towards Strategic Access Management and Monitoring (SAMM) of the SSSIs.
62. The applicant has submitted a draft Unilateral Undertaking to secure the SAMM contribution and once this is fully completed and signed the proposal will be acceptable in terms of its impact on protected heathlands and it would accord with Policy ME2 of the Core Strategy.
63. The planning application was accompanied by an Ecological Appraisal dated February 2020. The survey undertaken on the existing building and garden found evidence of a bat roost and following analysis it was determined Common Pipistrelle bats were using the building. The garden showed no evidence of being suitable habitats for protected species except for nesting birds. A

Mitigation and Enhancement Plan has been submitted and the following mitigation measures will be introduced into the scheme;

- Create crevice habitat on the new building with roost features to the west, south and east.
- Bird nesting opportunities on retained trees in the garden
- Bat tiles and bat tubes
- Sympathetic lighting scheme

64. However, further survey work is required prior to any demolition of the building including 2 additional bat activity surveys to establish the nature of the bat population and current use of the building by bats. This could affect whether a European Protected Species license is required. If an EPS license is required this could affect the proposed mitigation measures as currently set out. Natural England's Standing Advice states that planning condition can be used to provide additional or updated ecological surveys to make sure that the mitigation is still appropriate and this is particularly applicable for outline applications. The Ecologist who produced the BMEP for the applicants has stated they are confident that the scheme can fully provide adequate mitigation for the Pipistrelle bat species and they are of the opinion that no further mitigation beyond the provision of additional crevice roosts for bats is required which can be incorporated into the scheme. The BCP Biodiversity Officer has confirmed that this approach is acceptable.

65. The following enhancement measures are proposed in order to provide net gain on the site in line with the NPPF and policy ME1:

- Swift and sparrow terraces on new building
- Hedgehog gaps within new fencing

66. It is considered that with the additional bat surveys secured by a condition and an updated BMEP to be submitted and approved by the Local Planning Authority, the development is in compliance with policy ME1.

Drainage and surface water management

67. There is no indication of existing surface water flooding on the site and the site is within Flood Zone 1. The National Planning Policy Framework (NPPF), requires all major development proposals to take due consideration of surface water management and should offer a Drainage Strategy that does not create or exacerbate off site worsening and should mitigate flood risk to the site.

68. The application proposes to use permeable paving and to construct a soakaway to dispose of surface water. The Drainage Strategy considered that the redevelopment will not result in a detrimental impact upon existing run off rates and volumes discharged from the site and would provide a betterment over the existing drainage system. BCP Flooding and Coastal Erosion Risk

Management Team are satisfied with this proposal; however further detail would need to be secured by condition.

Summary

69. The proposal seeks development in a suburban sustainable area and makes a contribution to the housing land supply.
70. The development is not considered to harm the visual amenities of this sylvan and verdant locality and the impact on neighbouring properties has been minimised through the siting and design of the building.
71. The access and parking arrangements are considered to be acceptable and the biodiversity of the site will be protected and enhanced through the proposal and Heathland Mitigation will be secured through a legal agreement and CIL.

Planning Balance

72. In the absence of relevant up to date development plan policies, given the lack of a five year housing land supply, the balance is tilted in favour of sustainable development and granting planning permission except where the benefits are significantly and demonstrably outweighed by the adverse impacts or where specific policies in the NPPF provide a clear reason for refusal.
73. The council encourages sustainable development. This seeks to strike a balance between the economic benefit of the development, the environmental impacts that results from the loss of trees and potential impact on residential amenities and the character of the area, and the social benefits derived by the creation of much needed housing. In light of the worsening of the housing land supply and the number of units proposed in this application, significant weight is given to the provision of additional housing in a sustainable location. The scheme complies with the most recent Policy HE2 and the weight to be attached to the additional housing is considered to demonstrably outweigh any potential conflicts with Policy H9 in this instance.
74. It is clear there is a strong level of opposition to this development and these representations have been carefully considered before coming to a recommendation.
75. The proposed development, whilst it could be said not to be in technical compliance with policy LN1 and the Strategic Market Housing Assessment and it will change the character of the plot within this spacious and verdant locality (policies H9 and HE2), is still considered to be in accordance with the Development Plan as a whole and will provide a sustainable form of development making a contribution to the housing supply in the Christchurch area.

RECOMMENDATION

A) GRANT permission with the following conditions and completion of a Section 106 Agreement, which are subject to alteration/addition by the Head of Planning provided any alteration/addition does not go to the core of the decision.

B) If the section 106 legal agreement in recommendation A) above is not completed in accordance with the Heads of Terms the application shall be refused.

1. (a) Approval of the Landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

(b) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

(c) The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the Reserved Matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

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

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

100 K Amended Site Location, Block Plan and Plans Proposed

101 D Amended Proposed floor plans

102 F Amended Proposed Elevations

103 H Amended Proposed Bike and Bin store Plans Proposed Street Scene

105 D Proposed basement parking plan

RNnpc/028/TTP/Rev B Tree Protection Plan - demolition and construction

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

3. Notwithstanding the submitted plans, as part of the submission of Reserved Matters under Condition 1 of this planning permission, details regarding car park

layout, turning and underground parking access arrangements shall be submitted. Such details shall include access ramp, transition ramps, location of columns, parking bay position, aisle width specifications and turning arrangements.

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

4. As part of the submission of Reserved Matters under Condition 1 of this planning permission, details of an acoustic fence to be erected along the North West boundary adjacent to the proposed access ramp shall be submitted. Such details shall include appearance, length and height and soft landscaping to be planted in front of the fence.

Reason: To protect residential amenities.

5. Prior to commencement of development, a detailed Construction Management Plan shall be prepared and submitted for written approval of the Local Planning Authority in conjunction with the Local Highway Authority. The Construction Management Plan shall include safe access to the site for deliveries, loading and unloading of plant and materials and wheel cleansing of vehicles prior to egress from the site onto the public highway. The approved Construction Management Plan shall be implemented and complied with by the Applicant, or its successor, upon commencement of the development and the obligations within the Construction Management Plan shall be adhered to throughout the construction phase of the development.

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

6. Prior to commencement of development including any demolition, additional bat surveys must be undertaken in line with the BMEP dated February 2020 and a revised BMEP must be submitted to and approved in writing by the LPA prior to the commencement of works. The development shall be carried out in accordance with the approved details.

Reason: To ensure protected species are not harmed by the development and mitigation and enhancement measures are secured.

7. 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 and Landscape Case Officer 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 submitted Tree Report ref: Chewton Farm Road 20 0281911/4, dated 25/09/20 and Tree Protection Plan ref: RNapc/028/TTP/rev B, dated 18/09/20. The Tree Protection Plan 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.

8. Notwithstanding the details already submitted, full plans and particulars showing the final siting of the services and soakaways shall be submitted to the Local Planning Authority for written approval prior to commencement of works on site. The development shall be carried out in accordance with the approved details.

Reason: To ensure that protected trees, their rooting environments are afforded adequate physical protection during construction.

9. Prior to the commencement of development, the finalised surface water drainage strategy shall be submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall include appropriate arrangements for the discharge of surface water. The drainage scheme shall be completed in accordance with the approved details.

Reason: To ensure that the development does not increase the risk of surface water flooding on the site or on nearby sites.

10. Within the next available planting season (October to February) following the completion of the development, one English Oak (*Quercus robur*) and one Sweet Chestnut (*Castanea sativa*), semi mature in size (a single straight main trunk minimum 4.5m high, stem circumference 20-25cms, 70cms x 60cms rootball or containerised) shall be planted in positions to be submitted to and agreed in writing by the Local Planning Authority prior to their planting. Should the replacement trees be removed, die or become severely damaged such that its future development will be compromised, or diseased within 5 years of planting, it shall be replaced by a tree of a similar size and species to that originally planted.

Reason: In order to preserve the visual amenities which at present exist on the site.

11. Prior to any development above DCP (damp proof course), details and samples of all external facing and roofing materials shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved.

Reason: To ensure satisfactory visual relationship of the new development to the adjacent buildings.

12. The development hereby permitted shall not be occupied until a Refuse Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include: details of the management company

to be set up; the employment of a private contractor to collect the refuse; measures to be taken if no private contractor is available at any time in the future (such as the employment of a person or persons to ensure bins are wheeled to the collection point); and that bins will not be stored in the open or at the collection point apart from on the day of collection. The refuse management plan shall be carried out in accordance with the approved details, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development includes a long-term management plan for the collection of refuse in the interests of visual and residential amenities.

13. Before the development hereby approved is occupied or utilised the turning and parking shown on Drawing Number 9297/ 100 (rev K) 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.

14. Before the development hereby approved is occupied or utilised, the visibility splay areas as shown on Drawing Number 9297/ 100 (rev K) must be cleared/excavated to a level not exceeding 0.60 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.

15. Before the development is occupied or utilised, the cycle parking facilities shown on Drawing Number 9297/ 100 (rev K) must have been constructed. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper construction of the parking facilities and to encourage the use of sustainable transport modes.

Background Papers