

## PLANNING COMMITTEE



Application Address	20 Chewton Farm Road Christchurch BH23 5QN
Proposal	Demolition of existing dwelling and erection of 14 apartments with underground parking. Variation of Condition 2 (approved plans) of Planning Application 8/20/0752/OUT to make revisions to the design of the building.
Application Number	8/21/0331/CONDR
Applicant	Fortitudo Ltd
Agent	Mr Alan Davies
Date Application Valid	31 March 2021
Decision Due Date	30 June 2021
Extension of Time Date (if applicable)	26 <sup>th</sup> July 2021 (to be confirmed by applicant)
Ward	Highcliffe & Walkford
Report status	Public
Meeting date	22 <sup>nd</sup> July 2021
Recommendation	<b>Grant</b> subject to conditions which are subject to alteration/addition by the Head of Planning Services provided any alteration/addition does not go to the core of the decision.
Reason for Referral to Planning Committee	Number of objections and letters of support exceeds 20.
Case Officer	Sophie Mawdsley

### Description of Development

1. Demolition of existing dwelling and erection of 14 apartments with underground parking. Variation of Condition 2 (approved plans) of Planning Application 8/20/0752/OUT to make revisions to design of building.

2. This is a variation of condition application to vary the approved outline application. Approval is sought for access, appearance, layout and scale. Landscaping in the only reserved matter.
3. The proposed changes to the approved plans include;
  - Increase in depth of the building by 2m and 2.3m
  - Increase in width of the building at the rear by 2.6m on both sides (5.2 metres in total).
  - Increase in gross internal area from 1,690 sqm to 1,973sqm
  - Change to mix of dwellings to 1 x 1 bed, 11 x 2 bed and 2 x 3 bed flats
  - Alteration to parking and cycle layout in basement

### **Key Issues**

4. As this is a section 73 application it provides a different procedure from that applying to many of the applications for planning permission that come before committee as it requires consideration only of the conditions subject to which planning permission should be granted. However, in doing this, wider issues affecting the grant of permission need to be taken into account and the assessment made in the context of the development plan and other material considerations as the application results in a fresh permission. In this particular case, one material consideration is that fact that there exists a recently granted planning permission which represents a fallback position. Accordingly, the focus of this report will be on the proposed changes arising from the current application to that previously granted.
5. The report will cover the following areas;
  - Design, form, scale and layout
  - Impact on residential amenities
  - Access and parking arrangements
  - Impact on trees
  - Biodiversity and heathland mitigation

### **Planning Policies**

6. Development Plan:

#### **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 2020 – 2025
- Christchurch Borough-wide Character Assessment (2003)

### **The National Planning Policy Framework (2019)**

7. Having regard to the NPPF there is a presumption in favour of sustainable development. 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. 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. 8/21/0409/RM – Reserved Matters application for landscaping and conditions 3 and 4 in respect of 8/20/0752. Not yet determined.
9. 8/20/0752/OUT – Demolition of existing dwelling and erection of 14 apartments with underground parking. Approved at Planning Committee 11/02/2021.
10. 8/20/0189/OUT – Demolition of existing dwelling and erection of 14 apartments. Non-determination Appeal. Withdrawn.
11. 8/20/0691/OUT – Demolition of existing dwelling and erection of 14 apartments. Withdrawn.

## Representations

12. 53 Objections have been received to the proposal on the following grounds (in summary). The full responses can be viewed online;

- Dominate whole area and neighbouring plots
- Inappropriate increase of 17%
- Reduction in common garden area
- Insufficient parking for residents and visitors
- No cycle storage
- Chewton Farm Road is a narrow lane and used as a rat run- calming measures already on highway.
- Exacerbate dangerous levels of traffic and result in congestion
- Excavated material weight on a weight and width limited road
- Parking spaces not big enough for larger vehicles
- Loss of privacy and increased overlooking
- Overshadowing of neighbouring properties
- Contrary to policies H12 and H9
- H9 not out of date
- Recent application refused on Avenue Road under H9.
- Underground car park unworkable – support columns obstruct access to spaces; ramp too narrow, slope too steep
- Access ramp has a sharp bend at entrance to carpark
- No swept path analysis in basement parking
- Basement parking condition not addressed
- Removes subservient appearance of rear of the building
- Increased bulk and mass of building
- Out of character and out of proportion with other properties in street
- Monolithic block
- Erosion of rural feel of area and urbanises the road
- Loss of privacy and overlooking from increased number of windows and the size of the balconies and windows close to the boundaries.
- External stairs to basement are now next to boundary
- Mechanical ventilation system causes noise disturbance
- Set a precedent for similar developments along Chewton Farm Road

- Loss of fir trees on border with No 22
- Support letters not from local people
- Not small minor revisions to the approved plans
- Development should be dealt with as a full application
- No refuse management plan
- No affordable housing
- Housing need in Highcliffe and Christchurch area has already been met
- Development not providing type of housing required
- No need for more flats

13. 27 representations have been received in support of the proposal on the following grounds;

- Application has addressed insufficient parking
- Christchurch does not have a 5-year housing land supply
- Identified need for 3-bedroom properties
- Changes in flats and sizes increases the demographic spread and provides for a more diverse range of occupants
- Better use of land
- No changes to the street scene
- Reduced development on greenfield land. Effective use of brownfield land.
- Provides solution for future generations and to ensure town continues to thrive.

### **Consultations**

- **Natural England** - None received
- **Bournemouth Airport Safeguarding** - None received
- **Highcliffe & Walkford Parish Council** – Object to these amendments for the following reasons;
  - The scheme has added two three-bedroom units rather than reducing the development size.
  - This will likely have an adverse effect on parking spaces required. The parking is still a major issue and here will not be enough spaces if there are two car owners and parking on Chewton Farm Road is NOT acceptable.

- The design and layout of the parking arrangement are a cause for concern as the routing of the cars shown is not completely shown and the access ramp has a sharp bend into the entrance. Will fully qualified engineers examine this design for safety?
- The design has resulted in a large change to the scale mass of the proposed building. It replaces a building of 426 sq. metres by a building of 1973 Square metres and is larger than that approved. An increase in the number of windows overlooking the adjacent property and bedrooms have increased from 27 to 29.
- This application can hardly be described as a variation of a condition but rather a completely different building altogether from that passed by planning on 17<sup>th</sup> December, and as such should be the subject of a fresh planning application altogether.
- Concern that two larger fir trees with TPO were felled on 25/3/21. An explanation for this must be provided.

- **BCP Trees & Landscaping**

No change to comments made previously. No objection subject to conditions.

- **BCP Highways**

Since the 8/20/0752/OUT consent was granted the LPA has adopted a new BCP Parking Standards SPD in January 2021. The site is located within Zone D. Based on the number of habitable rooms a total of 16 parking spaces would be expected. The proposal includes 17 underground and a further 3 at surface level and so exceeds the SPD. The LPA might consider the slight overprovision acceptable, and the inclusion of visitor spaces beneficial to allow for servicing activity.

The proposed layout of the basement parking is acceptable with adequate aisle widths and sufficient turning space to meet with the LPA's Parking Standards SPD requirements. Details of the transition ramps are shown, and the proposed column positions appear satisfactory to prevent damage to vehicles or prevent the bays from being unusable again in line with the SPD.

It is noted that the LPA's Parking Standards SPD requires resident cycle parking to be on a per bed basis and so a total of 28 cycle spaces is provided within the basement. A total of 2 cycle spaces for visitors is also expected as the visitor element is 0.1 per unit and are shown adjacent the main entrance in line with the SPD.

- **BCP Lead Flood Authority**

Needs to be a SuDs condition because this is a major development.

- **BCP Waste and Recycling**

Drawing 9297/200 indicates that a private collection service will collect the waste from the development in accordance with **condition 12** of the grant. There is no refuse management plan available for inspection in the documents section. The waste collection authority will need to examine this document when it is made available.

### **Constraints**

- SSSI Impact Risk Zone - 0.00m
- Highways Inspected Network - 5.48m
- Green Belt - 0.00m
- Airport Safeguarding - 0.00m
- Wessex Water Sewer Flooding - 0.00m
- Dorset Minerals Consultation Area - 49.96m
- Tree Preservation Order - 0.00m

### **Planning Assessment**

#### **Site and Surroundings**

14. 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.
15. The locality has a sylvan character and there are substantial trees within the plots and in particular along the frontages of sites providing a mature spacious suburban character. The two oaks and sycamore on the boundaries between the site and adjacent plots at No 16 and No 22 are covered by a Tree Preservation Order. The most notable trees on the site are the three English Oaks; T1 is located on the north-east corner, T2 on the southern boundary and T9 on the front boundary.
16. 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 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.
17. 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 plots, and a small scale private roadway'.

### **Principle of development**

18. Planning permission has already been granted for 14 apartments on this site earlier this year. It was concluded that the development complied with the Development Plan as a whole and having regard to paragraph 11 and 11 d) of the NPPF, balance was tilted in favour of approving the development. This proposal does not increase the number of residential properties on the site and there has been no change in policy with regards to the current housing land supply which stands at 3.98 years.
19. The proposed changes to the footprint and size of the building; the mix of flats; and changes to the parking will be considered in the paragraphs below. However, the principle of the redevelopment of the site for a block of 14 flats on this site has been established.

### **Type and size of properties**

20. As identified in the previous application, the provision of 13 x 2-bed flats and 1 x 1-bed flat did not meet the area of greatest need in the Strategic Housing Market Assessment, given the evidence base identified in policy LN1 of the Local Plan and the lower requirements for flats (20%) compared to detached, semi-detached and terraced units. However, there is a greater need for 2- and 3-bed properties and the provision of 13 two-bed flats was considered acceptable given the housing need in the area. This proposal now proposes 1 x 1 bed unit, 11 x 2 bed units and 2 x 3 bed units. Whilst still flats, the provision of the 2 x 3 bed units does provide a greater mix on the site and offer a wider choice for future occupants.
21. With regards to the Housing Quality Indicators outlined in policy LN1, the two-bed units now range from between 71sqm and 114sqm with the 2 x 3-bed units measuring between 111sqm and 113sqm. The HQI for Unit Size suggests that for a 4-bedspace units (2 double bedrooms), the internal space should be between 67sqm and 75sqm and the internal space for a 6-bedspace (3 double bedrooms) 1-storey unit should be between 85sqm to 95sqm. Therefore, this amended proposal continues to meet the HQI for Unit Sizes and complies with this aspect of policy LN1.

### **Affordable Housing**

22. Policy LN3 of the Local Plan stipulates that 40% of the units on site should be affordable of a financial contribution in lieu of on-site provision may be acceptable. However, a viability assessment was submitted with the previously



approved application which concluded there no viability to provide an affordable housing provision. This was assessed independently by the Valuation Office Agency. The current proposal, although proposing a change in the mix of units to include 2 x 3-bed flats, still retains the 14 units in total. The applicant has submitted an update on the viability, and it concludes that there would still be a deficit and as such no viability for the provision of affordable housing. Therefore, the revised scheme is not considered to change the outcome of the inability of the scheme to provide affordable housing.

### **Design, Form and Layout**

23. 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. Para 127 of the NPPF states that

‘developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development’ and ‘are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)’.

24. The footprint of the building is larger than that previously approved with an increase in depth and width. Whilst this is regrettable and the Case Officer considers that the proposal is pushing at the boundaries of what could be accommodated on this site, given the character of the locality, there are still adequate spaces to the side and rear boundaries so the development is not considered to appear overly cramped on the plot. The building remains on the same siting at the front of the site, enabling the soft landscaping and distance from the highway to be retained. The design and scale of the building is considered appropriate for the size of plot and scale of properties along Chewton Farm Road. The overall ridge and eaves heights are being maintained at the heights approved on the previous Outline application. There is no longer a meaningful step in on the side elevation; however the roof height on the rear section does remain below the main ridge. The increased built form on the site will not be highly visible from the street scene, although there will be views of the south western elevation across the front of the adjacent plot at No 16.

25. Saved Policy H9 refers to Chewton Farm Road and the pre-amble states that this area is worthy of protection and is at risk from infill development due to the substantial loss of residential properties in large plots providing large family accommodation which the Plan states is not in abundance throughout the remainder of the Plan area. This policy is 20 years old and whilst still relevant to

this proposal, Core Strategy policy HE2, the more recent policy (2014) continues to refer to development being of high quality, reflecting and enhancing areas of recognised local distinctiveness. The revised proposal maintains one large building on the site and does not result in backland development involving more than one plot. This scheme retains key trees and thereby the characteristic soft frontages of properties within Chewton Farm Road. It is considered that the proposal maintains the special character and amenity of this established residential area and as such is not contrary to policy H9 or policy HE2 in terms of layout and design.

26. 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. The proposal is also in accordance with saved policy H12 in that the revised scheme is appropriate in character, scale and design to the immediate locality. The development, like the approved outline scheme, is increasing the density and changing the nature of the site; but as set out in the NPPF (paragraph 127) it is considered this 'change' is not necessarily detrimental to the character of the locality.

### **Residential amenities**

27. Given the increased in width of the building towards the rear, the built form will be closer to the side boundaries with No 16 and No 22. As stated previously, the south western elevation adjacent to No 16 would be highly visible from this adjacent plot, especially as a number of trees are being removed along this boundary. The building would now be sited 4.4 metres from the side of No 16 which lies directly on the boundary. There are no windows on the side of No 16 which would be affected by the additional built form. However, the proposed side bedroom windows and rooflights serving the bedroom at second floor level would look towards the front of No 16 at an oblique angle. The part of the building at No. 16 closest to the boundary has a garage at ground floor with 4 windows above on the front elevation. The main large windows serving the living spaces for the proposed flats continue to face the front or rear of the site and as such it is considered that on balance this relationship is acceptable given the angles and distances.
28. With regards to the impact on No 22, built form will be brought closer to the boundary with this dwelling. However, there is still 6 metres to this boundary and No 44 is angled away maintaining a sufficient separation distance. There is a first floor window on the side elevation of No 22 and the proposed bedroom and bathroom windows are now closer to No 22. However, given the distance, the angle and siting of No 22, the relationship between the buildings continues to be acceptable and would not give rise to unacceptable levels of overlooking for existing occupiers of No 22 or future occupiers of the flats.
29. The properties to the rear of the site lie within Avenue Road. These properties have long rear gardens. The proposed building is now positioned 11 metres from the rear boundary, compared to 13.4 metres on the approved scheme. The back

to back relationship is approximately 33 metres with No 10a Avenue Road (compared to approx. 36 metres on previous proposal). This is sufficient to retain adequate privacy levels at properties to the north-west in Avenue Road. It is recognised that this increase in depth will be viewed from the gardens of the properties along Avenue Road, especially given the two and half storey height of the building. However, the built relationship is considered to be acceptable due to the distance involved and there remain trees on the rear boundary which will provide a degree of screening. The increase in depth and reduction in distance to the properties in Avenue Road is not considered to be so detrimental to justify refusing the application on amenity grounds.

30. The increase in depth has reduced the rear communal amenity space; however, it still measures 342sqm and provides adequate amenity space for future occupiers. The flats also benefit from balcony areas. 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.

### **Access and Parking arrangements**

31. Since the previous application was determined, BCP Council have adopted the Parking Standard SPD in January 2021. The site is located within Zone D and this equates to 16 parking spaces being required for the 14 flats. This current proposal provides for 17 spaces for residents within the basement and 3 visitor spaces at surface level. This is an overprovision; however as noted in the BCP Highways consultation response, the provision of visitor parking at the front of the site is likely to aid visitors, deliveries and servicing activities. Therefore, whilst it is recognised that a significant proportion of the representations refer to inadequate levels of parking, the proposed provision is considered to be acceptable and in accordance with the SPD. The cycle parking provision is also considered to be acceptable with 28 spaces being provided for residents and two visitor cycle spaces are shown adjacent to the front entrance to the flats.
32. The layout of the basement parking has been amended since the previous approval given its increased size and the adoption of the Parking Standards SPD. There is one additional space and increased cycle parking provision shown. The internal staircase to the ground floor has been removed with only a lift providing internal access to the flats above. The SPD, in relation to basement parking states;

*'For situations requiring transition ramps, any transition ramp should be at least 3m in length and its gradient half the gradient of the ramp. These transition gradients should be sited at the top and bottom of the ramp to reduce the risk of vehicle grounding.'*

*'Where internal columns are required these must be clearly shown due to their impact on parking capacity. Columns should be located at a distance of 0.8m from the front of the space to facilitate access and egress without impacting the ability to open car doors.'*

33. The submitted plans show the ramp specifications and meet the above requirements and the column positions are also acceptable. The representations include concerns regarding the design of basement parking and consider it does not meet the requirements of the SPD. However, BCP Highways has assessed the scheme and considers it is acceptable. Building Regulations will also cover the construction of this area to ensure structural integrity of this basement level.
34. Any additional traffic movements over and above the approved scheme is likely to be nominal and will be compatible with safety and the capacity of the wider highway network. The scheme is considered to comply with the tests in Policies KS11 & 12 to provide; safe access onto the existing transport network; allow safe movement of development related trips on the immediate network and; adequate vehicle and cycle parking facilities to serve the needs of the proposed development.

### **Trees**

35. Like the previous scheme, this proposal does involve removing a number of category C trees, especially on the south western boundary. The Arboricultural Assessment has been updated and submitted with this current application. The two category A oak trees T1 and T8 are to remain on the front corners of the site with T2 a sycamore being retained in the north west corner. T9 on the front boundary will be felled which is the same as the previous proposal.
36. The increase in built form to the side and rear of the building is not considered to increase the pressure on protected trees. It is understood that two trees have been felled in the adjacent garden at No 22. These were not covered by a Tree Preservation Order and therefore, the Local Authority was not able to control their removal. The BCP Landscape and Tree Officer has considered the revised plans and has raised no objection.
37. 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. The scheme is considered to comply with policies HE2 & HE3 in its impact on mature trees and landscape features.

### **Biodiversity and Protected Heathland**

38. The application site lies within 5km but beyond 400m of Dorset Heathland which is designated as a European wildlife site and Site of Special Scientific Interest. 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.

39. 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.
40. A unilateral undertaking was secured as part of the previous Outline application and it will continue to be applicable for this application due to the reference to S73 applications within the definition of 'Planning Permission' within the S106. With the mitigation secured, the proposal is considered to be acceptable in terms of its impact on protected heathlands and it will accord with Policy ME2 of the Core Strategy.
41. The BMEP submitted with the previous application which secures additional bat surveys and a number of enhancement measures will be secured to this planning permission.

### **Planning Balance**

42. 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.
43. Having regard to Paragraph 11 d) of the NPPF, given the lack of housing supply, it is considered that the housing policies of the Development Plan are out of date. However, given the site lies within 5k of the European wildlife site, footnote 6 of paragraph 11 d) is applicable. Given the potential cumulative impact of housing residential development on these protected sites, mitigation is required via the Dorset Heathland Planning Framework. This has been secured through a UU and CIL as outlined in paragraphs 37 and 38 above. Therefore, the NPPF does not provide clear reasons for refusing the application on this habitats issue and d ii) can now be considered and the titled balance applied.
44. It is considered that notwithstanding the provision of flats rather than houses which does not meet the requirements of the SHMA, the development complies with the Development Plan as a whole and the NPPF as a whole. The proposal does increase the amount of built form on the site compared to the approved Outline permission and brings the building closer to the neighbouring properties. However, on balance it is not considered to have a significantly adverse impact on the residential amenities of the neighbouring occupiers which significantly and demonstrably outweighs the benefits of the proposals. The proposed revisions are not considered to harm the visual amenities of this locality and the layout and amount of development can be accommodated on site without it appearing

cramped or overdeveloped. The parking and access arrangements are acceptable and comply with policy KS12 and the Parking Standards SPD. Whilst the Case Officer appreciates the concerns raised in the representations and considers the proposed changes are pushing at the boundaries of what could be achieved on the site, overall, the proposal is considered to provide a sustainable form of development and provides a net increase of 13 units of residential accommodation to boost the housing supply and as such the balance is tilted in favour of approving the application. The scheme has positive economic and social impacts from the provision of new housing and any environmental impacts identified above do not significantly and demonstrably outweigh the benefits of the proposals.

## **RECOMMENDATION**

**Grant** subject to conditions which are subject to alteration/addition by the Head of Planning Services provided any alteration/addition does not go to the core of the decision with the following conditions;

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:

- 200 A Amended Site Location, Block Plan and Plans Proposed
- 201 Proposed floor plans
- 202 Proposed Elevations
- 203 Proposed Bike and Bin store Plans Proposed Street Scene
- 205 A Proposed basement parking plan
- TC1 Tree Protection Plan & Arboricultural Method Statement

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

3. 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.

4. Prior to commencement of any part of the development permitted, a detailed Construction Management Plan shall be prepared and submitted for written approval of the Local Planning 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 from commencement of the development and the obligations 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.

5. 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 (including enhancements) 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.

6. 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 Arboricultural Impact Assessment and Method Statement Tree Report dated 17 May 2021 and Plan TC1 Tree Protection Plan & Arboricultural Method Statement. 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.

7. 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: In the interests of tree protection

8. 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.

9. Within the next available planting season (October to February) following the substantial 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.

10. 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.

11. 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.

12. Before the development hereby approved is occupied or utilised the turning and parking shown on Plans 200A and 205A 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.

13. Before the development hereby approved is occupied or utilised, the visibility splay areas as shown on Plan 200A 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.

14. Before the development is occupied or utilised, the cycle parking facilities shown on Plan 200A and 205A 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.

### **Informatives:**

1. The applicant has provided a unilateral undertaking dated 12th January 2021 to pay the appropriate contribution in relation to Heathland mitigation as required by the Dorset Heathlands Planning Framework 2020-2025 - Supplementary Planning Document (SPD)CIL.
2. The applicant needs to be aware that the Community Infrastructure Levy (CIL) will be applied to development on this site. The amount of levy due will be calculated at the time the reserved matters application is submitted.

## **Background Papers**

Case File ref 8/21/0331/CONDR

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.

The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.