



Development Management
County Hall, Colliton Park
Dorchester, Dorset, DT1 1XJ
) 01305 838336
8 www.dorsetcouncil.gov.uk

D Mark Carey
Morgan Carey Architects Ltd
The Goods Shed
Sandford Lane
Wareham
BH20 4DX

Date: 24 December 2021
Ref: 6/2021/0183
Case Officer: Cari Wooldridge
Team: Eastern Team
) 01929 557264
* cari.wooldridge@dorsetcouncil.gov.uk

Town and Country Planning Act 1990
Town and Country Planning
(Development Management Procedure) (England) Order 2015

Planning Decision Notice

Full Planning Application

Application Number: 6/2021/0183
Case Officer: Cari Wooldridge
Applicant: Mr & Mrs G P Cooper
Location: 39 De Moulham Road Swanage Swanage BH19 1NU
Description: Sever plot and erect a 3no bedroom dwelling with associated access
Decision Date: 24 December 2021

Dorset Council **grants** planning permission for this development as detailed in the application. In making this decision the Council considered whether the application could be approved with or without conditions or should be refused.

This planning permission does not cover Building Regulations Approval or any other Byelaw, Order or Regulation.

Please see our website www.dorsetcouncil.gov.uk/planning-buildings-land/building-control/contacts/building-control-contacts for more details about making a building regulation application and contacting our Building Control Team.

This planning permission is subject to conditions set out over the page.

The applicant's attention is drawn to the need to comply with all conditions imposed on this permission. There may be conditions that require additional details to be submitted and this may be needed before work can start on the development. Failure to comply with all conditions may result in the Council serving a breach of condition notice, of which, there is no right of appeal. Note that legislation requires the payment of a fee in respect of requests to discharge conditions.

There is a Community Infrastructure Levy (CIL) Liability notice attached to this permission. Your CIL liability notice will follow separately. A CIL payment may need to be paid however you need to follow the strict process in order to comply with the requirements of CIL procedure.

Signed

A handwritten signature in black ink, appearing to read "Mike Garrity", written in a cursive style.

Mike Garrity
Head of Planning
Economic Growth and Infrastructure

This planning permission is subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan 20158.05A, Site Plan 20158.07A, Floor Plans 20158.08B, Elevations Sheet 1 20158.09A and Elevations Sheet 2 20158.10A.

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

3. Prior to the commencement of any development hereby approved, above damp course level, a detailed scheme for dealing with surface water drainage from the development should be submitted to the Council for approval. This should include the written consent and agreed attenuated discharge rate from the relevant sewerage undertaker for the public combined sewer and details of the on-going management and maintenance of the scheme. The appropriate design standard for the drainage system must be the 1 in 100 year event plus a 40% allowance for the predicted increase in rainfall due to climate change.

Reason: These details are required to be agreed to ensure that consideration is given to installing an appropriate drainage scheme to alleviate the possible risk of flooding to the site and elsewhere for the lifetime of the development.

4. Prior to the commencement of any development hereby approved, above damp course level, a hard landscaping (surfacing/paving, walls, fences and other structures) and soft landscaping and planting scheme shall be submitted to, and approved in writing, by the Local Planning Authority. The approved soft landscaping 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.

5. Before the development hereby approved is first occupied the parking shown on the submitted plan 20158.07A 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.

6. Before the dwelling is first occupied, the first floor rooflight window(s) in the rear (north) elevation serving the bathroom and en-suite must be glazed with obscure glass to a minimum industry standard privacy level 3 or equivalent. Thereafter the obscure glazing shall be retained as such.

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

7. Prior to the first occupation of the approved dwelling a bird and bat box shall be installed on the site and photographs of the installed boxes identifying their locations shall be submitted to the Local Planning Authority. Thereafter the boxes shall be retained.

Reason: In the interests of biodiversity

8. 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), improvement(s), alteration(s); additions etc to the roof; other alterations to the roof of the dwellinghouse hereby approved; and, outbuildings within the curtilage of the dwellinghouse hereby approved, permitted by Classes A, B, C and E of Schedule 2 Part 1 of the 2015 Order, shall be erected or constructed.

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

9. 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 (east) elevation of the building hereby approved.

Reason: To protect neighbouring amenity.

Informatives:

1. 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.
2. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.

The Natural Environment Team, Dorset Council recommends that vegetation, hedge, shrubs and tree removal; translocation or cutting back avoids the bird nesting season which runs from mid-February to 31st August. This is in order to avoid impacts to nesting birds and infringement of the legislation.

Vegetation or site clearance as a result of this development should be undertaken outside of the nesting season specified above. In some seasons the nesting period may start before or extend beyond these dates, so the applicant should be aware that the dates are a guide only.

If clearance work has to be undertaken during the nesting season, a breeding bird survey needs to be carried out by a suitably qualified person no more than 48 hours before clearance /cutting works commence. Any active nests identified should be protected by a 5m exclusion zone until the young have left the nest.

As a general rule, it should be assumed that birds will be nesting in trees, scrub, reeds or substantial ditch side vegetation during the core breeding period, unless a survey had shown this not to be the case. In addition, some species are ground nesting, such as the skylark and lapwing, both of which can occur on grassland areas and cleared sites where there is a time lapse between demolition and development.

3. Informative: 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 County Highway Authority in order to comply with Section 184 of the Highways Act 1980. The applicant should contact Dorset Highways by telephone at Dorset Direct (01305 221000), by email at dorsetdirect@dorsetcc.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

4. The applicant is advised that Wessex Water have published guidance notes about their surface water policy for minor development. The policy encourages developers to consider the most effective methods of directing surface water back to the environment in accordance with the Sustainable Drainage Systems hierarchy. Where necessary, applications to Wessex Water for a surface water connection can be made online.
<https://www.wessexwater.co.uk/services/building-and-developing/building-a-new-house-or-extension>

5. Informative: National Planning Policy Framework Statement
In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.
The council works with applicants/agents in a positive and proactive manner by:
 - offering a pre-application advice service, and
 - as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

- The application was acceptable as submitted and no further assistance was required.

Planning Decision Notes

Power to grant planning permission

This permission is issued by Dorset Council as the local planning authority set out by the Town and Country Planning Act 1990 (as amended) and the Town and Country (Development Management Procedure) (England) Order 2015.

Removal of application site notice

If you have not already done so I would be grateful if you could take down and dispose of this application's site notice if it is still being displayed outside the property.

How to comply with the conditions of your planning permission

You should not start work until you have agreed with the Council the information requested by the conditions. If you fail to do this the works on site could be unauthorised and the Council may consider enforcement action.

The information must be submitted in writing. There is a standard form which you can download from the website www.dorsetcouncil.gov.uk/planning. A fee is required each and every time you apply to discharge any or all of the conditions (£34 per request for householder applications, £116 per request for all other classes).

Appeals to the Secretary of State

If you disagree with our decision or the attached conditions, then you can appeal to the Secretary of State (Planning Inspectorate) under section 78 (1) of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so within **SIX MONTHS** of the date of this notice.

If this decision is on a planning application relating to the same or substantially the same land and development that is already subject to an **enforcement notice**, if you want to appeal against our decision on your application, then you must do so within 28 days of the date of this decision notice.

If an **enforcement notice** is served relating to the same or substantially the same land and development as in your application and you want to appeal against our decision, then you must do so within **28 days of the date of service of the enforcement notice**, or within **SIX MONTHS** of the date of the decision notice, whichever date expires first.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

An appeal must be made by the applicant. You must use a form that you can get from the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or an appeal can be made on-line at this website www.planningportal.gov.uk/pcs

The Planning Inspectorate can allow a longer period for giving notice of an appeal, but they will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Planning Inspectorate need not consider an appeal if it seems that we could not have granted planning permission for the proposed development or could not have granted it without the conditions imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order.

The Planning Inspectorate does not normally refuse to consider appeals solely because we based our decision on a direction given by them.

Purchase Notices

If either the Council or the Planning Inspectorate refuses permission to develop land or grants it subject to conditions, the owner may claim, in exceptional circumstances, that neither the land can be put to a reasonably beneficial use in its existing state, nor can the land be rendered capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

If this happens, the owner may serve a purchase notice on the Council. This notice will require the Council to purchase their interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990 (as amended).

Street Naming and Numbering

The Council is responsible for street naming and numbering within our district. This helps to effectively locate property for example, to deliver post or in the case of access by the emergency services. If this permission results in the creation, deletion or change to an address, you must let us know. You need to register the new or changed address by completing a form. You can find out more and download the form from our website www.dorsetcouncil.gov.uk