



Western and Southern Area Planning Committee

Date: Thursday, 4 July 2019
Time: 2.00 pm
Venue: Committee Rooms A&B,, South Walks House,
South Walks Road, Dorchester, DT1 1UZ (DT1
1EE for sat nav)

Membership: (Quorum 6)

Simon Christopher (Chairman), David Gray (Vice-Chairman), Pete Barrow, Kelvin Clayton, Susan Cocking, Jean Dunseith, Nick Ireland, Louie O'Leary, David Shortell, Kate Wheller and Sarah Williams

Chief Executive: Matt Prosser, South Walks House, South Walks Road,
Dorchester, Dorset DT1 1UZ (Sat Nav DT1 1EE)

For more information about this agenda please contact Denise Hunt 01305 224878 - denise.hunt@dorsetcouncil.gov.uk



For easy access to the Council agendas and minutes download the free public app Mod.gov for use on your iPad, Android and Windows tablet. Once downloaded select Dorset Council.

Members of the public are welcome to attend this meeting with the exception of any items listed in the exempt part of this agenda. **Please note** that if you attend a committee meeting and are invited to make oral representations your name, together with a summary of your comments will be recorded in the minutes of the meeting. Please refer to the guide to public participation at committee meetings for more information about speaking at meetings.

There is a Hearing Loop Induction System available for public use on request. Please speak to a Democratic Services Officer for assistance in using this facility.

Recording, photographing and using social media at meetings

Dorset Council is committed to being open and transparent in the way it carries out its business whenever possible. Anyone can film, audio-record, take photographs, and use social media such as tweeting and blogging to report the meeting when it is open to the public, so long as they conform to the Protocol for filming and audio recording of public council meetings.

A G E N D A

Page No.

1 APOLOGIES

To receive any apologies for absence.

2 MINUTES

5 - 12

To confirm the minutes of the meeting held on 30 May 2019.

3 DECLARATIONS OF INTEREST

To receive any declarations of interest.

4 PUBLIC PARTICIPATION

To receive questions or statements on the business of the committee from town and parish councils and members of the public.

5 PLANNING APPLICATIONS

To consider the applications below for planning permission

a **WP/16/00253/OUT and WD/D/16/000739 - Land to the North of Littlemoor, Weymouth**

13 - 60

Outline application for a mixed use development comprising: up to 500 dwellings, including affordable housing; up to 8 ha of employment land (to include a new hotel, residential care home, car show rooms and other employment land); land for a new primary school; a new local centre; public open spaces, new accesses and roads, and associated infrastructure.

b **WD/D/17/000534 - Land adjacent to Bridport Community Hospital, Mead Lane, Bridport**

61 - 80

Erect 19 custom build houses and flats to form enlarged co-housing neighbourhood.

c **WD/D/19/000233 - Rashwood Lodge, Clappentail Lane, Lyme Regis, DT7 3LZ**

81 - 90

Two storey extension and new detached double garage.

d	WP/17/00967/FUL - Archard House, Waverley Road, Weymouth	91 - 104
	Erection of 9 Flats and 1 Maisonette together with parking.	
e	WD/D/19/000999 - Dorset Council Highways Depot, South Mill Lane, Bridport DT6 3PL	105 - 120
	Erect two linked single storey buildings to form office and welfare facilities for use ancillary to operation of existing highways depot.	

This page is intentionally left blank



DORSET COUNCIL - WESTERN AND SOUTHERN AREA PLANNING COMMITTEE

MINUTES OF MEETING HELD ON THURSDAY 30 MAY 2019

Present: Cllrs S Christopher (Chairman), D Gray (Vice-Chairman), P Barrow, K Clayton, S Cocking, J Dunseith, N Ireland, D Shortell, K Wheller and S Williams

Apologies: Cllr L O'Leary

Also present: Cllrs D Walsh and R Tarr

Officers present (for all or part of the meeting):

Debbie Redding (Development Manager), Hamish Laird (Senior Planning Officer), Ian Madgwick (Transport Development Liaison Engineer) and Denise Hunt (Senior Democratic Services Officer)

1. Apologies

An apology for absence was received from Cllr L O'Leary.

2. Declarations of Interest

No declarations of disclosable pecuniary interests were made at the meeting.

Cllr Kate Wheller declared a non-pecuniary interest in application WP/19/00150/FUL - Beach Control Office, The Esplanade, Weymouth, due to her previous involvement as Briefholder for Community Facilities at Weymouth & Portland Borough Council.

3. Public Participation

Representations by the public to the Committee on individual planning applications are detailed below. There were no questions, petitions or deputations received on other items on this occasion.

4. Planning Applications

Members considered written reports submitted on planning applications as set out below.

5. WP/16/00253/OUT and WD/D/16/000739 - Land to the North of Littlemoor, Weymouth.

The Chairman clarified that the two duplicate applications were due to the cross boundary location of the application site of the former West Dorset District Council and Weymouth & Portland Borough Council areas.

The Senior Planning Officer presented the outline application for a mixed use development for up to 500 dwellings, up to 8ha employment land, land for a new primary school, a new local centre, public open spaces, new accesses and road and associated infrastructure.

An update sheet had been circulated to the Committee that included alteration of the wording of the recommendation on page 39 so that this was consistent with the wording in the recommendation summary on page 5. There were also amendments to conditions 1, 3, 8, 15, and 16 further to discussions with the applicant.

Dr G Dickinson addressed the Committee on behalf of the West Dorset Campaign to Protect Rural England (CPRE) who opposed the application as it was in an Area of Outstanding Natural Beauty (AONB) and contravened the National Planning Policy Framework. The AONB would be vandalised and Dorset's answer to urgent action on climate change should not be to build a car showroom in the AONB. He commented on the need for a hotel when many of the existing hotels were struggling; that only half the number of homes on the council's register were required, mainly for 1 and 2 bed houses and that 35% affordable housing was unlikely to be achieved due to Section 106 viability deals. He considered that there was a huge difference between what was being built and what was needed and that only those homes that were needed to address the housing crisis should be built and be environmentally friendly.

Cllr R Tarr, Dorset Council - Winterborne and Broadmayne Ward, stated that he had only recently been made aware of the application and had not had sufficient time to come to any conclusion after reading the report and associated documents. His ward included 12 parishes and all had been concerned about the relationship between parish councils and the new Dorset Council. He therefore suggested that the application be deferred so that there was further time to consider the documentation.

Cllr G Brant stated that Bincombe Parish Council was grouped with 4 other parishes that operated as Winterborne and Farringdon Council. The Council had been aware of the proposals for the past 4 years with continuing concerns about an application for 500 homes and commercial buildings in the AONB. He had been informed that an application was to be considered by the Dorset Echo giving very little time for consideration. He noted that all of the precept would go to Bincombe Parish Council and a rural district would become urban as a result of this application and more time was needed to work through these implications.

Martyn Chase, the Applicant, addressed the Committee and stated that the report and presentation by the Senior Planning Officer had been very comprehensive. The application had clear regard to the allocation of the site in the Local Plan and the aim would be to create a sensitive development and new community in the Littlemoor extension that respected the natural environment. The application made an important contribution to the area in terms of housing need, providing 35% affordable housing, employment and a

number of new facilities at considerable cost that would benefit the community. He hoped that these indirect benefits would make a considerable contribution to the Littlemoor community and the developers were committed to working up a high quality, sensitive development going forward.

Proposed by Cllr Ireland, seconded by Cllr Williams.

Decision: That the application be deferred until the next meeting on 4 July 2019 to allow additional time for consideration of the application by the new unitary Council and for a committee site visit to allow members to view and be aware of the extent of this allocated site.

6. **WP/19/00150/FUL - Beach Control Office, The Esplanade, Weymouth, DT4 7AN**

The Development Manager presented the application that sought approval for the refurbishment and extension of the existing Beach Office to provide additional WCs, an extended kiosk and first floor office with lifts. The location was set within the seafront environment and the Town Centre Conservation Area.

The ground floor plan retained the changing places facility and added an extra 22 unisex toilets, including accessible toilets, a parent room and a family room. Provision had been made for the accessible toilets to be left or right “handed” with appropriate signage to indicate this.

The extension encompassed the former outside seating area to provide rentable kiosk space and the proposed first floor projection would be larger than the existing and built on stilts over the Esplanade towards the beach so as not to obstruct pedestrian movement. This would provide additional facilities for beach staff that included a viewing balcony as well as mitigate the loss of meeting space on the ground floor that would be used for the additional toilets.

The key planning matters were highlighted including the principle of development, scale, design, impact on character and appearance of the larger projection, impact on amenity, impact on landscape and heritage assets, economic benefits, access and parking, flooding and environmental performance.

The Development Manager advised that a lot of representations had been received regarding the level of provision of solar panels. Upon further investigation it was found that the roof of the building would need to be reinforced to take the additional weight and that not all of the roof surfaces were suitable.

In response to a question the Development Manager advised that, if more panels were installed on the south elevation the visual impact of this on listed buildings and the conservation area would need to be considered further as this roof was more prominent than the existing roof. The proposed number of panels was therefore considered satisfactory as they would support the

operation of the building, although not sufficient to provide feedback of electricity to the national grid.

Members considered the matters arising from the application and made the following comments during the discussion:-

- The option to use the rentable space for the 2 kiosks for a Tourist Information Centre.
- Additional solar panels introduced on the western elevation or new structure or the use of photo voltaic tiles.
- The lack of an internal shower facility.
- The impact of the design of the additional WCs from an operational and safety perspective (arising from doors opening outwards as opposed to opening into an enclosed area with an attendant).

Members highlighted that the plan had altered from previous iterations over the past 2 years and that internal shower facilities and doors opening onto the pavement had not featured in plans as recently as 3-4 months ago. It was noted that the existing underground toilets would remain in use during the summer and be closed during the winter period.

Mr Madgwick, the Transport Development Liaison Engineer, stated that toilet doors that opened onto pedestrian areas could cause safety issues for pedestrians and could be mitigated with appropriate warnings or barriers.

The Development Manager advised that unisex toilets with doors on the outside of the building was a common approach to the provision of public toilets. Dorset Council Highways had made no objection to the proposal, however, the use of informatives to provide advice and guidance could be used in this instance.

Members were concerned that no comments had been received from Weymouth Town Council and it was noted that this had been due to the impact of Local Government Reorganisation on the consultation timetable for this application which had been validated before 1 April 2019. Whilst some members were mindful of the need to progress the work necessary to ensure completion in time for Easter 2020, other members wanted to make sure that the views and input of Weymouth Town Council were heard.

The Development Manager advised that seeking the views of the Weymouth Town Council would relate to planning matters only and that comments regarding the operation or maintenance of the building were not material to the planning application.

It was proposed by Cllr Gray and seconded by Cllr Barrow to delay the decision pending consultation with Weymouth Town Council. Upon being put to a vote this was not supported.

Proposed by Cllr Shortell, seconded by Cllr Cocking.

Decision: That the application be granted subject to the conditions outlined in the appendix to these minutes.

7. WD/D/19/000423 - Broadmayne County First School, Knighton Lane, Broadmayne, Dorchester, DT2 8PH

The Development Manager presented the application for the erection of a cloakroom extension in a recessed central part of the existing building.

Proposed by Cllr Ireland, seconded by Cllr Dunseith.

Decision: That the application be granted subject to the conditions outlined in the appendix to these minutes.

Appendix

Duration of meeting: 2.00 - 3.30 pm

Chairman

.....

This page is intentionally left blank

APPLICATION NUMBER: WP/16/00253/OUT and WD/D/16/000739

APPLICATION SITE: Land to the North of Littlemoor, Weymouth

PROPOSAL: Outline application for a mixed use development comprising: up to 500 dwellings, including affordable housing; up to 8 ha of employment land (to include a new hotel, residential care home, car show rooms and other employment land); land for a new primary school; a new local centre; public open spaces, new accesses and roads, and associated infrastructure

Decision: That the application be deferred.

APPLICATION NUMBER: WP/19/00150/FUL

APPLICATION SITE: Beach Control Office, The Esplanade, Weymouth DT4 7AN

PROPOSAL: Refurbishment and extension of existing Beach Office to provide extra WCs, extended kiosk and first floor office with lift access

Decision: That the application be granted 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 & Site Plan - Drawing Number 1000 received on 12/02/2019

Proposed Elevations - Drawing Number 3100 received on 12/02/2019

Proposed Floor Plan - Drawing Number 2 200 -D2 received on 14/05/2019

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

3. Before the commencement of any construction work of the extensions hereby approved, details and samples of all facing and roofing materials shall be submitted to, and approved in writing by, the Local Planning Authority and the development shall be completed in accordance with these details.

Reason: To ensure that the external appearance of the completed development is sympathetic to its setting within the Conservation Area.

APPLICATION NUMBER: WD/D/19/000423

**APPLICATION SITE: Broadmayne County First School, Knighton Lane,
Broadmayne, Dorchester, DT2 8PH**

PROPOSAL: Erect cloakroom extension

Decision: That the application be granted subject to the following conditions:-

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

Location Plan, Site Plan, Existing and Proposed Floor plans
and Elevations - Drawing Number 02A received on
06/03/2019

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

2. 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).

APPLICATION NUMBERS: WP/16/00253/OUT and WD/D/16/000739

APPLICATION SITE: LAND TO THE NORTH OF LITTLEMOOR, WEYMOUTH

PROPOSAL: Outline application for a mixed use development comprising: up to 500 dwellings, including affordable housing; up to 8 ha of employment land (to include a new hotel, residential care home, car show rooms and other employment land); land for a new primary school; a new local centre; public open spaces, new accesses and roads, and associated infrastructure

APPLICANT: Neejam 165 Ltd and Budworth Development Ltd

CASE OFFICER: Hamish Laird

WARD MEMBER(S): Cllr B Haynes; Cllr Tony Ferrari; Cllr Louie O' Leary

1.0 RECOMMENDATION SUMMARY:

Delegate authority to the Head of Planning (Development Management and Building control) to grant OUTLINE planning permission subject to:

A. A Section 106 agreement, to include:

- Phasing and triggers for contributions;
- 35% Affordable Housing;
- Highway Matters including footpath links and pedestrian links across Littlemoor Road (A353);
- Structural landscaping and Landscape Environmental Management Plan (LEMP)
- Comprehensive drainage strategy for all phases
- Financial Contributions towards healthcare provision of £40,000
- Provision of an on site Local Centre;
- Provision of 8ha of serviced employment land;
- Allocation of land within the site for provision of an Hotel, Care Home and Car showrooms to ensure employment provision;
- Provision of on site school site and Education Contribution of £6169 per eligible unit;
- Contributions towards existing and proposed community facilities including community hall of £309,950
- Redland Sports Centre towards re-surfacing Hockey Pitch of £112,069
- Contribution to Weymouth Swimming Pool of £127,095
- Contribution to Library facilities of £64,860

- On site provision of Children’s Play and Open Space Facilities and financial contribution of £478,162
- Lorton Nature Reserve contribution of £95,760

B. Conditions as set out at Section 16 below.

NB. The applications are duplicates of each other owing to the cross boundary location between the former West Dorset District and Weymouth and Portland Borough – now both parts of Dorset Council.

2.0 REASON FOR RECOMMENDATION

- Site allocation in Local Plan
- Absence of 5 year Land Supply
- Para 11 of the National Planning Policy Framework 2019 (NPPF) sets out that permission should be granted for sustainable development
- The location is considered to be sustainable and the proposal is acceptable in its design and general visual impact given that this is an outline application with all matters reserved
- There are no material considerations which would warrant refusal of this application

3.0 TABLE OF KEY PLANNING ISSUES

Issue	Conclusion
Principle of development and policy background	Site allocated in the Local Plan for the proposed development
Highways, access, movement and links	No objections from Dorset Highways subject to conditions and informatives. Submission of a Construction Traffic Management Plan (CEMP) is a conditional requirement.
Employment land provision and the social and economic implications of the proposed development	Provides 8 ha of employment land including Hotel, Care Home and Car Showrooms; Local Centre; meets the objectives of Local Plan Policy LITT1 and the economic and social objectives in the NPPF . Further secured by S.106
Education	Provides a serviced site of 2.4 ha to provide a new primary school with associated grounds, playing fields and parking, with the site sized to accommodate a 2-form entry school

	(Use Class D1).
Affordable housing and housing mix	The provision of a mix of house types including affordable housing at a rate of 35% complies with Adopted Local Plan Policy HOUS1. Tenure to be of Affordable Rented Units and Intermediate Affordable Housing (Shared ownership) at a 50:50 split
Landscape and visual impact including wider biodiversity	Parameter plans indicate no development above the 40m contour to minimise impact on the AONB. Structural planting and biodiversity mitigation to be secured by condition for a Landscape Environment Management Plan (LEMP) – Development to accord with the Parameter Plans – further secured by S.106
EIA Flooding and drainage	No objections from Environment Agency and Lead Local Flood Authority. Conditions applied to secure finished floor levels to minimise risk of flooding; and to provide details of Surface Water Management; Sewage and foul water drainage
Infrastructure provision	Contributions towards existing and proposed community facilities including, a new Community Hall, Redland Sports Centre towards re-surfacing Hockey Pitch, Library Facilities, Weymouth Swimming Pool, and Children's Play and Open Space Facilities, Lorton Nature Reserve, secured by S.106 and conditions meets LITT1 policy requirements and the social objective in the NPPF
Phasing	To be controlled at the Reserved Matters stage. Conditions require a phasing plan to be submitted and approved and the development of the site to accord with the phasing plan as approved. Triggers are to be incorporated within the S.106 Agreement in respect of infrastructure

	provision, new facilities, school provision and structural landscaping etc.
Other matters	Protected species covered by LEMP condition. Site is not CIL liable as planning obligations are to be secure via S.106 Agreement.

4.0 DESCRIPTION OF SITE:

The application site forms the vast majority of the LITT1 allocation in the adopted West Dorset, Weymouth and Portland Local Plan and which is reproduced for clarity in **Appendix A**. The LITT1 Allocation is described as the 'Littlemoor Urban Extension', on land to the north of Littlemoor Road, with the main built-up area of Littlemoor lying to the south on the opposite side of Littlemoor Road. The areas of land in the LITT1 allocation excluded from the application are an area to the north-west of the application site, which is bounded by Icen Lane, and a larger area fronting the Littlemoor Relief Road, between the application sites eastern boundary and Gould's Garden Centre. The residual land within the allocation area is not within the same ownership and will be subject to separate applications in due course. The site is 37.74ha in size.

A high voltage overhead power line, suspended from pylons, crosses part of the north-western site area. The site comprises agricultural land and is bounded by hedging and hedgerow trees on its outer boundaries to the north, west and east. A farm building complex at Bincombe Marsh Dairy is located on the northern part of the site close to the site boundary. It does not form part of the site. The Dairy is accessed via a single track road from Littlemoor Road. A stand of mature trees abuts part of the north-eastern site boundary. The southern site boundary runs along Littlemoor Road, and is marked by a mature hedgerow. A balancing pond serving the Relief Road is located on the north side of the road opposite the western junction of Louviers Road. The land level rises gently from south to north with the northern parts of the site generally following a contour of 40m above sea level (ODN). An existing Local Centre serving Littlemoor lies on the south side of Littlemoor Road at its western junction with Louviers Road. The Local Centre comprises a range of shops, including a Home Bargains Discount Store (formerly Budgen's) and Littlemoor Hardware; Pharmacy; Post Office/Newsagents; Sandwich Bar; and, 2 No. Hot Food Takeaways. Other services include a Branch Public Library, Doctor's Surgery, Dental Surgery and St Francis Church.

5.0 DESCRIPTION OF PROPOSAL:

The application is described as: Outline application for a mixed use development comprising: up to 500 dwellings, including affordable housing; up to 8 ha of employment land (to include a new hotel, residential care home, car show rooms and other employment land); land for a new primary school; a new local centre; public open spaces, new accesses and roads, and associated infrastructure (Outline). The access points to the site from Littlemoor Road were originally proposed to be fixed at this stage.

However, following discussion with the Local Highway Authority – Dorset Highways – this aspect of the proposals was deleted and the application is to be considered in outline with all matters reserved. The development has been considered with regard to an Environmental Impact Assessment submitted alongside the application which has also been subsequently amended.

As these applications have progressed, further amendments to the scheme have prompted a second round of consultation on amended plans which concluded in early November 2017, and a final round of consultation in January, 2018. The applicant has subsequently been negotiating with the authority on various matters including affordable housing viability. Reference is made in the consultation responses to comments made as a result of the responses to the amendments and only to the original comments received where still relevant. A full copy of all the representations received can be found at www.dorsetforyou.com under the application reference numbers

The land allocation was subject to a thorough and rigorous examination by an independent Planning Inspector appointed by government to assess the soundness of the plan. The Inspector's Report covered planning matters across the whole of the District. His comments on Littlemoor and policy LITT1 are detailed elsewhere in this Report.

The principle of use for the purposes of mixed use development as set out in the plan is, therefore, not in question.

Amended Scheme

The amended site layout plans indicate the development as described above, received in November, 2017, and showing the indicative site accesses, street layouts and positions of buildings –storey heights per dwelling; position of affordable dwellings in the layout mix, position of public open space, structural landscaping, existing ponds and proposed flood attenuation ponds, and the relationship of existing dwellings and structures, including Bincombe Marsh Dairy and Goulds Garden Centre, off-site. These plans are for illustrative purposes only.

Members should be aware that although two applications are being considered they are identical in nature.

6.0 RELEVANT PLANNING HISTORY:

There is no planning history of direct relevance to these applications.

At the pre-application stage, the proposals were the subject of community involvement and were accompanied by a 'proving layout' as opposed to a Masterplan which has been subject to local engagement.

7.0 LIST OF RELEVANT CONSTRAINTS

Dorset Area of Outstanding Natural Beauty (AONB)

Site within Defined Development Boundary (DDB)
Land allocated for Mixed Uses – Adopted Local Plan Policy LITT1
Rights of way S7/17 is on the eastern edge of the site, S7/18 is just north of site

8.0 CONSULTATIONS:

All consultee responses can be viewed in full on the website under the application numbers

Historic England – No objection

Sport England – Objects – from consulting with the various sporting bodies, the objection is summarised as:

FA - Football pitches

Objects on the basis that the development would place additional demand on existing facilities which are already at or near capacity:

Hockey England – Hockey pitches

Currently a full-sized hockey sand AGP at Redlands Community Sports Hub – requires re-surfacing in September, 2018. Hockey's preferred AGP surface will always be a sand dressed or sand filled.

ECB – Cricket

The local cricket board advises that currently there is enough provision to meet demand. This development is unlikely to change this demand or require an additional cricket ground to be used. However the main club in the town, Weymouth CC do have some issues on the site they use which is Redlands including management and quality of the pitches.

LTA – Tennis

The additional housing development will increase demand for tennis within the area and the LTA would like to see a plan from the developer highlighting where increased community facilities could be built or current facilities upgraded. Without details from the developer around the ongoing provision of tennis in the area the LTA objects to the scheme.

Sport England's "Active Design", (October, 2015), is a guide to planning new developments that create the right environment to help people get more active, more often in the interests of health and wellbeing. Sport England recommends the use of the guidance in the master planning process for new residential developments.

National Planning Casework Unit – Advises that it has no comments to make on this application.

Natural England – raises no objection. . It comments on the amended scheme in support of the proposals. Main points raised are:

- Layout provide significantly greater scope for improving the transition from the rural AONB;
- enlarging and enhancing the wedge shaped area of POS immediately south of the Bincombe Marsh Diary would ensure better connectivity to new area of POS provided on the previous school site;
- Creation of a “northern extension” of the Lorton Valley Nature Park would be better served by ensuring the areas of POS;
- However, on balance Natural England supports the proposed relocation of the school;
- The amended proposals still have the potential to provide substantive biodiversity gains and meet the requirements of Policy LITT 1;
- Recommends that any permission secures the necessary biodiversity net gain by securing the preparation and full implementation of a detailed Landscape and Environment Management Plan (LEMP).
- LEMP should include a detailed agreed strategic planting plan for both red line and blue line areas, along with a time table for implementation; detailed onsite biodiversity mitigation and enhancement measures – (these are outlined in condition 8.
- NE welcomes the commitment to contribute towards the management of Lorton Valley Nature Park. This will help support the delivery of Local Plan policy WEY 16 Lorton Valley Nature Park and provide an additional planning benefit for the scheme.

National Grid – No objection – NG advises of its apparatus in the vicinity of the site in respect of “Electricity Transmission Overhead Lines”; and, “Above ground electricity sites and installations”. NG refers to its established guidance and procedures in developing sites that are crossed by its equipment and infrastructure

Environment Agency – No objection – The site lies in Flood Risk Zone 1 (low risk).

Recommends a planning condition in respect of finished floor levels to reduce the risk of flooding, and Informatives in respect of the culverting of any ordinary watercourse, Biodiversity, Foul Drainage, Sustainable Construction, Pollution Prevention during Construction and Waste Management.

Wessex Water – No objection – subject to a planning condition to ensure a foul drainage strategy can be agreed.

NHS – Dorset Clinical Commissioning Group (CCG) – comments are summarised as:

- The development will have a significant increase on the local population and therefore a significant impact on local primary care services, and would request

that a financial contribution is provided to fund the additional NHS primary care infrastructure from the Community Infrastructure Levy or Section 106 agreements with the respective developers.

- Using current guidance of 2.4 persons per dwelling the CCG calculates that the additional increase in population in the Littlemoor area arising from the development. There is the opportunity for the consolidation of existing services and facilities and an extension to existing surgery premises.
- In this case the sum sought towards the provision of primary healthcare facilities in the Littlemoor area is £40,000.

Dorset Police – Architectural Liaison Officer – No formal comments have been received.

Dorset AONB Partnership – No objection – the AONB Team recognises that the proposal is considered to be a form of ‘major development’ within Dorset AONB, and that the principle of development of this site is established within the Local Plan.

- A landscape-led strategic planned approach to development would provide positive enhancements to be made around the edge of the development that would mitigate the impact of the existing urban edge on the wider landscape.
- Advance tree and copse planting along the northern and eastern boundaries will be required to ensure that these improvements have time to establish and mature as development progresses
- Advanced landscaping should be provided to create a positive gateway to Weymouth.”
- the masterplan should ensure all built development will be contained within the 40m contour; advance tree and copse planting will be provided along the northern and eastern boundaries; long-term management of strategic planting should be secured as part of the green infrastructure network; the development will create a positive outfacing edge when viewed from the Ridgeway; the development will incorporate green corridors connecting to adjoining green spaces and ensure a net gain in biodiversity; good links to the wider footpath and cycle network will be provided;”
- the illustrative masterplan and design has the potential to be largely compliant with the aspects of the policy except proposed school site. This extends beyond the 40m contour and incorporates land outside of the allocated area.
- the masterplan indicates a limited landscape buffer along the northern boundary of the school site, which is insufficient
- the indicative future phase of employment development, located to the north of the National Grid power lines is within the allocation but is outside of the red line for this application. Concern raised about the outlying nature of this future phase of development and its potential to be detrimental to the effects of the proposed mitigation along the northern edge of the current application.”

Dorset Council Highway Authority – no objection – subject to the imposition of conditions and attachment of informatives to any approval Decision Notice.

Dorset Council Housing Enabling Team – (Summary) – Housing Need –

- Both the Weymouth and Portland and West Dorset District Council's Housing Register currently have over 1200 households registered as being in affordable housing need.
- The Council's Strategic Housing Market Assessment 2014 (SHMA) suggests that in the region of 104 new affordable dwellings will need to be developed in West Dorset and 130 in Weymouth and Portland each year. This demonstrates a significant level of housing need in both the areas of West Dorset and Weymouth and Portland.
- This is a planning application for approximately 500 homes. The submitted documents makes it clear that it is the developer's intention to provide affordable housing on this site subject to viability. If there should be viability concerns that this will have to be evidenced which should then be independently assessed.
- Policy HOUS 1 requires a minimum 35% of the development to be affordable housing.
- There should be a 70/30 split between affordable rented and intermediate affordable housing and the size and mix to reflect existing and future affordable housing needs and be proportionate to the scale and mix of the market housing, creating a balanced community that is 'tenure blind'.
- Consideration should be given to how the affordable homes are allocated and what local connections are required to ensure this scheme meets the local housing need and creates a sustainable community.
- There is an evident housing need in the area and this development could meet a need for affordable housing in the district.

Environmental Health – Raises no objection – advises of the requirement for a construction Method Statement which must include arrangements for protecting the environment and residents from Noise, Vibration and Dust. Such statement also to provide measures for the removal of any potentially hazardous waste and measures to be complied with during the course of any demolition/construction to protected residents amenities.

Dorset Council Lead Local Flood Authority – Following receipt of amended plans and a revised Flood Risk Assessment (Ref: RPS / RCEF31131-005 R – Final Rev 3, dated May 2017), - No objection subject to conditions in respect of a detailed surface water management scheme for the site; and, details of maintenance and management of the surface water sustainable drainage scheme, plus informatives – being applied to any permission granted.

Dorset Council – Education – No formal comments have been received. The Education Department has, however, been involved from the outset in negotiations on the application in relation to the provision of the school site (2.4 ha) and the school sites

re-location on the application site which it is supportive of. Furthermore, the figure agreed as a financial contribution in the S.106 for both primary and secondary education provision is acceptable to the Education Department.

Dorset Waste Partnership – no objection.

Dorset Council – Countryside Access Team – No objection – advises that: “the Access and Movement Parameter Plan shows a proposed Public Footpath from Littlemoor Road heading roughly North West to Bincombe Marsh Dairy. At this point Public Bridleway S7/18 will link in with the proposed new Public Footpath. It would be of beneficial if network as a whole could in fact be changed to a public Bridleway which would allow access for equestrians and cycles all the way to Littlemoor Road and on to the wider network.

Dorset Council – Landscape Architects comments:

Notes: Landscape Character Area - Osmington Ridge and Vale. Local Plan Policy LITT1, ENV 1 - AONB Management Plan

See adopted Local Plan Policy

ENV 1 ii); and v) *minimise impacts on AONB; and, provide advanced tree and copse planting along the northern and eastern boundaries and ensure that these have time to establish and mature.*

- Early agreement of a robust landscape strategy is essential at this site;
- The structural planting comprised in the Landscape Strategy can be fixed at the Outline Stage and should be incorporated into any Section 106 Agreement;
- Landscape Parameter Plan which highlights the difference between landscape planting on the Illustrative Masterplan and the Landscape Parameter Plan. Members to note - amended Illustrative Masterplan received on received 3 May, 2018, acknowledges this concern;
- **Planting design** - Boundary tree planting belts to the north and east are unacceptably narrow - this planting should be much greater to create a substantial linear copse.
- The continuous tree belt across the northern boundary should enclose the proposed PROW and link the proposed wildlife corridors – it should not be reduced in width in order to minimise the impact of development on the AONB.
- Agreed strategic planting should be carried out well in advance of development. Ref Local Plan Policy LITT1 V)
- Green corridors should also be sufficiently substantial.
- Avenues of large tree species should line both sides of the road through the major spine roads from west-east, to visually break up the mass of development and scale of taller buildings
- Areas of ‘habitat creation’ on the Landscape Parameter Plan are to include and if this will be publicly accessible.

- A Landscape Management Agreement for the whole site will be required.
- **Layout** The amount of Public Open Space provision is limited. for a development of this scale and is lacking in the quality of useable space.
- The provision of high quality POS integrated within the development centrally located will serve the development as a whole, given location within the AONB.
- Areas for balancing ponds cannot be considered as valuable open space unless attractively and carefully designed to provide access for people to use in addition to temporary drainage.
- Power cables reduce the quality of the landscape below - balancing ponds in this area would alleviate other open space which could be better used.
- Design Framework for details such as building/ roofing materials appropriate for the AONB will be required for agreement.
- Development should only be permitted where it provides sufficient hard and soft landscaping to successfully integrate with the character of the site and its surrounding area.

Integration to the existing Littlemoor development.

- High quality design interface with Littlemoor Road with high quality materials, building and landscape design is essential.
- The existing balancing pond along Littlemoor Road should be integrated into the site as far as possible.

Dorset Council – Urban Design Officers comments:

- There are a set of policy requirements that the development must adhere to in order for the exceptional circumstances of building in the AONB to be justified.
- The scheme must be landscape led and provide appropriate mitigation and landscape improvements to the edge of the built development.
- LITT1 (v) requires that the site be developed in accordance with a masterplan agreed by WDDC and lists a set of principles that the development should adhere to.
- A masterplan has not been prepared for the site. Instead an illustrative layout together with a series of parameter plans, required as part of the environment statement, have been submitted.
- The parameter plans will need to be conditioned to guide future development.
- A condition requiring the submission of a Design Framework, including design codes is required
- Some concern regarding the revised Building Heights parameter plan as it shows significantly more three storey development than that originally submitted although majority of the development will be two storey with 2.5 / 3 storey buildings being used as landmarks to aid legibility. Need to ensure minimal amount at 3 storeys or over

- Important for the existing Littlemoor centre to be successfully integrated with the new development which is hard given the position of the existing balancing pond on the frontage of Littlemoor Road, needs clarification
- The successful design, implementation and future maintenance of the green infrastructure within the site will be critical and structural planting in advance of development to allow it to mature
- The SUDs drainage ponds and areas around will need to be carefully designed to ensure they do not appear as engineering structures but are an integral part of the green infrastructure with the associated multiple benefits.

NB Subsequent to the receipt of the UDO's comments, and following discussions with the applicants and illustrative masterplan drawing No. 0379-0037-19 ES was received on 3 May, 2018.

Dorset Council – Archaeology – No objection – comments as follows:

- Based on the results of the geophysical survey and the trial trenching evaluation that have been undertaken on the site (reports submitted with the application), advice is that impact on below-ground archaeology is not a constraint for determination

Winterborne Farringdon Parish Group (includes Bincombe Parish)– Objects

- welcomes the inclusion of additional tree and shrub planting to shield the proposed development from the rural AONB but concern that it will not have time to mature
- concerned at the impact of the proposed development on the local road network already congested at peak times, and the Weymouth Relief Road which comes to a standstill northbound on most weekday mornings.
- The addition of vehicles from up to 500 dwellings and traffic to and from the business and commerce area of the development will make traffic congestion worse

9.0 REPRESENTATIONS:

14 representations have been received in total in respect of both applications. These include comments from the Weymouth Civic Society; Cycling UK (West Dorset); The Littlemoor Community; The Big 4 Littlemoor Group; and, Dorset CPRE.

Full copies of all representations received can be found at www.dorsetforyou.com under the application references.

These comments are summarised as follows:

- Traffic generation and complete negation of the benefits of the A353 relief road in respect of the reduction in traffic levels along the Preston Beach Road;
- Severance of the community of Littlemoor - shops and facilities - from the new development by the A353 relief road;

- Excessive vehicle/pedestrian conflict between Bincombe Bumps roundabout and Goulds Garden Centre;
- A new A Class road should be constructed from east to west curving around the northern boundaries of the site;
- There should be no development beyond the power lines crossing the site – to the north-west – and the site boundary – this land is integral to the character of the AONB;
- 35% Affordable Housing should mean exactly that, or the proposal will not be HOUS1 Policy compliant with;
- Harm to protected species within 2km of the site;
- This will destroy the beautiful surrounding views of and from the AONB;
- The land is within the AONB and as such should be retained for rural uses;
- Increase noise and air pollution;
- Where Littlemoor Road passes Turnstone Close, the road was raised by over 2.0m in 2011 and is above the line of any noise protection fencing or wall – noise disturbance will be worse as a result of the development;
- Displacement of wildlife;
- Poor infrastructure - the relief road is filling up again leading to traffic bottlenecks;
- Development of this size may be of questionable necessity, when added to others that are either approved or proposed (e.g. Bridport, Chickerell, Crossways) in the area there is a risk of Oversupply;
- Potential loss of banked hedges may represent the ancient boundary for Bincombe Parish - these need to be preserved;
- The buildings, in particular a hotel, will have a devastating impact to the skyline;
- Hotel and car showroom are unnecessary;
- The Hotel will add to existing overcapacity in the local Hotel sector – Portland Heights Hotel is proposed to be demolished to provide flats;
- The site would be better used to provide a new stadium for Weymouth Football Club;
- Inadequate drainage provision;
- No consideration of Green Infrastructure (GI) and how this would be integrated with existing GI – including plays areas sports pitches and cycle routes;
- No provision of allotments – this would assist in alleviating food poverty;
- Whilst the application states that employment land will be provided – will employment actually be available? The Co-op / Budgens unit (now open and trading again as Home Bargains) across the road from this development provides ample space but has been left dormant for many months and therefore a target for vandalism;
- No real attention paid to sustainable energy requirements for this isolated community. This is an ideal opportunity to consider a low-cost district energy network fuelled by solar, biomass or anaerobic digestion which should be conditioned;
- No housing delivery plan, construction or phasing plan – lack of consideration for existing resident's amenities;
- No delivery schedule for the proposed new primary school on site;

- Lack of secondary school provision;
- Affordable housing - affordable by who?
- How will an ever growing community which is already geographically divided and fragmented be able to cope with the potential growth in crime rates along with the potential reduction in Police support?
- Entrances and exits to the proposed development will sever the existing cycle routes in several places;
- Where exits or entrances are severed from the existing cycle route cyclists must have priority at these junctions;
- The cycle routes need to be direct and efficient and prioritise over motor vehicles or more cyclists will use the road rather than the cycle routes, resulting in an increased risk and inconvenience. There should be consideration of safe routes for cyclists and pedestrians to get to schools, the shops and places of employment within the plan of the proposed development.
- Concerned that direct access to the local shops and schools will be intentionally blocked by the developers;
- If there are no direct access footpaths and cycleways, car use will increase because of the longer and less safe routes via the development access roads;
- The development should be designed around a 20mph speed limit. In parts of the UK this has resulted in significant safety improvements, particularly for pedestrians and cyclists. They also improve the environment for residents;
- What is happening on the area marked "future development potential" why don't we know?
- Loss of agricultural land;
- More modern housing is to be welcomed, especially for Weymouth residents. The so called employment opportunities being provided by this application are merely a sweetener to get the housing.
- No need for any more shops - there are sufficient shops in Weymouth & Dorchester & many of those are struggling!!
- The only benefit can come from Uniform business rates contribution to the local authority. Any employment created will only displace jobs elsewhere & probably lead to the closure of some small hotel business.
- consistently objected to the proposed development on a number of occasions on the grounds that a development of this size containing 500 houses should provide match funding for a new community facility in Littlemoor for the following reasons that the new community needs to socially integrate with the existing community and thus needs a built structure constructed for that very purpose, the costs of which are likely to be around £2 million; potentially this could be funded by CIL; This is not a nice to have project it is essential; it is a legitimate planning aim to have a community hub and match funding would assist in this; social integration is of the highest priority

9.0 RELEVANT PLANNING POLICIES:
National Planning Policy Framework – July 2018 (as amended)

The NPPF was updated with a revised version published on 23 July, 2018, and a further update in February, 2019, made minor amendments. As far as this application is concerned the following section(s) of the NPPF are considered to be relevant:

Section 2 ‘Achieving sustainable development’ advises at Paragraphs 8 and 9:

“8. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and

c) **an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

9. These objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.”

At paragraph 11, it advises of the ‘Presumption in favour of sustainable development’.

Section 5 ‘delivering a sufficient supply of homes’ outlines the Governments objective in respect of housing land supply.

Section 6 ‘Building a strong, competitive economy’ advises generally on the requirement for planning policies and decisions to help create the conditions in which businesses can invest, expand and adapt. Taking into account both local business needs and wider opportunities for development.

Section 7 ‘Ensuring the vitality of town centres’

Section 8 'Promoting safe and healthy communities'

Section 9 'Promoting sustainable transport'

Section 10 'Supporting high quality communications'

Section 11 'Making effective use of land'

Section 12 'Achieving well designed places' indicates that all development to be of a high quality in design, and the relationship and visual impact of it to be compatible with the surroundings. In particular, and amongst other things, Paragraphs 124 – 131 advise that:

The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Further advice contained in the following sections of the NPPF is of relevance:
Section 14 – Climate change – and where applicable – flooding and coastal change.

In Section 15 – Conserving and enhancing the natural environment – the advice contained in paragraphs 170 – 172; and, 174 -177; are of direct relevance to the consideration of this proposal.

In Section 16 – Conserving and enhancing the historic environment – the advice contained in paragraphs 184 – 186; 189 -192; and 200 – 202 are of direct relevance to the consideration of this proposal.

Para 38 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

Technical Guidance to the Planning Policy Framework

Planning Practise Guidance

On 6 March 2014 the Department for Communities and Local Government (DCLG) launched its planning practice guidance web-based resource. This includes the following statement:

This guidance is intended to assist practitioners. Ultimately the interpretation of legislation is for the Courts but this guidance is an indication of the Secretary of State's views. The department seeks to ensure that the guidance is in plain English and easily understandable. Consequently it may sometimes be oversimplified and, as the law changes quickly, although we do our best, it may not always be up to date.

Adopted West Dorset and Weymouth & Portland Local Plan (2015)

As far as this application is concerned the following policies from the adopted West Dorset, Weymouth and Portland Local Plan (adopted October, 2015), are considered to be relevant:

INT1.	PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT
ENV1	LANDSCAPE, SEASCAPE AND SITES OF GEOLOGICAL INTEREST
ENV2	WILDLIFE AND HABITATS
ENV3	GREEN INFRASTRUCTURE NETWORK
ENV4	HERITAGE ASSETS
ENV5	FLOOD RISK
ENV9	POLLUTION AND CONTAMINATED LAND
ENV10	THE LANDSCAPE AND TOWNSCAPE SETTING
ENV11	THE PATTERN OF STREETS AND SPACES
ENV12	THE DESIGN AND POSITIONING OF BUILDINGS
ENV15	EFFICIENT AND APPROPRIATE USE OF LAND
ENV16	AMENITY
SUS1	THE LEVEL OF ECONOMIC AND HOUSING GROWTH
SUS2	DISTRIBUTION OF DEVELOPMENT
ECON1	PROVISION OF EMPLOYMENT
ECON6	BUILT TOURIST ACCOMMODATION
HOUS1	AFFORDABLE HOUSING
HOUS3	OPEN MARKET HOUSING MIX
COM1	MAKING SURE NEW DEVELOPMENT MAKES SUITABLE PROVISION FOR COMMUNITY INFRASTRUCTURE
COM2	NEW OR IMPROVED LOCAL COMMUNITY BUILDINGS AND STRUCTURES
COM4	NEW OR IMPROVED LOCAL COMMUNITY BUILDINGS AND STRUCTURES
COM5	THE RETENTION OF OPEN SPACE AND RECREATIONAL FACILITIES
COM6	THE PROVISION OF EDUCATION AND TRAINING FACILITIES
COM7	CREATING A SAFE AND EFFICIENT TRANSPORT NETWORK
COM9	PARKING STANDARDS IN NEW DEVELOPMENT
COM10	THE PROVISION OF UTILITIES SERVICE INFRASTRUCTURE
LITT1	LITTLEMOOR URBAN EXTENSION

Other material Planning Considerations

Design and Sustainable Development Planning Guidelines (2009).

West Dorset Landscape Character Assessment – February 2009 – Osmington Ridge and Vale Landscape Character Area.

Dorset AONB Management Plan 2019 – 2024
Planning Obligations Guidelines - 2010.

Conservation Area Appraisals – Not applicable.

Report to West Dorset, Weymouth and Portland Councils - Report on the Examination into the West Dorset, Weymouth and Portland Joint Local Plan - by Paul Crysell BSc MSC MRTPI - an Inspector appointed by the Secretary of State for Communities and Local Government - Date 14 August 2015.

10.0 HUMAN RIGHTS

Article 6 - Right to a fair trial.

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

The first protocol of Article 1 Protection of property

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

11.0 PUBLIC SECTOR EQUALITIES DUTY

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

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

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

In considering the requirements of the PSED, the use of tarmac road surfaces and provision of pavements and footpaths with drop kerbs at road junctions will provide firm, level, surfaces to enable safe access for all. New pedestrian crossings on the Littlemoor Relief Road, will provide access to the existing centre at Littlemoor and to the wider area beyond including the public transport network. The proposals involve the provision

of a Care Home and employment facilities. Furthermore, provision will be made within the development to provide level access for those with limited mobility, or who are unable to drive.

12.0 PLANNING ISSUES:

10.1 The main issues relevant to this planning application are:

- Principle of development and policy background
- Highways, access, movement and links
- Employment land provision and the social and economic implications of the proposed development
- Education
- Affordable housing and housing mix
- Landscape and visual impact including wider biodiversity
- Flooding and drainage
- Infrastructure provision
- Employment land provision
- Phasing
- Other matters

13.0 FINANCIAL BENEFITS

Material benefits of the proposed development	
Housing Nos.	Up to 500 dwellings on 12.97 ha
Affordable housing Nos.	35% of 500 = 175 dwellings
Serviced employment land	7.92ha
Number of jobs likely to be created	Not known – outline application only
Quantum of Greenspace	8.82ha
Publically accessible wildlife site	3.7ha
Accessible, serviced and levelled school site	2.4ha
Local Centre	0.37ha
Infrastructure	1.65ha
NEAP (Play area)	0.04ha
Construction employment opportunities	Not known – outline application only
Financial contributions to be secured via S.106 Agreement	
Education contribution	£6169 per eligible unit
Community Facilities	£309,950
Weymouth Swimming Pool	£127,095
Library facilities	£64,860
Redland Sports Centre	£112,069
Lorton Nature Reserve	£95,760
Children's play and open space	£478,162
Primary Healthcare contribution	£40,000

Non-material benefits of the proposed development	
Business Rates	Unknown – outline application only
Council Tax	Unknown – outline application only
New Homes Bonus	Unknown – outline application only

14.0 PLANNING ASSESSMENT:

Structure of this Report

Each of the main planning issues relevant to this application is discussed in a separate section in the remainder of this report. The final summary balances the various aspects of the proposal and draws a conclusion.

The proposal is EIA development for the purposes of The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 and so this application is supported by an Environmental Statement (ES). The conclusions of the ES are important material considerations and there are references to them throughout this report. The full text of the ES as well as a Non-Technical Summary is available to view online. EIA is governed by the Town and Country Planning (Environmental Impact Assessment) Regulations, and the latest EIA Regulations came into force on 16th May 2017. In Part 12, Regulation 76 sets out transitional arrangements and confirms that those projects which had submitted a formal EIA screening or scoping request before the 16th May 2017 would continue to be considered under the 2011 Regulations (as amended). The ES was prepared in accordance with The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended) (the EIA Regulations).

PRINCIPLE OF DEVELOPMENT AND POLICY BACKGROUND

General considerations

This application forms the major part of the LITT1 allocation in the adopted West Dorset, Weymouth and Portland Local Plan which is reproduced for clarity in **Appendix A**. The consideration of this proposal will not prevent the residual elements of the LITT1 land coming forward for development. The principle of use for the purposes of mixed used development as set out in the plan is therefore not in question. The site is located within the Dorset AONB and it is accepted that the scheme represents major development for the purposes of applying para 172 of the NPPF. However, the site is also allocated under Policy LITT1 of the adopted Local Plan.

The Inspector's consideration of the site as part the Local Plan inquiry weighed up the balance between the need for additional housing, employment and community facilities and the protection of the AONB. In finding the plan sound the Inspector provided commentary on the site at Littlemoor in paras 123 to 129 of his report. These paragraphs recognised the scale and extent of the site, the need for the provision of strategic housing sites in the Weymouth area and the lack of genuine alternatives, as

well as the extent to which any detrimental effects on the environment and landscape could be moderated.

Criterion ii) of Policy LITT1 sets out the need for the development of the site to be landscape-led to ensure that there are positive enhancements to the Dorset AONB and criterion v) also seeks to limit the scale and extent of built development to below the 40m contour and to secure the provision of extensive landscaping. The provision of 8 ha of employment land will also help to boost the local economy.

The various factors taken into account by the Local Plan Inspector in supporting site LITT 1, despite its location in the AONB remain relevant to the consideration of this application. However, in reaching a view on the acceptability of this application a wide range of other matters have been taken into consideration, including consideration of the extent to which the proposals satisfy the requirements of Policy LITT1.

The proposal is submitted in outline for up to 500 dwellings including affordable housing; up to 8 ha of employment land (to include a new hotel, residential care home, car show rooms and other employment land); land for a new primary school; a new local centre; public open spaces, new accesses and roads, and associated infrastructure. The application was subsequently amended to remove the access points from consideration at this stage and for them to be considered as part of the Reserved Matters. At the pre-application stage, the proposals were the subject of community involvement.

The Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that when making a determination under the Planning Acts *“the determination must be made in accordance with the plan unless material considerations indicate otherwise.”* The development plan in this case is the West Dorset, Weymouth & Portland Local Plan 2015 (the “Local Plan”).

The Local Plan Inspectors Report

In view of the concerns raised by many local residents and the Parish Council, it is important to set out the relevant history for the consideration of the site for development as part of the Local Plan. The extracts below set out the considerations from the Inspectors report to the local plan with the paragraphs numbered according to the Inspectors’ report.

123	The allocation of land at Littlemoor (LITT 1) involves the northwards extension of Weymouth beyond the administrative boundary into WD and part of the Dorset AONB. The Councils identify this as a strategic site representing major development thereby giving rise to concerns regarding its impact both on the AONB and wider landscape.
124	Rising land to both the north and east helps to contain the proposed site and I agree with the Councils that strategic planting would help mask the scale of the development and mitigate the obvious boundary between the countryside and the existing urban edge. Internal planting could further help to contain

	building forms and ameliorate its impact on the surrounding countryside.
125	Development in this location would benefit from its proximity to the Weymouth Relief Road, the station at Upwey and existing services at Littlemoor. While other sites have been put forward such as Wyke Oliver Farm and land to the north of Upwey, I do not regard these as genuine alternatives but rather locations capable of augmenting the strategic provision of LITT 1 and are sites which should be considered when reviewing the LP.
126	As a number of respondents have pointed out development at any of these locations would have consequences for this part of north Weymouth whether through increased traffic movements, the need to address flooding issues or the loss of agricultural land. I have seen no evidence to suggest the first two matters are insurmountable or that the amount of agricultural land to be lost is crucial given that greenfield sites will be needed if the Councils are to meet their housing target.
127	Fears were also expressed that the scale of development would lead to local facilities being 'swamped' although there is no evidence to show that this would be the case. In my opinion the market is likely to respond to increased demand for goods and services including the provision of new or revised public transport links.
128	To support the level of proposed development it is envisaged there would be a need for additional education facilities involving the provision of a new primary school or the expansion of an existing one, depending on the County Council's needs as the education authority. To retain flexibility the supporting text should be revised to allow for either option (MM53). The Councils now accept that the developer/landowner will be the primary source of masterplanning for the area subject to this work being undertaken in collaboration with relevant parties. A modification is proposed to adjust the Plan accordingly (MM54).
129	Taking the various factors into account I consider there are sound reasons to support the Councils' preferred choice of site at LITT 1 despite its location in the AONB. Having regard to the overall level of housing need and the availability, size and merit of other sites on the periphery of the Weymouth urban area, I am satisfied it would be less visually harmful when compared to the release of a number of smaller sites. In coming to this conclusion I also recognise the development would provide an opportunity to improve the transition between the countryside and urban area. Furthermore, positively promoting the use of nearby land at Icen and Weyside Farms for employment uses (LITT 2) would, in turn, help to resolve historical planning issues and improve the containment of an adjacent and prominent site in the AONB.

As can be seen from the above extracts, the Inspector appointed to consider the local plan looked at the various elements of the proposed allocation, including highway network, flooding, infrastructure needs, the site capacity, phasing, education provision and the impact on the character of the AONB to the north. As set out in his report, the Inspector concluded that the allocation of the site for housing, employment and related community facilities uses within the overall allocation appropriate to a mixed use neighbourhood was to be supported at the scale indicated, as it would make good use

of existing infrastructure such as the Weymouth Relief Road, Upwey railway station and the existing Littlemoor Centre. This is despite its location in the AONB – the Inspector noted that the impact of development on the AONB would be restricted by the rising land to the north and east beyond which no views would be available; and, that strategic planting “would help mask the scale of the development and mitigate the obvious boundary between the countryside and the existing urban edge. Internal planting could further help to contain building forms and ameliorate its impact on the surrounding countryside.”

It is noted that many of the representations received are concerned at the scale of the proposal, traffic generation and vehicle movements, site specific details and the potential impact on neighbours amenities. Few comments are directed at whether the principle of development is acceptable or not. Given the sites inclusion in the adopted Local Plan as part of the LITT1 allocation, the principle of this site being developed for residential and other purposes is considered acceptable. In accordance with the policy presumptions set out above it is considered that, in principle, the application meets the policy tests set out in Local Plan policy LITT1; and, the advice contained in the NPPF, and therefore, the principle of residential development is acceptable as it will provide much required growth in the area whilst minimising impact on the AONB.

In principle, the applications are considered to be acceptable and meet the requirements of Policies INT1, EVN1, SUS1, SUS2, and LITT1 in the West Dorset, Weymouth and Portland Local Plan – (Adopted, October, 2015); and, the requirements of the National Planning Policy Framework – July, 2018 (as amended). The details of the reserved matters will be important in particular the landscape led design approach.

HIGHWAYS, ACCESS, MOVEMENT AND LINKS

In amending the applications, the requirement to fix access was deleted and therefore, access to the site from the Littlemoor Relief Road is now proposed to be a Reserved Matter. Several meetings were held with the applicants and Dorset Highways prior to this change. This has resulted in Dorset Highways raising no objections to the proposals subject to the imposition of conditions and informatives being attached to any outline planning permission that may be granted.

One important element however is the need to ensure there is good connectivity for pedestrians and cyclists to move both within the site and connect to the surrounding area. The application proposes footpath, bridleway and cycle links through and around the site which link up with the existing footpath/bridleway network and provide non-motorised access links to the surrounding network. Crossing points for Littlemoor Road will also be provided although these may not be in the ideal location for the existing Local Centre due to the existing balancing ponds on the site for the road itself. However, the provisions are considered to be acceptable and meet the requirements of Adopted Local Plan Policies COM7 and COM9. The pedestrian access arrangements will also allow for safe passage of pedestrians under the considerations of the Public Sector Equalities Duty (PSED) for the movement of parents with children, the elderly and less able bodied persons.

EMPLOYMENT LAND PROVISION AND THE SOCIAL AND ECONOMIC IMPLICATIONS OF THE PROPOSED DEVELOPMENT

The NPPF was first published in March, 2012. It outlined Central Government Policy relating to planning and development, arguing in favour of and supporting sustainable development. In so doing, it based the achievement of sustainable development on three overarching objectives - which are: an economic objective; a social objective; and, an environmental objective. These objectives are maintained in the updated NPPF of July 2018, (as amended 2019). They are outlined in Section 4 of this Report.

In preparing and processing the West Dorset, Weymouth and Portland Local Plan – (Adopted, October, 2015); the Local Plan was required to be prepared in accordance with the provisions of the NPPF, and was considered at the Public Inquiry into the Local Plan with the Inspector's considerations being outlined in Section 11.1 above. Adopted Local Plan Policy LITT1 – Littlemoor Urban Extension – reflects the Council's planning policy for the site of the proposed development. It also reflects the requirements of the NPPF in respect of the Governments' Economic, Social and Environmental objectives.

The applications propose 8ha of employment land; a hotel; a residential care home, car show rooms and other employment land. Whilst this does not amount to the 12 ha of employment land as stipulated in Policy LITT1, Officers consider that the provision of the Hotel, Care Home and Car Showrooms represent employment generating development and add to the overall balance of this element of the development by providing a diversity of employment generating uses. The 8ha of employment land equates to 13.33% of the employment land provision required in the former Weymouth and Portland and West Dorset administrative areas for the period 2011- 2031. Members should note that the LITT1 requirement for the provision of 12 Ha of employment land relates to the whole of the allocation. The application site does not cover all of the allocation, and there are two residual areas of land - one to the north of the site between its boundary and Bincombe Lane; and, one to the west of the site between its boundary and Goulds Garden centre. These areas of land exceed 4 ha in area.

The comments received include criticism of the inclusion of a hotel in the development in that there are already hotels in the Weymouth area that are struggling to attract visitors; that the hotel at Portland Heights may be re-developed for residential purposes – subject to planning – and, that such an hotel may form part of a chain that is serviced from outside the area. These concerns are noted but in order to provide choice it is considered that locationally, a hotel on this site in the northern part of Weymouth, is sufficiently distant from the town centre to have a minimal impact on the vitality and viability of the tourist trade locally. It will add to the level of choice of hotel accommodation available in the area, and given its proximity to the employment land forming part of this application, and the proposed residential element of the development, affords a base for its sustainability. The applicants have provided a Report in the form of a Hotel Sequential Test and Impact Assessment, prepared by Savills which Officer's requested when the nearby former Budgen's Store was vacant – it has since been re-occupied as a retail unit– it was nevertheless, accepted that to re-

use the site for an hotel would have been difficult to achieve successfully, given the proximity of other retail and related uses - Health Centre, Doctors' Surgery, Vets, Church and Library within and around the Littlemoor Shopping Centre. It also provides scope for a related public house/restaurant – subject to planning – as a related form of development. There is presently no such facility at Littlemoor.

In respect of the proposed car showroom, which is most likely to be supported by servicing and repairs to vehicles, again, locationally, it is close to the main road network, and such a use would be beneficial in both employment terms, and in respect of servicing and providing diversity in the local economy, as well as being easily accessible from a wide area.

Care Home

The provision of land within the development for a Care Home is shown on the masterplan as being located to the east of the industrial allocation and west of the Local Centre close to the centrally located access into the site from the Littlemoor Relief Road. The provision of a Care Home will assist in meeting an identified local need in an area which has a significant elderly element to its population. The proposal for a Care Home can be conditioned. Any design details will be the subject of a separate application for consideration at the Reserved Matters stage. The provision of the Care Home accords with Local Plan Policy HOUS5.

Local Centre

A new local centre is proposed to be located in a central position opposite the existing Local Centre with pedestrian controlled crossing across the A353 Littlemoor Relief Road. The requirement for a local centre can be conditioned. Any design details including road crossings will be the subject of a separate application for consideration at the Reserved Matters stage.

Utilities Services Infrastructure

Local Plan Policy COM10 iii) indicates that the provision of infrastructure to support superfast broadband technology will be a requirement on all new site specific allocations. Supporting information accompanying the application indicates that such provision will be made as part of the supporting infrastructure serving the site in line with Central Government initiatives to encourage Internet Service Providers to implement the latest in electronic communications technology. Such a requirement can be conditioned.

It is considered that the provision within the application for 8 ha of employment land; an hotel; local centre; a residential care home, and car show rooms are acceptable and meet the requirements of Policies INT1, ENV1, SUS1, SUS2, HOUS5, COM10 iii) and LITT1 in the West Dorset, Weymouth and Portland Local Plan – (Adopted, October, 2015); and, the requirements of the National Planning Policy Framework – July, 2018 (as amended), in respect of the economic objective, and in part, the social objective in respect of the Local Centre and Care Home.

EDUCATION

An area of 2.4 ha has been identified for the provision of a new primary school with associated grounds, playing fields and parking to be located centrally, and to the north, within the depth of the site. The proposed site will be accessed by the new service road running through the development, and will be sited adjoining parts of the public open space and publically accessible wildlife site areas which are to be located beneath and adjacent to the area under the power lines that cross the site in a SE/NW line and close to the sites northern boundary. The site is sized to accommodate a 2-form entry school. This will allow the school to expand when necessary.

Dorset Council's Education Department has examined the proposals and established the need to secure developer contributions toward the provision of improved education capacity in the local system. A detailed assessment of the current school capacity has been provided in the authority's response to this application.

Dorset Education confirms in its comments that it seeks the provision of a strategic education site for a 2FE primary school within the LITT1 development. The school site should be levelled and serviced by the developer in the earliest phase of the development due to the documented pressures for school places outlined above. The new school will be in addition to the existing Primary Schools in Littlemoor and is not intended to be a replacement for any of them at current time.

In terms of a financial contribution towards Education provision, a figure of £6169 per eligible unit (eligible unit being all dwellings with 2 or more bedrooms), has been agreed with the applicants. The applications are in outline, therefore, the figure used is an assumption as it is not yet known how many 1 beds units are proposed. This figure will be confirmed at Reserved Matter stage when details of house types/sizes will be provided. A credit for the additional area of school land to enable a 2 Form Entry, as opposed to a 1 Form Entry school to be provided (c.£10k) will also be factored into the calculations. The S.106 will contain a formula, to be applied at RM stage, based on the number of qualifying open market and affordable dwellings. It should be noted that both open market and affordable dwellings of 2 bedrooms and above count as qualifying units in respect of Education contributions.

The location of the school site as outlined in the masterplan, is considered to be acceptable. Its exact position on site and its design details will be the subject of a further application to be considered at a later date. The provision of the school site will be detailed in the S.106 Agreement at the outline stage. Given the existing pressure on primary education in the Littlemoor/Weymouth catchment, the Education Department insists that the proposed school site is levelled and serviced in the earliest phase of the development. The trigger for the school site to be levelled and accessible is currently the subject for discussion, however, it is envisaged that it will come forward in the earliest phase of development.

The Education contribution also includes a contribution towards secondary education provision that would arise from the development. This is included in the per dwelling

sum and will be included in any S.106 Agreement. The education contribution element of the proposals is acceptable and accords with Local Plan Policies COM6 and LITT1.

AFFORDABLE HOUSING AND HOUSING MIX

The application proposes the erection of up to 500 new homes of mixed size and tenure, including 35% affordable housing, as outlined in Local Plan policies HOUS1 and LITT1, with the intention that delivery will be phased. In terms of layout, and design, the provision of residential development is informed by Local Plan Policies ENV10 – Landscape and Townscape Setting, ENV11 – The Pattern of Streets and Spaces; and, ENV12 – The Design and Positioning of Buildings; and, the advice contained in Section 12 ‘Achieving well designed places’ in the NPPF. This policy advice has been used to formulate the masterplan, which is considered to be broadly acceptable in advising the overall site layout and location of the various aspects of the proposed development. As indicated by the Urban Design Officer, careful consideration will need to be given to the creation of character areas and a palate of appropriate designs and use of materials. These can be achieved through a condition. As indicated elsewhere, given the outline nature of the application, design details will be the subject of separate proposals at the Reserved Matters stage.

Affordable housing

The applicant submitted a Housing Viability Assessment in respect of ascertaining the ability of the development to provide the policy compliant level of Affordable Housing (AH). This was submitted to the District Valuer for Assessment and a report received. Subsequent negotiations with the applicants have resulted in a policy compliant level of 35% AH provision albeit at a tenure split of Affordable Rented Units 50:50 Intermediate Affordable Housing (Shared ownership) of 50:50. This is slightly less than the Affordable Rented Units and Intermediate Affordable Housing 70:30 tenure split required by Policy HOUS1 in the Adopted Local Plan. It is noted that a similar tenure split of 50:50 has been negotiated elsewhere in the area (Chickerell – Bank and Ridge site), and whilst this is not Policy compliant it is, nevertheless, considered to be acceptable given what has been accepted elsewhere and given that 35% has been agreed..

The strategic approach to affordable housing provision requires the type size and mix of housing to reflect local needs as far as possible and result in balanced communities. A draft heads of terms has been prepared for the affordable housing provision.

- 35% of dwellings as affordable housing
- 50% of the affordable housing units as affordable rented housing
- 50% of the affordable housing units as intermediate housing. (Shared ownership).

The heads of terms for the S.106 Agreement proposes that approximately 80% of the affordable rented properties would be two or three bedroom house types. All intermediate dwellings would be two or three bedroom house types. The S.106 Agreement will be binding on any subsequent reserved matters application.

Properties would be prioritised to persons with a local connection to Weymouth and Portland and adjoining and nearby parishes (e.g. Littlemoor, Bincombe, Upwey, Broadway, Preston, Chickerell), then any qualifying person within the Dorset Council area. All affordable housing would be provided in perpetuity.

The provision of affordable housing at a rate of 35% complies with Adopted Local Plan Policy HOUS1.

Housing mix

The proposal indicatively includes a range of housing including smaller units at a density. The layout of the housing areas, final mix of house types, scale and design will be determined at the Reserved Matters stage. The details outlined in the application as illustrated in the submitted details, masterplan, Planning and Environmental Statements, are considered to be acceptable and accord with Local Plan Policies LITT1, HOUS1, HOUS3 and the requirements of the NPPF.

Phasing

The development is proposed to be carried out in phases which will be a condition requiring the production of an agreed phasing plan, and in accordance with the triggers that are to be incorporated within the S.106 Agreement in respect of infrastructure provision, new facilities, school provision and structural landscaping etc. The phased development of the site is informed by the masterplan and Environmental Statement, and it is envisaged that delivery of the housing on site will accord with the provisions of Local Plan Policy LITT1.

LANDSCAPE AND VISUAL IMPACT INCLUDING WIDER BIODIVERSITY

The site lies wholly within the Dorset AONB, the boundary of which is marked by the A353. The site is bounded by existing development on its south and west sides, with that to the west comprising the existing Littlemoor Centre. This Local Centre comprises a range of shops, including a Home Bargains Discount Store (formerly Budgen's) and Littlemoor Hardware; Pharmacy; Post Office/Newsagents; Sandwich Bar; and, two Hot Food Takeaways. Other services include a Branch Public Library, Doctor's Surgery, Dental Surgery; and, St Francis Church. Rising land to both the north and east helps to contain the proposed site from wider views, and at the Local Plan Inquiry, The Inspector commented that "strategic planting would help mask the scale of the development and mitigate the obvious boundary between the countryside and the existing urban edge. Internal planting could further help to contain building forms and ameliorate its impact on the surrounding countryside."

The sites northern boundary is marked a mature hedge. This is relatively thick in places. Further hedgerows run across the site in both an east-west and north-south directions, with an area of scrub bounding part of the eastern site boundary. A single track runs from the A353 Littlemoor Relief Road north and serves Bincombe Marsh Dairy. This farmhouse and farm building complex lie just beyond the sites northern boundary. A balancing pond lies on the north side of the A353 opposite the Littlemoor Centre. This is

part of the flood alleviation scheme associated with the Relief Road, and lies outside the application site. It is in the Ownership/control of Dorset Council – Highways.

The Council's Landscape Officer and the AONB Office, originally raised objection to the proposed structural landscaping and specific soft landscaping for the development. Concerns raised were that there was a significant lack of proposed boundary planting and strategic planting shown on the phasing plan. The Landscape Design Statement emphasises the retention and maintenance of the existing vegetation along the northern boundary. Following the receipt of amended plans in November, 2017, in particular the Landscape Parameter Plan, the concerns raised regarding the extent of the planting proposals were noted and those indicated on the Landscape Parameter plan should take precedence in order to ensure compliance with Local Plan LITT1 ii) which states development should be 'Landscape Led'. The structural planting comprised in the Landscape Strategy can be fixed at the Outline Stage and should be incorporated into any Section 106 Agreement.

The Landscape Officers views are supported by those received from the AONB office, which express concern that development should not rise above the 42m contour – that is 42m metres above AOD. AOD is defined as Above Ordnance Datum (height relative to the average sea level at Newlyn, Cornwall UK). This is to avoid any unacceptably adverse visual impact from the development on the character of the AONB, particularly in respect of views from the higher ground to the north and north-west of the site. In commenting on the amended plans, particularly the Landscape Parameter Plan, the Landscape Officer has highlighted the requirements for Strategic planting, especially the planting belt along the sites boundary with the AONB; Green Corridors to be sufficiently substantial; Publically accessible areas of 'habitat creation' as shown on the Parameters Plan; centrally located Public Open Space integrated within the development; A Design Framework for details such as building/ roofing materials appropriate for the AONB; and, design consideration for the integration of the balancing pond along Littlemoor Road to enable it to be integrated into the site as far as possible. These latter elements can be conditioned.

The applicant is aware of the need to minimise the visual impact of the development on views from the land to the north and north-west and distant views from the wider area of the AONB. In this regard, whilst scale is not fixed at this stage, the amended Building Heights Parameters Plan indicates that the built form of development will be highest closest to Littlemoor Road – 4 storeys; gradually reducing in height to no more than 2-stories in the areas closest to the sites northern boundary with the adjoining countryside and AONB. No buildings are shown as being sited under the area of the power lines which is to be open space; and the school site buildings are indicated as being 2-storey with the school playing fields being sited closest to the sites northern boundary.

The existing northern boundary hedge is to be enhanced to provide a more significant green barrier between the built development and the countryside. Two public footpaths are adjacent to the site and will be link with as part of the scheme.

This is an allocated site forms part of a land allocation in the Local Plan for up to 500 dwellings. The application site and indicative development layout shown on the Masterplan and Parameter Plans amounts to the vast majority of the LITT1 allocation except for the land to the east between the site and Gould's Garden Centre; and, to the north of the sites northern boundary in the vicinity of the power lines and Bincombe Lane. These areas of land on their own and judging by their size, may be able to accommodate further employment development, thus making up the requirement of Policy LITT1 for the provision of 12 Ha of employment land. Any development, however much it is set in from the northern site boundary, is going to have some degree of visual impact on views from within the AONB. The argument here is whether the dwellings proposed to be sited closest to the sites northern boundary will result in an adverse visual impact on the character and openness of the countryside and the AONB. The 3 and 4-storey elements of the development within the site and closest to Littlemoor Road will be screened to a large extent by these dwellings and hedging and, overall the visual impact of the development on the character and openness of the AONB is conserved to be acceptable.

Overall Officers consider that the visual impact of the development on its surroundings, including impact on the AONB is acceptable and meets the requirements of adopted Local Plan Policies ENV1, and ENV10, and the advice contained in the NPPF

EIA FLOODING AND DRAINAGE

The comments received from Dorset Council – Lead Local Flood Authority (LLFA) both original and updated, are noted. The applicants in submitting a further revised drainage details have sought to address the concerns raised by the LLFA in its subsequent comments. Following the submission of these details and a revised Flood Risk Assessment, the LLFA has since withdrawn its objection and considers that the proposed development is acceptable subject to conditions and informative notes being added to any permission granted relating to the proposed drainage layout.

The existing SUDS for Littlemoor Road itself will remain on site but do not form part of the mitigation for the development proposed which will primarily involve a drainage strategy within the open space under and close to the power lines.

INFRASTRUCTURE PROVISION

The adopted Local Plan contains supporting text at paragraphs 6.2.2 – 6.2.6 relating to 'Planning Obligations and the Community Infrastructure Levy'.

"6.2.3 The councils will collect funds for infrastructure via CIL, planning obligations or a combination of the two, depending on the nature of development. On larger more complex strategic allocations, some forms of infrastructure will need to be provided as part of the development. Infrastructure requirements for the following complex strategic sites will be secured through a planning obligation requiring the developer to enter into a section 106 agreement and as such are to be excluded from a CIL charge:

- Littlemoor Urban Extension;
- Chickerell Urban Extension;

- Land at Crossways;
- Land at Vearse Farm, Bridport;
- Markham & Little Francis, Weymouth.

Further details of the infrastructure requirements for each strategic allocation can be found in the Infrastructure Delivery Plan. The same approach may need to be applied to other large-scale, complex developments which come forward through the planning system. Infrastructure for smaller, less complex development sites will normally be met through the use of the Community Infrastructure Levy. The councils' Regulation 123 list of strategic infrastructure sets out which projects are intended to be funded via CIL. Section 106 agreements cannot be sought to fund the items of infrastructure where the development is also contributing to their delivery through CIL. The councils will ensure that development proposals do not pay twice for the same item of infrastructure."

Paragraph 6.2.6 of the Local Plan indicates:

"6.2.6 When negotiated through section 106 agreements, the councils will ensure that the level of contributions towards community infrastructure is well related in scale and kind to the proposed development. As such, contributions may be reduced where there is strong evidence that the need is reduced, for example in terms of care homes and one-bedroom homes. Future maintenance needs will also be considered, particularly if the facilities are predominantly for the benefit of the users associated with the development. Guidance on how, when and what planning obligations will be sought will be provided for those sites that will fall outside the Community Infrastructure Levy."

Local Plan Policy COM1 indicates:

COM1. MAKING SURE NEW DEVELOPMENT MAKES SUITABLE PROVISION FOR COMMUNITY INFRASTRUCTURE

i) Where new development will generate a need for new or improved community infrastructure, and this need is not met through the Community Infrastructure Levy, suitable provision should be made on-site in larger developments or, if not practicable to do so, by means of a financial contribution. The provision should be appropriate to the scale and needs of the development having regard to:

- existing facilities in the area, including the quantity and quality of provision;
- the economic viability and the need for the development;
- the ongoing maintenance requirements.

ii) Community infrastructure will be phased to come forward in advance of, or at the same time as the development when negotiated through planning obligations. When delivered through the Community Infrastructure Levy, such provision will be expected to take place as soon as reasonably practicable after the funds are collected.

iii) Contributions will not be sought from new community facilities or affordable housing, with the exception of site-specific measures necessary to make that development acceptable.

In the section of the Local Plan relating to the Littlemoor Urban Extension at page 158, the supporting text at paragraph 9.2.3 indicates:

“9.2.3 On and off-site provision and contributions to community infrastructure will be sought in line with policy COM1 and secured through a section 106 legal agreement.”

A number of representations received make reference to the impact on local services and existing infrastructure as a result of the increased population arising from the development. Officers have discussed the impact of the development on Littlemoor and other Local Services with the applicants for this site and have produced a Planning Obligations Position Statement on which the applicants have commented. Agreed infrastructure provision, in addition to Affordable Housing provision, and a contribution towards new or improved community facilities in Littlemoor, comprises:

- A healthcare contribution towards the provision of Primary Healthcare
- Lorton Nature Reserve contribution – as requested by Dorset Wildlife Trust through consultation;
- Children’s play and open space provision – to be provided on the site;
- A Library contribution – to be provided for works to improve facilities at Littlemoor Public Library;
- A Sports hub contribution – to the Redlands Sports Hub;
- A Swimming pool contribution – to Weymouth Swimming Pool for the creation of a changing village which will update the changing facilities serving the present swimming pool;
- Education contribution - relating to open market dwellings of 2 bedrooms or more. This is covered separately below.
- Local Centre (to be defined) - Local Plan Policy requires provision at ‘an early stage’ of development
- Links across Littlemore Road - Local Plan Policy requires provision at ‘an early stage’ of development;
- Provision of serviced employment land - Local Plan Policy requires this provision. Officers are negotiating the timing of this provision with the applicants;

The triggers for the above contributions will vary and will be outlined in the S.106 Agreement.

The representations made for community facilities required that 50% funding towards a community hub be provided from this development which can be match funded. However, the community facility will service a much wider area than 50% funding could justify and the level's set are considered to be proportionate to the population increase generated by the development. This contribution will be secured through S106 and be £309,950 index linked.

PHASING

The whole development is proposed to be carried out in phases arising from a condition requiring the production of an agreed phasing plan for all land uses, and in accordance with the triggers that are to be incorporated within the S.106 Agreement in respect of infrastructure provision, new facilities, school provision and structural landscaping etc to ensure development proceeds alongside its required community and infrastructure provision..

OTHER MATTERS

Protected Species

The applicants have provided a Biodiversity Mitigation Plan. This has been assessed by Dorset Council's – Natural Environment Team (DC-NET), and reflects the comments made by Natural England and is considered acceptable and a certificate of approval has been granted.

The Ecology Assessment has been undertaken in accordance with current Legislation and policy. Protected species surveys were undertaken by Natural England Licensed Surveyors/Ecologists. The Dorset Environmental Records Centre database has been analysed in respect of various records for and around the site within a 2km area for both protected and non-protected species including mammals, amphibians, reptiles, birds and invertebrates.

The measures outlined in the submitted Biodiversity Mitigation Plan are acceptable and meet the requirements of Adopted Local Plan Policy ENV2 – Wildlife and Habitats; the advice in the NPPF; Natural England's requirements; and, the relevant legislation. The advice of Natural England is noted in its requirements that any permission secures the necessary biodiversity net gain by securing the preparation and full implementation of a detailed Landscape and Environment Management Plan (LEMP). The provision, of a LEMP should be conditioned, and its requirements implemented and enforced, if necessary.

This approach to securing biodiversity enhancement for the site is considered to be acceptable and meets the requirements of are acceptable and meet the requirements of Adopted Local Plan Policy ENV2 – Wildlife and Habitats; the advice in the NPPF; Natural England's requirements; and, relevant legislation.

Local Financial, Considerations

Having regard to S70 (2) of the Town and Country Planning Act the proposal does not have any local finance considerations.

Community Infrastructure Levy

The Community Infrastructure Levy (CIL) came into effect in the Dorset Council area on 18 July, 2016. It does not, however, apply to sites such as the LITT1 site allocated for development in the Adopted Local Plan. This is because such sites are subject to S.106 Agreements to secure infrastructure provision. To apply CIL to them in addition, would result in a double charge, and the question of viability would arise. Therefore, it was resolved at the adoption of the Local Plan that such allocated sites were to be exempt from CIL.

15.0 CONCLUSION/SUMMARY:

The outline application proposes the residential development of a large part of the LITT1 - Littlemoor Urban Extension – allocation in the adopted Local Plan through the erection of up to 500 dwellings, including 35% affordable housing, the provision of a new 2.4 ha primary school site, 8 Ha of employment land including an hotel, Care Home, Car Showrooms, and a Local Centre plus contributions towards secondary school provision, community facility, health care, roads, and footpath/cycle links, strategic landscaping, drainage and flood control measures, plus the provision of play facilities and public open space.

Access to the site will be from the A353 Littlemoor Relief Road, with access points to be determined at the Reserved Matters stage. Access and all other matters namely: Appearance, Landscaping, Layout and Scale, are also reserved for approval at a later stage, or stages, as the development is proposed to be phased over a number of years. The development proposals are to be the subject of a S106 planning obligation to secure appropriate financial contributions and to provide trigger points for the various stages of infrastructure and community facilities provision. In addition, off-site highway works are proposed to facilitate access from the A353 Littlemoor Relief Road, and also to provide cycle and pedestrian crossing points – particularly where the new local centre is to be sited opposite the existing Littlemoor Centre enabling these two elements of the existing and proposed developments to complement each other.

Approval of this application will result in the major part of an allocated site in the adopted Local Plan being brought forward for development. This will contribute to the Council's 5-year housing land supply, where at present, there is an acknowledged shortfall (4.8 years). It will result in residential and employment development in a sustainable location together with the provision of affordable housing to meet local needs. The highways elements and visual impacts are all acceptable, as are the proposed biodiversity and landscape mitigation measures.

The combined benefits of the scheme to Littlemoor in particular and Weymouth as a whole as listed above are considerable additions to boosting housing supply, employment land, and primary school provision. Using the overall balancing exercise in terms of the economic, social and environmental roles that comprise sustainable development, it is considered that the benefits outweigh any adverse impacts and no

material considerations indicate otherwise. The applications should be approved subject to the signing of the Section 106 Agreement as outlined above.

16.0 RECOMMENDATION:

A) DELEGATE AUTHORITY TO THE HEAD OF PLANNING (DEVELOPMENT MANAGEMENT AND BUILDING CONTROL) TO GRANT OUTLINE PLANNING PERMISSION SUBJECT TO THE COMPLETION OF A LEGAL AGREEMENT UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) IN A FORM TO BE AGREED BY THE LEGAL SERVICES MANAGER TO SECURE THE FOLLOWING (index linked if financial contributions):

- **Phasing and triggers for contributions;**
- **35% Affordable Housing;**
- **Highway Matters including footpath links and pedestrian links across Littlemoor Road (A353);**
- **Structural landscaping and Landscape Environmental Management Plan (LEMP)**
- **Comprehensive drainage strategy for all phases**
- **Financial Contributions towards healthcare provision of £40,000**
- **Provision of an on site Local Centre;**
- **Provision of 8ha of serviced employment land;**
- **Allocation of land within the site for provision of an Hotel, Care Home and Car showrooms to ensure employment provision;**
- **Provision of on site school site and Education Contribution of £6169 per eligible unit;**
- **Contributions towards existing and proposed community facilities including community hall of £309,950**
- **Redland Sports Centre towards re-surfacing Hockey Pitch of £112,069**
- **Contribution to Weymouth Swimming Pool of £127,095**
- **Contribution to Library facilities of £64,860**
- **On site provision of Children's Play and Open Space Facilities and financial contribution of £478,162**
- **Lorton Nature Reserve contribution of £95,760**

And the following conditions and their reasons:-

Plans

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

1. 0379-0085-03 - SITE LOCATION PLAN (REVISED) - received 28 November, 2017;

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

Phasing

2. No development for Reserved Matters shall be approved until a phasing plan for the development has been submitted to, and approved in writing by, the local planning authority. The development of the site shall be carried out in accordance with the phasing plan as approved.

REASON: To allow the development to proceed on a phased basis.

Reserved Matters

3. For any individual phase of development identified in the details approved in accordance with condition 2 above, no development within that phase shall commence until details of: (i) all accesses to the site; (ii) the layout of the site (iii) the scale; (iv) appearance of the building(s) within that phase; and (v) the landscaping of that phase shall have been submitted to, and approved in writing by, the Local Planning Authority. The approved Landscaping for each phase of the development shall be implemented and maintained in accordance with the agreed details. Any application for the approval of Reserved Matters on any phase of the development, hereby approved, shall be informed by the following Masterplan and Parameter Plans submitted as part of the outline planning application:

1. 0379-0037-19 ES – FIGURE R(I) 2.8 ILLUSTRATIVE MASTERPLAN (REVISED) - received 3 May, 2018;
2. 0379-0063-05 - DENSITY PARAMETER PLAN (REVISED) - received 28 November, 2017;
3. 0379-0065-08 - ACCESS & MOVEMENT PARAMETER PLAN (REVISED) - received 28 November, 2017;
4. 0379-0064-07 - BUILDING HEIGHT PARAMETER PLAN (REVISED) - received 28 November, 2017;
5. 0379-0066-06 - ECOLOGY & LANDSCAPING PARAMETER PLAN (REVISED) - received 28 November, 2017;
6. 379-0060-11 - LAND USE PLAN (REVISED) - received 28 November, 2017;

REASON: To ensure the satisfactory development of the site; to reflect the sites position within the Dorset AONB; and, to assist in preserving the character and openness of the AONB adjoining the site.

Timescales

4. Application for approval of any Reserved Matter must be made not later than the expiration of ten years beginning with the date of this permission.

REASON: This condition is required to be imposed by Section 92 of the Town and Country Planning Act 1990.

5. The development to which this permission relates must be begun not later than the expiration of two years from the final approval of any Reserved Matter.

REASON: This condition is required to be imposed by Section 92 of the Town and Country Planning Act 1990 (as amended).

Design Framework

6. No application for Reserved Matters for any buildings shall be approved until a Design Framework including a design code, for the development has been submitted to, and approved in writing by, the local planning authority. The Design Framework will develop the principles established in the approved parameter plans. All subsequent Reserved Matters applications shall follow the agreed code unless justification is provided and an alternative is agreed in writing by the local planning authority.

REASON: To ensure the provision of a high quality mixed use development given the lack of detail for a major development on an allocated in the AONB.

Materials

7. No development shall be commenced until details and samples of all external facing materials for the wall(s) and roof(s) of the built structures on any part of the site shall have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the development shall proceed in strict accordance with such materials as have been agreed.

REASON: To ensure a satisfactory visual appearance of the development.

LEMP – (Landscape Environment Management Plan)

8. No application for any Reserved Matters shall be approved until a Landscape Environment Management Plan (LEMP) has been submitted to, and approved in writing by, the local planning authority. The LEMP shall include the following:

- A detailed agreed strategic planting plan for both red line area, along with a time table for implementation. In line with Local Plan policy LITT1 strategic landscape planting is required to be completed in advance of first occupation and preferably as a prerequisite to initiating the first phase of the development. So as to prevent its future removal the strategic landscape planting should also be legally safeguarded.
- Detailed onsite biodiversity mitigation and enhancement measures to include:

- I. The mitigation and enhancement measures outlined in the biodiversity chapter of the submitted Environmental Statement.
- II. Extensive native tree and hedgerow planting within the areas of public open space.
- III. Use of native tree planting within the developed area designed to further ameliorate landscape impacts on the surrounding countryside as recommended by the local plan inspector's report.
- IV. Creation and long term management of areas species rich grassland.
- V. Creation of habitat features such as wildlife ponds, habitat piles etc.
- VI. Provision of new bat roosting and bird nesting opportunities within new builds on the edge of the development, including the provision of nesting opportunities for swift.
- VII. Provision of a range of bird boxes, including provision for barn owl and kestrel.
- VIII. Appropriate compensation of any residual biodiversity impacts as set out by the Dorset Biodiversity Compensation Framework, or similar mechanism. Natural England notes that given the area of green infrastructure to be provided it is likely that there will be sufficient scope to deliver the necessary level of biodiversity compensation directly on site.

Except where addressed in other documents the LEMP shall also include management proposals for each of these features for the lifetime of the development. Unless approved otherwise in writing by the local planning authority, development of the site shall proceed in accordance with the approved LEMP.

REASON: To ensure that the development conserves and enhances biodiversity in accordance with the objectives of the National Planning Policy Framework and policy ENV2 (Wildlife and Habitats) in the West Dorset, Weymouth & Portland Local Plan (adopted October, 2015).

Landscaping

9. No development within any Phase shall take place until all existing trees, shrubs and other natural features not scheduled for removal have been fully safeguarded and fenced for that Phase in accordance with a scheme to be first approved in writing by the Local Planning Authority. Such fencing shall be maintained during the course of the works on site. No unauthorised access or placement of goods, fuels and chemicals, soil or other materials shall take place inside this fenced area. The soil levels within the fenced area shall not be raised or lowered and no trenching or excavation shall take place. In the event that protected trees (or their roots) become damaged, are lost or become otherwise defective in any way during such period, the local planning authority shall be notified immediately and a programme of remedial action as directed by the Local Planning Authority shall be carried out within a timescale to be specified by the Local Planning Authority.

REASON: To ensure that trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability.

10. No development shall commence until a landscaping plan has been submitted for each particular phase of the development. The Landscaping shall include (i) planting plans; (ii) written specifications and schedules of proposed plants noting species, planting sizes and proposed numbers/densities; (iii) full details of the positions, materials and proposed construction methods for all paths and other hard surfaces; (iv) an implementation timetable; and (v) a schedule of landscape maintenance proposals for a period of not less than five years.

REASON: To ensure that the development provides sufficient hard and soft landscaping to successfully integrate with the character of the site and its surrounding area within the Dorset AONB.

11. All planting seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner: and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. All landscape works shall be carried out in accordance with the guidance contained in British Standards.

REASON: To ensure proper implementation of the agreed landscape details in the interests of the amenity value of the development and to successfully integrate with the character of the site and its surrounding area within the Dorset AONB.

Housing

12. The number of dwellings permitted by this planning permission shall not exceed 500. The site shall be developed in phases as outlined in the requirements to be agreed by condition 2 of this permission. The design and housing mix of all dwellings shall be informed by the Design Framework as required to be agreed and approved by condition 6 of this permission.

REASON: To ensure provision of a high quality mixed housing development across the site.

Highways conditions

13. The western most access to serve the development shall be laid out and constructed in accordance with the submitted drawings.

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

14. With the exclusion of the westernmost access point as indicated on the Illustrative Masterplan Drawing No. R (i) 2.8, the other 3 access points to serve the development are acceptable in principle. These three access points shall be subject to detailed

design upon submission of any reserved matters applications. The access points shall subsequently be constructed strictly in accordance with the approved design details.

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

15. No development must commence, on any phase, until details of the access, geometric highway layout, turning and parking areas for that phase have been submitted to and agreed in writing by the Local Planning Authority.

REASON: To ensure the proper and appropriate development of the site.

16. Before the development hereby approved, on any phase or part thereof, is first occupied or utilised, the submitted Interim Residential Travel Plan Ref: NA/SG/sjs/JNY8075-04a received 19 April, 2016, as outlined must be implemented and made operational.

REASON: In order to reduce or mitigate the impacts of the development upon the local highway network and surrounding area.

17. Before the development hereby approved is commenced a Construction Traffic Management Plan (CTMP) must be submitted to and approved in writing by the Local Planning Authority. The CTMP must include:

- construction vehicle details (number, size, type and frequency of movement)
- a programme of construction works and anticipated deliveries
- timings of deliveries so as to avoid, where possible, peak traffic periods
- a framework for managing abnormal loads
- contractors' arrangements (compound, storage, parking, turning, surfacing and drainage)
- wheel cleaning facilities
- vehicle cleaning facilities
- inspection of the highways serving the site (by the developer (or his contractor) and Dorset Highways) prior to work commencing and at regular, agreed intervals during the construction phase
- a scheme of appropriate signing of vehicle route to the site
- a route plan for all contractors and suppliers to be advised on
- temporary traffic management measures where necessary
-

The development must be carried out strictly in accordance with the approved Construction Traffic Management Plan.

REASON: To minimise the likely impact of construction traffic on the surrounding highway network and prevent the possible deposit of loose material on the adjoining highway.

Local facilities

18. The Reserved Matters submission to include serviced employment land of no less than 8 hectares for the provision of Use Classes B1, B2 and B8 industrial uses including a residential Care Home (Use Class C2); a Hotel (Use Class C1); and, car showrooms (sui generis); a mixed use local centre of Use Classes A1, A2, A3, A4, A5, B1, C3 and D1); a serviced site of 2.4 ha to provide a new primary school with associated grounds, playing fields and parking, with the site sized to accommodate a 2-form entry school (Use Class D1). These elements of the development of the site shall be undertaken in phases as outlined in the requirements to be agreed by condition 2 of this permission.

REASON: To ensure provision of the mixed use development (other than residential development) in accordance with the provisions of policies ECON1, SUS1, HOUS1, HOUS3, HOUS5, COM1, COM2, COM4, COM6 and LITT1 in the West Dorset, Weymouth and Portland Local plan (adopted October, 2015); and, the advice contained in the National Planning Policy Framework, July 2018 (as amended).

Care Home

19. The care home hereby permitted shall be used solely as a residential care home or nursing home, and for no other purpose including any other purpose in Use Class C2 of the Town and Country (Use Classes) Order 1987 (as amended).

REASON: To ensure that adequate residential care home provision is provided and retained as such on site in accordance with the provisions of policy LITT1 in the West Dorset, Weymouth and Portland Local Plan (adopted October, 2015).

Employment

20. Detailed Reserved Matters for the Employment Land, as identified on Parameters Plan - Drawing Number 0379-0060-11 - LAND USE PLAN (REVISED), shall include a disposition of buildings and approved uses (B1, B2 and B8) to ensure that the B2 and B8 uses are buffered by other buildings to the extent that the amenity of nearby residential development, and other development sensitive to disturbance, is maintained at an acceptable level.

REASON: To ensure that the amenity of development sensitive to disturbance is not significantly adversely affected in accordance with policy ENV16 (Amenity) in the West Dorset, Weymouth & Portland Local Plan (adopted October, 2015).

21. Prior to the first occupation of any of the industrial development units hereby permitted, details of plant to be installed at premises on the industrial area when construction of premises is nearly completed shall be detailed in a cumulative type BS1442 report for each establishment to ensure that the rated background noise levels recorded do not exceed (29dB(A)).

REASON: To protect the amenities of occupants of existing residential properties, as well as those to be built near to the industrial allocation in respect of additional noise levels that are likely to occur. Such a requirement accords with the provisions of Policy

ENV16 (Amenity) in the West Dorset, Weymouth and Portland Local Plan (adopted October, 2015).

Broadband

22. No development shall commence until a scheme for facilitating infrastructure to support superfast broadband technology to serve the development has been submitted to, and approved in writing by, the local planning authority. The scheme shall include a timetable for implementation, including triggers for a phased implementation if appropriate. Thereafter, the development shall proceed in accordance with the agreed scheme.

REASON: To ensure that the utilities service infrastructure is sufficient to meet the extra demands imposed by this development, in accordance with West Dorset, Weymouth & Portland Local Plan policy COM10. (The Provision of Utilities Service Infrastructure); and, the advice contained in the National Planning Policy Framework,, July 2018 (as amended).

Cycle Parking Facilities

23. The development hereby permitted must not be occupied in any phase until a scheme showing precise details of the proposed cycle parking facilities for that phase has been submitted to the Local Planning Authority. Any such scheme requires approval to be obtained in writing from the Local Planning Authority. The approved scheme must be constructed before the development of that phase is commenced and, thereafter, must be maintained, kept free from obstruction and available for the purpose specified.

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

NEAP

24 No more than 300 dwellings shall be first occupied until a Neighbourhood Equipped Area for Play (NEAP) has been constructed and made available for use in accordance with a specification that shall first have been submitted to, and agreed in writing by, the local planning authority. The specification shall include details for the management and maintenance of the NEAP for the lifetime of the development. Thereafter, the NEAP shall be maintained and managed in accordance with the approved specification.

REASON: To meet the requirement of West Dorset, Weymouth and Portland Local Plan policy LITT1 (LITTLEMOOR URBAN EXTENSION) for the development to provide local community facilities commensurate with its scale and nature.

Land contamination

25. Before the commencement of development, the developer shall submit for the written approval of the Local Planning Authority: (a) a 'desk study' report documenting the site history; (b) a site investigation report documenting the ground conditions of the

site, and incorporating a 'conceptual model' of all potential pollutant linkages, detailing the identified sources, pathways and receptors and basis of risk assessment; (c) a detailed scheme for remedial works and measures to be taken to avoid risk from contaminants/or gases when the site is developed; (d) a detailed phasing scheme for the development and remedial works. The remediation scheme, as agreed in writing by the Local Planning Authority, shall be fully implemented before the development is occupied. Any variation to the scheme shall be agreed in writing with the Local Planning Authority in advance of works being undertaken. On completion of the works the developer shall provide written confirmation that all works were completed in accordance with the agreed details.

REASON: To ensure that risks from soil contamination to the future occupants of the development and neighbouring occupiers are minimised, having regard to the National Planning Policy Framework July 2018 (as amended).

26. Before the commencement of development, the approved remediation scheme shall be carried out unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a validation report that demonstrates the effectiveness of the remediation carried out shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, having regard to the National Planning Policy Framework March July 2018 (as amended).

27. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a validation report shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, having regard to the National Planning Policy Framework, July 2018 (as amended).

Finished floor levels – Flood Risk

28. Finished floor levels shall be set a minimum of 600mm above the design flood level as set out in paragraph 9.9 of the Flood Risk Assessment (RPS, April 2016, ref: RCEF31131-005 R).

REASON: To reduce the risk of flooding to the proposed development and future occupants.

Surface Water Management

29. No development shall take place until a detailed surface water management scheme for the site, based upon the hydrological & hydrogeological context of the development, with appropriate consideration of existing drainage infrastructure and providing clarification of how surface water is to be managed during construction, has been submitted to, and approved in writing by the local planning authority. The surface water scheme shall be implemented in accordance with the submitted details before the development is completed.

REASON - To prevent the increased risk of flooding and to protect water quality.

30. No development shall take place until details of maintenance and management of the surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. These should include a plan for the lifetime of the development, the arrangements for adoption by any public body / statutory undertaker, shared ownership, any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

REASON - To ensure future maintenance of the surface water drainage system, and to prevent the increased risk of flooding.

Sewage

31. No development shall commence on each relevant phase (as referred to in Condition 2) until details of a foul drainage disposal scheme to serve the development within that phase has been submitted to and approved in writing by the Local Planning Authority. Such details will need to demonstrate that the system is adequately sized to accommodate and accept the flows that will be generated by this proposal.

REASON: To ensure that the development is undertaken in an acceptable manner.

Foul Water

32. The development shall not be commenced until a foul water drainage strategy is submitted and approved in writing by the local Planning Authority in consultation with Wessex Water acting as the sewerage undertaker

- a drainage scheme shall include appropriate arrangements for the agreed points of connection and the capacity improvements required to serve the proposed development phasing

- the drainage scheme shall be completed in accordance with the approved details and to a timetable agreed with the local planning authority.

REASON: To ensure that proper provision is made for sewerage of the site and that the development does not increase the risk of sewer flooding to downstream property.

33. As part of the reserved matters, the internal road layout shall make provision for means of vehicular access to the residual parts of the allocated site to the north (Land adjacent to Bincombe Lane) and to the west (Land adjacent to Goulds Garden Centre) shall provide for the construction of a new road(s) to the site boundary of the current site.

REASON: In the interests of permeability and connectivity and appropriate movement through the allocated site to ensure comprehensive development of the site and the LITT1 land allocation.

And the following

INFORMATIVES

National Planning Policy Framework Statement

In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development. The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and
- as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

- The applicant/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.
- The applicant was provided with pre-application advice.

S106

This permission is subject to an agreement made pursuant to Section 106 of the Town and Country Planning Act 1990 dated xxxxxxxx

DRAINAGE - INFORMATIVE (1)

All associated works that offer an obstruction to flow to a channel with the status of Ordinary Watercourse are likely to require prior Land Drainage Consent from Dorset Councils Flood Risk Management function, as relevant Lead Local Flood Authority, in accordance with s23 of the Land Drainage Act 1991. Such consent relates both to permanent (i.e. diversion, reprofiling or culverting) and temporary (i.e. coffer damming, over pumping or diversionary) works, and is independent of planning permission.

DRAINAGE - INFORMATIVE (2)

The necessary detailed design is to make adequate provision for the future operation and maintenance of existing drainage infrastructure. As such Dorset Highways will require full clarification of all access routes, relevant landscaping /planting, and necessary upgrading / improvement works.

Notes to the LPA and applicant; Whilst we accept that the applicant has provided preliminary calculations, with which to support the conceptual drainage strategy that has been presented, we emphasise that a substantiated & detailed design is to be subsequently supplied to satisfy and discharge the requested planning conditions.

As such we highlight that the calculations provided thus far are regarded as preliminary estimations only, and that the discussion of storage volumes and discharge rate/s provided within supporting documents is to be treated as indicative, prior to the submission and approval of a detailed design. Equally, the discussion and illustration of exceedance routing provided thus far is regarded as preliminary, and will require substantiation within the detailed design.

INFORMATIVE:

Ordinary watercourses cross the site. If the applicant intends to obstruct the flow in the watercourse (permanently or temporarily, including culverting) you will require prior Land Drainage Consent from Dorset Council as the Lead Local Flood Authority. You are advised to contact the Flood Risk Management team at Dorset Council (floodriskmanagement@dorsetcouncil.gov.uk) to discuss their requirements.'

INFORMATIVE

The site must be drained by a separate system of foul and surface water drainage, with all clean roof and surface water being kept separate from foul water.

INFORMATIVE:

There must be no interruption to the surface water drainage system of the surrounding land as a result of the operations on the site. Provisions must be made to ensure that all existing drainage systems continue to operate effectively and that riparian owners upstream and downstream of the site are not adversely affected.

INFORMATIVE NOTE: Developer-Led Infrastructure

The applicant is advised that, notwithstanding this consent, if it is intended that the highway layout be offered for public adoption under **Section 38 or Section 278 of the Highways Act 1980**, the applicant should contact Dorset Councils Development team. They can be reached by telephone at 01305 225401, by email at dli@dorsetcouncil.gov.uk, or in writing at Development team, Dorset Highways, Environment and the Economy, Dorset Council, County Hall, Dorchester, DT1 1XJ.

NOTES TO APPLICANT

Sustainable Construction

Sustainable design and construction should be implemented across the proposed development. This is important in limiting the effects of and adapting to climate change. Running costs for occupants can also be significantly reduced.

Water efficiency measures should be incorporated into this scheme. This conserves water for the natural environment and allows cost savings for future occupants. The development should include water efficient systems and fittings such as: dual-flush toilets; water-saving taps; water butts; showers and baths. Greywater recycling and rainwater harvesting should also be considered.

Pollution Prevention During Construction

Safeguards should be implemented during the construction phase to minimise the risks of pollution and detrimental effects to the water interests in and around the site.

Such safeguards should cover the use of plant and machinery, oils/chemicals and materials; the use and routing of heavy plant and vehicles; the location and form of work and storage areas and compounds and the control and removal of spoil and wastes. We recommend the applicant refer to our Pollution Prevention Guidelines, which can be found at:

<https://www.gov.uk/government/collections/pollution-prevention-guidance-ppg>

Waste Management

Should this proposal be granted planning permission, then in accordance with the waste hierarchy, we wish the applicant to consider reduction, reuse and recovery of waste in preference to offsite incineration and disposal to landfill during site construction.

If any controlled waste is to be removed off site, then site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably authorised facility. If the applicant require more specific guidance it is available on our website <https://www.gov.uk/how-to-classify->

A) REFUSE PERMISSION FOR THE REASONS SET OUT BELOW IF THE AGREEMENT IS NOT COMPLETED WITHIN 6 MONTHS OF THE DATE OF THE COMMITTEE RESOLUTION OR SUCH EXTENDED TIME AS AGREED BY THE HEAD OF PLANNING

1. Policy HOUS1 of the adopted West Dorset, Weymouth and Portland Local Plan 2015 requires a minimum on-site provision of 35% of the units as affordable housing. In the absence of a planning obligation to secure these affordable units the scheme would fail

to meet the substantial unmet need for affordable housing in the district and the proposal would therefore be contrary to Policy HOUS1 of the Local Plan.

2. Policy COM1 of the of the adopted West Dorset, Weymouth and Portland Local Plan 2015 sets out that where new development will generate the need for new or improved community infrastructure and this need is not being met through the Community Infrastructure Levy, suitable provision should be made on site. Policy LITT1 of the Local Plan sets out the expected infrastructure provision commensurate with this proposal for an urban extension to Littlemoor. This is amplified in the Council's Adopted Supplementary Planning Document 'Planning Obligations Guidelines – 2010'. In the absence of a planning obligation to secure the required community benefits the scheme would fail to mitigate the increase in demand for the necessary infrastructure to support the development generated by the proposal; namely:

- Highway improvements;
- Drainage provision;
- Structural Planting and Green Infrastructure;
- Healthcare;
- Education;
- Community facilities
- Sports and recreation provision; and,
- Children's' play and open space.

In the absence of a planning obligation, the proposals therefore, fails to meet the provisions of policies INT1, ENV3, ENV5, SUS1, ECON1, COM1, COM2, COM4, COM6 and LITT1 in the West Dorset, Weymouth and Portland Local Plan – (Adopted October, 2015); and, the advice contained in the National Planning Policy Framework – July, 2018 (as amended).

APPLICATION NUMBER: WD/D/17/000534

SITE ADDRESS: Land adjacent Bridport Community Hospital, Mead Lane, Bridport

PROPOSAL: Erect 19no. Custom build houses and flats to form enlarged Co-housing neighbourhood.

APPLICANT NAME: Bridport Co-Housing

CASE OFFICER: Jan Farnan

WARD MEMBER(S) Cllr S. Williams, Cllr K. Clayton, Cllr D. Bolwell

1.0 Summary of Recommendation:

GRANT, SUBJECT TO LEGAL AGREEMENT UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) dated 20th June 2019 TO SECURE 35% AFFORDABLE HOUSING, AND CONDITIONS.

2.0 Reason for the recommendation:

- Absence of 5 year land supply
- Para 14 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise
- The location is considered to be sustainable and the proposal is acceptable in its design and general visual impact.
- There is not considered to be any significant harm to neighbouring residential amenity.
- There are no material considerations which would warrant refusal of this application

3.0 Key planning issues

Issue	Conclusion
Principle of residential development	Presumption in favour of sustainable development. Phase 2 of a scheme where phase 1 gained consent in January 2017.
Provision of affordable housing	12 affordable rent and 7 shared ownership properties
Impact on AONB Landscape	With appropriate mitigation phase 2 would not cause additional landscape harm to that already identified in phase 1 where the benefits of the scheme were considered to outweigh the harm.
Design and Layout	Scheme replicates the design of

	phase 1 and was subject to Design Review panel scrutiny.
Access and Parking	No objection from DC Highways.
Biodiversity	No objection from Natural England or DC Natural Environment Team.
Flood risk and drainage	No objection from DC Lead Local Flood Authority.
Residential Amenity	No direct impact on existing neighbouring properties.
Community Infrastructure Levy (CIL)	The scheme is CIL liable.

4.0 Description of Site

The site lies to the north west of Bridport in the Parish of North Allington it is within the Dorset Area of Outstanding Natural Beauty (AONB) and outside, although adjacent to the defined development boundary (DDB). The site is currently used as a horse paddock and is relatively well contained bounded with established hedgerows and mature trees. The gradient of the land slopes down to the south with the north-west section having the highest ground level. Mead Lane, a historic footpath, public right of way runs alongside the southern boundary of the site and also runs to the south west around the base of Allington Hill. The lower slopes of Allington Hill, which face the site are owned by the Woodland Trust and have been planted with new woodland. The hill is used for recreation and on the lower more open area there is a football pitch.

Bridport Community Hospital is located to the east of the site and the Mead Fields housing area abuts the eastern boundary of the hospital site. Mead Fields and the adjacent Cherry Tree housing developments are typical 1970s/80's housing estates comprising a mix of two storey houses and bungalows arranged as staggered terraces and semi-detached properties. To the west of the site are open fields where Phase 1 of the Bridport Co-housing scheme, consisting of 34 custom build houses and flats, and a common house would be developed. Phase 1 gained consent on the 7th June 2016 (WD/D/14/002078). The application was subsequently varied with a new consent granted on the 18th January 2017 (WD/D/16/002087). This permission has not yet been implemented.

Vehicular access is from Hospital Lane which runs westwards from North Allington (B3162) terminating at the hospital car parking area.

North Allington Conservation area is approximately 0.3km from the site and the closest listed building (Home Farm Cottage) is located on the southern corner of Hospital Lane and North Allington, within the Conservation Area.

The site is within the Brit Valley landscape character area which is described as a diverse settled river valley with woodlands on rolling valley sides with large arable and grassland fields. There are long valley views along the valley floor with a patchwork of small, open fields on the valley bottom.

5.0 Description of Proposal

This application is for Phase 2 of Bridport Co-housing neighbourhood and relates to the erection of a total of 19 affordable dwellings, 6 apartments and 13 terraced houses with the following mix of units.

1 x 4 bed house
6 x 3 bed house
6 x 2 bed house
6 x 1 bed flat

Total 19 dwellings

Bridport Co-housing Community Land Trust is established as a Community Benefit Society and was formed by residents of Bridport to design and deliver housing to suit their needs. It defines co-housing as an affordable, sustainable, mutually supportive community for local people. It is a type of collaborative housing in which residents actively participate in the design and operation of their own neighbourhood. It consists of individual homes alongside some shared facilities including dining space, activity space, kitchen, laundry facilities and a children's play room. The shared facilities are provided in phase 1 of the scheme.

This scheme design is a continuation of phase 1 with two terraces to the east of those already approved stepping up the hill following the contours of the site, with the apartment block at the lowest level in the south east corner closest to the site entrance and parking. The apartment block would be two storey with private south facing terraces and balconies and an asymmetric roof line that points towards the upper terraces whilst ensuring a lower profile. Each terrace is similarly 2 storey, the gable ends to all dwellings have windows to provide passive surveillance over the access road, car parking and bike stores. Buildings are bounded by gabion retaining walls, and planted swales which soften the edge of the pathway running north south by the side of the road. Solar PV panels are proposed on all south facing roof slopes, in a continuous run on the apartment block and blocks of panels on the terraces.

Shared growing spaces for food production are located between terraces continuing the strategy of the first phase. These areas help separate the fronts and backs of houses, and provide an active use along the pedestrian streets. The houses have their individual private amenity spaces and the highest part of

the site would be left open and undeveloped as with the previous scheme apart from the introduction of some parking to serve the north-west and north-east terraces.

The access approved under phase 1 would continue to be used for this phase which is off the existing access to the hospital. There would be parking on either side as you enter the site and as the road extends along the eastern boundary to the northern most terraces. Each dwelling across the site would have 1 dedicated car parking space. These would be identified by unit numbers and equates to 19 spaces for the terraces and apartment units. 7 car parking spaces from Phase 1 require relocating into the Phase 2 parking areas as a result of forming the access through the car park to the first phase. A total of 24 visitor spaces would also be provided in public areas.

A timber framed car port structure with a pitched roof covering 9 parking spaces would be located within the southern parking area in front of the apartment block. Solar PV panels are proposed on the southern roof slope.

To minimise the requirement for households to own a second car, the Community Land Trust would operate a car club. 2 spaces for these vehicles are situated close to the entrance of the site.

Materials would be the same as in phase 1, roofs would be Marley Eternit Anthracite Aluminium profiling and elevations of Siberian larch timber boarding at first floor level and Ibstock red stock brick at ground floor level with timber pergolas.

The proposal is accompanied by a landscaping scheme which shows the existing hedgerow and trees along the Eastern boundary all retained and reinforced with new sections of planting adjacent to the rain gardens. This mature screen provides a strong edge to the site and a useful screen between the hospital and housing sites. New native tree and shrub planting is also proposed to reinforce and supplement the northern and western boundaries and further tree planting would be located in the south west portion of the open field retained at the top of the site.

A variety of tree species are proposed as a continuation of Phase 1. These species would be a variety of fruiting, specimen and feature trees to suit their location. Deciduous upright street trees would run through the main pedestrian access ways through the site providing seasonal solar shading, and to define routes and the boundary to the houses.

The development incorporates a sustainable urban drainage scheme including swales, a reed bed for foul water treatment and a rain garden. It is also accompanied by a Biodiversity Mitigation Plan.

6.0 Relevant Planning History

Application No.	Application	Decision	Date of decision
WD/D/14/002078	Development of 34 custom build houses and flats, a common house, access road and car park to form a co-housing neighbourhood	Approve	07 June 2016
WD/D/16/002037	Request for confirmation of compliance with planning conditions 3, 4, 5 & 11 of planning approval reference WD/D/14/002078	Withdrawn	06 December 2016
WD/D/16/002087	Variation of condition 1 of planning approval WD/D/14/002078 - to allow amendments to approved plans	Approve	18 January 2017
WD/D/17/000410	Request for confirmation of compliance with planning conditions 3, 4, 5 and 11 of planning approval reference WD/D/16/002087		19 April 2017

7.0 Relevant Constraints

- Outside Defined Development Boundary, within countryside
- Area of Outstanding Natural Beauty : *(statutory protection in order to conserve and enhance the natural beauty of their landscapes - National*

Parks and Access to the Countryside Act of 1949 & Countryside and Rights of Way Act, 2000)

- Right of Way

8.0 Consultations

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

Natural England - no objection, conditions are recommended

Environment Agency - no objection, conditions and informatives are recommended.

Wessex Water – no objection

Highways – no objection, conditions are recommended.

Lead Local Flood Authority – no objection, conditions are recommended.

Natural Environment Team – no objection, condition are recommended.

Rights of Way - no objection

Environmental Health – no comment

Technical Services – no objection

Housing Enabling – no objection

Senior Landscape Officer – no objection, conditions are recommended.

Tree Officer - no objection, conditions are recommended.

Allington Parish Council

Objection.

- Further development will affect the highways of Meadfields, Cherry Tree and Hospital Lane, due to increase in traffic, and have an adverse impact on highway safety due to visibility and speed issues.
- We do not believe that the Bridport Co Housing contract of only having one vehicle per household will either be enforceable or upheld which will then impact on the neighbouring estates.

- Concerns regarding flooding and drainage. The current sewers/drains cannot cope with the current levels, without adding further housing developments.
- Any further houses on this land is simply gross over-development of the site.

Bridport Town Council

No Objection

- subject to confirmation that the proposed number of car parking spaces are retained within the site, to avoid increased parking adjacent to the site

9.0 Representations

48 representations have been received all in support of the proposal for the following reasons:

- An innovative solution for affordable and sustainable housing
- Co-housing will create a supportive, healthy, and sustainable community
- Will promote ecological and healthy lifestyles.
- Not a traditional housing project and so needs to be judged on its own merits
- A sustainable solution to the drainage issues has been put forward
- Travel plan and car sharing will encourage sustainable travel.

10.0 Relevant Policies

“Local Government Reorganisation: Implications for the Application of Local Plans and Five-Year Housing Land Supply

Various regulations including the Local Government (Structural Changes) (Transitional Arrangements) (No. 2) Regulations 2008 (as amended) make incidental, consequential, transitional and supplementary provision about the exercise of functions by local authorities created following re-organisation. In particular, they provide for continuity in the exercise of functions performed by both Dorset Council and its predecessors. In relation to all local plans adopted by the predecessor councils before the 1st April 2019 (including West Dorset, Weymouth and Portland), the effect of the regulations is that such plans will continue to apply to the same area to which they applied prior to re-organisation. The regulations also enable Dorset Council to progress and adopt local plans in the course of preparation by its predecessors. Pending the adoption of a new Dorset Council-wide Local Plan, any calculations relevant to Housing Land Supply etc. can continue to be based upon the area covered by those local plans.”

Adopted West Dorset and Weymouth & Portland Local Plan (2015)

INT1. Presumption In Favour Of Sustainable Development
ENV1. Landscape, Seascape And Sites Of Geological Interest
ENV2. Wildlife And Habitats
ENV4. Heritage Assets
ENV5. Flood Risk
ENV9. Pollution And Contaminated Land
ENV10. The Landscape And Townscape Setting
ENV11. The Pattern of Streets And Spaces
ENV12. The Design And Positioning Of Buildings
ENV13. Achieving High Levels Of Environmental Performance
ENV15. Efficient And Appropriate Use Of Land
ENV16. Amenity
SUS1. The Level Of Economic And Housing Growth
SUS2. Distribution Of Development
SUS5. Neighbourhood Development Plans
HOUS1. Affordable Housing
HOUS2. Affordable Housing Exception Sites
HOUS3. Open Market Housing Mix
HOUS4. Development Of Flats, Hostels And Houses In Multiple Occupation
COM1. Making Sure New Development Makes Suitable Provision For
Community Infrastructure
COM7. Creating A Safe And Efficient Transport Network
COM9. Parking Standards In New Development
COM10. The Provision Of Utilities Service Infrastructure

National Planning Policy Framework

As far as this application is concerned the following section(s) of the NPPF are considered to be relevant;

2. Achieving sustainable development

Para 11 advises of the 'Presumption in favour of sustainable development'.

4. Decision-making

Para 38 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

5. Delivering a sufficient supply of homes

6. Building a strong, competitive economy
 8. Promoting healthy and safe communities
 9. Promoting Sustainable transport
 11. Making effective use of land
 12. Achieving well-designed places
 14. Meeting the challenge of climate change, flooding and coastal change
 15. Conserving and enhancing the natural environment
- Para 172. Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas...

Other material considerations

Supplementary Planning Documents:

Design and Sustainable Planning Guidelines (2009)
West Dorset Landscape Character Assessment (2009)
Bournemouth, Dorset & Poole Residential Parking standards guidance
Dorset Area of Outstanding Natural Beauty: A Framework for the Future
AONB Management Plan 2014 - 2019

The applicants took the scheme to the Design Review Panel. Below is a summary of the panel response.

The Panel strongly supports the scheme in principle. We applaud the aim to design and deliver affordable, sustainable and neighbourly housing for those in housing need. We understand that they have widespread support from the Parish, Town and District Councils for this scheme.

We warmed to the uncomplicated contemporary architecture and are happy with this and the materials proposed. We like the way the scheme draws on Bridport to which it will be well related. The terraces are compact, legible and efficient and work well with the topography, indeed it will help neighbourliness for people to meet each other on a level.

The site is a sensitive one being visible from public footpaths on Allington Hill. We appreciate, therefore, that the LPA has concerns about the visual impact of the scheme. The hardest part of the scheme to accept visually is the self-build plots amassed in the north-east corner. The plots are bound to contrast with the terraces wherever they are disposed but forming two rows uppermost on the sloping site accentuates the difference and makes them incongruous. Arguably, to site these units separately might be unhelpful to a coherent community spirit.

Two alternative approaches for the self-build plots emerged, both worth investigation and both options would leave the uppermost part of the site, the most visible, undeveloped.

Generally, the woodland buffer is perhaps a bit of a blunt instrument and the ambitions of screening and blending could be achieved with a more thoughtful approach to structured planting throughout the development. This would provide more of a softening of the outline of the whole development from all viewpoints, rather than simply masking it from a few. Such an approach across the site would help integrate the development in its context better than large buffer planting areas.

We see more value in planting to reinforce the boundaries between the scheme and open country. The visual impact of the growing area need not be negative providing it is designed and managed appropriately, and so screening may not be necessary.

The handling of water and sustainable drainage has been well handled and it is imaginative to make a feature of the swale trenches as part of the scheme. Please note that open water would be contaminated by parked vehicles so should be away from parking and associated hard surfaces.

More thought should be given to the disposition and relationship of fronts and backs and how well spaces would work if/when between two sets of backs.

The positioning of the self-build units should be considered in the context of the eventual build phasing, in order both to realise the value of these plots early to help fund the scheme and to minimise the number of self-builds being built simultaneously, minimising deliveries, vans and inconvenience to established residents.

Overall, we were delighted to see this scheme and wish you well. With one more iteration, we hope an improved scheme and one acceptable to the LPA will result. We can see how valuable this scheme could be as an exemplar.

11.0 Human rights

Article 1 Protection of property

Article 6 - Right to a fair trial.

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

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

12.0 Public Sector Equalities Duty

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

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

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

In considering the requirements of the PSED, the Co-housing scheme would provide a supportive environment for older people, and separation of vehicles from dwellings would provide a safe place for residents. Dwellings would have level access and be close to public transport facilities for those who are unable to drive.

13.0 Financial benefits

Material benefits of the proposed development	
Housing Nos.	19 dwellings on 12.97 ha
Affordable housing Nos.	12 affordable rent and 7 shared ownership
Construction employment opportunities	Yes
Quantum of Greenspace	Yes - shared with phase 1
Allotments	Throughout the scheme for use of residents.
Financial contributions to be secured via Community Infrastructure Levy (CIL)	

Non-material benefits of the proposed development	
Council Tax	Yes
New Homes Bonus	Yes

14.0 Planning Assessment

14.1 Principle of Development

The site is outside of the defined development boundary as shown by the adopted Local Plan. Policy SUS2 advises that development outside of Defined Development Boundaries will be “strictly controlled” and limited to the exceptions listed in bullet point iii) of the policy. While this application includes affordable housing, these would not meet the Local Plan requirements for a rural exception. Therefore, the scheme should be considered on the merits of the case which includes some affordable housing.

In part, the principle of development for phase 1 considered the benefits of boosting the housing land supply with some affordable housing outweighed the adverse impacts on the AONB. This was approved when the Council could demonstrate a five year housing land supply (HLS). The current application has similar merits as the site is on the edge of a sustainable town, Bridport, and provides an opportunity to boost the housing land supply.

Member will be aware that the Council can no longer demonstrate a five year housing land supply, therefore the relevant Local Plan policies for the supply of housing, including SUS2 are out-of-date and that the ‘Presumption in favour of sustainable development’ applies. This means we should be granting permission unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or 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.”

Great weight should be given to conserving and enhancing landscape and scenic beauty in AONB’s and so the scale and extent of development within designated areas should be limited. It is considered that the current proposal would only have a notable visual impact on Allington Hill, from where it would be seen as infill between the consented phase 1 and the hospital building which reduces the potential significance in this effect. Therefore, with the highest part of the site being left open and undeveloped, as in phase 1 the impact on the AONB is not considered to be serious enough to warrant a refusal on this basis.

This second phase of a unique and one off form of development in Bridport providing a Co-housing neighbourhood which would be managed under its own arrangements and is within a relatively sustainable location would be a valuable addition to the housing land supply.

14.2 Provision of Affordable Housing

The allocation would follow the Local Lettings policy developed for Phase 1 and would use the Housing Register or alternative approved in the allocation process. Dorset Council Housing Enabling Officer considers that the provision of this unique affordable housing scheme will help to provide much need affordable housing locally and takes account of evidenced shortage of one bed accommodation.

A review of West Dorset District Council's current Housing Register indicates that there are 1600 households registered in affordable housing need. There are 414 applicants on the housing register with a connection to the Bridport area.

This application follows on from a permission that has already been granted to Bridport Co-housing Phase 1 for 34 houses and flats on the western half of the land. The first phase has not yet begun but Bridport Co-housing is obliged under terms of its agreement with the landowner, to seek permission for affordable housing on the Phase 2 land.

This scheme would provide an additional 12 affordable rental and 7 affordable shared ownership homes. This equates to approximately two thirds rented and a third shared ownership in line with a 70:30 split in favour of rented housing that is required for the 35% affordable housing by policy HOUS1.

Whilst the Council would only seek to secure by section 106 agreement 35% affordable housing on the site in accordance with policy HOUS1, Bridport Co-housing is a registered community benefit society and as such follows the same legal form and rules as other community land trusts in Dorset. This means that all the land and property owned by Bridport Co-housing is for the benefit of the community and the purpose is to 'Create a neighbourhood of affordable housing where households live together according to the principles of co-housing and enable more sustainable living through sharing of resources and facilities'. The assets, including unsold equity in houses and flats, cannot be sold for private gain.

14.3 Impact on Area of Outstanding Natural Beauty (AONB) landscape

The site is located within the AONB, on the edge of the existing urban settlement infilling between phase 1 of the Co-housing scheme and the hospital site. The application is accompanied by an LVIA, which identifies the site as located within the Brit Valley character area, and the landscape is typical in having a complex visual character and land use pattern. It is described as having both strongly peaceful, rural influences and urban influences, particularly on the fringe of Bridport.

The LVIA concludes that Phase 2 development will complete the construction of the affordable co-housing development with the dwellings reflecting the pattern of development within Phase 1. The effects on the surrounding landscape character

and AONB can be reduced with appropriate, well placed mitigation. With this in place, the development would not cause detrimental harm to the wider landscape character or AONB. The effects on views and visual amenity is anticipated to range between those which would experience localised deterioration, as would be the case for viewpoints on elevated ground in close proximity, to those further afield, from which the development would be viewed as part of the existing built fabric of Bridport. The mitigation planting would provide a good level of screening from key directions, providing a visual foil to the development. Overall, in the context of a completed Phase 1, the Phase 2 development would assimilate into its setting and become integrated into the townscape.

Following the Design Review Panel recommendations and submission of amendments that retain the highest part of the site as open space it is considered that the scheme is acceptable. This is provided that mitigation shown in the accompanying Landscape Plan (1701-P-007B), that proposes retention and reinforcement of existing boundary planting, and additional tree planting and landscaping amongst the built form is implemented, managed and maintained appropriately. The mitigation ensure that phase 2 will not cause any additional landscape harm to that already identified when phase 1 was approved and judged to be acceptable given the benefits offered by the affordable co-housing scheme.

14.4 Design and Layout

The amended scheme that members have before them takes on-board the advice from the Design Review Panel. This proposal leaves the highest part of the site open and undeveloped by removing the self-build units and reinforcing the existing boundary planting. The scheme proposes two terraces that are a continuation of those in phase 1 and an apartment block in the south-east corner at the entrance to the site. It is considered that this proposal is acceptable as it replicates the design and layout of phase 1 that has already been agreed.

The scheme provides garden space, bin stores and cycle parking as required by policy ENV11 and would harmonise with its surroundings when phase 1 is implemented in accordance with policy ENV12.

Allington Parish Council are concerned that the scheme represents over development of the site, however neither the Urban Design or Landscape Officer raised this as an issue. Policy ENV15. Efficient and appropriate use of land requires that development optimises the potential of the site and makes efficient use of land, subject to the limitations inherent in the site and impact on local character.

14.5 Access and Parking

Access to the site would be via the hospital entrance but would not be adopted by the Local Highway Authority. Each dwelling across the site (phase 1 & 2) would have 1 dedicated car parking space. A total of 24 visitor spaces would also be provided in public areas. To minimise the requirement for households to own a second car, the Community Land Trust will operate a car club. 2 spaces for these vehicles are situated close to the entrance of the site.

Allington Parish Council raised concerns regarding the amount of car parking being provided and the impact of increased traffic on the surrounding road network. The Co-housing scheme would be a managed community and so would be able to control car ownership within the site and implement the proposed travel plan and car share scheme.

DC Highways has raised no objection to the proposal on traffic or parking grounds and so the scheme is considered to accord with policies COM7. Creating a safe and efficient transport networks, and COM9. Parking standards in new development, and is therefore acceptable in terms of access and parking provision.

14.6 Biodiversity

A number of ecological surveys have been carried out for the site and a biodiversity mitigation and enhancement plan (BMEP) prepared for the scheme which proposes minimising the lighting to mitigate the impact on foraging bats, planting and an appropriate management regime for a wildflower meadow on the northern field, protecting the existing trees and hedges during construction, reptile mitigation, and coppicing the eastern hedge to make it denser.

DC Natural Environment Team has certified the BMEP and provided there is a conditioned attached to the consent requiring the implementation and maintenance of the plan the LPA would have met it's duties with regard to the NERC Act 2006 duty and the scheme will therefore accord with local plan policy ENV2 Wildlife and Habitats.

14.7 Flood Risk and Drainage

The concerns of Allington Parish Council have been noted above. However the site is located in flood zone 1, low probability of fluvial flooding and the risk of surface water flooding is very low. In addition, there is no indication of any previous flood incidents at this exact location. There is no objection from DC LLFA subject to conditions requiring further details and measures for management and maintenance for the life of the development to be agreed.

Wessex water has confirmed that there is sufficient capacity within the existing water supply network to serve the development and that a connection to the public foul sewer is feasible for the proposal.

The proposal would therefore ensure that there is no increased risk from flooding in the locality in accordance with policy ENV5. Flood risk and there is sufficient capacity in local networks to cope with the development.

14.8 Residential Amenity

Given the location of the site there would be no direct impact from the new dwellings on any existing neighbouring properties. There could be indirect impacts from the increased traffic and movement along Hospital Lane. However, any increase is not considered to have a significant detrimental impact on the amenities of occupiers of nearby properties.

With regards to the future residents of the co-housing development, they have been integral to the design process and any new resident would need to sign up to the management rules and policies that the scheme adopts. However, as the Local Planning Authority would not wish to condition or control the use of the site for solely co-housing purposes, it needs to be satisfied that the residential development could be suitable for a more 'traditional' and standard approach where communal living might not be such a priority. As each house has their own private amenity space and facilities it is considered that residents would not be prejudiced by the layout of the development.

14.9 Community Infrastructure Levy

The adopted charging schedule only applies a levy on proposals that create a dwelling and/or a dwelling with restricted holiday use. All other development types are therefore set a £0 per square metre CIL rate. The development proposal is CIL liable as the scheme is for affordable housing an exemption from CIL can be applied for.

Confirmation of the final CIL charge will be included in a CIL liability notice issued prior to the commencement of the development. Index linking as required by the CIL Regulations - (Reg. 40) is applied to all liability notices issued, using the national All-In Tender Price Index of construction costs published by the Building Cost Information Service (BCIS) of the Royal Institution of Chartered Surveyors. CIL payments are index linked from the year that CIL was implemented (2016) to the year that planning permission is granted.

15.0 CONCLUSION

The benefits of this scheme include the provision of housing with an acknowledged need in terms of affordable units and also support for the Co-housing neighbourhood with its own particular style of occupation and management. This would be of social benefit providing a sustainable community as well as of economic benefit to the construction industry and local businesses. The proposed development would result in some harm to the AONB however this would not be significantly greater than that acknowledge with the consented phase 1.

The design, layout, materials and landscape strategy match phase 1 and so the proposals will sit comfortably within the context of the Co-housing scheme. There are no statutory objections to the proposal on highway, flooding, drainage or biodiversity grounds and there is community support evident from the number of representations received welcoming the scheme.

This proposal came before committee on 15th November 2018 and it resolved to grant consent subject to the signing of a section 106 agreement to secure affordable housing. The section 106 agreement has been signed however some amendments to the BMEP and landscape plans together with revisions to solar PV arrangement and the introduction of car ports were required.

Overall the proposal is considered to be acceptable in providing sustainable development which would add to affordable housing provision in the locality and make a contribution to the housing land supply.

16.0 Recommendation

A) GRANT, SUBJECT TO LEGAL AGREEMENT UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) dated 20th June 2019 TO SECURE 35% AFFORDABLE HOUSING

AND THE FOLLOWING CONDITIONS (AND THEIR REASONS):

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

Location Plan - Drawing Number P-001 received on 20/02/17

Key Site Plan – Drawing Number P004 Rev B – received on 19/06/19

General Arrangement PV panels drawing no A200 received 9.5.19

Proposed site roof plan P-005 Rev B received 18/06/19

Proposed Materials - Drawing Number T-141 received on 26/10/2018

Proposed Landscape plan 1701 drawing no P-006 Rev B received 19/06/19

Proposed Landscape plan 1701 drawing no P-007 Rev D received 19/06/19

Apartments First Floor Plan - Drawing Number P-041 received on 20/02/17
 Apartments Ground Floor Plan - Drawing Number P-040 received on 20/02/17
 Apartments Short Elevations - Drawing Number P-044 received on 20/02/17
 Apartment PV panels Plans & Elevations received 9.5.19
 NW Terrace Ground Floor Plan - Drawing Number P-010 Rev B received on 23/07/18
 NW Terrace Short Elevations - Drawing Number P-014 Rev B received on 23/07/18
 North West Terrace PV panels Plans and Elevations received 9/5/19
 P-011 Rev C NW Terrace First Floor Plan received 18/06/19
 NE terrace short elevations - Drawing Number P-024 Rev B received on 23/07/18
 North East Terrace PV panels Plans and Elevations received 9.5.19
 NE Terrace Ground Floor Plan - Drawing Number P-020 Rev A received on 23/07/18
 NE Terrace First Floor Plan P-021 received 19/06/19
 S Terrace Ground Floor Plan - Drawing Number P-030 Rev B received on 23/07/18
 South Terrace PV panels Plans and Elevations received 9.5.19
 S Terrace Short Elevations - Drawing Number P-034 Rev B received on 23/07/18
 S Terrace First Floor Plan P-031 received 19/06/19
 Car Port PV panels Plans and Elevations received 18/06/19
 Car Port PV panels short Elevations received 18/06/19
 Section ELE B-B - Drawing Number P-101 Rev B received on 23/07/18
 Section C-C - Drawing Number P-102 Rev A received on 23/07/18

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

2. 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).

3. Prior to any development hereby approved, a detailed and finalised surface water management scheme for the site, based upon the hydrological and hydrogeological context of the development, has been submitted to, and approved in writing by the local planning authority. The surface water scheme shall be implemented in accordance with the

submitted details before the development is completed.

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

4. Prior to any development hereby approved, details of maintenance and management of the surface water sustainable drainage scheme shall have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. These should include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

Reason: To ensure future maintenance of the surface water drainage system and to prevent increased risk of flooding.

5. Prior to the occupation of any dwellings hereby approved, the access, geometric highway layout, turning and parking areas shown on Drawing Number 17165.13C must be constructed, unless otherwise agreed in writing by the Local Planning Authority. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper and appropriate development of the site.

6. Prior to the occupation of the development hereby approved, the submitted Travel Plan must be implemented and operational.

Reason: In order to reduce or mitigate the impacts of the development upon the local highway network and surrounding neighbourhood by reducing reliance on the private car for journeys to and from the site.

7. Prior to occupation the approved certificated Biodiversity Management Plan by Abbas Ecology dated 31st May 2019 accompanying this application shall be fully implemented and maintained thereafter, in accordance with the details contained therein.

Reason: To mitigate identified impact on wildlife and habitats.

8. Prior to the occupation of any dwelling hereby approved, precise details of the soft and hard landscape schemes shall be submitted to and approved by the Local Planning Authority in writing. Thereafter the approved hard and soft landscaping shall be implemented in accordance with a timescale to be agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory visual appearance to the development

9. Prior to the occupation of any dwelling hereby approved, a Landscape Management Plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas (other than small, privately owned domestic gardens,) shall be submitted to and approved in writing by the Local Planning Authority. A timetable for implementation or phasing of the Management Plan should be produced and agreed in writing with the Local Planning Authority prior to any works commencing on site.

Reason: To ensure that due regard is paid to the continuing enhancement and maintenance of amenity afforded by landscape features of communal, public, nature conservation or historical significance.

1.0 **Application Number:** WD/D/19/000233
Application Site: RASHWOOD LODGE, CLAPPENTAIL LANE, LYME REGIS, DT7 3LZ
Proposal: 2 storey extension and new detached double garage
Applicant: Mr & Mrs Pickett
Case Officer: Christopher Lee
Ward Member(S): Cllr D Turner
Recommendation Summary: Approve with conditions

2.0 **Summary of Recommendation:** GRANT subject to conditions

3.0 **Reason for the recommendation:**

- The location is considered to be sustainable and the proposal is acceptable in its design and general visual impact.
- There is not considered to be any significant harm to neighbouring residential amenity.
- There are no material considerations which would warrant refusal of this application

4.0 **Table of key planning issues**

Issue	Conclusion
Principle of development	The site is within the DDB and therefore the principle for a residential extension and garage is considered acceptable.
Scale, design, impact on character and appearance	Whilst the proposed extension would be of a significant size, its proposed sympathetic form and relationship to the host dwelling are considered to be acceptable. The property is set well back from the street scene and therefore there is deemed to be no significant impact on the character of the area. The proposed garage is of an acceptable scale and design and would be largely screened from public view by existing trees and hedgerow at the property frontage.
Impact on amenity	Whilst there would be a potential negative impact on the amenity of the neighbouring property 'West Side' in terms of privacy issues and overbearing nature such impact is

	<p>deemed not to be significant to prevent normal enjoyment of the dwelling house and therefore would not warrant refusal of the application.</p> <p>The proposed garage would have adequate separation from neighbouring properties so as not to represent any negative impact on neighbouring amenity.</p>
Impact on landscape or heritage assets	<p>The site lies within the Area of Outstanding Natural Beauty however the site is within a town setting and the proposed extension and garage are of an acceptable scale and design. Therefore no impact on the landscape setting is apparent.</p>
Economic benefits	<p>There would be short term minor economic benefits as a result of the proposals in terms of employment of local builders and contractors.</p>
Access and Parking	<p>The application proposes additional parking provision in the form of the proposed double garage.</p>
Land Stability	<p>The site lies within Land Instability Zone 1 however there is not considered to be a significant impact on land stability subject to the recommended condition and informative.</p>
Land Contamination	<p>Planning constraints show the area to be potentially affected by land contamination however no consultation response has been received from Environmental Health and as such the proposal is considered not to be affected by contaminated land.</p>

5.0 Report Body Text

Description of Site

Rashwood Lodge is a two storey detached residential property of an unorthodox hexagonal design sited at the South Western extent of Clappentail Lane in Lyme

Regis. Due to the sloping nature of the topography, Rashwood Lodge itself sits somewhat higher in the street scene than the neighbouring property to the East, 'Dovedale' which is a bungalow.

Properties along this part of Clappentail Lane are generally of a mixture of sizes and designs, and are set well back from the road side. The area is predominantly residential in nature and properties are generally detached within large garden plots. The roadside shows extensive tree and hedgerow screening.

Clappentail Lane is a narrow road which, as noted, slopes downwards to the North East; resulting generally in differing levels between the properties.

6.0 Relevant Planning History

Application No.	Application Description	Decision	Date of decision
1/D/07/001886	Demolish existing detached garage and erect replacement garage. Demolish existing conservatory and erect single storey extension	Approved	11 December 2007
1/D/09/001408	Car port	Approved	03 November 2009
WD/D/14/000498	A small bay window extension to existing lounge	Approved	16 May 2014
1/D/13/000680 (relating to neighbouring property West Side)	Small extension to ground floor & roof extension with integral bedroom & en-suite	Approved	11 July 2013

7.0 List of Constraints

- Within defined development boundary for Lyme Regis
- Area of Outstanding Natural Beauty : *(statutory protection in order to conserve and enhance the natural beauty of their landscapes - National Parks and Access to the Countryside Act of 1949 & Countryside and Rights of Way Act, 2000)*
- Historic Contaminated Land
- Surface Water Flooding Area

- Land Instability Zone 1

8.0 Consultations

Highways Authority – No objection

Technical Services – No objection. Conditions and informatives are recommended

Environmental Health – No comments received at the time of writing.

Lyme Regis Town Council

Initial comments offered no objections to the proposals however after a subsequent site visit formal objections (of 19/03/2019 and 30/05/2019) were submitted stating:

- *Recommendation for refusal given the overbearing size of the extension, and the impact and degree of intrusion upon the privacy of the neighbouring property.*

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

Representations received

5 letters of objection have been received; three prior to the submitted amendments, and two after re-consultation. The issues raised are regarding:

- Impact on the privacy of occupiers of neighbouring properties.
- Overbearing impact on neighbouring properties.
- Scale and design of the proposed extension.
- Potential impact on land stability.
- Impact on drainage.
- Potential precedent for overdevelopment in the area.
- Concern over potential noise impact arising from use of the proposed basement room as a home cinema

9.0 Relevant Policies

Adopted West Dorset and Weymouth & Portland Local Plan (2015)

- INT1- Presumption in favour of Sustainable Development
- ENV1 – Landscape, seascape & sites of other geological interest
- ENV7 - Coastal erosion and land instability
- ENV9 – Pollution and Contaminated Land

- ENV10 - The landscape and townscape setting
- ENV12 – The design and positioning of buildings
- ENV16 – Amenity
- SUS2 – Distribution of development
- COM7 - Creating a safe and efficient transport network

National Planning Policy Framework

As far as this application is concerned the following section(s) of the NPPF are considered to be relevant;

- 2. Achieving sustainable development
- 4. Decision-making
- 12. Achieving well-designed places
- 15. Conserving and enhancing the natural environment

Para 38 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

Other material considerations

- WDDC Design & Sustainable Development Planning Guidelines (2009)
- West Dorset Landscape Character Assessment 2009
- Dorset Area of Outstanding Natural Beauty: A Framework for the Future AONB Management Plan 2019 – 2024

10.0 Human rights (standard text)

Article 6 - Right to a fair trial.

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

The first protocol of Article 1 Protection of property

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

11.0 Public Sector Equalities Duty (standard text)

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

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

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

12.0 Financial benefits

There could be short term minor economic benefits as a result of the proposals in terms of employment of local builders and contractors.

13.0 Planning Assessment

Principle of Development

The application site lies within the Defined Development Boundary for Lyme Regis, and is in a predominantly residential area. Therefore the proposal for a residential extension and detached garage is considered to be acceptable in principle; subject to consideration of material planning issues.

Design/Visual Amenity & Impact on the Character of the Area of Outstanding Natural Beauty

The proposed two storey side extension would be set back from the frontage of the host dwelling by approximately 3.5 metres with a roof ridge that is set down by approximately 0.7 metres from the peak of the conical roof (notwithstanding the existing chimney). The proposed extension’s overall width would be around 5.3 metres which, in relation to the dwellings existing width of approximately 8.6 metres would be a fairly significant addition to the property. That said, the design of the proposed extension would reflect the hexagonal profile of the existing building, and it is considered that this would serve to soften the impact of the additional width. In this regard the proposed extension is deemed to represent a sympathetic addition to the property that is respectful of its design and the visual amenity of the site itself.

The application drawings detail an 8 metre (approx.) gap between the North Eastern building line of the proposed extension and the boundary with the neighbouring property West Side. It is noted that the topography of the site sees Rashwood Lodge sitting higher in the street scene than West Side, and that the proposed extension would bring the built form closer to the boundary with West Side. However the plot is considered to be of ample size so as to accommodate the development without appearing cramped within its curtilage. In this regard the proposed extension is not considered to represent any adverse impact on the visual amenity of the site or the character of the street scene given the mix of

dwelling types, lack of local distinctiveness and its distance away from the street frontage.

The proposed garage, whilst sited towards the front (Southern) extent of the curtilage would be largely screened from public view by established hedgerow and trees. Similar front garages that are well screened are evident within the locality and as such the proposed location of the garage, along with its single storey scale is considered acceptable in visual amenity terms.

The application site lies firmly within the Defined Development Boundary for Lyme Regis, and the proposals are considered not to represent any adverse impact on the character of the Dorset Area of Outstanding Natural Beauty.

Neighbouring Amenity

The neighbouring property West Side currently benefits from two rooflights (serving a bedroom) in its South Western roof slope, and the proposed two storey side extension would show first floor windows giving possible views towards those windows and the side and front garden area of West Side. During the course of the application an originally proposed East facing window on the first floor was removed from the drawings as it was deemed that this window would allow the most direct views towards the neighbouring roof lights and garden area. It is considered that the remaining first floor windows (one with a North Easterly aspect across the driveway of West Side, and the other with a South Easterly aspect towards the front garden of Rashwood Lodge itself) would not allow close or direct views into the neighbouring property or garden. Whilst the neighbouring roof lights could be visible from the proposed windows, views would be indirect and at a distance of approximately 14 metres so as to prevent clear views into rooms. As such it is considered that there would be no resulting significant adverse impact in terms of loss of privacy that would warrant refusal of the application.

As discussed above the proposals would see the built form of Rashwood Lodge brought closer to the boundary with West Side at two storey height, meaning that the proposed extension would be more apparent when looking to the North West from within the garden of the neighbouring property. However, the layout of the area shows Rashwood Lodge is stepped back from West Side and there would remain a distance of approximately 8 metres between the proposed extension and the neighbouring boundary, with the views (as described) taking place from a distance of at least 12 metres (approximately). Therefore it is not considered that the proposed extension would be unduly overbearing on the garden amenity space of West Side.

The proposed home cinema use of the basement room is deemed not to fall outside of what would normally be acceptable in a residential property, and as such any noise issues that might arise would be a civil matter.

The proposed garage would have adequate separation from neighbouring properties so as not to represent any impact on neighbouring amenity.

Land Instability

With regard to the comments from the Technical Services Officer the proposals are not considered to be affected by land instability subject to a condition requiring excess surface water to be directed to a piped drainage system and not to soakaway. An informative would be placed on the permission to advise that ground conditions, excavations, temporary supports etc. are carefully monitored during any construction work in case of localised land slippage particularly given the sloping nature of some areas of the site.

Contaminated Land

No comments have been received from the Environmental Health Officer and therefore the proposal is considered not to be affected by contaminated land.

14.0 Conclusion

The proposed development complies with national and local planning policy and is recommended for approval.

15.0 Recommendation

Grant subject to the following conditions (and their reasons):

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:

Garage Floor plans and Elevations - Drawing Number ED246-10
received on 19/01/2019

Proposed First Floor and Second Floor Plan - Drawing Number
ED246-06b (Amended) received on 18/04/2019

Proposed Ground Floor Plan - Drawing Number ED246-05c
(Amended) received on 18/04/2019

Proposed North West and South West Elevations - Drawing Number
ED246-08b (Amended) received on 18/04/2019

Proposed South East and North East Elevations - Drawing Number
ED246-07c (Amended) received on 18/04/2019

Basement and Roof Plans - Drawing Number ED246-09b (Amended)
received on 18/04/2019

Location Plan - Drawing Number ED246-locA (Amended) received on
18/04/2019

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

3. All additional surface water generated as a result of the development hereby approved shall be discharged to a piped drainage system and not to soakaway.

REASON: In the interest of protecting the site from surface water flooding.

4. As indicated on the Application Form signed 17/01/2019, the external materials for the proposed extension shall match (in texture and appearance) those of the existing dwelling.

REASON: In the interest of ensuring a satisfactory visual appearance of the development.

5. As indicated on the Application Form signed 17/01/2019, the external materials for the proposed garage comprise rendered wall over brick plinth for the walls and natural slates for the roof.

REASON: In the interest of ensuring a satisfactory visual appearance of the development.

Informatives

1. National Planning Policy Framework Statement

In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development. The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and
- as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

The applicant/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.

2. Bats:

All species of bat in the UK are protected by both domestic and European legislation, making it illegal to harm, injure, kill or disturb them, or to destroy, obstruct or otherwise damage places where they roost or seek shelter. As such, should any bat species or evidence of bat species be found prior to or during the development, all works must stop immediately and an ecological consultant or John Stobart at Natural England (Tel: 07825844475) must be contacted for further advice before works can proceed. All contractors working on site should be made aware of the advice and provided with the contact details of a relevant ecological consultant.

3. It is advised that the geotechnical aspects of the site and development are reviewed/considered by a competent person and ground conditions, excavations, temporary supports etc. are carefully monitored during any construction work in case of localised land slippage particularly given the sloping nature of some areas of the site.

WP/17/00967/FUL

Archard House, Waverley Road, Weymouth

Erection of 9 Flats and 1 Maisonette together with parking

Applicant Name - Boldhabit Ltd

Case Officer - Emma Telford

Ward Member(s) Cllr David Gray

Cllr Pete Barrow

1.0 Summary of Recommendation: GRANT planning permission subject to conditions as set out in section 16.

2.0 Reason for the recommendation:

- Proposal provides 10 dwellings in a sustainable location where there is a less than 5 year supply of housing.
- Paras 11 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise.
- The location is considered to be sustainable and the proposal is acceptable in its design and general visual impact.
- There is not considered to be any significant harm to neighbouring residential amenity.
- Parking levels are acceptable given the location in relation to local facilities and public transport.
- There are no material considerations which would warrant refusal of this application.

3.0 Key planning issues

Issue	Conclusion
Principle of development	Site within urban area Previous permission for residential on the site for 10 flats Commercial units already in mixed use and is not a key employment site
Affordable Housing Provision	Scheme accepted by District Valuer as not viable for the provision of affordable housing
Scale, design, impact on character and appearance	Design appropriate for mixed use area. Building line not considered refusable and overall height impact reduced through setting into site TPO trees on adjoining site would need protecting throughout development

Impact on amenity of adjoining	Daylight assessment demonstrates minimal impact on adjoining. Glazing lower part of windows to 1.5m from floor will reduce overlooking. Roof terrace set back from edge of property to minimise overlooking.
Economic impact	Commercial units now in variety of uses and low key employment uses.
Access and Parking	Parking below standard but sustainable location for walking, cycling and bus route close by.

4.0 Description of Site

The site lies to the south side of Waverley Road and forms part of a small line of commercial development along the southern side of the road leading down to the railway line. To the northern side of the road lies two storey detached houses and to the east and south of the site lies 3 storey flat development in Holly Court and Waverley Court respectively. To the west lies further small-scale commercial units which do not form part of the application site and will remain in employment use. These are generally small light industrial units but which pre-date planning and therefore could be used for general industrial purposes.

Waverley Road is a small cul-de-sac lying west of Dorchester Road and bounded by the main road and railway line. The application site is generally flat and rectangular in shape and currently occupied by a brick building comprising a small gym (now appears vacant), an embroidery business and coffee machine sales. A road runs to the rear of the site serving the flats to the rear (Waverley Court) which are set down and cut into the ground. There is a small area of open space to the east of the site which forms part of the amenity for the adjacent flats and houses an electricity substation. This area includes trees which are covered by a Group TPO. The area is in mixed use and there are good bus links to the town from the nearby Dorchester Road with a range of shops meeting daily needs in close proximity to the site.

5.0 Description of Proposal

The proposal has been amended from 8 flats and 2 maisonettes with undercroft parking as originally described to 9 flats and 1 maisonette with surface level parking for 6 cars. The proposal was subject to pre-application advice and the revised design, as amended further as the application has been progressed, seeks to address the comments made at that stage and to improve the relationship with the building line to the adjacent commercial premises and to set the building down to minimise relationship issues with the adjoining flats and to reduce impact on the street elevation. The building has a vertical emphasis to its design seeking to replicate town houses with recesses and balconies to break up

the buildings' mass and the materials proposed and a mixture of brick and render. There would be 3 flats per floor with the maisonette designed over two floors as a round tower feature on the Waverley Road frontage.

The applicant has submitted details showing how the building design has been adapted from the earlier pre-app version to ensure that the BRE daylight test for light to adjacent properties' windows is met to maintain acceptable levels of daylight to properties both north and south of the proposed new dwellings. The applicant has also submitted an assessment of the proposal against the employment policy ECON3 and NPPF policies for the retention of employment sites which concludes that there is no evidence of any shortage of employment land or properties of a comparable nature and a slow take up of new employment land. Furthermore the changing nature of the units in Waverley Road to training and non traditional employment uses such as quasi retail and a gym demonstrate that the location is not attractive as an employment location being surrounded by residential properties.

In order to ensure that adequate amenity is available on what is a limited site, the proposal is to use part of the flat roof as private amenity space (decked) which will have a glazed and set back balustrade approx. 4m from the roof edge to reduce any impact of overlooking.

There are no windows proposed to the rear elevation at second floor level and the windows to the south elevation at ground and first floor all have lower half of the windows obscure glazed to a height of 1.5m from floor level so only the upper part of windows would be clear glazed on this elevation. There are also no windows on the west elevation. This is important to ensure that further redevelopment of the adjoining remaining commercial premises is not prejudiced.

A total of 6 parking spaces are proposed to the front of the building abutting Waverley Road which, although below the usual parking standards, is not considered unacceptable by the highway authority given that this is a sustainable location within town where there are good walking and bus routes and a range of nearby facilities.

6.0

Relevant Recent Planning History

09/00316/FULMAJ Demolition of existing commercial building and erect block of 10 affordable flats including residents lounge – granted October 2009

01/00524/COU change of use of part ground floor and first floor to gymnasium/fitness centre – granted October 2002

Permission has been given for a nearby commercial unit outside of the application site to change from B1 light industrial use to a training centre, use class D.

Pre application advice was sought and the main issues raised were as follows:-

- Loss of employment use and conflict with policy ECON3

- Overall number of units being 10 and the relationship with adjoining properties both in terms of overlooking and dominance
- Need to minimise impact on the building line of the existing commercial properties and height of buildings
- Need to ensure suitable standards of living accommodation for occupiers of the new properties

7.0 Relevant Constraints

Within settlement limit for Weymouth

Flood Risk Zone 1 (low risk/fluvial flooding)

Mains sewer

8.0 Consultations

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

District Valuer – independent assessment of the submitted viability analysis has been undertaken and concludes that scheme would not be financially viable unless 100% market housing but profit margin also very low and scheme may not be deliverable unless costs savings can be made elsewhere.

Highway Authority - (amended plans) cannot object though disappointed to note revised layout results in less than one parking space per dwelling. Condition relating to parking implemented prior to occupation recommended.

Lead Local Flood Authority - (amended plans) withdraws previous holding objection having received further information on surface water management subject to imposition of 2 conditions and informative relating to detailed surface water management plan and ongoing maintenance and management of the sustainable drainage scheme.

Tree Officer – no protected trees on the site but could be on adjoining land immediately to the east.

Urban Design (amended plans) -

- Proposal set back to address previous concerns and thus reduces impact but building still forward of building line of other commercial units so limits ability to assimilate to character of area.
- Natural ventilation to bathrooms would be preferable where possible and still not achieved for some units

Conservation Officer – no comment.

Economic Development Officer – concerned at loss of employment for unit in active use.

Landscape Officer – Scheme unlikely to have impact on landscape character or visual amenity of public areas.

Planning Obligations Manager - scheme is CIL liable so no objections.

9.0 Representations

12 x objections from individuals raising following concerns (some objectors have written twice as a result of amended plans) -

- Impact on adjoining Waverley Court from windows directly facing property not all frosted glazing only partial (amended plans) and are openable so loss of privacy
- Covenant prevents windows on south and east from being openable and they must be of opaque glass.
- Description confusing as to number of flats and maisonettes
- Lack of parking which is below standards and impact on parking in cul-de-sac leading to congestion
- Existing parking areas need to be accessible at all times for emergency vehicles
- Height of buildings will dominate adjoining affect light to adjoining properties in some rooms and cause claustrophobic effect
- Overdevelopment on small site leaving inadequate parking and amenity
- Potential overlooking to adjoining properties from roof terrace, balconies and decking areas
- Design not in keeping
- Loss of employment
- Loss of views
- Disruption during construction phase as no space for construction vehicles
- Devaluation of property
- No objection to principle of housing but to design and number of units. Lower number of units might be acceptable

10.0 Relevant Policies

West Dorset Weymouth and Portland Local Plan

ENV1 Landscape, Seascape and Sites of Geological Interest

ENV5 Flood Risk

ENV10 Landscape and Townscape Setting

ENV12 The Design and Positioning of Buildings

ENV16 Amenity

SUS2 Distribution of Development

ECON3 Protection of Other Employment Sites

HOUS1 Affordable Housing

HOUS4 Development of Flats, Hostels and Houses in Multiple Occupation

COM7 Creating a Safe and Efficient Transport Network

COM9 Parking Standards in New Development
COM10 The Provision of Utilities Service Infrastructure

National Planning Policy Framework

Para 11 Presumption in favour of sustainable development

Para 57 Viability considerations for decision making

Para 63 provision of percentage of affordable homes on major development

Para 105 application of parking standards - The NPPF makes it clear that in setting local parking standards policies should take into account the accessibility of the development and the availability of and opportunities for public transport and,

Para 109 states that “development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe”

Para 177 states thatdecisions should promote an effective use of land in meeting the need for homes and other uses and

Para 118 sub section c) states “give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land d) promote and support the development of underutilised land and buildings especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively”

Para 121 subsection a) “use retail and employment land for homes in areas of high housing demand, providing this would not undermine key economic sectors or sites or the vitality and viability of town centres and would be compatible with other policies in this framework; “

Para 122 - efficient use of land

Para 124 – 132 design considerations

11.0 Human rights (standard text)

Article 6 - Right to a fair trial.

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

The first protocol of Article 1 Protection of property

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

12.0 Public Sector Equalities Duty (standard text)

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

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

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

In the context of the above PSED duties the scheme includes some parking spaces in close proximity to the units to provide easier access and the proposal includes three units on the ground floor all at one level.

13.0 Financial benefits

Material benefits of the proposed development	
Affordable housing	None provided due to viability
CIL contributions	Estimate £8,258.40

Non-material benefits of the proposed development	
Business Rates	Loss of commercial business rates
Council Tax	Unknown
New Homes Bonus	Unknown

14.0 Planning Assessment

Principle of development

The site lies within the defined development boundary for Weymouth and therefore the principle of residential development is generally accepted provided it complies with other national and Local Plan policies. In this instance a major consideration is the loss of employment premises and the application of policy ECON3.

At present part of the site remains occupied but part now appears vacant. The uses on the site are low key and the premises are suited to small scale business uses. However, there are no restrictions on the buildings use as they predate planning and therefore a far more intensive use, not suitable for a residential

area could take place here. It is therefore a question of seeking to consider the various elements of policy ECON3.

The policy states *“The redevelopment of employment land and premises for non-employment uses that are in accordance with other planning policies will be permitted where it will not prejudice the efficient and effective use of the remainder of the employment area and:*

- the present (or where vacant or derelict, the previous) use causes significant harm to the character or amenities of the surrounding area and it has been demonstrated that no other appropriate viable alternative employment uses could be attracted to the site; or*
- a substantial over-supply of suitable alternative employment sites is locally available; or*
- redevelopment of the site would offer important community benefits or no significant loss of jobs / potential jobs.”*

The proposal would represent the redevelopment of a part of the current employment land and would not preclude the remainder of the site staying in employment use and therefore in principle the scheme can be supported, particularly in light of a previous decision for residential on this site. The premises are in part vacant but not derelict and the current low keys uses do not cause any significant issues in relation to adjoining residential properties but, as indicated above there are no restrictions on occupation by a range of industrial uses which could be less appropriate to this mixed use area in the future.

In relation to the second criteria, the applicant has submitted an analysis of existing business premises within quite a wide area of Weymouth and Portland and looked at both new build employment land take up and also vacancy rates in existing premises and from this it is evident that there is a current supply of small units which remain vacant within the locality and as such it would be difficult to justify a refusal on the basis of the need to retain these units in employment use. Furthermore this is not a key employment site and permissions to change use from traditional employment to non employment uses on some of the units has already been granted as has the use of this site for residential use been agreed historically.

In relation to the third criteria whilst the loss of employment use would mean that there is a potential for loss of jobs, the low number of people who could be employed in these premises is low and could not be described as “significant “ in relation to the application of this policy.

On balance, given the past history of redevelopment agreed on this site and the fact that other premises in this small commercial area have been allowed to change form their traditional employment use, it would be difficult to sustain a refusal based on the need to retain these premises in employment use under policy ECON3. The applicant has carried out relevant analysis of the market in the locality and it is acknowledged that there are vacancies for similar units within

a suitable catchment area. On this basis the proposed redevelopment of this site would accord with the principles of policy ECON3 for the redevelopment of this employment site given the current supply of vacant premises elsewhere within Weymouth and Portland.

Affordable Housing

The proposal comprises a total of 10 dwellings which is classed as major development for the interpretation of planning decision making. As such the requirements as set out in the NPPF for the provision of a percentage of affordable homes as part of major development is applicable and thus policy HOUS1 of the Local Plan applies. In this location a requirement of 35% affordable housing units would normally be required or a financial contribution equivalent in the event of partial units. However, the NPPF makes it clear that where there are viability considerations the usual requirement for affordable housing can be set aside provided evidence of non viability has been submitted and assessed.

In this instance the applicant has provided an open book viability assessment which has been considered by the District Valuer. This concludes that the scheme would not be viable were affordable housing to be required and indeed, it remains a marginal scheme in any event. As a result of this independent assessment it is agreed that there is no requirement to provide affordable housing as part of this scheme on the basis of the viability evidence provided and independent assessment. The scheme would therefore be for 10 market housing units although, given their relatively small size are likely to be at the lower end of the market in terms of affordability.

In such circumstances the provisions of HOUS1 would not apply.

Scale, design, impact on character and appearance of area

The proposed design is not dissimilar to that previous approved in 2009 featuring a round tower feature and development spread across 3 storey with 3 flats on each floor and one maisonette in the tower feature at first and second floor levels with parking under this part of the building and 4 further surface level spaces provided (6 in total). The main building line, with exception of the tower element is compatible and in line with the remaining commercial units to the west in terms of both front and rear building lines and in an almost identical position to that previously approved. The tower maisonette would be on the frontage and is designed as a feature on the street elevation.

Waverley Road properties are of mixed design with both two storey houses and 3 storey flat roof blocks of flats in the immediate vicinity. The building has been reduced in height through the removal of the undercroft parking and the building has recessed sections and balconies to break up the scale and form. The flat roof design would be similar to those already in the vicinity. There is also a mixture of materials in the locality and the proposed mix of render, brick and

cladding would also be appropriate. The urban design officer does not raise objection to the design of the building although does indicate that the front feature tower would restrict the ability to assimilate into the wider area but having approved a similar tower feature previously and with the variety of design in the area the proposal is not considered to be so discordant as to warrant refusal.

Impact on amenity of neighbours

A number of the letters of objection have been based on the relationship between the new building and existing and orientation of windows and the roof terrace leading to overlooking. The applicant has provided a cross section through the development and applied the BRE daylight standards tests. These demonstrate that with the remodelling of the roof and the setting down of the building will mean that the daylight tests for impact on the adjoining properties is acceptable.

In terms of overlooking, the position of the roof terrace and its balustrading means that this is sited in the centre of the roofscape and thus there is minimal ability for overlooking to adjoining premises due to the angle of the roof and distance involved. The relationship between the building and properties to the rear is as previously granted in 2009 with a distance separation of some 14m to flats in Waverley Court. Previously windows on this elevation were to be fully obscure glazed and fixed but this application proposes obscure glazing for the windows below 1.5m from floor level which would limit overlooking. The distance is not considered to be unacceptable given the relationship which already exists between the commercial premises and Waverley Court and with the provisions of the obscure glazing, which is covered by condition, this is considered to be acceptable.

To the front elevation the closest point of the tower would be approx. 13.5m to the properties immediately on the northern side of Waverley Road at no 3a and 3 and approx. 19m from no 2. The windows to the tower are set at an angle to view up and down the road rather than directly across to the existing properties and the distances are not considered to be unacceptable in an urban environment.

Neighbours have also raised issues in relation to noise and disturbance from cars and parking and also from noise and parking issues during construction. It is proposed that a Construction Traffic Management Plan be conditioned so that details of how the site will be developed can be controlled.

Economic Impact

As set out above under Principle of Development, this proposal would result in the loss of what appears to be currently 3 small business units set over 3 floors, one of which is a former Gym. Given the availability of similar sized premises elsewhere I as identified in the applicant's employment assessment, whilst the loss of any employment provision is regrettable, in a mixed use area like this it would be difficult to justify a refusal of the proposal against policy ECON3.

Overall the balance is between the provision of housing, in the absence of a 5 year housing land supply and the loss of these units and given the history of

permission on this site and limited size of the units in the context of employment provision in Weymouth and Portland, it is considered that the economic impact of the loss of these units is negligible.

Access and parking

The current site has a total of 7 car parking spaces for the 3 uses on the site, which, including a gym, would have led to parking difficulties in the vicinity as identified by the objectors. The proposed 10 dwellings would have a total of 6 car spaces which is below the usual parking provision but given the proximity of public transport and the provision of nearby shops and community facilities within walking distance means that a lower standard could be acceptable. The highway authority whilst pointing out the lower than usual standard have indicated that this would not warrant a refusal of the proposal.

The Construction Traffic Management Plan as required and explained above, would allow for some control over parking and access during construction but ultimately blocking or limiting access along a public highway is a matter for the Police.

Community Infrastructure Levy

The adopted charging schedule only applies a levy on proposals that create a dwelling and/or a dwelling with restricted holiday use. All other development types are therefore set a £0 per square metre CIL rate.

The development proposal is CIL liable.

The rate at which CIL is charged is £93 per sqm. The CIL charge is approximately £8,258.40. Confirmation of the final CIL charge will be included in a CIL liability notice issued prior to the commencement of the development. Index linking as required by the CIL Regulations - (Reg. 40) is applied to all liability notices issued, using the national All-In Tender Price Index of construction costs published by the Building Cost Information Service (BCIS) of the Royal Institution of Chartered Surveyors. CIL payments are index linked from the year that CIL was implemented (2016) to the year that planning permission is granted.

15.0

Conclusion

The proposed development would provide an additional 10 market dwellings in a sustainable location close to local facilities and public transport routes. Although there would be a loss of employment land and buildings the site with not a key employment site and with the mix of uses in the area the proposal would provide an opportunity to remove a potentially conflicting land use. There has previously been a permission for residential on this site for a similar number of units so the principle of the loss of these units from employment use has previously been accepted. The NPPF makes it clear that local authorities should take opportunities to provide housing on employment land if otherwise deemed

appropriate and in the absence of a 5 year housing land supply, and with the previous permission on this site, the proposal is considered to be a suitable alternative use of land.

A viability assessment has been submitted and assessed by the District Valuer which concludes that the scheme would not be viable if the policy requirement for 35% affordable housing is applied. In such circumstances it is accepted that the scheme would not need to provide a percentage of affordable homes nor any financial contribution towards provision elsewhere. Whilst regrettable given the national policy stance and evidence of a lack of viability it is not considered any refusal could be based on lack of affordable housing provision.

The proposal is similar in design and bulk to that previously approved in 2009 and measures have been taken through the amended plans to minimise impact on adjoining residential premises through both the design and bulk. Windows would be obscure glazed in part on the southern elevation and the roof terrace set back to prevent overlooking into adjoining premises and the daylight assessment shows that any loss of light would be minimal and within the BRE standards. As such it is not considered that there would be any significant harm to neighbouring residential amenity.

Whilst the highway authority identify that the parking standards are below the ideal it is clear that it would be difficult to refuse permission even with lower levels of parking given the close proximity to local facilities and the fact that there are good walking routes to the town centre and that buses run along the main Dorchester Road nearby.

In the absence of any material considerations which would warrant refusal of the application the proposal is considered to meet both national and local policy requirements.

16.0 Recommendation.

GRANT Planning Permission 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:

Proposed Site Plan - Drawing Number DC/WR/R/AO-4 received on 29/08/2019
Proposed North & East Elevations - Drawing Number DC/WR/R/AO-2 received on 29/08/2018

Proposed Floor Plans - Drawing Number DC/WR/R/AO-1 received on 29/08/2018

Location Plan - Drawing Number DC/WR/R/AO-5 received on 29/08/2018

Proposed South & West Elevations - Drawing Number DC/WR/R/AO-3 received on 29/08/2018

Site Plan with Drainage Details - Drawing Number DC/WR/R/AO-4A received on 12/11/2018

Proposed Floor Plans with Drainage Details - Drawing Number DC/WR/R/AO-1A received on 12/11/2018

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

3. No development shall take place until a detailed surface water management scheme for the site, based upon the hydrological and hydrogeological context of the development, and including clarification of how surface water is to be managed during construction, has been submitted to, and approved in writing by the local planning authority. The surface water scheme shall be fully implemented in accordance with the submitted details before the development is completed.

Reason: To prevent the increased risk of flooding.

4. No development shall take place until details of maintenance & management of the surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. These should include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

Reason: To ensure future maintenance of the surface water drainage system and to prevent the increased risk of flooding

5. Before the development hereby approved is occupied or utilised the parking shown on the submitted plans 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. No development above the Damp Proof Course (DPC) level of the development shall take place until details and samples of all external facing materials for the walls and roofs shall have been submitted to, and approved in writing by the Local Planning Authority. Thereafter, the development shall proceed in strict accordance with such materials as have been agreed.

Reason: To ensure a satisfactory visual appearance of the development.

7. The lower sections of the ground floor and first floor windows on the south elevation shall be obscure glazed to level 3 as shown on the approved plan DC/WR/R/AO-3. The windows shall be provided and retained as such thereafter.

Reason: In the interest of residential amenity.

8. Prior to the commencement of the development, a Construction Traffic Management Plan and programme of works shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include construction vehicle details (number, size, type and frequency of movement), vehicular routes, delivery hours and contractors' arrangements (compound, storage, parking, turning, surfacing, drainage and wheel wash facilities), and details of working hours. The development shall be carried out strictly in accordance with the approved Construction Traffic Management Plan.

Reason: In the interests of road safety and neighbouring amenity.

Informatives

The vehicle crossing serving this proposal (that is, the area of highway land between the nearside carriageway edge and the site's road boundary) must be constructed to the specification of the Highway Authority in order to comply with Section 184 of the Highways Act 1980. The applicant should contact Dorset Highways by telephone at Dorset Direct (01305 221000), by email at dorsetdirect@dorsetcc.gov.uk, or in writing at Dorset Highways, Dorset County Council, County Hall, Dorchester, DT1 1XJ, before the commencement of any works on or adjacent to the public highway.

Community Infrastructure Levy

This development constitutes Community Infrastructure Levy 'CIL' liable development. CIL is a mandatory financial charge on development and you will be notified of the amount of CIL being charged on this development in a CIL Liability Notice. To avoid additional financial penalties it is important that you notify us of the date you plan to commence development before any work takes place and follow the correct CIL payment procedure.



Western and Southern Area Planning Committee

WD/D/19/000999

Erect two linked single storey buildings to form office and welfare facilities for use ancillary to operation of existing highways depot.

Dorset Council Highways Depot, South Mill Lane, Bridport DT6 3PL

Date of Meeting: 4 July 2019

Lead Member: David Walsh

Lead Officer: Jerry Smith

Executive Summary: This report considers a planning application for a single storey office and welfare building and recommends that permission be granted subject to planning conditions.

Equalities Impact Assessment: Not relevant.

Budget: Generally, the determination of applications will not give rise to any budget implications for the Committee.

Risk Assessment: This planning application is made by Dorset Council, and Dorset Council has committed a budget to the delivery of this project, with associated intention for future development on the vacated site. The outcome of the application could therefore have budget implications for Dorset Council in its capacity of facilitator.

However, in its role as local planning authority, Dorset Council must determine the application solely on its planning merits.

Having considered the risks associated with this decision, the level of risk has been identified as:

Current Risk: MEDIUM

Residual Risk MEDIUM

Other Implications: None.

Recommendation: Planning permission be approved subject to the conditions set out in paragraph 16 of the report.

Reason for Recommendation: The proposed development is considered to be in accordance with the development plan. There are no material considerations indicating that the application should be determined other than in accordance with the development plan. Accordingly, conditional planning permission can and should be granted. The location is considered to be sustainable, and the proposal is acceptable in its design and general visual impact and would not, in particular, have an adverse impact on the character of the Bridport Conservation Area or setting of listed buildings or local amenity.

Appendices: None.

Background Papers: Planning application WD/D/19/000999.

Officer Contact:

Name: Andrea Spencer

Tel: 01305 228 266

Email: andrea.spencer@dorsetcouncil.gov.uk

Application No: WD/D/19/000999

Site Address: Dorset Council Highways Depot, South Mill Lane, Bridport DT6 3PL

Proposal: Erect two linked single storey buildings to form office and welfare facilities for use ancillary to operation of existing highways depot.

Applicant: Dorset Council

Case Officer: Andrea Spencer

Ward Members: Cllr Dave Bolwell, Cllr Kelvin Clayton, Cllr Sarah Williams (formerly Cllr Mark Roberts and Cllr Keith Day)

1.0 Summary of Recommendation: Grant planning permission subject to conditions.

2.0 Reason for the recommendation:

The location is considered to be sustainable. The proposal is acceptable in its design and general visual impact and would not have an adverse impact on the character of the Conservation Area or the setting of the nearby Listed Buildings.

3.0 Table of key planning issues

Issue	Conclusion
Principle of development	The site is within the defined development boundary for Bridport and is a sustainable location, as an existing depot.
Scale, design, impact on character and appearance	The proposed linked buildings are single storey. The materials and scale of the design are considered acceptable in this location.
Impact on amenity	There is no harm to residential amenity.
Impact on wildlife	The hedgerow to the west of the development is to be retained. A condition requiring a minimum 1m distance between the building and hedgerow is recommended.
Impact on landscape or heritage assets	No significant harm to this part of the conservation area or setting of nearby listed buildings. Hedgerow and trees to be retained.
Access and Parking	Access to the site will be as existing. Parking available on site for highways and staff vehicles.
Flooding	Although in Flood Risk Zone 2, the nature of the proposed use is considered to be acceptable.

4.0 Description of Site

The Dorset Council Highways Depot is comprised of two yard areas, both accessed from South Street, via South Mill Lane. The southern-most yard forms the access to South Mill, a listed building which houses the current depot offices and welfare facilities.

The proposed building is located in a second yard to the north east, separated from the first yard by the access road to South Holme and Brightwater residential properties, and a listed raised pavement.

The yard is a long-established depot, used for materials storage, loading and unloading, and the parking of vehicles. It has been in operation for at least 40 years and was utilised as a salt store prior to this operation relocating to the Charminster depot.

There are no existing buildings within the yard, and the application site comprises an area of 0.009ha located at its northern end adjacent to South Mill Lane.

The River Asker lies to the north and east of the proposed building, with a sluice and weir to the north. A culvert runs from this point north to south under the existing depot yard. The proposed building will be situated to the west of the culvert.

The application site is bounded by a deciduous hedgerow to the west, the River Asker to the north, trees and hedges to the east and chainlink fencing to the south.

There are three residential properties on South Mill Lane which overlook the site to some degree; two of which lie within 10m of it. However, the properties are largely screened by hedgerows and trees, which are to be retained. Brightwater sits to the east of the yard, overlooking the site although screened by a hedgerow and trees, and South Holme sits to the south east, largely screened by trees.

The site lies wholly within the Bridport Conservation Area, and the Dorset Area of Outstanding Natural Beauty (AONB). It also falls within Flood Risk Zone 2.

Heritage assets in the vicinity include South Mill, Grade II listed, which lies approximately 60m to the south of the application site, associated Grade II raised footpath, and residential property South Holme, also Grade II listed, approximately 65m to the south east.

5.0 Description of Proposal

The application states that a parcel of land north of Flood Lane, along with most of the land owned by Dorset Council on South Street has been identified as suitable for redevelopment to form a Care Village, comprising of a Care Home facility, Learning Disability housing, Extra Care accommodation, Key Worker accommodation and a Mini Hub together with a small number of Commercial units. In order to facilitate this, it has been proposed that South Mill, currently used by highways depot staff, and the Dorset Council owned Fisherman's Arms Day Centre, be included in this development.

To facilitate redevelopment, it is proposed to relocate the current depot operations based at South Mill onto the part of the existing depot to the north east of South Mill

Lane. The proposed linked buildings are intended to replace the facilities currently housed in South Mill for depot staff.

The applicants do not intend to change the operational use of the site. Access will remain the same, with parking for highways vehicles and staff on the site.

The subject building will be two single storey linked buildings, approximating an 'H' shaped layout.

The buildings are to comprise of a mess room, shower room, two WCs and one accessible WC to the western elevation, and two offices and a drying space to the eastern elevation.

The applicant has proposed to clad the building with Marley Cedral Boarding in cream. Windows and doors are double glazed, finished with brown aluminium frames. The building is to have a flat felt roof.

It is proposed to connect the building to the foul sewer in South Mill Lane.

The overall floor area of the building measures 12m x 9.6m, including external ramp. The height of the building is 2.76m to the eaves.

The applicant has proposed an easement of 4m with regards to the culvert.

6.0 Relevant Planning History

An application for a two-storey building (reference WD/D/18/002491) was withdrawn, due to concerns regarding its impact on the nearby listed buildings. The conservation officer advised that the scheme had 'less than substantial harm' on the setting of listed South Mill. The applicant was subsequently advised to submit a new application for a single storey design, located elsewhere on site and further from South Mill.

7.0 Relevant Constraints

The site lies within Flood Risk: Zone 2 Medium Probability - 'Land having between a 1 in 100 and 1 in 1,000 annual probability of river flooding'.

Bridport Conservation Area (*statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990*)

The site lies within the Dorset Area of Outstanding Natural Beauty (*statutory protection in order to conserve and enhance the natural beauty of their landscapes - National Parks and Access to the Countryside Act of 1949 & Countryside and Rights of Way Act, 2000*)

The site lies approximately 60m north of South Mill and associated raised pavement, and South Mill House (South Holme), all Grade II listed (*statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990*)

8.0 Consultations

All consultee responses can be viewed in full on the website
<https://plan.dorsetcc.gov.uk/>.

Environment Agency – No objection. Informatives recommended. One of the informatives noted that a Flood Risk Assessment Sequential Test may be required. However, the guidance notes (<https://www.gov.uk/guidance/flood-risk-assessment-the-sequential-test-for-applicants>) state that this is not a requirement for minor developments. This informative has therefore been removed.

Historic England – no comments, but

- Advised that the views of your specialist conservation and archaeological advisers are sought.

Highways – No objection.

Conservation Officer

- Acknowledged that the revised scheme has been reduced in height, albeit at the cost of a larger building footprint, and located further north within the site, away from the listed building
- A minimum of 1m should be kept clear between the hedge and the new building, to allow maintenance of both building and hedge
- Subject to the retention of the existing hedge on South Mill Lane, supports the application

Flood Risk Management – discretionary comments offered, as proposal is not a major development. Subsequent correspondence in relation to the comments received is available online.

- Advise that the culvert close to the site should not be built over
- Development proposals should be supported by a (proportionate) consideration of surface water management, in accordance with the revised National Planning Policy Framework (NPPF – February 2018)

Natural Environment Team – No response.

Rights of Way – No response.

AONB Team

- The site is an existing depot in the urban area and the implications of the proposal are of limited significance for natural beauty
- Recommended that advice from a suitable consultee is sought with regards to the Conservation Area and proximity to listed buildings
- The significance of any effects on the conservation area and/or listed buildings should be considered in the context of paragraph 172 of NPPF

Tree Officer – No objection.

Archaeological Officer – No concerns.

Environmental Health Officer – No response.

Bridport Town Council - Objection (received 30/04/2019)

- No objection, subject to any permission being temporary in nature. The proposed buildings are of a temporary build type and may not be considered appropriate in the longer term in a conservation area.

The application is not for a temporary building, so this has been treated as an objection.

9.0 Representations

Two objections and one comment were received from local residents. Comments summarised below:

- Impact on privacy from overlooking of properties on South Mill Lane
- WC proximity and associated emissions and effect on properties in South Mill Lane
- Could WCs and office be sited away from the South Mill Lane boundary
- Loss of light to properties on South Mill Lane
- Concerns about damage to hedgerow and impact on birds and small mammals
- Could perimeter hedgerow be improved with evergreen species as a visual barrier
- Visual impact of building within the AONB, Bridport Conservation Area and impact on listed buildings
- Increase in noise and dust levels
- Noise during construction and use of site once complete
- Compression of site into one yard and associated increase in vehicles

10.0 Relevant Development Plan Policies

Adopted West Dorset, Weymouth & Portland Local Plan 2015

INT1 – Presumption in Favour of Sustainable Development

ENV1 – Landscape, Seascape and Sites of Geological Interest

ENV2 – Wildlife and Habitats

ENV4 – Heritage Assets

ENV5 – Flood Risk

ENV10 – The Landscape and Townscape Setting

ENV12 – The Design and Positioning of Buildings

ENV15 – Efficient and Appropriate use of Land

ENV16 – Amenity

SUS2 – Distribution of Development

Emerging Development Plan Policy

Bridport Area Neighbourhood Plan Submission Version April 2019

Policy CC5 - Flood Risk Assessment: all developments...should make every effort to be informed and take account of the most up-to-date predictions of flood risk and the probable impacts of climate change.

Policy HT1 – Non Designated Heritage Assets: any development proposals that would affect...non-designated heritage assets should: a) Be accompanied by a description of its significance in sufficient detail to allow the potential impacts to be adequately assessed; and b) Be sympathetic to the building, structure or feature concerned and propose its creative reuse and adaptation; and c) Otherwise respect the approach set in Policy ENV4 of the adopted Local Plan (2015).

National Planning Policy Framework February 2019

Achieving Sustainable Development – paragraph 11

Decision Making – paragraph 38

Planning Conditions and Obligations – paragraph 55

Achieving Well-Designed Places - paragraph 127

Planning and Flood Risk – paragraph 164

Conserving and Enhancing the Natural Environment – paragraph 172

Habitats and Biodiversity – paragraph 175

Proposals Affecting Heritage Assets – paragraph 190

Considering Potential Impacts – paragraph 200

Other material considerations

Bridport Conservation Area Appraisal

11.0 Human rights

Article 6 - Right to a fair trial.

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

The first protocol of Article 1 Protection of property

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

12.0 Public Sector Equalities Duty

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

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

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove OR minimise disadvantage and in considering the

merits of this planning application the planning authority has taken into consideration the requirements of the PSED.

- Access: there will be a ramped access to the building, with an accessible WC.

13.0 Financial benefits

Not relevant to this application.

14.0 Planning Assessment

Principle of development

Policy INT1 of the adopted *West Dorset, Weymouth & Portland Local Plan* (the adopted Local Plan) endorses the presumption in favour of sustainable development set out in the NPPF.

Policy SUS2 requires that development is distributed according to a settlement hierarchy, including Bridport as a focus for development. The proposed development is within the defined development boundary of Bridport where employment development will normally be permitted. It is also sited on brownfield land.

The NPPF provides that the purpose of the planning system is to contribute to the achievement of sustainable development and that to achieve this, economic, social and environmental gains should be sought jointly and simultaneously (paragraphs 7 and 8). Planning authorities are advised to approach decision taking in a positive way to foster the delivery of sustainable development (paragraph 38). Development proposals that accord with the development plan should be approved without delay (paragraph 11).

Having regard to the issues relevant to the three strands of sustainable development considered below, it is considered that the proposal is therefore acceptable in principle, having regard to the above considerations.

Scale, design, impact on character and appearance

Policy ENV1 of the adopted Local Plan provides that the plan area's exceptional landscapes will be protected, taking into account the objectives of the Dorset AONB Management Plan. It is further stated that development should be located and designed so that it does not detract from and, where reasonable, enhances the local landscape character and that where proposals relate to sites where existing development is of visually poor quality, opportunities should be taken to secure visual enhancements.

Policy ENV10 of the adopted Local Plan states that all development proposals should contribute positively to the maintenance and enhancement of local identity and distinctiveness. Development should be informed by the character of the site and its surroundings.

Policy ENV12 of the adopted Local Plan states that the general design should be in harmony with the adjoining buildings and the area as a whole, and that the scale, mass and positioning of the building should reflect the purpose for which the building is proposed.

Policy ENV15 of the adopted Local Plan states that Development should optimise the potential of the site and make efficient use of land, subject to the limitations inherent in the site and impact on local character.

The site lies within the defined development boundary, and within an existing depot site. The proposal makes the best use of this site, condensing depot activities and office/welfare facilities onto one site and allowing for future redevelopment and improvement of the site of which listed South Mill is a key feature.

The linked single storey buildings will largely be screened by the hedgerow and will be timber clad so as to help it sit appropriately within the site, mindful of the site falling within the Bridport Conservation Area.

The proposed building is considered to be acceptable in height and bulk. The overall scale, design and appearance is considered to be appropriate for a building designed to provide office and welfare facilities on an existing highways depot site.

The proposal is therefore considered to be in accordance with the above policies.

Impact on amenity

Policy ENV16 of the adopted Local Plan provides that development should be designed to minimise impact on the amenity of residents close to it.

The impact on local amenity is considered to be minimal. The building is separated from the nearest residential properties by South Mill Lane and is screened by the existing hedgerow on the east side on the lane, which is to be retained. It is also considered that the building could help screen those properties from the site and associated activities. The closest properties to the proposed development are 38a and 38b South Mill Lane. Objections to the proposal received from the residents of these properties noted the proximity of the proposed WCs to their properties and concerns over odour emissions, and potential overlooking and loss of light.

Whilst it is not considered that the relative proximity, across South Mill Lane, is likely to affect residential amenity, any impact will be mitigated by the recommended conditions requiring that fixed and obscured glazed windows are installed to WCs and shower rooms. Similarly, it is not considered that the relative proximity is likely to lead to unacceptable overlooking or loss of light at nearby residences, given the hedge which is to be retained and the single storey form of the proposed building. Any potential impact would be further mitigated by the proposed condition requiring obscured glazing to all windows in the building's western elevation. Accordingly, the development is in accordance with Policy ENV16.

Impact on wildlife

Policy ENV2 of the adopted Local Plan provides that proposals that conserve or enhance biodiversity should be supported, and that opportunities to incorporate and enhance biodiversity in and around developments will be encouraged.

The existing hedgerow to the west of the proposed development has been noted in representation as being used by birds and small mammals. This hedgerow is to be retained, and a 1m gap between the hedge and proposed building imposed for

maintenance of both the hedge and building. The council's Aboricultural Officer has raised no concerns and neither have the Natural Environment Team.

Impact on heritage and landscape assets

Policy ENV4 of the adopted Local Plan provides that the impact of development on a designated or non-designated heritage asset and its setting must be thoroughly assessed against the significance of the asset. Development should conserve and where appropriate enhance the significance.

Section 16 of the NPPF requires that local planning authorities to identify and assess the significance of any heritage asset that may be affected by a proposal, including through effects on its setting.

In this case, the application site lies in the Bridport Conservation Area in proximity the Grade II listed 19th Century South Mill. South Mill is a four storey stone building with historic, evidential and aesthetic value derived from its historic use, location, evolution, state of preservation and prominence in views, particularly from the viewpoint along the River Asker. The proposed development lies within the wider setting of South Mill and its associated raised pavement, albeit that the current appearance and use of the yard is not attractive and contributes very little to the significance of the Mill or raised pavement.

In his assessment of the withdrawn proposal for the two-storey building on the part of the site immediately north of South Mill, the council's Conservation Officer anticipated that the proposed building would not harm the evidential or historic value of South Mill but concluded that the proposal would result in less than substantial harm to the aesthetic value of South Mill in that location.

The Conservation Officer has considered the revised proposed development, taking into account its height and proximity to South Mill. He has not identified any harm to the setting of the listed building and supports the application, subject to the retention of the hedge on South Mill Lane.

The building will be seen within the setting of the Conservation Area and listed buildings but is not considered to detract from their character and appearance. I therefore consider the proposal to result in no harm to this section of the Conservation Area and passes the test as set out in Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires the decision maker to have special regard to the desirability or preserving the listed building or its setting. The proposed building is not considered to detract from the setting of the nearby listed buildings, being of low scale, and largely screened by existing trees and hedgerows. With appropriate materials and weathering it is not considered that the building would appear overly prominent given its location. The proposal is therefore in accordance with Policy ENV4 of the Local Plan.

It is considered that the proposed building would be sufficiently small in scale, particularly in terms of height, and sufficiently screened and located such that it would not harm the significance of the heritage assets including the Conservation Area and the listed buildings in the vicinity. Whilst the proposed building is not likely to make a positive contribution to local character and distinctiveness, its intended use is likely to enable the re-use of and improvement of South Mill, potentially

enhancing and better revealing its significance in accordance with paragraph 200 of the NPPF.

Access and parking

Policy ENV15 provides that Development should optimise the potential of the site and make efficient use of land, subject to the limitations inherent in the site and impact on local character.

The site is in a sustainable location within the existing highways depot. This part of the site is currently used to park highways vehicles, and the site will also be used for staff car parking. The access to the site is unchanged.

Flooding

Policy ENV5 of the adopted Local Plan provides that new development or the intensification of existing uses should be planned to avoid risk of flooding (from surface water run-off, groundwater, fluvial and coastal sources) where possible. The risk of flooding will be minimised by:

- steering development towards the areas of lowest risk and avoiding inappropriate development in the higher flood risk zones;
- ensuring development will not generate flooding through surface water runoff and/or exacerbate flooding elsewhere.

The proposed building is located within Flood Zone 2, which means it is land having between a 1 in 100 and 1 in 1000 annual probability of river flooding. The NPPF practice guidance classes buildings for shops, restaurants, financial, professional and other services as less vulnerable uses within flood zones. The building would have a use which is considered appropriate in this location. The proposed building is not considered to significantly increase flooding on the site and would be in accordance with Policy ENV5.

15.0 Conclusion

For the reasons set out above, the proposed development is considered to be in accordance with the development plan. There are no material considerations indicating that the application should be determined other than in accordance with the development plan. Accordingly, conditional planning permission can and should be granted. The location is considered to be sustainable, and the proposal is acceptable in its design and general visual impact and would not, in particular, have an adverse impact on the character of the Bridport Conservation Area or setting of listed buildings or local amenity.

16.0 RECOMMENDATION

Grant permission, subject to the following conditions:

Time Limit – Commencement of Development

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

In accordance with section 91 of the Town and Country Planning Act 1990 (as amended).

Submitted Plans and Details

2. Unless otherwise agreed in writing with the local planning authority the development shall be carried out in strict accordance with the approved plans:

- Drawing A100 Revision P1: Proposed Site and Location Plan
- Drawing A110 Revision P1: Proposed Site Plan
- Drawing A115 Revision P1: Proposed Plan and Elevations

Reason

In the interests of the character and appearance of the area and local amenity having regard to Policies ENV1, ENV10 and ENV16 of the adopted West Dorset, Weymouth & Portland Local Plan 2015.

Materials

3. Prior to the commencement of development, colours and materials for all external surfaces of the building hereby approved shall be submitted to and approved in writing by the local planning authority. The development shall be carried out using the approved materials.

Reason

To ensure that the external appearance of the completed development is satisfactory and sympathetic to its locality in accordance with Policy ENV1 and ENV4 of the adopted West Dorset, Weymouth and Portland Local Plan.

Retention of Hedgerow

4. The hedgerow bordering South Mill Lane and the western site boundary is to be retained and maintained so as to form an effective visual screen. There shall be a minimum distance of one metre between the hedgerow and the proposed building.

Reason

To ensure the continuity of amenity afforded by the existing hedgerow and its contribution to the landscape character of the area in accordance with Policy ENV10 of the West Dorset, Weymouth & Portland Local Plan 2015.

Tree and Hedgerow Protection

5. Prior to works commencing a detailed tree/hedgerow protection plan for the land edged blue on drawing A110 Revision P1: Proposed Site Plan shall be submitted to, and agreed in writing by, the local planning authority. The development shall be carried out in accordance with the approved protection plan and existing trees, shrubs and other natural features not scheduled for removal shall be fully safeguarded during the course of the site works and building operations (see BS

5837: 2012). A tree protection area shall be fenced and no unauthorised access or placement of goods, fuels or chemicals, soil or other materials shall take place inside the fenced area.

Reason

To ensure the continuity of amenity afforded by existing trees and their contribution to the landscape character of the area in accordance with Policy ENV10 of the West Dorset, Weymouth & Portland Local Plan 2015.

Hours of Construction

6. No construction works shall take place outside of the hours 0700-1800 Monday to Friday and 0900-1700 on Saturdays. No operations shall take place on Sundays or public holidays without the prior written approval of the local planning authority.

Reason

In the interests of the residential amenities of the area and in accordance with Policy ENV16 of the West Dorset, Weymouth & Portland Local Plan 2015.

Cessation of Use

7. Upon permanent cessation of the use of the building hereby permitted, the building shall be removed from the site.

Reason

In the interest of amenity and having regard to Policy ENV16 of the West Dorset, Weymouth and Portland Local Plan 2015.

Finished Floor Levels

8. Details of the proposed finished floor levels shall be submitted to and approved in writing by the local planning authority prior to works commencing and the development hereby approved shall be undertaken in strict accordance with those approved details.

Reason

In the interests of flood risk management and having regard to Policy ENV5 of the West Dorset, Weymouth and Portland Local Plan 2015.

Windows on the Western Elevation

9. All windows on the western elevation of the building hereby approved shall be maintained as obscured glazed, as detailed on drawing A115 Revision P1: Proposed Plan and Elevations. Windows to the WCs and shower room shall be non-opening.

Reason

In the interests of the residential amenity and in accordance with Policy ENV16 of the West Dorset, Weymouth & Portland Local Plan 2015.

INFORMATIVES

Environment Agency

Flood Risk

Flood Risk Standing Advice

Please note that this site is in defended Flood Zone 2 (medium risk), therefore the development should accord with National Flood Risk Standing Advice. In this advice it states that the ground floor levels should be a minimum of whichever is higher of:

- 300 millimetres (mm) above the general ground level of the site
- 600mm above the estimated river or sea flood level

Flood Resistance

We recommend that consideration be given to use of flood proofing measures to reduce the impact of flooding when it occurs. Flood proofing measures include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs are located above possible flood levels. Consultation with your building control department is recommended when determining if flood proofing measures are effective.

Additional guidance can be found at:

<http://www.planningportal.gov.uk/uploads/odpm/4000000009282.pdf> as well as the communities and local Government publication 'Improving the flood performance of new buildings' which can be viewed at:

<http://www.communities.gov.uk/publications/planningandbuilding/improvingflood>

Pollution Prevention During Construction

Safeguards should be implemented during the construction phase to minimise the risks of pollution and detrimental effects to the water interests in and around the site. Such safeguards should cover the use of plant and machinery, oils/chemicals and materials; the use and routing of heavy plant and vehicles; the location and form of work and storage areas and compounds and the control and removal of spoil and wastes. We recommend the applicant refer to our Pollution Prevention Guidelines, which can be found at:

<https://www.gov.uk/guidance/pollution-prevention-for-businesses>

Waste Management

The applicant should consider reduction, reuse and recovery of waste in preference to offsite incineration and disposal to landfill during site construction, in accordance with the waste hierarchy.

If any controlled waste is to be removed off site, then site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably authorised facility. If the applicant requires more specific guidance it is available on our website <https://www.gov.uk/how-to-classify-different-types-of-waste>

This page is intentionally left blank