



Northern Area Planning Committee

Date: Tuesday, 15 September 2020
Time: 10.00 am
Venue: MS Team Live Event This meeting will be held remotely as an MS Teams Live Event [please see link below]

Membership: (Quorum 6)

Sherry Jespersen (Chairman), Mary Penfold (Vice-Chairman), Jon Andrews, Tim Cook, Les Fry, Matthew Hall, Brian Heatley, Carole Jones, Emma Parker, Val Potheary, Belinda Ridout and David Taylor

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 Fiona King 01305 224186 fiona.king@dorsetcouncil.gov.uk



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Members of the public are invited to access this meeting with the exception of any items listed in the exempt part of this agenda.

This meeting will be held remotely as an MS Teams Live Event:-

[Northern Planning Committee – Morning Session](#)

[Northern Planning Committee – Afternoon Session](#)

Members of the public are invited to make written representations provided that they are submitted to the Democratic Services Officer no later than **8.30am on Friday 11 September 2020** This must include your name, together with a summary of your comments and contain no more than 450 words.

If a councillor who is not on the Planning Committee wishes to address the committee, they will be allowed 3 minutes to do so and will be invited to speak before the applicant or their representative provided that they have notified the Democratic Services Officer by **8.30am Friday 11 September 2020**.

Please note that if you submit a representation to be read out on your behalf at the committee meeting, 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 general information about speaking at meetings [Guidance to Public Speaking at a Planning Committee](#) and specifically the "***Covid-19 Pandemic – Addendum to the Guide to Public Speaking Protocol for Planning Committee meetings***" included as part of this agenda (see agenda item 4 - Public Participation).

Using social media at virtual meetings

Anyone can use social media such as tweeting and blogging to report the meeting when it is open to the public.

A G E N D A

Page No.

1 APOLOGIES

To receive any apologies for absence

2 DECLARATIONS OF INTEREST

To receive any declarations of interest

3 MINUTES

5 - 22

To confirm the minutes of the meeting held on 30 July 2020.

4 PUBLIC PARTICIPATION

23 - 24

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

Public speaking has been suspended for virtual committee meetings during the Covid-19 crisis and public participation will be dealt with through written submissions only.

Members of the public who live, work or represent an organisation within the Dorset Council area, may submit up to two questions or a statement of up to a maximum of 450 words. All submissions must be sent electronically to fiona.king@dorsetcouncil.gov.uk by the deadline set out below.

When submitting a question please indicate who the question is for and include your name, address and contact details. Questions and statements received in line with the council's rules for public participation will be published as a supplement to the agenda.

Questions will be read out by an officer of the council and a response given by the appropriate Portfolio Holder or officer at the meeting. All questions, statements and responses will be published in full within the minutes of the meeting.

The deadline for submission of the full text of a question or statement is 8.30am on Friday 11 September 2020.

Please refer to the Guide to Public Speaking at Planning Committee and specifically the "Covid-19 Pandemic – Addendum to the Guide to Public Speaking Protocol for Planning Committee meetings" included

with this agenda.

5 PLANNING APPLICATIONS

To consider the applications listed below for planning permission

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| a | WD/D/19/002627, Dorset County Hospital, Williams Avenue, Dorchester, DT1 2JY | 25 - 76 |
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To consider a report by the Head of Planning.

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| b | 2/2020/0379/FUL, West of Shaftesbury Road at Land South of Gillingham, Shaftesbury Road. Gillingham | 77 - 100 |
|----------|--|-----------------|

To consider a report by the Head of Planning.

COMMITTEE BREAKS FOR LUNCH 1PM - 2PM

- | | | |
|----------|---|------------------|
| c | 2/2019/1710/REM, Land at E 373794 N 117227, Thornhill Road, Stalbridge | 101 - 118 |
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To consider a report by the Head of Planning.

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| d | 2/2018/1808/OUT, Land North of Burton Street, Marnhull, Dorset | 119 - 158 |
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To consider a report by the Head of Planning.

6 URGENT ITEMS

To consider any items of business which the Chairman has had prior notification and considers to be urgent pursuant to section 100B (4) b) of the Local Government Act 1972

The reason for the urgency shall be recorded in the minutes.



DORSET COUNCIL - NORTHERN AREA PLANNING COMMITTEE

MINUTES OF MEETING HELD ON THURSDAY 30 JULY 2020

Present: Cllrs Sherry Jespersen (Chairman), Mary Penfold (Vice-Chairman), Jon Andrews, Tim Cook, Les Fry, Matthew Hall, Carole Jones, Robin Legg, Bill Pipe, Val Potheary, Belinda Ridout and David Taylor

Also present: Cllr David Walsh

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

Lara Altree (Senior Lawyer - Regulatory), Robert Lennis (Area Lead (Major Projects) Eastern), Simon McFarlane (Area Lead Planning Officer, Gillingham), Steve Savage (Transport Development Manager), Allison Sharpe (Business Support Officer), Helen Whitby (Senior Democratic Services Officer) and Fiona King (Democratic Services Officer)

117. Apologies

No apologies for absence were received at the meeting.

118. Declarations of Interest

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

119. Minutes

The minutes of the meeting held on 23 June 2020 were confirmed and signed.

Cllr Legg wished to record that his apologies had been given for the previous two meetings due to technical issues he had encountered whilst trying to access the meetings.

120. 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.

121. Planning Applications

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

122. **2/2019/0318/OUT - Land Off Haywards Lane (West Of Allen Close)
Child Okeford Dorset**

The Area Lead Planning Officer introduced the application to develop land by the erection of up to 26 No. dwellings, form vehicular and pedestrian access. The current proposals which sought outline permission (with only access for consideration) had been reduced by 6 dwellings from an initial proposal of up to 32 dwellings. It was proposed that the development would be served by a single vehicular access point and pedestrian crossing from Haywards Lane.

The Officer highlighted the proposed car park and advised that the only hedgerow to be removed would be to allow access to the site. However, if more hedgerow was removed there was a condition in place for that to be replaced. The site was considered to be a sustainable location and the Applicant had agreed to the S106 obligations, as listed in the report. The economic, social benefits and environmental benefits were highlighted and it was felt that there were no adverse impacts that would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPFF taken as a whole.

The Transport Development Liaison Manager highlighted the vehicular access to the site with the visibility splay which was suitable for a 30mph approach speed. A transport statement had been submitted along with a technical note that had looked at the parking accumulation at the school. The impact was minimal in respect of the cars being parked on the side of the road. Highways felt there were no significant safety issues with the application and therefore had no objections.

A number of written submissions objecting to the proposal and a statement by the applicant were read out at the meeting and are attached to these minutes.

Local Member for Child Okeford

Cllr Sherry Jespersen made reference to the link through the site to Allen close and asked for further clarity as the Parish Council were not aware this was a permitted path. The Area Lead Planning Officer advised that the applicants believed there could be a permissive footpath, there was a faint line showing on the constraints map. Reference was made to a covenant or legal ownership that one of the neighbours had in place across the access into the site from Allen Close. Cllr Jespersen was still unclear if members were in a position to give permission for access as no such access existed and it appeared it was unsure who owned the land the other side of the locked gate. Officers advised that the red line boundary was discrete and the number of houses would be appropriate for the site. He made reference to other sites with open boundaries and people did cross them. A gate could be installed if it was felt this particular access was detrimental to neighbouring properties. The Transport Development Liaison Manager advised that the footway linked to Allen Close was an indicative opportunity and the southern pedestrian link onto Haywards Lane was sufficient.

In respect of Heads of Terms, Cllr Jespersen noted that a reference was made to allotments, but there was inclusion on site for allotments and there

was no indication they would be an attractive proposition. There was sufficient allotment provision within the village already. The Area Lead Planning Officer made reference to the provision made on and off site with a contribution of £308 offsite. He advised that when the S106 was confirmed it would show only be a contribution for off-site allotments.

Following a question about the newly dedicated footpath from Netmead Lane officers confirmed that this was a contribution request from the Rights of Way officer for the resurfacing of a public Right of Way nearby. It was confirmed that the Right of Way did not link directly to the site.

Members comments and questions:-

Cllr Penfold made reference to the car park and questioned if it was part of the application. She had not seen any support for the car park and the wondered if the villagers had been asked for their views. There was concern around who would own the car park and who would be responsible for its upkeep. Officers confirmed the application was for outline and access only. Members were looking at an illustrative drawing, the land was part of the site and showed the suitability of the site for up to 26 houses. Car parking did not need to be part of the detailed application. Nobody had been canvassed, the applicant had looked at various different layouts. The Chairman felt inclined to propose an informative note regarding the car park before going forward.

Cllr Taylor asked for clarification of the speed limit on Haywards. The Transport Development Liaison Manager confirmed that the existing speed limit was 60mph but it changed to 30mph approaching the village and this would remain. Following a question about the safety of crossing the road from the car park to the school, the Transport Development Liaison Manager advised it was considered to be a safe place to cross and was essential to the proposal. The appropriate crossing construction would be installed if the application was approved. The crossing would be within the 30mph limit area. The Area Lead Planning Officer added that this was an indicative layout and the parking area did not have to be part of the detailed layout at a later stage.

Cllr Hall queried using this opportunity to reduce speed to 20mph outside the school. The Transport Development Liaison Manager advised that there was no proposal to change the speed limits, village car parking did not identify a need for the limits to be changed and this was not part of the planning process. If there was a problem with the speed limit, the village would need to apply to the Council for a change.

Cllr Andrews asked about a Neighbourhood Plan for Child Okeford and wondered if the North Dorset Plan was still valid. Officers confirmed that whilst there was not a Neighbourhood Plan the North Dorset Plan was still valid and the village did have a Village Design Statement SPD (supplementary planning document).

Cllr Cook expressed concern at the rounding off of the settlement boundary especially for those members that represented rural areas. He felt it was important to look at the wider effects. Looking at the wider picture of Child

Okeford there are so many pieces of land that could have an application put forward as a result the essential rural character of the village would be changed and felt this small development could set a wider precedent.

Cllr Ridout highlighted that in the report there were objections raised by the landscape architect when the application was based on 30 dwelling, what was their view on the lower density? The Area Lead Planning Officer advised that the particular landscape officer had since left the Council but officers were satisfied that the reduction was reflective of the character of the area given the reduction in density to 20dph (dwellings per hectare). The officer had walked the site with landscape officers and the numbers of 26 dwellings were from informal discussions with them.

Cllr Pipe was satisfied that there seemed to be a natural rounding off of the settlement boundary, the trees and hedges provision had been highlighted and the 40 % affordable housing was noted. He asked would this housing be for local people to buy or would it be for rental from a housing association. The Area Lead Planning Officer advised that a proportion of housing would be for people to buy under shared ownership and some would be rented. There would be a proportion of the housing that would remain for local people.

Cllr Legg asked for confirmation that the cash benefit came from every house. Officers confirmed that all houses would pay a contribution. Following a discussion about the amount of weight members should give to the Village Design Statement, officers advised that with the shortage of the 5 year land supply they would suggest that members gave limited weight to the policies in this Statement. However, the Statement does not preclude development and the site is not in a conservation area. The density was akin to what was surrounding the site and had already been reduced.

Cllr Legg highlighted a point made by the Parish Council in relation to deferring the application pending the outcome of an appeal on another site in the village. The Area Lead Planning Officer advised against deferring this application in order to wait for a decision as the other site was very different and the merits of the cases should not be mixed.

Cllr Potheary was concerned for the safety of walkers to the shops and amenities as there was no pavement or dedicated footway. She also queried if the development would be sustainable. The Transport Development Liaison Manager advised that the grassed area opposite the proposed pedestrian crossing point would be upgraded to provide a footway and confirmed there would be safe access from this site and was confident there were no safety issues. There were links to the existing footway facilities also. The Chairman added that there was a small amount of pavement around the school and the bus stop.

Cllr Carole Jones highlighted that as the Village Design Statement was confirmed in 2007 members should only give limited weight to this. She felt that the fear of development was always greater than the reality of a lived in site and felt that a car park would be a valuable asset. The Chairman added

that the school had not indicated support for a car park. Cllr Jones felt that the application was sound and proposed the recommendation.

Cllr Fry queried how much weight should be given to the application as it was outside the village boundary. The Area Lead Planning Officer advised that members should really be assessing other matters such as character and sustainability and it would be difficult to defend on this. Other villages had taken on extensive growth and the Council was starting to push back on some, this was not the case here.

Following a discussion about the car park Cllr Fry, whilst being aware of the issues around ownership and liability, saw this as an asset. The Chairman noted that this was a concern to the village and the school had not requested it. The Area Lead Planning Officer advised that whilst this was an illustrative drawing, the points being made were relevant and could be addressed at the outline stage. However, an informative could be added to say that at the present time the Parish Council does not see the need for a car park. Therefore Condition 12 of the decision would need to be deleted. Members were content with is approach.

Proposed: Cllr Jones

Seconded: Cllr Andrews

Decision

That delegated authority be given to the Head of Planning to grant permission subject to the addition of an informative, the amended conditions and a Section106 agreement.

123. 2/2019/1316/REM - The Brewery, Bournemouth Road, Blandford St Mary, DT11 9LS

The Area Lead Planning Officer introduced the application to erect 63 No. dwellings with garaging, parking, landscaping and associated infrastructure. (Reserved matters application (Phase1) to determine layout, scale, appearance and landscaping, following grant of Outline Planning Permission No. 2/2017/1706/VARIA).

The relevant planning history relating to this application was highlighted to members along with the key planning issues. Recent photographs of the area were shown to members which highlighted that a number of the buildings had now been demolished.

Following work with the Applicant, officers were now content with the design, they felt this was a highquality development.

Key planning matters were highlighted to members:-

- Flood risk
- Matters of design: Layout, Appearance, Scale
- Heritage impact
- Neighbour amenity

- Other matters raised by local Councils

The majority of the matters raised were mainly of principle and these had now been resolved. This was a large site that needed a lot of remediation.

The Transport Development Liaison Manager highlighted that the site was accessed from the historic brewery access which was already an approved access. Onsite car parking was provided in accordance with council guidance. The proposed estate road layout had been tested for emergency and refuse vehicles to be able to pass and had been approved. Highways had no objections to the proposals.

A statement by the applicant was read out at the meeting and is attached to these minutes.

Members comments and questions

The Chairman noted that this was a very significant development for Blandford St Mary.

Cllr Pipe enquired if there were any listed buildings status on any of the demolished or remaining buildings. The Area Lead Planning Officer advised that whilst the development was within the Blandford conservation area but the old brewery building was not listed.

Cllr Cook asked if the non-adoption of roads caused an issue for the Authority. The Transport Development Liaison Manager advised that it was up to the applicant if they wished to offer roads for adoption it was not compulsory. Highways just approve schemes from a safety point of view. Following a question about leasehold and freehold properties and any ground management fees, the Area Lead Planning Officer advised that the cost to remediate the site had been expensive and the applicant was working the Homes England to seek to provide some affordable housing. Contract terms were not normally something that the Council would be involved in.

Cllr Legg was surprised to see access of off private roads and thought there were policies around this. The Transport Development Liaison Manager was not aware of a specific policy relating to this and noted that a number of developers' sites remained private roads and developers could not be forced to make them adopted. In response to a question about whether it could then become a gated community, the Officer advised that an application could be put forward to put up a gate but that was not being proposed with this application.

Cllr Legg highlighted that outline permission was for 180 units, therefore phases 2-4 would be of a much higher density. The Area Lead Planning Officer confirmed this would be the case and noted that the future development was likely to include 3 storey properties.

Cllr Legg made reference to comments made in December regarding flood risk but was unable to any find later correspondence regarding satisfaction with the proposal. The Area Lead Planning Officer clarified the Lead Local

Flood Authorities position and updated members on the current position in relation to condition 23 which needed to be discharged prior to development.

Cllr Potheary was concerned about adequate parking being provided and whether the streets were wide enough to park in while still being wide enough for refuse and emergency vehicles to pass through. The Transport Development Liaison Manager advised that the car parking numbers complied with council's guidance and confirmed that the site had been fully assessed. In respect of a query about children crossing the road to school, the officer confirmed that pedestrian links had been fully assessed at the outline stage. Cllr Potheary was now content with this and felt this was a very attractive development that would sit well within Blandford and proposed approval of the application.

Cllr Ridout asked about the random siting of disabled slots. The Transport Development Liaison Manager advised that a certain number had to be allocated, and developers do try to scatter them around the site, officers had little say in where they were located. However, Highways had no issues with where they had been placed.

Cllr Hall made reference to the inclusion of French drains and asked if there was a condition to enable them to be cleaned out as much as possible. The Area Lead Planning Officer advised that not only was this an exceptional site in its proximity to the River Stour it was an existing site being redeveloped so officers were dealing with flood issues to the best of their ability.

Cllr Fry enquired about any plans for renewables on the site. The Area Lead Planning Officer advised this had not been addressed but the development would be built to building regulations standard and suggested that members of the public pushed for those regulations to be changed. He also added that the development was in a conservation area close to listed buildings. Members hoped that the developers would take every opportunity to make this important and significant development for Blandford a modern and sustainable development. Cllr Fry was content to second the proposal.

Cllr Jones expressed concern at the lack of play area and to see that considering the size of the development there was no provision. The Area Lead Planning Officer advised that immediately adjacent to the site was a large green space and skateboard park. Following a question concerning the provision of electric car charging points, the officer advised this could be added as an informative along alternative energies, but the uptake was a financial issue for developers.

Proposed: Cllr Potheary

Seconded: Cllr Fry

Decision

That the application be approved subject to the conditions outlined in the appendix to these minutes.

124. Dorchester Article 4 Directive

The Area Lead Planning Officer updated members on the public consultation that had now been carried out in respect of the Dorchester Article 4 Directive. Members were shown a map which highlighted the conservation areas in Dorchester.

Cllr Fry thought this was useful in order to protect Dorchester's heritage.

The Chairman thanked officers for undertaking the work on this.

125. Urgent items

There were no urgent items of business.

Duration of meeting: 10.00 am - 12.51 pm

Chairman

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APPLICATION NUMBER: [2/2019/0318/OUT](#)

APPLICATION SITE: Land off Haywards Lane (West of Allen Close) Child Okeford Dorset

PROPOSAL: Develop land by the erection of up to 26 No. dwellings, form vehicular and pedestrian access. (Outline application to determine access).

Decision: Approved, subject to conditions.

CONDITIONS:

1. Approval of the Reserved Matters (i.e. any matters in respect of which details have not been given in the application concerning the layout, scale or appearance of the building(s) to which this permission and the application relates, or to the means of access to the building(s), or the landscaping of the site) shall be obtained from the Local Planning Authority in writing before any development is commenced. Such development shall be carried out as approved.
Reason: This condition is required to be imposed by Section 92 of the Town and Country Planning Act 1990 (as amended).
2. Application for the approval of any Reserved Matter must be made not later than the expiration of two 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 (as amended).
3. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved. Reason: This condition is required to be imposed by Section 92 of the Town and Country Planning Act, 1990.
4. The development hereby permitted shall be carried out strictly and only in accordance with the following approved drawings and details:

- Proposed Site Plan, ref – P004, dated 16.07.20.

Reason: For the avoidance of doubt and to clarify the permission.

5. No development must commence until details of the access, geometric highway layout, turning and parking areas have been submitted to and agreed in writing by the Planning Authority.
Reason: To ensure the proper and appropriate development of the site.
6. Before the development is occupied the first 15.00 metres of the vehicle access, measured from the rear edge of the highway (excluding the vehicle crossing - see the Informative Note below), must be laid out and constructed to a specification submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure that a suitably surfaced and constructed access to the site is provided that prevents loose material being dragged and/or deposited onto the adjacent carriageway causing a safety hazard.

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

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

8. The development hereby permitted must not be occupied until a scheme showing details of the proposed cycle parking facilities is submitted to the Planning Authority and approved in writing. The approved scheme 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.

9. Before the development hereby approved is occupied the visibility splay areas as shown on Drawing Number 152.0001.002 Rev C must be cleared/excavated to a level not exceeding 0.60 metres above the relative level of the adjacent carriageway. The splay areas must thereafter be maintained and kept free from all obstructions.

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

10. Before the development hereby approved is occupied the following works must have been constructed to the specification of the Planning Authority:

- o The provision of a 2m wide footway and associated tactile crossing provision on the western side of the vehicular access to St Nicholas C of E (VA) Primary School as shown on Dwg No 18083 Rev C (or similar scheme to be agreed in writing with the Planning Authority).

Reason: These specified works are seen as a pre-requisite for allowing the development to proceed, providing the necessary highway infrastructure improvements to mitigate the likely impact of the proposal.

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

- o construction vehicle details (number, size, type and frequency of movement)
- o a programme of construction works and anticipated deliveries
- o timings of deliveries so as to avoid, where possible, peak traffic periods
- o a framework for managing abnormal load
- o contractors' arrangements (compound, storage, parking, turning, surfacing and drainage)
- o wheel cleaning facilities
- o vehicle cleaning facilities
- o a scheme of appropriate signing of vehicle route to the site
- o a route plan for all contractors and suppliers to be advised on
- o 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.

13. Prior to occupation of any dwelling hereby approved, details of the open space shall be submitted to and agreed in writing by the local planning authority for the provision of on-site public open space. The plan should include details relating to the design, laying out and future arrangements for management and maintenance of the open space. The open space shall then be implemented and maintained as agreed, unless otherwise agreed in writing with the local planning authority.

Reason: To ensure the landscape scheme secured by reserved matters is implemented and satisfactorily maintained in the interests of the character and amenity of the completed development.

14. Prior to the commencement of the development hereby approved, an Arboricultural Method Statement (AMS), prepared by a qualified tree specialist, providing comprehensive details of construction works in relation to trees and hedgerows that have the potential to be affected by the development must be submitted to, and approved in writing by the Local Planning Authority. All works must **then** be carried out in accordance with the approved details. In particular, the method statement must **include** the following:

- a) a specification for protective fencing to trees and hedges during both demolition and construction phases which complies with BS5837 (2012) and a plan indicating the alignment of the protective fencing (to include tree situated on southern side of Haywards Lane, south of proposed tactile crossing);
- b) a specification for scaffolding of building works and ground protection within the tree protection zones in accordance with BS5837 (2012);
- c) a schedule of tree and hedge work conforming to BS3998 (2010);
- d) details for any necessary hedgerow replanting and/or translocation on Haywards Lane behind the visibility splay (in the event that any further hedgerow is to be removed beyond that shown in Tree constraints Plan ref 18332-01 or the hedge is to be reduced to such a height that the Council considers mitigation necessary). This should also accord with any future soft landscaping proposals that are submitted for consideration;
- e) details of the area for storage of materials, concrete mixing and any bonfires;
- f) plans and particulars showing proposed cables, pipes and ducts above and below ground as well as the location of any soakaway or water or sewerage storage facility;
- g) details of any no-dig specification for all works within the root protection area for retained trees;
- h) details of the supervision to be carried out by the developers tree specialist;

Reason: This information is required to be submitted and agreed before any work starts on site to ensure that the trees and hedges deemed worthy of retention on-site will not be damaged prior to, or during the construction works.

15. Prior to occupation of any dwelling hereby approved, an external lighting strategy shall be submitted and agreed in writing by the local planning authority. The agreed strategy shall be implemented in accordance with the agreed details.
Reason: In order to ensure that lighting is installed and maintained in a manner which will minimise possible light pollution to the night sky, neighbouring properties and protected species.
16. No development shall take place until a definitive mitigation and method statement, following the recommendations of the submitted Biodiversity Mitigation Plan (dated 12 February 2019) has been submitted to and agreed in writing by the local planning authority. The development shall be implemented in accordance with the agreed statement.
Reason: To ensure that the development conserves and enhance biodiversity and protected species.
17. No development shall take place until a detailed surface water management scheme for the site, which accords with the approved Drainage Strategy (Land at Haywards Lane Child Okeford, Dorset – Paul Basham Assoc. – Rev 4 (15/10/2019) – Ref No: 152.5001/FRA/4), approved addendum (Land at Haywards Lane, Child Okeford - PBA - May 2020 - Ref No: 152.5001/FRAA/1), is based upon the hydrological and hydrogeological context of the development, and includes 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, to improve and protect water quality, and to improve habitat and amenity.
18. No development shall take place until details of maintenance & management of both the surface water sustainable drainage scheme and any receiving system 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.

Reasons for the Decision:

- The Council cannot demonstrate a five year housing land supply
- The proposal would contribute towards the Council's 5 year housing land supply
- Para 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. None have been identified
- The location is considered to be sustainable despite its position outside of the settlement boundary

APPLICATION NUMBER: 2/2019/1316/REM

APPLICATION SITE: The Brewery, Bournemouth Road, Blandford St Mary, DT11 9LS

PROPOSAL: Erect 63 No. dwellings with garaging, parking, landscaping and associated infrastructure. (Reserved matters application (Phase1) to determine layout, scale, appearance and landscaping, following grant of Outline Planning Permission No. 2/2017/1706/VARIA).

Decision: Approved, subject to conditions.

CONDITIONS:

1. The development hereby permitted shall be carried out strictly and only in accordance with the following approved drawings and details forming the approved application:

- 10838-PL100B-SiteLocationPlan
- 10838-PL101-ExistingSitePlan
- 10838-PL102E-SitePlan
- 10838-PL103A-ParkingPlan
- 10838-PL104-RefuseStrategyPlan
- 10838-PL105-EmergencyVehicleAccess
- 10838-PL106B-HouseTypes
- 10838-PL107B-SitePlan-Levels
- 10838-PL108B-SitePlan-EA-Easement
- 10838-PL109A-BatBoxLocationPlan
- 10838-PL110-Constraints
- 10838-PL151A-TypeA1-Plans
- 10838-PL152A-TypeA2-Plans
- 10838-PL153A-TypeD-Plans
- 10838-PL154A-TypeE-Plans
- 10838-PL155A-TypeF-Plans
- 10838-PL156B-TypeG-Plans
- 10838-PL157B-ApartmentBlock1-Plans
- 10838-PL158C-AptBlock2-3GF
- 10838-PL159A-ApartmentBlock4-Plans
- 10838-PL161-TypeA1-Plot09-Plans
- 10838-PL162-TypeA1-Plot17 -Plans
- 10838-PL163-TypeA2-Plot18-Plans
- 10838-PL164-TypeA2-Plot22-Plans
- 10838-PL165-TypeA3-Plans
- 10838-PL166-TypeA3-Plot54-Plans
- 10838-PL167-TypeD-Plot45-Plans
- 10838-PL168-TypeD-Plot48-Plans
- 10838-PL169-TypeE-Plot23-Plans
- 10838-PL170-TypeF-Plot01-Plans
- 10838-PL171-TypeF-Plot08-Plans

- 10838-PL200A-StreetElevations-01
- 10838-PL-201D-HouseTypeA1-Elevations
- 10838-PL-202D-HouseTypeA2-Elevations
- 10838-PL-203C-HouseTypeD-Elevations
- 10838-PL-204C-HouseTypeE-Elevations
- 10838-PL-205C-HouseTypeF-Elevations
- 10838-PL-206D-HouseTypeG-Elevations
- 10838-PL-207E-Block01-Elevations
- 10838-PL-208C-Block0203-Elevations
- 10838-PL-209B-Block04-Elevations
- 10838-PL210A-StreetElevations-02
- 10838-PL-211A-HouseTypeA1-Elevations
- 10838-PL-212A-HouseTypeA1-Elevations
- 10838-PL-214A-HouseTypeA2-Elevations
- 10838-PL-215A-HouseTypeA2-Elevations
- 10838-PL-216A-HouseTypeA3-Elevations
- 10838-PL-217A-HouseTypeA3-Elevations
- 10838-PL-218A-HouseTypeD-Elevations
- 10838-PL-219A-HouseTypeD-Elevations
- 10838-PL-220A-HouseTypeE-Elevations
- 10838-PL-221A-HouseTypeF-Elevations
- 10838-PL-222A-HouseTypeF-Elevations
- Landscape Plan Sheet 1 of 3 - m330-301revP4
- Landscape Plan Sheet 2 of 3 - m330-302revP3
- Landscape Plan Sheet 3 of 3 - m330-303revP7
- Drainage Strategy and Water Quality Management Report - BFB-AKSW-XX-XX-RP-C-0001_P02
- Drainage Layout Sheet 1 - BFB-AKWS-XX-XX-DR-C-9201-P06
- Drainage Layout Sheet 2 - BFB-AKWS-XX-XX-DR-C-9202-P05
- Catchment Area Layout Sheet 1 - BFB-AKSW-XX-XX-DR-C-9235-P02
- Catchment Area Layout Sheet 2 - BFB-AKSW-XX-XX-DR-C-9236-P02
- Exceedance Flood Flow Sheet 1 - BFB-AKSW-XX-XX-DR-C-9232_P02
- Exceedance Flood Flow Sheet 2 - BFB-AKSW-XX-XX-DR-C-9233_P02
- Proposed Levels and Sections Sheet 1 - BFB-AKSW-XX-XX-DR-C-9245-P01
- Levels Layout Sheet 1 - BFB-AKWS-XX-XX-DR-C-9240-P02
- Levels Layout Sheet 2 - BFB-AKWS-XX-XX-DR-C-9241-P02
- Vehicle Tracking Fire Fighter Sheet 1 - BFB-AKWS-XX-XX-DR-C-9220-P05
- Vehicle Tracking Fire Fighter Sheet 2 - BFB-AKWS-XX-XX-DR-C-9221-P05
- Vehicle Tracking Fire Fighter Sheet 3 - BFB-AKWS-XX-XX-DR-C-9224-P03
- Vehicle Tracking Refuse Vehicle Sheet 1 - BFB-AKWS-XX-XX-DR-C-9222-P05
- Vehicle Tracking Refuse Vehicle Sheet 2 - BFB-AKWS-XX-XX-DR-C-9223-P05
- Vehicle Tracking Large Car Vehicle Sheet 1 - BFB-AKWS-XX-XX-DR-C-9225-P04
- Arboricultural Assessment and Method Statement 19194-AA-AN dated 25th July 2019
- Tree Protection Plan 19194-1.

2. Prior to any development above slab level, proposed details that ensure the continuation of and full functionality of the existing French drain arrangement (shown on EA drawing A160/08/02/006A), or where ground is raised, that a new french drain is installed at the lowest point of the new embankment on the dry side shall be submitted to and approved in writing by the Local Planning Authority. This drainage system must not, under any circumstances, be used to accommodate the general site drainage. The agreed details shall be implemented in accordance with the agreed details and completed prior to the occupation of the development.

Reason: health and safety of future occupants

3. Prior to any development taking place within 8 metres of the existing embankment, details showing construction / compaction design and construction methodology for the infilling, that will have no detrimental impact to the condition and integrity of the existing embankment shall be submitted to and approved in writing by the Local Planning Authority. Material placement and compaction must be carefully undertaken without the use of heavy machinery tracking across the embankment. The finished ground must be suitably top-soiled and seeded to a similar specification to the existing. The agreed details shall be implemented in accordance with the agreed details and completed prior to the occupation of the development.

Reason: To maintain access to the watercourse for maintenance or improvements and to provide for overland water flood flows in accordance with the NPPF.

4. Prior to the installation of any fencing or gates around the embankment, a scheme shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented in accordance with the agreed scheme and completed prior to the occupation of the development and retained and maintained thereafter.

Reason: To maintain access to the watercourse for maintenance or improvements and to provide for overland water flood flows in accordance with the NPPF.

5. Prior to any works taking place on the embankment, a condition survey including levels and photographs of the existing embankment shall be submitted to the Local Planning Authority. Following completion of any works to the embankment a post development condition survey shall be submitted to the Local Planning Authority within 2 months of the completion of the agreed works.

Reason: To maintain access to the watercourse for maintenance or improvements and to provide for overland water flood flows in accordance with the NPPF.

6. Notwithstanding the details on the approved plans, prior to construction of any wall above damp proof course samples of external facing materials (such as brick and roof tiles) shall be submitted to and agreed in writing by the Local Planning Authority. Samples can be made available on site for inspections. The development hereby approved shall be completed in accordance with the agreed details.

Reason: to preserve or enhance the character and appearance of the conservation area.

7. Notwithstanding the details on the approved plans, prior to construction of any wall above damp proof course details for all string course or decorative shapes, plinths, brick headers, stone cills and corbelling shall be submitted to and agreed in writing by the Local Planning Authority. The submitted details shall include precise designs, materials, details, and locations of said items. The development hereby approved shall be completed in accordance with the agreed details.

Reason: to preserve or enhance the character and appearance of the conservation area.

8. Notwithstanding the details on the approved plans, prior to construction of any wall above damp proof course details of all eaves, soffits, barge boards and verges shall be submitted to and agreed in writing by the Local Planning Authority. These shall be shown on plan at a scale of 1:5, including cross sections as needed. The development hereby approved shall be completed in accordance with the agreed details.

Reason: to preserve or enhance the character and appearance of the conservation area.

9. Notwithstanding the details on the approved plans, prior to construction of any wall above damp proof course detailed drawings (at a scale of 1:20 for elevations and 1:5 for cross-sections) of all windows (including cills and lintels), roof windows (rooflights), doors (including canopies, porches), balconies, and openings to include framing and glazing bar profiles, glazing type and thickness, method of opening, depth of reveal, finish shall be submitted to and agreed in writing by the Local Planning Authority. All glazing shall be fixed with an appropriate putty not timber bead, all large scale glazing shall be well recessed within the apertures and no visible trickle vents employed, unless otherwise agreed in writing by the LPA. The development hereby approved shall be completed in accordance with the agreed details.

Reason: to preserve or enhance the character and appearance of the conservation area.

10. Notwithstanding the details on the approved plans, prior to construction of any wall above damp proof course details of all external vents, flues, and any other external service ductwork related to electricity, gas, or water utilities shall be submitted to and agreed in writing by the Local Planning Authority. Details shall include location, materials, design and finishes. Wherever possible there is an expectation that these should be painted metal not plastic. The development hereby approved shall be completed in accordance with the agreed details.

Reason: to preserve or enhance the character and appearance of the conservation area.

11. Notwithstanding the details on the approved plans, prior to construction of any wall above damp proof course sample panels (not less than 1m x 1m) for all brickwork to show bonding style, mortar colour, texture and method of pointing shall be created on site and agreed in writing by the Local Planning Authority (LPA). Bonding shall be of a traditional bond not modern stretcher and all pointing shall have a flush finish. The agreed panel(s) shall then be retained on site throughout the development and act as an exemplar for the remainder of the work unless otherwise agreed in writing by the LPA. The development hereby approved shall be completed in accordance with the agreed details.

Reason: to preserve or enhance the character and appearance of the conservation area.

12. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), no satellite dish, antenna, or other electronic receiver shall be erected or fastened to the external walls of the buildings hereby approved without the expressed written consent of the Local Planning Authority.

Reason: to preserve or enhance the character and appearance of the conservation area.

13. No work for the construction of any part of the development (other than the internal fittings of any building) shall be undertaken outside the hours of 0700 to 1900 hours Monday to Saturday (inclusive). There shall be no working at any time on a

Sunday or a Bank Holiday unless previously agreed in writing by the Local Planning Authority. These construction hours shall apply to the development hereby approved until the 13th May 2021 after which date the construction hours stated within condition 19 of outline planning permission 2/2017/1706/VARIA shall apply unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity of nearby residential occupiers.

Reasons for the Decision

- The details of layout, scale, appearance, and landscaping are considered by Officers to be acceptable;
- The principle of development is established by previous outline applications;
- 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 proposed details of this application would preserve or enhance the character and appearance of the Blandford Blandford St Mary and Bryanston Conservation Area and listed buildings near the site;
- 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.

Dorset Council

Covid-10 Pandemic – Addendum to the Guide to Public Speaking Protocol for Planning Committee meetings – effective from 20 July 2020

Due to the Covid-19 pandemic the council has had to put in place measures to enable the council's decision making processes to continue whilst keeping safe members of the public, councillors and council staff in accordance with the Government's guidance on social distancing by applying new regulations for holding committee meetings from remote locations.

The following procedures will apply to planning committee meetings until further notice, replacing where appropriate the relevant sections of the Guide to Public Speaking at Planning Committees:

1. While planning committee meetings are held remotely during the Coronavirus outbreak public participation will take the form of written statements (and not public speaking) to the committee.
2. If you wish to make a written statement it must be no more than 450 words with no attached documents and be sent to the Democratic Services Team by 8.30am two working days prior to the date of the committee – i.e. for a committee meeting on a Wednesday written statements must be received by 8.30am on the Monday. The deadline date and the email contact details of the relevant democratic services officer can be found on the front page of the committee agenda. The agendas for each meeting can be found on the Dorset Council website
<https://modern.gov.dorsetcouncil.gov.uk/mgListCommittees.aspx?bcr=1>
3. During this period the council can only accept written statements via email and you should continue to bear in mind the guidance in the public speaking guide when preparing your representation.
4. The first three statements received from members of the public for and against the application (maximum six in total) will be read out together with any statement from the town and parish council, by an officer (but not the case officer), after the case officer has presented their report and before the application is debated by members of the Committee. It may be that not all of your statement will be read out if the same point has been made by another statement and already read to the Committee. This is to align with the pre-Covid-19 protocol which limited public speaking to 15 minutes per item, although the Chairman of the Committee will retain discretion over this time period as she/he sees fit. All statements received will be circulated to the Committee members before the meeting.
5. This addendum applies to members of public (whether objecting or supporting an application, town and parish councils, planning agents and applicants).
6. Councillors who are not on the Planning Committee may also address the Committee for up to 3 minutes by speaking to the Committee (rather than submitting a written statement). They need to inform Democratic Services of their wish to speak at the meeting two working days before the meeting.

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1. Application Details

Application Ref:	WD/D/19/002627
Site Location:	Dorset County Hospital, Williams Avenue, Dorchester DT1 2JY
Proposal:	Erection of multi storey car park & improvements to internal site roads & temporary change of use of former school field to car parking.
Applicant:	Dorset County Hospital NHS Foundation Trust & Prime (UK) Development
Case Officer:	Huw Williams
Ward Member(s):	Cllr Andy Canning Cllr Les Fry

The application, the plans and other documents submitted with the application may be inspected online at https://planning.dorset.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=DCAPR_139869.

2. Recommendation

- 2.1 Refuse to grant planning permission for the reasons set out in section 3 below.

3. Reasons for Recommendation

- 3.1 On account of its size, positioning and massing the proposed multi storey car park would appear as an incongruous addition to the hospital campus out of character with neighbouring and surrounding development, detracting from the character and appearance of both the locality and Dorchester's wider landscape setting. It is further considered that the proposed development would not:
- (i) add to the overall quality of the area;
 - (ii) take the opportunities available for improving the character and quality of an area;
 - (iii) make a positive contribution to local character and distinctiveness; or
 - (iv) relate positively to adjoining buildings and other features that contribute to the character of the area.
- In consequence, the application proposal is contrary to policies ENV1, ENV4, ENV10 and ENV12 of the adopted West Dorset, Weymouth and Portland Local Plan 2015 and further contrary to paragraph 127 of the National Planning Policy Framework.
- 3.2 Through detrimental change in their setting, the proposed development would cause less than substantial harm to the heritage significance of designated heritage assets in the near vicinity of the application site including the Dorchester Conservation Area and the Grade II listed Damers Hospital, Dorchester West Railway Station and the Dorchester Military Museum. Through similarly obvious and marked detrimental change in the setting of the former Cornwall Hotel (now known as the Georgie Porgie) the proposed development would also cause less than substantial harm to the heritage significance of this undesignated key building in the the Dorchester

Conservation Area. Less pronounced but material detriment to the setting of more distant designated heritage assets including the Grade II Registered Park and Garden at Borough Garden and scheduled monuments at Maumbury Rings, Poundbury Camp and Maiden Castle would also cause further less than substantial harm to their heritage significance. Public benefit would accrue from the application proposal in that use of the proposed development would directly benefit hospital staff, patients and visitors; the direct economic impact would be beneficial; provision of the proposed multi storey car park would help to free up space elsewhere in the hospital campus that is currently given over to surface level parking for other potential healthcare and/or health service related development; and there would be net gains for biodiversity. However, with great weight given to the desirability of preserving the significance of the designated heritage, in the absence of a detailed options appraisal and having regard to the size of the hospital campus and the positioning, nature and extent of the existing development both within and beyond the campus, it is considered that it has not been clearly and convincingly established that the consequent harm to heritage significance has been justified, nor that the public benefits associated with the proposed development could not be realised in some other less harmful way nor that the potential benefits of the proposed development would clearly and convincingly outweigh the overall harm to heritage significance. The proposed development is therefore contrary to policy ENV4 of the adopted West Dorset, Weymouth and Portland Local Plan 2015 and paragraph 194 of the National Planning Policy Framework.

4. Summary of Main Planning Issues

Issue:	Conclusion:
Principle of Development	No in-principle land use objection.
Implications for equality and disadvantage	Proposed arrangements are adequate and reasonable.
Sustainable transport and impact on highway network	Provision made for sustainable travel and likely impact on the safety and operation of highway network are considered to be acceptable.
Economic impact	Beneficial. Substantial investment and construction project in its own right and potential precursor to further healthcare and health service development. Considerable weight and importance may be accorded to potential economic benefits of the proposed development.
Nature Conservation and biodiversity impact	Net gains in accordance with policy.
Impact of Amenity	Potential for adverse impacts can be mitigated by planning condition.

Landscape, townscape and visual impact	Unacceptable detrimental impacts contrary to the policies ENV1, ENV10 and ENV12 of the Adopted Local Plan 2015 and paragraph 127 of the NPPF.
Impact on setting of heritage assets and heritage significance	Consequent harm to heritage significance not justified nor clearly and convincingly outweighed by public benefits associated with proposed development contrary to policy ENV4 of the Adopted Local Plan and paragraph 194 of the NPPF.
Flood risk, drainage and climate impact	Unresolved surface water management issues, but climate impact adequately mitigated.

5. Background

- 5.1 The application subject of this report seeks planning permission for the erection of a multi storey car park and improvements to internal site roads and the temporary change of use of a former school field to car parking on land at the Dorset County Hospital, Williams Avenue, Dorchester.
- 5.2 The application is made jointly by the Dorset County Hospital NHS Foundation Trust (hereafter referred to as 'the Trust') and Prime (UK) Development ('Prime').
- 5.3 The Trust is the main provider of acute hospital services in Dorset and operates the Dorset County Hospital.
- 5.4 It is understood that the Trust and Prime have established a Strategic Estates Partnership to develop new clinical and ancillary facilities within the Dorset County Hospital campus. The applicants' agent (Stripe Consulting Limited) is a multi-disciplinary design and engineering company with expertise in car park structures.
- 5.5 As presented in 2019, in addition to the requisite forms, plans, drawings and notice, the subject application was supported by:
 - (i) a Planning Statement prepared by Prime;
 - (ii) a Design and Access Statement prepared by Stripe Consulting Limited;
 - (iii) a Preliminary Ecological Appraisal prepared by Abbas Ecology;
 - (iv) an Arboricultural Opportunities and Constraints Assessment prepared by Barrell Tree Consultancy;
 - (v) an NPPF Flood Risk Assessment prepared by Patrick Parsons Limited;
 - (vi) a Transport Assessment, a Car Park Strategy and a Travel Plan prepared by Callidus Transport & Engineering Limited;
 - (vii) an Air Quality Assessment prepared by REC Ltd;
 - (viii) an Accurate Visual Representations report prepared by Stripe Consulting Limited;
 - (ix) a Summary Heritage Constraints Report and a Heritage Assessment prepared by Cotswold Archaeology; and
 - (x) a Statement of Community Involvement prepared by Prime.

(i) Following discussions and correspondence with the applicants' representatives, amended plans and drawings and further supporting

- information has been provided including: an Addendum to the Design and Access Statement prepared by Stripe Consulting Limited;
- (ii) an Arboricultural Assessment and Method Statement prepared by Barrell Tree Consultancy;
 - (iii) a Biodiversity Mitigation and Enhancement Plan prepared and certified pursuant to the Dorset Biodiversity Appraisal Protocol;
 - (iv) a Review of Heritage Consultee Comments prepared by Cotswold Archaeology;
 - (v) a Surface Water Drainage Strategy Report prepared by Stripe Consulting Limited;
 - (vi) a Drainage Strategy Report prepared by Lyons O'Neill Structural Engineers;
 - (vii) a revised and updated Travel Plan; and
 - (viii) a Landscape, Townscape and Visual Impact Appraisal prepared by Chartered Landscape Architects at Turley Landscape, Townscape and VIA.

5.6 Although progress have been made on a range of matters, several areas of policy conflict remain, with the conclusion having been reached that, unless significantly amended, planning permission should be refused. Having declined the opportunity to further amend the application proposal, the applicants have instead requested that the application be reported to Committee for determination.

6. Regulatory and Policy Context

Town and Country Planning Act 1990 (as amended)

- 6.1 Section 70(2) of the Town and Country Planning Act 1990 provides that in dealing with an application for planning permission, the planning authority shall have regard to:
- (i) the provisions of the development plan, so far as material to the application;
 - (ii) a post-examination draft neighbourhood development plan, so far as material to the application;
 - (iii) any local finance considerations, so far as material to the application, and
 - (iv) any other material considerations.
- 6.2 For the subject application, the development plan includes the West Dorset, Weymouth & Portland Local Plan 2015 (the Adopted Local Plan), which provides a basis for planning decisions in former district of West Dorset for the period to 2031. The plan sets out a vision for West Dorset in 2031 and a number of strategic objectives which provide a concise expression of the priorities plan. Pertinent strategic objectives include:
- Support the local economy to provide opportunities for high quality, better paid jobs;
 - Support sustainable, safe and healthy communities with accessibility to a range of services and facilities;
 - Protect and enhance the outstanding natural and built environment, including its landscape, biodiversity and geodiversity, and the local distinctiveness of places with the area – this will be the over-riding objective in those areas of the plan which are particularly sensitive to change;
 - Reduce vulnerability to the impacts of climate change, both by minimising the potential impacts and adapting to those that are inevitable – this will be the over-riding objective in those areas of the plan which are at highest risk;

- Provide greater opportunities to reduce car use; improve safety; ensure convenient and appropriate public transport services; and seek greater network efficiency for pedestrians, cyclists and equestrians; and
- Achieve high quality and sustainable in design, reflecting local character and distinctiveness of the area.

6.3 For each of the above themes, more detailed policies to be applied to specific issues or types of development are provided. The following policies are relevant to the determination of the subject application:

- INT1 - Presumption in favour of sustainable development.
- SUS2 - The Distribution of Development.
- COM3 - New or Improved Local Community Buildings and Structures.
- COM7 - Create a Safe and Efficient Transport System.
- COM9 - Parking Standards in New Development.
- COM10 - The Provision of Utilities Service Infrastructure.
- 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.

6.4 No post-examination draft neighbourhood development plan is material to the determination of the subject application.

6.5 For the purpose of section 70(2) of the Town and Country Planning Act 1990 (as amended) “local finance consideration” means:

- (a) a grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown, or
- (b) sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy.

6.6 Defined as such, there are no local finance considerations that are material to the determination of the subject application.

6.7 The term ‘*other material considerations*’ is wide ranging but includes the *National Planning Policy Framework* (the NPPF) which sets out the Government’s planning policies for England and how these are expected to be applied and which is material to the determination of all planning applications in England. The term may further include other national, emerging and/or supplementary planning policy documents; planning practice guidance; consultation response and other representations made about an application; and/or other statutory provisions and policy statements.

6.8 The NPPF makes clear that the purpose of the planning system is to contribute to the achievement of sustainable development (paragraph 9) and that achieving

sustainable development means that the planning system has three overarching objectives – economic, social and environmental – these being interdependent and needing to be pursued in mutually supportive ways, so that opportunities can be taken to secure net gains across each of the different objectives (paragraph 8).

6.9 In full, the overarching objectives of the planning system are as follows:

- **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;
- **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
- **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.

6.10 Paragraph 9 of the NPPF makes clear that the overarching objectives are not criteria against which every planning decision can or should be judged, noting that decisions should play an active role in guiding development towards sustainable solutions but, that in doing so, should take local circumstances into account so as to reflect the character, needs and opportunities of each area.

6.11 Paragraph 38 of the NPPF indicates that local planning authorities should approach decisions on proposed development in a positive and creative way, using the full range of planning tools available and working proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. It is further stated that decision-makers at every level should seek to approve applications for sustainable development where possible.

6.12 Paragraph 54 of the NPPF provides that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations but notes that planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

6.13 Paragraph 55 of the NPPF provides that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. It is further stated that agreeing conditions early is beneficial to all parties involved in the process and can speed up decision making and that conditions that are required to be discharged before development commences should be avoided, unless there is a clear justification.

- 6.14 Paragraph 56 of the NPPF provides that planning obligations must only be sought where:
- (i) necessary to make the development acceptable in planning terms;
 - (ii) directly related to the development; and
 - (iii) fairly and reasonably related in scale and kind to the development.
- 6.15 Other relevant parts of the NPPF referred to in this report are:
- Building a strong, competitive economy – paragraph 80.
 - Promoting sustainable transport –108 and 110.
 - Making effective use of land – paragraphs 121-122.
 - Achieving well-designed places – paragraphs 124, 127 and 130.
 - Meeting the challenge of climate change, flooding and coastal change – paragraphs 148, 155 and 165.
 - Conserving and enhancing the natural environment – paragraphs 170, 172 and 180.
 - Conserving and enhancing the historic environment – paragraphs 184, 189-190, 192-194 and 196-197.
- 6.16 In appraising the application proposal account has also been taken of the following documents: :
- (i) the Dorset AONB Management Plan 2019-2025, most particularly policies C1h, C2a, C2b and C4c;
 - (ii) the Dorchester Conservation Area Appraisal Supplementary Planning Guidance document issued by the former West Dorset District Council in July 2003; and
 - (iii) the Design and Sustainable Development Planning Guidelines Supplementary Planning Document issued by the former West Dorset District Council in February 2009.
- 6.17 Other statutory provisions, requirements and duties of particular relevance to the determination of the application are summarised below.
- The Town and Country Planning Act (Environment Impact Assessment) Regulations 2017 (as amended) – the EIA Regulations
- 6.18 The EIA Regulations apply the amended EU directive “on the assessment of the effects of certain public and private projects on the environment” (usually referred to as the ‘Environmental Impact Assessment Directive’) to the planning system in England.
- 6.19 Environmental impact assessment (EIA) is a process of evaluating the main likely environmental impacts of a proposed project or development and which involves the preparation of an environmental statement, its publication and consideration.
- 6.20 The EIA Regulations only apply to certain types of development and EIA is not always required for all such development. However, regulation 3 of the EIA Regulations provides that the relevant planning authority, the Secretary of State or an inspector must not grant planning permission or subsequent consent for EIA development unless an EIA has been carried out in respect of the development.

- 6.21 Submission of the subject application followed the issuing on behalf of Dorset Council of a screening opinion pursuant to the EIA Regulations indicating that environmental impact assessment would not be necessary for development at the hospital involving the erection of a multi-storey car park and improvements to internal site roads and wayfinding (Application Reference WD/D/19/001577), this being on the basis that the proposed development was not likely to have significant environmental impacts. In reaching this opinion, account was taken of representations made on behalf of Historic England and the Dorset AONB Partnership and, amongst other matters, it was noted that the site is within the built context of the settlement of Dorchester, and that:
- (i) a Landscape and Visual Impact Assessment which takes on board the comments from the Dorset AONB team will be required alongside the proposed development; and
 - (ii) a Heritage Impact Assessment to be agreed by Historic England and Dorset Council's Archaeologist and Conservation Officer will be required alongside the application, to ensure that residual impacts upon heritage assets are addressed.
- 6.22 In recent weeks, the Council's opinion has been questioned and the applicants have requested that the Secretary of State issue a screening direction. Such directions are determinative as to whether development is EIA development.

Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended)

- 6.23 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) provides that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 6.24 The subject development would not directly (i.e. physically) impact on any listed building but would effect the setting of a number of listed buildings. The requirement to have special regard to the desirability of preserving the setting of the listed buildings is therefore of relevance and is addressed in the appraisal presented at section 11 of this report.
- 6.25 Section 69(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) provides that every local planning authority:
- (a) shall from time to time determine which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance, and
 - (b) shall designate those areas as conservation areas.
- 6.26 The designated Dorchester Conservation Area extends across a large part of Dorchester including a small section of the Dorset County Hospital campus, this part of the campus also being contained within the planning application site.
- 6.27 Under section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) in the exercise of any functions under the Planning Acts with respect to any buildings or other land in a conservation area, special attention shall

be paid to the desirability of preserving or enhancing the character or appearance of that area.

- 6.28 Although contained within the application site, no development is proposed within that part of the hospital campus that is situated within the Conservation Area. In consequence, the statutory requirement of section 72(1) is not engaged. However, the proposed development would impact on the setting of the conservation area, a matter that is addressed in the appraisal presented at section 11 of this report.

Countryside and Rights of Way Act 2000 (as amended)

- 6.29 Section 85 of the Countryside and Rights of Way Act 2000 (as amended) requires that in exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, public bodies shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty. Impact of the proposed development on views from within the Dorset Area of Outstanding Natural Beauty is considered within the appraisal presented in section 11 of this report.

Nature Conservation and Biodiversity

- 6.30 Regulation 9(3) of the Conservation of Habitats and Species Regulations 2017 places a duty on the planning authority, in considering an application for planning permission, to have regard to its effects on European protected species and section 40 of the Natural Environment and Rural Communities Act 2006 places a duty on planning authorities to have regard, so far as is consistent with the proper exercise of its functions, to the purpose of conserving biodiversity. The implications of the proposed development for biodiversity are addressed in the appraisal presented in section 11 of this report.

Equalities Act 2010 (as amended)

- 6.31 Section 149 of the Equalities Act 2010 (as amended) provides that in the exercise of its functions a public authority must have due regard to the need to:
- (i) eliminate discrimination, victimisation and any other conduct that is prohibited by or under the Act;
 - (ii) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - (iii) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 6.32 The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 6.33 The design and management of the built environment can create and/or reinforce bias and disadvantage. Accordingly, the equalities implications of the proposed development are addressed in the appraisal presented in section 11 of this report.

Human Rights Act 1998 and the European Convention of Human Rights

- 6.34 The Human Rights Act 1998 imposes an obligation on public authorities not to act incompatibly with the European Convention on Human Rights, such that persons directly affected by the adverse effects of decisions of public authorities may be able to claim a breach of their human rights.
- 6.35 The articles/protocols of particular relevance are:
- (i) Article 6 - Right to a fair and public hearing;
 - (ii) Article 8 - Right to respect for private and family life; and
 - (iii) The First Protocol, Article 1 - Protection of Property.
- 6.36 These are qualified rights, which means that interference with them may be justified if deemed necessary in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.
- 6.37 Article 1 of Protocol 1 provides that a person is entitled to the peaceful enjoyment of his possessions and that no-one shall be deprived of his possessions except in the public interest.
- 6.38 The term “possessions” may include material possessions, such as property, and also planning permissions and possibly other rights. Any interference with a Convention right must be proportionate to the intended objective. This means that such an interference should be carefully designed to meet the objective in question and not be arbitrary, unfair or overly severe.
- 6.39 European case law suggests that interference with the human rights described above will only be considered to engage those Articles and thereby cause a breach of human rights where that interference is significant.
- 6.40 I am satisfied:
- (i) that the application has been subject to proper public consultation;
 - (ii) that the public have had an adequate opportunity to make representations in the normal ways; and
 - (iii) that the representations received are addressed in this report.
- 6.41 It is not considered that the proposed development would:
- (i) impact on the right to live one’s personal life without unjustified interference such that Article 8 would be engaged; nor
 - (ii) unreasonably deprive any person of their right to either their peaceful enjoyment of their possessions or of their possessions.

7. The Application Site and Surrounding Area

- 7.1 The application site is comprised of two parcels of land both being wholly contained within the Dorset County Hospital campus. Together, the application site areas extend to approximately 5.1 hectares.
- 7.2 The hospital campus extends to approximately 9.3 hectares and fronts Bridport Road to the north, Williams Avenue to the east and Damers Road to the south. To the

west is low-rise residential development that is accessed of Gloucester Road and Bridport Road. At present, it is understood that the campus contains approximately 937 parking spaces.

- 7.3 The hospital provides a full range of district general services including an Emergency Department (ED) and Intensive Care Unit (ICU) and links with satellite units in five community hospitals. It has approximately 400 beds, seven main theatres and two-day theatres. Related services are grouped into three connected wings comprising the North Wing, the South Wing and the East Wing which in this report are collectively referred to as 'the main hospital building'.
- 7.4 The Trust has a headquarter office facility fronting Bridport Road in the north-west of the campus and there are staff accommodation buildings (Damers Court) adjacent to Damers Road in the south. Also in the south of the campus is a self-contained Children's Centre and an associated car park adjacent to which is a former workhouse building (Damers House) and an attached former chapel. Damers House and the former chapel are together Grade II listed as Damers Hospital. Damers House is used for hospital administration and the former chapel as a day nurse.
- 7.5 Damers Hospital lies within the designated Dorchester Conservation Area which encompasses much of Dorchester town centre, including areas to the north, east and south of the hospital campus, but which does not include any other part of the hospital campus.
- 7.6 In 2017, the Trust took occupation of the former Damers School site which is now known as the West Annex and where former school buildings are being used for hospital administration and hard-surfaced areas are being used for vehicular parking. The former school playing field remains as an area of open (undeveloped) land. The Trust's headquarters lie to the north of the field, the main hospital building to the east, former school buildings and surfaced vehicular parking to the south and residential development to the west.
- 7.7 Vehicular, pedestrian and cycle access to the hospital campus is gained from entrances on each of its road frontages, the principal vehicular accesses being from Williams Avenue (x1) and Damers Road (x2).
- 7.8 Having been constructed mostly in two phases of development in the 1980s and the 1990s, the main hospital building is of contemporary construction and is one of the largest and tallest buildings in Dorchester.
- 7.9 Ground levels within the hospital campus generally rise to the west and fall quite steeply from the south-eastern corner of the main hospital building to the lowest point of the campus adjacent to the junction between Damers Road and Williams Avenue. A pedestrian route formed by a combination of sloping pathways and steps connects between the highway junction and the main hospital building, the Children's Centre lying to the west and a balancing pond and areas of staff and patient parking to the east.
- 7.10 This pedestrian route and the adjacent parking areas are contained within the larger parcel of land comprised in the application site which extends to approximately 4.4 hectares. The parcel further includes hospital roadways, surface level parking and

associated paths and landscaping situated to the south and east of the main hospital building, the East Wing and various other hospital buildings including the Children's Centre, Damers Court and Damers House.

- 7.11 The smaller parcel of land contained within the application site comprises approximately 0.73 ha of land in the West Annex including existing roadways, hard surfaced areas currently used for vehicular parking and much of the former school playing field.
- 7.12 Building heights vary across the campus with the tallest elements being set back from the highway frontages. Levels information provided in the application indicate the following relative heights above datum (AD).
- Pavement at Williams Avenue and Damers Road junction 71.00 metres AD
 - Top of pedestrian route adjacent to East Wing 84.44 metres AD
 - Ridge of Damers' House roof 87.07 metres AD
 - Ridge of Children's Centre roof 84.45 metres AD
 - Ridge of East Wing roof 98.73 metres AD
 - Ridge of South Wing roof 102.32 metres AD
- 7.13 Due to its size, height and relatively elevated position within the town, parts of the main hospital building are visible from a wide range of locations both within and beyond Dorchester.
- 7.14 Residential properties and a public house (the Sydney Arms) that are located along the north side of Bridport Road and which are situated within the Dorchester Conservation Area are situated to the north of application site. The Grade II listed Dorchester Military Museum is located further along Bridport Road to the east approximately 190 metres from the application site boundary and is also within the designated Conservation Area. A roof level viewing platform at the museum affords panoramic views across the town including a largely uninterrupted view towards the hospital campus.
- 7.15 The north west block of the former infantry barracks and the Bridport Road Water Tower (both Grade II listed) are also to north and a similar distance from the application site boundary.
- 7.16 To the east of Williams Avenue is the Bristol to Weymouth railway line which is in cutting as it passes beneath Bridport Road but on embankment as it approaches the Grade II listed Dorchester West Railway Station, where the platforms and railway bridge over Damers Road. At their nearest points, both station platforms are less than 50 metres from the application site. The footbridge connecting the platforms is approximately 80 metres from the application site. The station platforms and connecting footbridge each afford views towards the main hospital building, the bridge and eastern platform being partly within Conservation Area.

- 7.17 Between Williams Avenue and the railway are a number of trees and a well-vegetated embankment. With further shrubs and trees located along the hospital campus road frontage, Williams Avenue has an attractive, verdant character and, together with the railway, provides a strong edge to the Dorchester Conservation Area.
- 7.18 Beyond the railway is an area of residential development, Borough Gardens (a Grade II Registered Park and Garden) and the core retail area of Dorchester town centre. The housing, park and vast majority of the town centre are contained within the Conservation Area.
- 7.19 To the south of the application site on the opposite side of Damers Road are a number of residential and commercial properties, some of which are contained within the designated Conservation Area.
- 7.20 The streets to the south of the application site accommodate mostly relatively low (mainly two, some three storey), domestic scale buildings arranged in a fairly regimented, densely packed planform.
- 7.21 Opposite Williams Avenue between Alexandra Road and the Dorchester West Railway Station is the Georgie Porgie pub house, formerly the Cornwall Hotel, which is identified as a key building in the the Dorchester Conservation Area Appraisal. The Grade II* St Mary's Church which is situated at the top of Alexandra Road, approximately 220 metres from the hospital campus and the chapel of Damers hospital are also identified as significant buildings in the Conservation Area Appraisal, the latter being noted as being of architectural and social history interest.
- 7.22 Alexandra Road rises quite steeply from Damers Road and affords some partial views northwards towards and beyond the hospital campus. Pedestrian access to and egress from the station is available adjacent to the Georgie Porgie via a pathway that affords relatively unobstructed views across Damers Road towards the hospital campus, the view being mostly of trees with glimpses of the main hospital building beyond.

Planning History

- 7.23 Since the modern hospital opened as the West Dorset County Hospital in the late 1980s, numerous applications have been made for minor alterations, building extensions, temporary facilities and new builds for medical services within the hospital campus. Notable recent applications include:
- (i) WD/D/17/002700: Change of use of former school (D1) to offices (B1), with associated car parking and cycle parking provision. Access improvements. Permission granted subject to conditions, 10 January 2018.
 - (ii) WD/D/16/000304: Construction of a new standalone radiotherapy suite consisting of two LINAC treatment bunkers, ancillary clinical and staff accommodation. Resurfacing adjacent car park, associated external works including lightweight covered walkway to connect to Dorset County Hospital main building. Replacement of the existing medical records store as the

enabling phase of the works on the existing staff car park adjacent to Hydrotherapy. Permission granted subject to conditions, 28 June 2016.

- 7.24 The removal of six of trees, located close to the junction of Williams Avenue and Damers Road has been approved as part of a proposal for the construction of a new step free access from Williams Avenue to Platform 1 (the western most platform) of Dorchester West Railway Station (Application Ref. WD/D/19/000366).

8. Proposed Development

- 8.1 In brief outline, the application proposes:
- (i) the construction of a multi storey car park that would provide 654 parking spaces across 7 split-level decks, including 12 equipped electrical vehicle (EV) charging spaces and a further 58 spaces with provision for active or passive EV charging;
 - (ii) alterations to the Williams Avenue access and egress, including the widening of the existing junction and hospital roadway and the installation of vehicular entry and exit control barriers;
 - (iii) the installation of vehicular entry and exit control barriers in the Children's Centre car park;
 - (iv) the installation of vehicular entry and exit control barriers within the hospital campus close to the Accident & Emergency Department;
 - (v) other minor alterations to the hospital's internal road network and existing parking areas including:
 - improvements to the blue badge and patient drop off areas including the provision of additional disabled spaces, and
 - improvements to motorcycle and bicycle parking areas;
 - (vi) installation of a new vehicular parking management system; and
 - (vii) the temporary use of land in the West Annex for vehicular parking providing 164 additional spaces to enable construction of the multi storey car park.
- 8.2 In conjunction with the above, additional wayfinding improvements including new and replacement signage would be implemented at key locations across the hospital campus.
- 8.3 The multi storey car park would be constructed on sloping ground in the south-eastern corner of the hospital campus between the Children's Centre and Williams Avenue replacing existing surface level spaces, associated landscaping and a surface water balancing pond. The new car park would be broadly rectilinear in plan form with service cores on the northern face and on south-western corner of the building and would be aligned on a broadly north-west to south-east axis.
- 8.4 The northern end of the building would be cut into the ground to a depth of approximately one storey, with an engineered platform and sloping embankment constructed to the south.
- 8.5 The existing pedestrian route that connects between Damers Road and the main hospital building would be reconfigured to accommodate the new building and maintain the existing pedestrian connection.
- 8.6 At their closest points, external walls would be positioned approximately:

- 3 metres from the pavement in Williams Avenue;
 - 22 metres from the pavement in Damers Road;
 - 2.5 metres from the Children's Centre; and
 - 40 metres from the main hospital building (East Wing).
- 8.7 It is understood that approximately 89 trees within the hospital campus were felled earlier this in readiness for the proposed development but that no further felling would be necessary.
- 8.8 Accordingly, the intention is that remaining trees in the south-eastern corner of the campus and along the Williams Avenue frontage would be retained. The planting of 5 trees (2 Oak and 3 Acers) is proposed to reinforce the existing tree belt along the Williams Avenue frontage.
- 8.9 Vehicular access would be to the lowest deck on the north-eastern side of the car park with vehicular egress being from one level above to the northwest. Soft landscaping including tree and hedgerow planting is proposed between the proposed entrance roadway and the proposed building.
- 8.10 Pedestrian access and egress would be via the service cores with connections to the re-constructed pedestrian route. The northern core closest to the main hospital building would incorporate a stairway and two lifts, the southern core a stairway and one lift. more convenient provision being proposed and already existing closer to main hospital entrance, no disabled parking spaces are proposed within the multi storey car park.
- 8.11 A substation and generator would be installed between the proposed car park and the existing Children's Centre car park, the equipment being sited on concrete bases and contained within single-storey brickwork and carbon steel enclosures respectively.
- 8.12 If permitted, aspects of the detailed design of proposed car park would be confirmed by means of pre-commencement approvals, but as detailed in the application the proposal provides for:
- (i) a plinth constructed in metal gabions filled with local stone;
 - (ii) use of perforated metal panels with a non-reflective finish and neutral colour (probably pale grey/silver) on the external elevations, the perforations incorporating artwork to soften the appearance of the northern, eastern and southern faces of the building – the artwork designed so as to have plainer perforation designs located to the upper storeys of the building, so that the design would be recessive in longer distance views whilst introducing visual interest when seen in close proximity;
 - (iii) rendered service cores to be finished in neutral/muted colours to complement the main façades and artwork and limit prominence in distant views;
 - (iv) a green climbing wall system on sections of the lower storeys of the north-eastern and south-eastern elevations where there is relatively limited opportunity for additional ground-based planting to further screen/filter public views of the building;
 - (v) a variable roofline (parapet) profile to produce a varied skyline to help break up the massing of the built form;

- (vi) use of sensor lighting and modern LED fittings to limit impact on dark night skies;
- (vii) built-in sparrow terraces, bee blocks and bird boxes; and
- (viii) landscaping including native shrub planting, new native tree planting in existing tree belts, a wildflower lawn area alongside the vehicular access road, and the removal of exotic shrubs alongside Williams Avenue and their replacement with tussock grassland where practical.

8.13 The application makes clear that subject development proposals represent the first steps in a wider masterplan vision for the hospital campus and identifies two main strands to the proposals. First, current pressure and issues caused by the number of parking spaces available and the physical layout of the hospital and second, the future strategic need to improve and expand the clinical services at the hospital to meet the needs of the patients and communities that the hospital serves.

8.14 It is explained that existing parking provision within the hospital site presents issues for staff, patients and visitors including confusion, uncertainty and delay with considerable costs associated with missed appointments and payment for extended parking periods and further explained that the proposed improvements would benefit all local residents in and around Dorchester and across the county.

8.15 The Transport Assessment submitted in support of the application records that:

“The planning application is for new parking and wayfinding arrangements at DCH in Dorchester. A new permanent multi-storey car park (MSCP) to be submitted by the Trust will underpin the delivery of the Hospital’s strategic aims. The number of parking spaces in the new car park will enable the overall parking provision at the Hospital to be increased. This will help to address the current chronic under provision at the Hospital and to allow for the future growth in Hospital services.”

(Transport Assessment, paragraph 1.2.1)

8.16 Details of the Trust’s masterplan are provided within the application, the plan and accompanying details illustrating a number of potential development projects including:

- (i) provision an Integrated Community and Primary Care Services Hub;
- (ii) expansion for the Emergency Department and Intensive Care Unit;
- (iii) better use of West Annex (former Dames School site) and Trust HQ sites;
- (iv) improvements to the elective surgery and day surgery facilities and Private Patients Treatment Centre (PPTC);
- (v) main entrance improvements;
- (vi) new Trust office space;
- (vii) provision for a rehabilitation facility;
- (viii) extension of the Renal Department;
- (ix) residential units to benefit Trust employees and other key workers; and
- (x) specialist housing such as extra care living.

8.17 It is indicated that the application proposals, including the proposed multi storey car park, are essential to unlock space within the hospital estate which is currently taken up by land-hungry vehicular parking and the only way in which the Trust can successfully move forward to free up the land required on which to create any new

facilities, while still allowing patients, staff and visitors to easily access the site. The proposals are therefore presented as the enabler of the wider master-planned development and necessary to facilitate much needed clinical improvements.

8.18 It is further stated that:

“At this stage, the approach to parking on site is to consolidate the parking spaces required for the existing clinical services, which will lead to on site vehicle and wayfinding improvements.

A series of alternatives, including several smaller car parks around the hospital, have been considered. However, each would compromise the masterplan and/or the simplified approach to wayfinding and vehicle movements.”

“The parking requirements for the proposed uses that will be delivered by the masterplan have not yet been calculated. These will be considered as each individual project comes forward in time.”

(Planning Statement, page 11)

8.19 Referring to the existing parking provision at the hospital, the submitted Car Parking Strategy notes that:

“A review of the layout shows that these different types of spaces are dispersed across the site in a variety of locations. The current parking layout is convoluted and unclear, leading to a confusing experience for Hospital users wishing to park on site. The current arrangement means that vehicles must circulate the site in search of spaces, which often leads to internal queuing at peak times. This has a knock-on effect of late and missed appointments as well as unnecessary stress to Hospital users if they cannot easily find anywhere to park.”

(Car Park Strategy, paragraph 2.2.3)

9. Consultee Responses

9.1 The views of a number statutory and non-statutory consultees have been sought on the application and proposed development. Those consulted are listed below, together with an outline summary of any response received.

9.2 **Dorset Council Ward Members**

No response received.

9.3 **Dorchester Town Council**

No objection in principle. Welcome efforts of applicant to work with planning authority. Felt strongly that multi storey carpark should meet needs of hospital and should not be expected to meet needs of nearby residential streets. Hoped that other measures could be incorporated in design to mitigate fumes and felt crucial that hospital's plans to encourage and implement green travel proceed. Concerned about environmental impact from removal of existing trees and hoped a tree planting

scheme would be incorporated into plan to include more established trees which would also mitigate any loss of existing views.

9.4 Dorset Council Highway Liaison Engineer

Having initially requested further information regarding the entry barrier proposed for the Williams Avenue access and cyclist access arrangements, further information has been provided regarding the operation of the barrier and the potential for vehicles queueing at the access. Comment that:

Comment that further information has provided greater clarity on operation of barrier and likely impact on flows of traffic accessing the site. Given expected trip rates and worst-case scenario barrier delay, now considered that barriers should function without significant adverse impact on adjacent public highway. Further information/confirmation on how appropriate cycle access to hospital will be achieved is awaited but could be secured by means of planning condition.

9.5 Dorset Council Sustainable Travel Team

In response to the application as initially presented, concern expressed that proposed car park would not solve existing issues of parking and access. Noted that:

- (i) proposals would further increase amount of traffic through town, contrary to wider aspirations for traffic reduction and improved access for pedestrians, cyclists and public transport users;
- (ii) additional car parking should be considered after all other options have been exhausted, but not before and that doing otherwise is contrary to recommended approach of situating the Car Parking Strategy within context of overall access strategy for site, taking account of all users and all modes as recommended by Department for Transport and the NHS.

Further noted that proposal shows little attention to NHS' commitment to reducing travel impacts on communities and promoting active travel and that site is well served by public transport, yet potential to encourage more staff to use these options has not been developed.

Whilst not objecting to the application, considered that significant changes necessary to the proposed Travel Plan and Car Parking Management Strategy.

Further comments in response to the revised Travel Plan are awaited.

9.6 Network Rail

No observations or comment.

9.7 Dorset Council Rights of Way / Countryside Access

No response received.

9.8 Environment Agency

No response received.

9.9 Dorset Council Flood Risk Management Team

Having initially objected to surface water drainage proposals because submitted surface water drainage strategy had not been fully substantiated and did not conform to national planning policy with respect to achieving multifunctional benefit, through delivery of Sustainable Drainage Systems, following submission of further information that is still being considered, it is expected that outstanding issues may be resolved and/or could be addressed by condition.

9.10 Dorset Council Environmental Health

Public Health's records indicate that proposed development lies on a site with a historical and potentially contaminative land use. Condition recommended. Further recommended:

- (i) that proposed light attenuation measures be secured by condition;
- (ii) consideration be given to noise impact of any plant; and
- (iii) construction management controls be secured by condition.

9.11 Dorset Council Technical Services

Note that site is located within Flood Zone 1 (low probability of fluvial flooding). Recommend consultation and liaison with DC Flood Risk Management Team.

9.12 Wessex Water

No response received.

9.13 Scottish and Southern Energy

No response received.

9.14 Historic England

Initial Response of 04 December 2019

Noted that:

- (i) All photographs and photo-visualisations/montages illustrate summertime foliage and that this may give a somewhat misleading impression of visual prominence of proposed multi storey car park at other times of year when screening provided by trees will be much less effective.
- (ii) Bulk and massing of car park will make it highly visible where it is not screened by trees of other buildings, and few other buildings in vicinity will be of a size that could effectively screen its height when viewed in close proximity.
- (iii) Hard to see how views towards multi storey car park from within adjacent Conservation Area (which contains buildings of Victorian/Edwardian suburbs that are largely of a domestic scale) could fail to be affected, particularly during winter months.
- (iv) Whilst hospital site already contains some bulky modern buildings, these are not so close to Conservation Area boundary.
- (v) Less persuaded than applicant's heritage consultant that change in view arising from introduction of a building of height, bulk and relatively monolithic

- design proposed will not cause a degree of harm to setting of Conversation Area and also to some Grade II listing buildings within or just outside it.
- (vi) Beyond Conservation Area, concerned about impact on setting of Neolithic Henge (Maumbury Rings) which is a Scheduled Ancient Monument. Setting of monument contains a range of built development, but scale, massing and design of car park will potentially make it more visually prominent than other modern buildings which are visible from the monument. Building will also impact on longer-range views of Dorchester town which are widely obtained, including from a number of important scheduled ancient monuments which encircle the town such as the hill forts of Poundbury and Maiden Castle. Whilst site forms a relatively small portion of the setting of these monuments in the panoramic views that are obtained from them, Dorchester itself is regarded as forming an important part of the overall setting, such that any new buildings whose massing, bulk and monolithic form are dominant to the point where it draws the eye as an incongruous element in the skyline of the town, could be considered to cause some harm to the experience of the monuments which its setting provides.

Further commented that:

“We appreciate that there will be a public benefit provided by the creation of additional car parking for the hospital, and anticipate that that will carry considerable weight as a justification for the building in the planning process. However, we would advise your Authority to give serious thought to measures which could reduce the visual impact of the car park on its surroundings. This might be achieved by further modulating and refining its design to reduce its monolithic character, and the impression of unrelieved bulk and massing which the drawings convey. A review of the buildings by the County’s Design Review Panel could be helpful in that process.”

“Historic England has concerns regarding the application of heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 190, 193, 194 and 196 and the NPPF. “

Further Response of 20 July 2020

Noted that no significant amendments made to design of proposed 7 storey car park, but that additional information provided.

Comment that, on the whole, would not disagree with conclusions of submitted Landscape, Townscape and Visual Impact Appraisal on likely visibility, but in relation to assets such as Maiden Castle, consider the degree of change to be somewhat higher than the report concludes. Further commented that:

“The height, bulk and unrelieved massing of the car park are a noticeably different form to other large buildings in the hospital site, and this is what could cause some harm to the setting of the conservation area and Maiden Castle, judging by the views that have been provided.”

No change to overall conclusion previously set out. Advise that Authority should satisfy itself that any potential harm to significance of heritage assets has been minimised as far as possible and that the resulting harm is unavoidable in order to deliver the public benefits of the development, as any heritage harm has to be clearly justified.

9.15 Ancient Monuments Society

No response.

9.16 Dorset Council Senior Conservation and Design Officer

Initial Response of 04 March 2020

Commented that:

- (i) The pure unrelenting massing, form and scale sit uncomfortably in this exposed and key location and compete unashamedly with the important historic features of Dorchester skyline.
- (ii) Close proximity to residential areas results in an overpowering intrusion into tight knit streets of Conservation Area, in conflict with human scale and special character.
- (iii) Concern for long range views , which will be compromised by further interjection of high rise structures.
- (iv) Submission does not appear to provide evidence of Options Appraisal as regards assessment of alternative schemes and their impact on the various heritage assets to justify proposed approach and location.
- (v) The heritage assessment appears to suggest that former erosion of setting, or asset itself, dilutes need for safeguarding, rather than enhances need to recognise its evidential value and avoid cumulative erosion.

Further commented that:

“... the uncommon openness of character at road junction adjacent to site provides clear public views on all approaches on foot and by vehicle, and from both the listed station’s platform and steps, and the Alexandra Street gateway. Clear views will also be present from the listed Damer’s Hospital, across the carpark; from the Sydney Arms junction, as well as on descending Alexandra Road from the Grade II* church, being sited on high ground. The latter provides views of the proposed development juxtaposed with the listed Military Hospital and water tower.

From the junctions of Great West Road with Cornwall Road and Victoria Road there are sightlines to the proposed development, the latter two again gateways to the Conservation Area’s historic suburbs. Furthermore, from within the designated area, multiple viewpoints exist (ie: Cornwall Road, St Helens Road, Victoria Road,) via gaps in the building line or above ridge lines. In the case of the latter, the large curtain wall will constitute a substantially intrusive and dominating over-bearing presence, appearing completely out of context in terms of form and finish, with the historic human form of the housing and their subtle material palette. Wider views reveal that its scale and

massing will also impact detrimentally on the wider views of the relatively uniform and replicated historic roofscape.”

“Overall, the scheme is not considered to preserve or enhance the setting of the Conservation Area, appearing out of context, nor to safeguard the significance of the listed buildings or SAMs [Scheduled Ancient Monuments] identified, and in some cases it seriously erodes their setting. Great weight should be given to the conservation of heritage assets and to development delivering a positive contribution or better revealing the significance of heritage assets. As such, the present development scheme is not considered to have successfully responded to the setting and is considered to constitute less than substantial harm, which is not the same as acceptable harm. Despite public benefit it is considered that alternative schemes have potential to offer less impact and as such in this specific instance the harm is not sufficiently outweighed or justified.”

Further Response of 06 August 2020

Comments that key points raised at both pre-app and in previous consultation response cannot be considered to have been addressed or taken on board. Further comments that:

“The proposed multi-storey building was of major concern from the pre-app stage, and this has been consistently expressed in the feedback from officers, as regard scale and massing, and visual impact on heritage assets and being weak as regards its justification, in that it was not presented as part of a comprehensive masterplan for the site, but rather in a somewhat isolated form, which lacked a strong evidence base to support its scale, design and location.”

“It is acknowledged that some further work has been done in regard to the artwork images to be used on the external skin, in an attempt to try and mitigate the building’s scale and mass. The use of landscape images may in principle have potential to create some visual softening of surface area impact, and provide some connection with any landscape/tree planted buffer zone around it, although the depth of such a buffer to all sides appears from the proposed landscape plan to be constrained along the long SW elevation’s junction with existing car parking. ...”

“Furthermore, the extent of the curtain wall surface area in question is considerable, especially facing Damer Road and the Grade II listed former hospital. Therefore, the sole use of optical illusion is not considered to outweigh the resulting dominating presence that will still be clearly visible from these viewpoints or the narrow streets within the Conservation Area.”

“It is acknowledged that not all change to the setting of a Conservation Area is harmful, indeed Historic England’s definition of conservation is the “management of change”. However, in this specific case and as advised previously, the present development scheme is not considered to have successfully responded to the setting or fully assessed the significance of the numerous designated and undesignated heritage assets. Under the NPPF

Chapter 16, great weight is required to be given to such and for development to deliver a positive contribution or better reveal their significance.”

“Although the proposed multi-storey building is described as having a relationship with the already established large hospital building, in contrast, the latter has a much more diverse appearance with its variation of form and height, which breaks up its massing and impact and has a far more set back, recessive position. It is considered that the scheme has failed to recognise the value placed on the experience of the approach into the Conservation Area, and as such, the introduction of the proposed large scale structure of such unrelenting solidity and large dimensions in close proximity to the Conservation Area gateway, impacts detrimentally on the historic environment and the revisions are not considered to have overcome the resulting less-than-substantial harm.”

9.17 DC Historic Environment Team - Senior Archaeologist

On basis of submitted Heritage Assessment and own knowledge of site, considers that impact on below-ground archaeology is not a constraint that need to be taken in to account in determination of this application.

9.18 Sport England

No objection. As replacement for former school playing field has already been delivered, considered that Sport England policy exemption E4 applies.

9.19 Natural England

The application has not been assessed by Natural England.

9.20 DC Natural Environment Team

No response received.

9.21 Dorset AONB Partnership

Initial Response of 20 February 2020

Considered that development of scale and massing proposed would have some adverse landscape and visual effects on the AONB but given their nature and the distance of the views that these are likely to be ‘Low Adverse’. Comment that ‘localised effects’ are likely to be Significant and Adverse.

Consider there is potential for adverse effect on special quality of AONB (dark night skies) owing to cumulative effects of new lighting required for the multi storey car park being seen in combination with existing site provision. Noted that details of lighting are not provided within the supporting documents and that adverse effects on the Special Qualities of the AONB are addressed by Policy C2e of the AONB Management Plan, which states that:

“The conservation and enhancement of the AONB’s special qualities will be a significant consideration in the planning balance.”

Further Response of 21 July 2020

Comment that proposed development will lead to Adverse landscape and visual effects on the AONB – but that these are likely to be Low Adverse given nature and distance of the views.

Further comment that ‘localised effects’ are likely to be Significant and Adverse.

“It remains the case that MSCP will entail the removal of existing strategic landscaping – and offers little in the way of compensatory planting. The sheer scale of the building will be impossible to mitigate through soft landscaping alone – and the design of the elevations is key in assisting in its assimilation into this sensitive setting. With a proposal of this scale and massing – permanent adverse visual effects are likely.

The Proposed Site Sections illustrate the dominance of the Building in terms of relative height to existing trees and buildings. Trees will only filter views of the lower half of the structure.

Sustainability: Whilst not strictly within the remit of these observations – there is a general concern that the development of a MSCP within this location will fail to provide a long-term solution to the parking problems across this Site given the wider aspirations expressed through the masterplan. Alternative opportunities for staff and visitor travel do not appear to have been considered. The development of the MSCP has the potential to significantly, and permanently, affect the townscape and landscape and I would advise that these effects have not been adequately assessed and presented within this Application.”

9.22 Dorset Council Senior Landscape Architect

Initial Response of 02 March 2020

Expressed concern that presented visual representations do not comply with standard guidance produced by Landscape Institute and that visual representations do not illustrate the scenario during the either the winter or at night-time. Further noted that:

- (i) the the hospital site is significantly higher than Dorchester town centre such that the hospital buildings are visible on the skyline in a number of important vistas and views from within the town, and most especially from within the Conservation Area, and proposed development would impact on the setting of a number of designated heritage assets; and
- (ii) concurs with Historic England’s concerns regarding bulk and massing;
- (iii) proposed multi storey car park would impact significantly on townscape and its design must respond sensitively to context.

Concluded that full landscape and visual impact assessment needs to be undertaken and that the siting and design of multi storey car park should be guided by outcome of assessment and suitable mitigation measures suggested with the efficacy of that mitigation fully appraised.

Further Response of 07 August 2020

In response to the further supporting information, noted that the Dorset AONB Team has supplied comments indicating that the landscape impact will be low, but nonetheless adverse, and significant given the AONB designation. Noted that identified cumulative impact has not been assessed. Further noted that:

- (i) the existing hospital buildings already impact on the character of the Dorchester Conservation Area where the Conservation Area wraps around the south-eastern corner of the hospital and that the proposals would significantly exacerbate this already uncomfortable relationship;
- (ii) again noted that submitted appraisal does not address cumulative impact in respect of the character and appearance of the Conservation Area; and
- (iii) not satisfied that mitigation measures suggested would reduce impact of proposals to an acceptable degree.

Overall, considers impact of proposals on townscape character, and particularly that of heritage assets/setting of heritage assets to be moderate/severe adverse, and that the proposed mitigation measures will not reduce the impact to a level that is acceptable.

In relation to visual impacts, noted that impact on views from AONB will be low, but adverse, and again significant given the AONB designation and cumulative impact.

Further noted that proposed development would also be visible from sensitive visual receptors outside AONB most notably bridleways and footpaths to west of B3143 Slyer's Lane between Cokers Frome and Waterston. Impact from these rights of way would again be low/adverse, but significance not as for AONB.

Within the settlement boundary, noted that there is inter-visibility between the proposals and key landmark sites, the majority of which are important listed buildings and monuments. Perhaps more importantly, there are key viewpoints within the town where the multi storey car park would be visible on skyline along with historic landmark buildings (e.g. form the Dorchester Military Museum and the chimney of Eldridge Pope Brewery – both Grade II listed landmark buildings).

Considers that submitted Appraisal considerably underplays the significance of visual impact of proposals, most especially because reference is drawn to proposals not looking out of character when viewed in context of the existing hospital buildings. However, no consideration is given to fact that these buildings in themselves have a negative impact especially when viewed in context of the Dorchester Conservation Area from Damers Road. Further states that:

“It is my opinion that the cumulative impact of the proposals along with the existing hospital buildings is severe adverse , reducing to moderate adverse on implementation of the proposed mitigation measures. The magnitude of change in views will be high, due to the scale and mass of the MSCP, its functional appearance, and its close proximity to sensitive visual receptors (pedestrians) and residential properties. This and the fact that the greatest impact will be observed from the Conservation Area mean that these adverse visual effects will be significant.”

Concludes that proposed development will have a significant adverse impact on the character and appearance of Dorchester Conservation Area and on important views from within the town and that cumulative impact of proposals in combination with the existing hospital buildings increases significance of these adverse effects. Noted that proposed mitigation measures will help to reduce impact but will nevertheless still be significant and adverse.

Further states that does not consider that the development will:

- add to the overall quality of the area
- be visually attractive or sympathetic to local character and history, including the surrounding built environment and landscape setting
- take the opportunities available for improving the character and quality of an area
- sustain and enhance the significance of heritage assets
- make a positive contribution to local character and distinctiveness
- relate positively to adjoining buildings and other features that contribute to the character of the area

and cannot therefore support application because it does not comply with the requirements of paragraphs 127, 130 and 192 of the NPPF or Policies ENV4, ENV10 and ENV12 of the Adopted Local Plan.

9.23 DC Conservation – Senior Tree Officer

No response received.

9.24 DC Commercial Housing

No response received.

9.25 Dorset Police Crime Prevention Design Adviser

No objections.

9.26 DC Spatial Planning – Environmental Assessment Officer

No response received

10. Publicity and Other Representations Received

10.1 The application was advertised in the local press and by site notice and notification letters were sent to 104 properties. In addition to the consultation responses summarised above, representations about the application have been received from and/or on behalf:

- (i) NHS Dorset Clinical Commissioning Group;
- (ii) the Poole Hospital NHS Foundation Trust;
- (iii) the Royal Bournemouth & Christchurch Hospitals NHS Foundation Trust;
- (iv) Public Health Dorset; and
- (v) 36 other respondents, 6 objecting, 24 in support and 6 expressing support or not objecting but noting concerns and/or other matters.

10.2 The representations received are summarised below.

10.2 **NHS Dorset Clinical Commissioning Group**

Strongly urge support for application which is a vital first step in bringing to reality a once-in-lifetime opportunity to invest £62.5 million in hospital greatly improving local services for generations to come. Further comment that:

- (i) plans will significantly expand hospital's Emergency Department (ED) and Intensive Care Unit (ICU) and create an Integrated Care Hub on the Dorset County Hospital site in Dorchester - improving healthcare services for our population;
- (ii) Emergency Department (ED) and Intensive Care Unit (ICU) have been a key part of the COVID-19 response, being temporarily expanded during the pandemic;
- (iii) this is a vital investment to secure future of hospital for a generation to come and support our hardworking NHS staff with very best facilities and additional space to serve our community;
- (iv) part of a long-term project to deliver the recommendations of Dorset's clinically-led plans under the Clinical Services Review, to ensure continued and sustainable services for the west of the county;
- (v) to enable investment to take place and for this essential development to take place, a new multi storey car park is required to free up space for the construction, make up for lost spaces, and improve parking for visitors, staff and patients;
- (vi) the hospital is committed to green travel and at the same time ensuring that people can access the hospital; and
- (vii) if planning consent is not granted then this important project to invest in our local hospital and NHS will be delayed.

10.3 **The Poole Hospital NHS Foundation Trust and the the Royal Bournemouth & Christchurch Hospitals NHS Foundation Trust**

The Hospital Trusts submit that the proposed developments:

- (i) will support Dorset wide NHS health improvements and are in line with the wider strategy for Health and Care Services;
- (ii) provide for enabling work required for Dorset County Hospital to meet the increasing demand for NHS services and to continue to provide high quality patient care for the patients in West Dorset;
- (iii) will enable Dorset County Hospital to be positioned to support the recommendations of the Dorset Clinical Services Review which will help ensure high quality NHS services across Dorset and for the people and patients of Dorset;
- (iv) will facilitate the development of an Intensive Care Unit (ICU) which from experience during the Covid-19 pandemic is an important resource which has clinical support as well as an expanded Emergency Department and the creation of an Integrated Care Hub that will deliver care closer to home for residents in Dorchester and the surrounding areas.

10.4 **Bridport Town Council**

Bridport Town Council expresses strong support for the application, noting that:

- (i) the hospital has been allocated £62.5 million of funding for essential clinical expansion;

- (ii) a multi storey car park is a necessarily utilitarian model, but applicants have done all they reasonably can to mitigate the impact on Conservation Area and it is only viable, practical option available to create crucial space for expansion;
- (iii) if plans are not approved, hospital will not be able to continue to next phase which is to build a new emergency department and intensive care unit;
- (iv) plans are paramount to future expansion for which one-off funding has been allocated and which the National Health Infrastructure Plan considers to be a priority;
- (v) the emergency department was originally built for 22,000 attendances and is seeing close to 50,000 attendances per year, so is already more than 50% under capacity for present population;
- (vi) urgent need for expansion is set to intensify with closure of Poole Hospital emergency department and maternity unit and with the vast new housing developments planned in West Dorset.

Further stated that the Town Council considers that concerns expressed by heritage and conservation consultees have been adequately addressed and that proposed development will have less impact on Conservation Area and heritage assets than existing and other planned urban sprawl and would not support Conservation Officer's opinion that the project represents an 'overpowering intrusion' into an already urban area.

The Town Council agrees with Cotswold Archaeology that any potential heritage harm presented by this project are heavily outweighed by the fact that these 'changes are demonstrably necessary to make the place sustainable' and 'to meet an overriding public policy objective or need' and hoped that all Planning Committee members will be able to see that the application is about the future of the hospital in Dorchester and that the 'greater public benefit' for all communities in West Dorset, will outweigh any objection.

10.5 Individual Representations in Support

The 24 additional respondents supporting the proposed development variously note:

- (i) Proposed car park would be of great benefit to hospital patients, visitors and staff.
- (ii) Proposed multi storey car park is an essential pre-requisite to free-up space for further development.
- (iii) Proposed multi storey car park will improve experience of patients, visitors and staff.
- (iv) Parking problems cause enormous stress, particularly to patients and visitors.
- (v) Hospital capacity has been totally exceeded by demands of local and tourist population.
- (vi) Demand for parking spaces has increased enormously with increasing population.
- (vii) Many patients struggle to find spaces in time for appointments.
- (viii) Parking is needed because much of Dorset is not adequately served by public transport, with driving only practical option.
- (ix) NHS staff forced to walk long distances during unsocial hours and in bad weather.
- (x) Local residents complain about impact of off-site parking.

- (xi) Proposed site is at lowest point of hospital, so will have less visual impact than other locations. Building will nestle into hill.
- (xii) Existing hospital buildings very tall.
- (xiii) Proposed multi storey car park will not have a negative visual impact nor be detrimental to surrounding area.
- (xiv) Car park is essential in order for hospital to keep up with demand for health services.
- (xv) Closure of Poole Hospital will increase pressure on the County Hospital.
- (xvi) Extra space will be need to deal with continuing demands of COVID-19.
- (xvii) New arrangements will ensure car park users are paying correct charges and will allow concessions to be managed in a consistent manner.
- (xviii) Permit holder only parking should be introduced with the new car park to assist emergency vehicles, residents and other road users.
- (xix) Staff parking in surrounding streets frequently abused by residents and there have been multiple incidents of malicious damage to vehicles.
- (xx) Trust has implemented measures to encourage walking and cycling.
- (xxi) Suggested Park & Ride and/or shuttle bus not feasible for many patients and staff.

10.6 Individual Objections

The 6 additional respondents objecting to the proposed development variously note:

- (i) Priority should be given vital members of the DCH workforce but that the solution is not in constructing a concrete, multistorey eyesore which will inevitably result in the degradation of the local environment;
- (i) Proposed multi storey car park would be an eyesore, intrusive and out of character with local area.
- (ii) Multi storey car park will fundamentally change the character of local area and be an eyesore.
- (iii) Inappropriate development so close to designated Conservation Area.
- (iv) Car park will dwarf building in local area.
- (v) Structure need to be much lower so as not to dominate surrounding area.
- (vi) Car park is unfit for future requirements even before it is built.
- (vii) Previous applications have made great play of landscaping, preserving the natural feel of what had previously been green fields and allotments.
Proposal discards previous design measures.
- (viii) Proposals do not meet either short or longer term parking requirements.
- (ix) Application falls to provide thorough/meaningful comparative analysis of all options.
- (x) Car parking could be provided in other parts of hospital site.
- (xi) Use should be made of land at former Damers School.
- (xii) More than one car park could be constructed.
- (xiii) COVID emergency has demonstrated that more parking is not necessary.
- (xiv) Park and Ride would provide a longer term solution.
- (xv) Sustainable travel options would promote physical activity and help address climate change.
- (xvi) Provision should be made for walking, cycling and patient drop-off.
- (xvii) Construction of Children's Centre led to damage of local properties.
- (xviii) Public announcements have been clear that this will only meet short term needs and in long run will need park and ride.

- (xix) Use of playing field for parking will harm biodiversity.
- (xx) Use of playing field for parking will be to detriment of health and amenity.
- (xxi) COVID emergency has demonstrated importance of open space to mental health of hospital staff.
- (xxii) Providing more parking spaces will encourage more people to drive rather than use more sustainable alternatives.
- (xxiii) Considerable opposition was expressed at public meeting.
- (xxiv) Money should be spent on sustainable transport.
- (xxv) Shuttle bus service should be provided.
- (xxvi) Car park is a 1980s solution that does not respond to either climate change or health issues associated with obesity.
- (xxvii) Trees have been felled without the application being determined.
- (xxviii) Loss of trees will harm biodiversity.
- (xxix) Pollution and climate change is a significant public health risk.

10.7 Other Representations

The 6 further respondents that were broadly supportive of the application but also asked matters to be taken into account variously expressed concerns about impact on wildlife and/or trees and further recommended provision of water suppression (sprinkler) system in interest of safety.

11. Case Officer's Appraisal

11.1 Having regard to the information submitted in support of the application, the provisions of the development plan and other material considerations including national planning policy and representations received, the main issues in the determination of the application relate to:

- (i) the acceptability in principle of the proposed development;
- (ii) whether the proposal would help to eliminate discrimination and/or victimisation, advance equality of opportunity and foster good relations between persons who share a relevant protected characteristic and persons who do not share it;
- (iii) impact on the safety and efficiency of the highway network and whether adequate provision has been made for sustainable travel;
- (iv) the economic impact of the proposed development;
- (v) impact on biodiversity;
- (vi) impact on amenity;
- (vii) flood risk, drainage and climate change;
- (viii) townscape, landscape and visual impacts; and
- (ix) impact on the setting and significance of heritage assets and whether the public benefits that might accrue from the proposed development clearly and convincingly outweigh any harm to the significance of heritage assets.

Principle of Development

11.2 With the hospital campus:

- (i) located entirely within the development boundary for Dorchester wherein Policy SUS2 of the Adopted Local Plan provides that residential, employment and other development to meet the needs of the local area will normally be permitted; and

(ii) not being subject to either any site specific development plan policy or land use allocation,
and the application site being located entirely within the existing hospital campus, there is no in-principle land use objection to the application proposal.

- 11.3 Indeed, with the notable exception of the proposed multi storey car park, it is considered that the changes proposed to the layout, use and management of the hospital campus are largely uncontentious and, subject to the imposition of conditions controlling matters such as detailed design, construction and use management, landscaping etc, to be in general accordance with development plan.
- 11.4 The proposed multi storey car park is proposed to serve the needs of hospital patients, staff and visitors and would be constructed primarily on land currently used for surface level parking. The application more generally is focussed on enabling staff, patients and visitors to more easily navigate various access roads and pathways within the hospital campus so as to reach their destination with reduced risk of congestion, confusion and delay and in consequence less stress and anxiety, less wasted time and reduced cost.
- 11.5 Policy COM2 of the Adopted Local Plan provides that:
- “Proposals for new, replaced or improved local community buildings or structures will be permitted providing the proposal is within or adjoining an existing settlement ... provided that:
- The proposal would be well-located to be accessible to its main catchment population and would not generate significant additional single purpose trips by private transport; and
 - The proposal would not undermine the commercial viability of nearby community facilities which may be better placed to service the needs of the surrounding community.”
- 11.6 Policy COM2 further indicates that:
- “Regard will be had to the desirability of concentrating new community buildings and structures in settlements, especially where new housing development is permitted, and also ensuring that, where practicable, the design allows for a range of current and future uses.”
- 11.7 The hospital campus is well-located to be accessible to its main catchment population and the development under consideration would not, in and of itself, generate significant additional single purpose trips by private transport. Additional parking spaces would be provided within the hospital campus but, at least in the short-term, it is anticipated that these would be used mainly by staff, patients and/or visitors already travelling to the hospital by car but currently parking in off-site locations or otherwise waiting for a space to become available.
- 11.8 The Trust’s clearly stated intention is to make more efficient use of the hospital campus and has openly presented the multi storey car park as one of the first steps in the delivery of their wider masterplan vision. However, save for the additional parking spaces and other ancillary facilities, the subject application does not propose any additional or replacement development and, in particular, does not provide any

new healthcare or health service facilities likely to generate additional vehicular trips. The submitted Transport Assessment does address additional traffic demand, but only in respect of anticipated growth in travel demand for existing hospital services, which is forecast to happen irrespective of whether the parking and wayfinding proposals go ahead.

- 11.9 Paragraph 122 of the NPPF indicates that planning decisions should support the efficient use of land and Policy ENV15 of the Adopted Local Plan is that development should optimise the potential of the site and make efficient use of the land subject to the limitations inherent in the site and impact on local character. The implications of the proposed development for the character and appearance of the locality are considered later in this appraisal, but in land use terms, the objective of better meeting existing parking demand whilst simultaneously freeing up parts of the hospital campus that are currently used for vehicular parking for alternative and potentially more efficient healthcare and/or health service related development is in general accordance with the development plan and national planning policy.
- 11.10 Some concern has been expressed in representations about the sustainability of providing new and additional car parking facilities at the hospital, but the applicants have provided justification for the additional spaces and further indicated a willingness to accept a planning condition ensuring that total parking provision across the campus is capped to the final capacity assessed in the submitted Transport Assessment (i.e. 1,064 spaces). Even with the additional 127 spaces total provision will remain substantially lower than the guidelines figure suggested in the currently adopted Non Residential Parking Guidelines referenced in policy COM9 of the Adopted Local Plan, the guideline stated for hospitals being 1 car parking space for per 4 staff plus 1 per 3 visitors calculated to equate to approximately 1,532 spaces.
- 11.11 Although some respondents have suggested that the COVID-19 emergency has demonstrated that there is some surplus parking capacity within the hospital campus, no substantiating evidence has been presented indicating that the proposed provision is likely to significantly exceed demand for hospital parking beyond the emergency period and I am satisfied that the combination of existing and likely future development at the hospital will minimally sustain demand for the capped number of spaces proposed.
- 11.12 Some concern has been expressed by respondents to the application about the loss of open space within the campus and particular comment has been made about the importance of open space to the health and well-being of staff, patients and visitors.
- 11.13 Paragraph 121 of the NPPF is clear that that local planning authorities should support proposals to:
- “.... make more effective use of sites that provide community services such as schools and hospitals, provided this maintains or improves the quality of service provision and access to open space.”
- 11.14 The proposal for additional temporary parking provision in the West Annex would result in the development of an open space, but provision for staff, patient and visitor amenity would be maintained elsewhere within the campus. Moreover, although impacts on health and well-being can be material considerations, there is currently

no registered public right of access to the playing field such that use by staff, patients and visitors appears to be entirely at the Trust's discretion. Moreover, it is not considered that the proposed temporary use of the playing field would unacceptably prejudice the Trust's ability to maintain adequate amenity space within the hospital campus for operational purposes in the either the short or longer terms.

- 11.15 Policy COM5 of the Adopted Local Plan provides that development on, or the change of use of open spaces of public value and recreational facilities (including school playing fields) will not normally be permitted, but paragraph 6.3.14 of the plan recognises that there will be circumstances where the retention of such facilities is not the best option. Exceptions to the normal position are identified in Policy COM5 to include circumstances in which alternative and/or suitable replacement outdoor or indoor provision of equal or better recreational quality or value is provided in a location which is suitable to meet any deficiency in provision, and/or better placed and accessible to the surrounding community it serves, and there is a clear community benefit.
- 11.16 In recognition that replacement provision has already been delivered as part of the development of the new Damers First School at Poundbury, Sport England has not objected to the development of the West Annex playing field for car parking, nor sought the reinstatement of the playing field when the temporary parking is no longer required to facilitate construction of the multi storey car park. The replacement provision delivered at Poundbury satisfies the development plan policy requirement and the West Annex playing field was not identified for protection as a local green space under Policy ENV3 of the Adopted Local Plan. On this basis, loss of the playing field is not considered to be unacceptable in principle.
- 11.17 The application site is not subject to any nature conservation designation, nor classified as being at high risk of flooding. Dorset Council's public health records indicate that the development lies on a site with a historical and potentially contaminative land use, but it is considered that contamination risk can be adequately controlled by planning condition.
- 11.18 Overall, with respect to land use, it is considered that the application proposals would improve the current situation around vehicle parking and wayfinding at the hospital, make more efficient use of land within the hospital campus and further enable and support the delivery of wider healthcare and health service developments at the in a manner that is broadly consistent with development plan and national planning policy and without triggering any over-riding in principle objection.

Equality and Discrimination

- 11.19 The application proposal has implications for the ease and/or difficulty with which staff, patients and visitors would be able to access and move around the hospital campus to the possible disadvantage of people with restricted mobility such as the elderly, people with a disability or other health issues, pregnant women and people with young children. Matters considered to be of particular relevance such people and indeed others include the size, layout and positioning of parking spaces and the provision and layout of paths, roadways and crossing points.
- 11.20 Paragraph 110 of the NPPF provides that applications for development should:

- (a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- (b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- (c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- (d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- (e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

11.21 Provision of additional parking spaces within the campus would be to the general benefit of those travelling to the campus by car and, whilst not all parking spaces have been designed to disability standard, enhanced priority provision of disabled spaces is proposed close to the main hospital entrance (47 additional disabled spaces being shown in the north-eastern corner of the campus hospital campus). Improvements are also shown to the drop-off area and for cyclists.

11.22 Away from the main hospital entrance, the topography of the hospital is such that the complete elimination of steps on pedestrian routes would require extensive remodelling of the campus such that the arrangements proposed in the application are considered to be both reasonable and adequate. It is further noted that the design for multi storey car park makes provision for at least one lift in each of the service cores.

11.23 If implemented, aspects of the proposed development including construction of the proposed multi storey car park would be subject to control under the Building Regulations 2010. Part M of Schedule 1 of the Building Regulations addresses access to and the use of buildings. Compliance with Part M requirements for reasonable provision would help to limit the potential for disadvantage.

11.24 Having due regard to the public sector equalities duty, other than with respect to the creation of attractive places (a matter addressed later in this appraisal), the application proposal is considered to be reasonable and in general accordance with paragraph 110 of the NPPF.

Sustainable Transport and Impact on Highway Network

11.25 Paragraph 108 of the NPPF provides that in assessing specific applications for development it should be ensured that:

- (a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- (b) safe and suitable access to the site can be achieved for all users; and
- (c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

11.26 Policy COM7 of the Adopted Local Plan provides that:

- (i) Development that generates significant movement should be located where the need to travel will be minimised and the use of sustainable transport modes including public transport, walking and cycling can be maximised.
- (ii) Development should be located where the volume of traffic likely to be generated can be accommodated on the local highway network without exacerbating community severance; and
- (iii) Development will not be permitted where the residual cumulative impacts on the efficiency of the transport network are likely to be severe.
- (iv) Development will not be permitted unless it can be demonstrated that it would not have a severe detrimental effect on road safety, or measures can be introduced to reasonably mitigate potentially dangerous conditions.
- (v) The delivery of a strategic cycle network and improvements to the public rights of way network will be supported. Development should not result in the severance or degradation of existing or proposed routes. Where development degrades the attractiveness of a route, compensatory enhancements will be sought such that there is a net improvement to the public right of way network. Where development proposals provide the opportunity to significantly improve links within the public rights of way network, an appropriate link through the development will be required.

11.27 A number of respondents to the application have expressed concerns regarding longer-term parking requirements should the development outlined in the Trust's masterplan proceed. Whilst potential parking requirements are clearly a relevant matter for consideration in site master-planning, the adequacy of travel and parking provision to serve potential (but as yet not proposed) future developments is of only limited relevance in the determination of the current application which should be considered on its own merits. Construction of the proposed multi storey park would not prevent either the maintenance or further provision for vehicular parking elsewhere in the hospital campus and the acceptability or otherwise of such future provision would be a matter for consideration should further applications for planning permission be submitted.

11.28 Dorchester in general and the hospital campus more particularly are both well located to minimise the need to travel and, by Dorset standards, both are very well served by public transport. Dorset Council's Highway Liaison Engineer has not raised any concerns regarding the ability of the local highway network to accommodate hospital related traffic, nor indicated that residential cumulative impact on either road safety or network efficiency should be regarded as severe.

11.29 In response to the comments made by Dorset Council's Sustainable Travel Team, an updated Travel Plan has been presented and the Trust's commitment to the aims of addressing the hospital's transport impacts has been emphasised. It has further been noted that the Travel Plan has been prepared in the content of

“... chronic under-provision of off-site car parking and the need to free up space at the DCH campus for vital refurbishment and development plans to ensure the Trust's vision of a fit for purpose hospital Estate in the future.”

11.30 The Trust's Travel Plan aims to improve access to the hospital for staff, patients and visitors through the application of suitable sustainable transport initiatives

focussed on increasing the uptake of sustainable modes of travel (particularly public transport, car sharing, walking and cycling) and by encouraging and enabling staff and visitors to use modes other than single occupancy vehicles to access the Hospital, which in turn will help to relieve parking pressure on site, and overspill parking on the surrounding roads. It is recognised that the Plan seeks to achieve a balance between improved on-site parking provision on the one hand and delivering travel behavioural change and increased sustainable travel on the other.

- 11.31 A limit on the total number of parking spaces available for use at any one time in the hospital campus and the implementation and the further review of the proposed Travel Plan could be secured by means of planning condition. Subject to such conditions, the provision made for sustainable travel and likely impact on the safety and operation of the highway network are considered to be acceptable.

Economic Impact

- 11.32 Paragraph 80 of the NPPF notes that planning decisions should help create the conditions in which businesses can invest, expand and adapt and that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. It is further noted that the approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.
- 11.33 Information submitted in support of the application identifies a range of economic benefits associated with the proposed development. Foremost amongst these is the stated importance of the proposed multi storey car park to the delivery of expansion plans contemplated within the Trust's masterplan and for which £62,500,000 of government funding is understood to have been allocated as part of the Government's National Health Infrastructure Plan.
- 11.34 The applicant's Planning Statement further notes that an Economic Value Assessment report about Dorset County Hospital prepared by the Policy and Research Team at Dorset County Council in February 2018 highlighted a number of key Gross Value Added (GVA) benefits of the Trust on Dorchester, West Dorset and Dorset as a whole, referring in particular to findings that:
- (i) the Trust created employment for 3,493 people in total, equivalent to 2,350.6 full time equivalent (FTE) posts, with over 90% of the workforce living within the Dorset area; and
 - (ii) the hospital contributes a total of £169 million in GVA to the economy and whilst there are about 2,350 FTE posts directly within the hospital, a further 1,250 are supported in the economy through supply chain and household spending.
- 11.35 As both a substantial investment and construction project in its own right and also a potential precursor to further healthcare and health service development at the hospital campus, it is my opinion that considerable weight and importance may be accorded to the potential economic benefits of the proposed development.

Biodiversity

- 11.36 Some concern has been expressed in representations regarding the implications of the proposed development for nature conservation and biodiversity.
- 11.37 Paragraph 170 of the NNPF provides that planning decisions should contribute to and enhance the local environment by, amongst other matters, minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. Amongst other matters, policy ENV2 of the Adopted Local Plan provides:
- (i) that proposals that conserve or enhance biodiversity should be supported;
 - (ii) that opportunities to incorporate and enhance biodiversity in and around developments will be encouraged; and
 - (iii) that development of major sites should take opportunities to help connect and improve the wider ecological networks.
- 11.38 The approved Biodiversity Mitigation and Enhancement Plan (BMEP) submitted in support of the application is considered to provide reasonable ecological mitigation and enhancement measures to meet the the duty under section 40 of the Natural Environment and Rural Communities Act 2006. Certification of the BEMP further indicates that its implementation would avoid the likelihood of deliberate disturbance and/or provide sufficient measures likely to remedy any disturbance such that in considering an application for a disturbance licence, Natural England would likely be satisfied that the test in regulation 55(9)(b) in the Conservation of Habitats and Species Regulations 2017 is capable of being met. Implementation of the approved BEMP may be secured by planning condition and would further secure policy compliance.

Impact on Amenity

- 11.39 Paragraph 180 of the NNPF provides that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.
- 11.40 Policy ENV16 of the Adopted Local Plan provides that proposals for development should be designed to minimize their impact on the amenity and quiet enjoyment of residents close to it. As such, amongst other matters, the policy further states that development proposals will only be permitted provided they do not have a significant adverse effect on the living conditions of occupiers of residential properties through loss of privacy or on the amenity of the occupiers of properties through inadequate daylight or excessive overshadowing, overbearing impact or flicker; they do not generate a level of activity or noise that will detract significantly from the character and amenity of the area or the quiet enjoyment of residential properties; and they do not generate unacceptable pollution, vibration or detrimental emissions unless it can be demonstrated that the effects on amenity and living conditions, health and the natural environment can be mitigated to the appropriate standard.
- 11.41 Policy ENV16 additionally provides that proposals for external lighting schemes (including illuminated advertisement schemes) should be clearly justified and

designed to minimize potential pollution from glare or spillage of light and that the intensity of lighting should be the minimum necessary to achieve its purpose, and the benefits of the lighting scheme must be shown to outweigh any adverse effects.

- 11.42 The impact that the proposed development would have on the character and appearance of the locality is considered later in this appraisal, but it is not considered that the proposed development would have any unacceptable impact on residential amenity.
- 11.43 The Air Quality Assessment submitted in support of the application considers the potential for fugitive dust emissions as a result of earthworks, construction and track-out activities during the construction phase and considers that the use of good practice control measures would provide suitable mitigation for a development of this size and nature and reduce potential impacts to an acceptable level. The assessment further considers impact on air pollutant levels during the operational phase. Emissions predicted are assessed to be not significant and air quality not considered a constraint to development.
- 11.44 Some concern has been expressed in representations made about the application regarding the potential for vibration impact during the construction of the proposed development. It is considered that this and other potential construction impacts including noise, dust and other emissions could be adequately controlled and/or mitigated through the submission, approval and implementation of a Construction Environment Management Plan as might be secured by planning condition.
- 11.45 The submitted lighting proposals respond to representations received from the AONB Partnership's Landscape Planning Officer and are considered to be broadly satisfactory. Further details of the of the design, installation and management of the proposed lighting could be secured by planning condition. Other potential impacts including signal interference could also be addressed by planning condition.

Flood Risk, Drainage and Climate Change

- 11.46 Paragraph 148 of the NPPF makes clear that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and helping to shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.
- 11.47 Specifically in relation to flood risk, paragraph 155 of the NPPF provides that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future) and that where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.
- 11.48 Paragraph 165 of the NPPF states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate and that the systems used should:
- (a) take account of advice from the lead local flood authority;
 - (b) have appropriate proposed minimum operational standards;

- (c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
- (d) where possible, provide multifunctional benefits.

- 11.49 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. and that 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.
- 11.50 The application site is regarded as being at low risk of fluvial flooding (Flood Zone 1), but at some theoretical risk of surface water flooding during severe (1:100/1000 years) rainfall events. The areas surrounding the hospital campus are also within Flood Zone 1, but land under the Damers Road railway bridge is known to be affected by actual surface water flooding and there is some theoretical pluvial flood risk along Dagmar Road.
- 11.51 The proposed development has implications for surface water management within and beyond the hospital campus. Following objection to the Surface Water Drainage Strategy submitted with the application, a revised Drainage Strategy was submitted for consideration.
- 11.52 At the time of writing, Dorset Council's Flood Risk Management Team are maintaining an objection on the basis that insufficient information has been provided regarding surface water management from the development. However, it is understood that the issue of concern may be progressed in advance of the Committee, potentially enabling the objection to be removed. Accordingly, an update on this matter will be reported at Committee.
- 11.53 Paragraph 11.7.2 of the Adopted Local Plan notes that objectives of the Dorchester Transport and Environment Plan (DTEP) include supporting the economic prosperity of the town, reducing through traffic, and providing a higher quality environment (both in terms of the historic fabric of the town and for pedestrians, cyclists, the elderly and disabled).
- 11.54 Construction of both the proposed multi storey and temporary car parks would inevitably involve emissions associated with the production and delivery of materials as well as the conduct of on-site engineering and building operations. Once operational, the principle source of emissions would be hospital related traffic. Onsite electricity use would include internal and external lighting, lift operation and EV charging.
- 11.55 No calculation has been provided as to the likely carbon footprint of either the, construction, use or subsequent decommissioning of the proposed development, but comment has been made that:
- (i) as the new drainage system has been designed to incorporate current standards including the effect of climate change, the proposed development

would lead to an increase in the capacity of surface water storage at the hospital:

- (ii) the Government's online Planning Practice Guidance indicates that Transport Assessments and Travel Plans are important because, amongst other matters, they can positively contribute to reducing carbon emissions and climate impacts (PPG ID Ref: 42-006-20140306);
- (iii) the proposed development would deliver a significant increase in the number of electric vehicle charge points within Dorchester, supporting the transition away from combustion engine vehicles and moving towards a low carbon economy;
- (iv) the Trust operates a Sustainability Intranet Site which provides resources for staff including information on sustainable travel;
- (v) there are a range of travel measures that are currently in operation at the hospital;
- (vi) the headline target of the submitted Travel Plan is to achieve a 10% reduction in Single Occupancy Vehicle journeys over a period of 5 years;
- (vii) a Sustainability Officer works with the Trust's Estates Team to drive through sustainability improvements;
- (viii) the Trust's Sustainability Development Management Plan (SDMP) is updated annually by the Trust's Sustainability Officer and that part of the annual report for the SDMP assesses aspects of transport at the hospital which includes monitoring carbon emissions, mileage and transport needs and assessment;
- (ix) the hospital's Sustainability and Travel Working Group (SATWG) currently meet monthly to discuss items including utility usage, waste, carbon savings, green travel and parking and that the SATWG reviews the performance of the Trust's Sustainable Development Management Plan, which includes a review of progress against travel measures currently active at the DCH site; and
- (x) that it is proposed that the Travel Plan Steering Group forms part of the SATWG.

11.56 In addition to tree and shrub planting detailed within the proposed landscaping schemes, the applicants have further indicated a willingness to plant 170 new trees off-site on land owned by Dorchester Town Council, with species and location to be determined by Dorchester Town Council. The application indicates that this would result in an overall increase in tree cover within the town and constitutes an overall ratio of 2:1 in terms of replacement tree planting to those removed. The Parish Council is understood to be supportive of the proposed arrangement such that it is considered that provision for the submission, approval and implementation of such planting could be secured planning condition.

11.57 As noted earlier in this appraisal, the currently proposed development will not, generate significant additional single purpose trips by private transport. The total impact of the proposed development on climate change is likely to be fairly typical for development of its type but would be partially mitigated by the proposed and suggested tree planting and by the implementation of the proposed Travel Plan. The impact on climate change must also be balanced against the social and economic benefits of the proposed development, which are considerable.

Landscape, Townscape and Visual Impacts

- 11.58 The proposed multi storey car park has implications for the character and appearance of both the locality (near vicinity) of the application site and more distant locations within and beyond Dorchester.
- 11.59 The seven storey building would be constructed adjacent to the Children's Centre in the south-eastern corner of the hospital campus behind existing trees that are proposed to be retained along Williams Avenue and at the junction between Williams Avenue and Damers Road.
- 11.60 The car park would be a substantial structure measuring approximately 78 metres in length and approximately 32.5 metres in width. External wall heights would vary but are shown to range from approximately 18.5 to approximately 22 metres above local ground levels.
- 11.61 Being seven storeys tall, the building would be substantially taller than the vast majority of development in Dorchester and considerably higher than much of the development in the near vicinity of the hospital campus. However with an indicated parapet height of 96.52 metres AD, the parapet would be approximately 2.2 metres lower than the ridge line of the East Wing of the main hospital building and approximately 5.8 metres lower than that of the South Wing. Nevertheless, the parapet would be approximately 25 metres above pavement level at the junction between Williams Avenue and Damers Road and approximately 8 metres higher than the ridge of the Children's Centre roof. The proposed service cores would also project above the parapet and be only slightly lower than the ridge of the East Wing. The car park would also be positioned much closer to the campus boundary with both Damers Road and Williams Avenue than any part of the main hospital building and would be by far the tallest building occupying a location adjacent to any boundary of the hospital campus.
- 11.62 Occupying a relatively elevated position adjacent to the Dorchester Conservation Area and within the setting of a number of listed buildings and other heritage assets, the hospital campus in general and the site of the proposed multi storey car park more particularly constitutes a location of some landscape, townscape, visual and heritage sensitivity.
- 11.63 Representations received from Historic England, Dorset Council's Senior Landscape Architect, Dorset Council's Senior Conservation and Design Officer, the Dorset AONB Partnership's Landscape Planning Officer and others indicate concern over the landscape/townscape and visual impact of the proposed building and in particular indicate concern over its size, positioning and massing.
- 11.64 Dorset Council's Senior Conservation and Design Officer has noted that in pre-application discussions, the proposed multi storey car park was of major concern regarding scale, massing and visual impact on heritage assets.
- 11.65 Paragraph 124 of the NPPF is clear that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve and that good design is a key aspect of sustainable development. It is further stated that being clear about design expectations, and how these will be tested, is essential

for achieving this, as is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

11.66 Amongst other matters, paragraph 127 of the NPPF provides that planning decisions should ensure that developments:

- “a) will function well and add to the overall quality of the area, ...
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) ...”

11.67 Paragraph 130 of the NPPF makes clear that 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, taking into account any local design standards or style guides in plans or supplementary planning documents.

11.68 Paragraph 184 for the NPPF notes that heritage assets range from sites and building of local historic value to those of the highest significance and that these assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

11.69 In relation to conserving and enhancing the natural environment paragraph 172 of the NPPF provides that great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues.

11.70 In accordance with the NPPF, 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 and that development which would harm the character, special qualities or natural beauty of the Dorset AONB will not be permitted.

11.71 Policy ENV1 of the Adopted Local Plan further provides 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. It is further stated that development that significantly adversely affects the character or visual quality of the local landscape will not be permitted and that appropriate measures will be required to moderate the adverse effects of development on the landscape.

11.72 Policy ENV4 of the Adopted Local Plan addresses heritage assets noting that:

- (i) 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 and that development should conserve and where appropriate enhance the significance (criterion i);

- (ii) applications affecting the significance of a heritage asset or its setting will be required to provide sufficient information to demonstrate how the proposals would positively contribute to the asset's conservation;
- (iii) a thorough understanding of the significance of the asset and other appropriate evidence including conservation area character appraisals and management plans should be used to inform development proposals including potential conservation and enhancement measures;
- (iv) any harm to the significance of a designated or non-designated heritage asset must be justified and that applications will be weighed against the public benefits of the proposal; if it has been demonstrated that all reasonable efforts have been made to sustain the existing use, find new uses, or mitigate the extent of the harm to the significance of the asset, and; if the works proposed are the optimum required to secure the sustainable use of the asset.

11.73 Amongst other matters, Policy ENV10 of the Adopted Local Plan provides that:

- (i) 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; and
- (ii) development will provide for the future retention and protection of trees and other features that contribute to an area's distinctive character. Such features may not always be designated or otherwise formally recognised.
- (iii) 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; and
- (v) opportunities to incorporate features that would enhance local character, including public art, or that relate to the historical, ecological or geological interest of a site, should be taken where appropriate.

11.74 Policy ENV12 of the Adopted Local Plan provides that development will only be permitted where the siting, alignment, design, scale, mass, and materials used complements and respects the character of the surrounding area or would actively improve legibility or reinforce the sense of place. Amongst other matters, this means that the general design should be in harmony with the adjoining buildings and the area as a whole and that the position of the building on its site should relate positively to adjoining buildings, routes, open areas, rivers, streams and other features that contribute to the character of the area.

11.75 The Planning Statement submitted in support of the application indicates that:

“The design of the car park has considered the size of the building, including its height and visual appearance. The concept has always acknowledged that it will change the amount of built form within the hospital, however, such change should be considered in light of the current character and setting of the hospital and immediate surroundings.

The design approach has looked at what can be done to incorporate elements to break up the building mass, including green walling and the use of artwork to make a feature of the elevations. The height of the car park has always been designed to be lower than the main hospital buildings, so that when it is

viewed from near and far it is seen within this context. To further assist, the roofline of the building will be staggered to break it up.”

(Planning Statement, page 11)

- 11.76 The application is further supported by a *Design and Access Statement*, a *Landscape, Townscape and Visual Impact Appraisal*, and *Heritage Assessment* and a number of visual representations and other material illustrating whether and how the proposed car park might be viewed from a number of representative viewpoints. The presented illustrative material has attracted some criticism particularly on account of illustrating the summer context only, with little or no comparable indicators of the change in visibility under winter foliage conditions.
- 11.77 Nevertheless, it is clear from the presented plans, drawings and other visual information submitted in support of the application that parts of the proposed building would be apparent in views from a wide range of locations within and beyond Dorchester, though there is notable disagreement over the assessed implications of that visibility.
- 11.78 Both townscape and visual impacts would be greatest at close proximity to the proposed car park, particularly:
- (i) along the lower sections of Damers Road, from Alexandra Road, from Dorchester West Railway Station, from Williams Avenue and from the junction Bridport Road at and near its junction with Williams Avenue; and
 - (ii) from within the hospital campus itself most notably from Damers Hospital and from within and around the Children’s Centre car park.
- 11.79 The retained and proposed trees and landscaping to the south and east of the car park would help to screen and/or filter views of the building from some locations and also assist in breaking up the appearance of the car park from the east and south. Nevertheless, there would be relatively open views of the building from the station platforms, the junction between Williams Avenue and Damers Road, the lower section of Alexandra Road and from Damers Hospital.
- 11.80 Magnitude of impact on both landscape/townscape character and visual amenity would tend to decrease with distance, but the car park would be apparent in a range of views from:
- (i) within and the Conservation Area (including locations within the residential streets to the east of the railway, Borough Gardens, the Grade II listed Dorchester Military Museum and the scheduled monument comprising the henge, Romano-British amphitheatre and civil known collectively as Maumbury Rings which is located approximately 370 metres from the application site and which is also an important public open space;
 - (ii) from more distant designated heritage assets within and beyond Dorchester including Poundbury Camp and Maiden Castle;
 - (iii) various locations within the Dorset AONB including Maiden Castle, Bincombe Down and Came Down; and
 - (iv) other publicly accessible locations around the town including Came Down and bridleways and footpaths to the west of the B3143 Slyer’s Lane between Cokers Frome and Waterston.

- 11.81 In various views, the car would be apparent on the skyline along with historic landmark buildings.
- 11.82 The Landscape, Townscape and Visual Impact Appraisal submitted in support of the application concludes that:
- “... the Proposed Development would reflect the character of the existing Dorset County Hospital campus and would incorporate some positive design principles to reduce the prominence of the built form when perceived from the surrounding area. The new built form would contrast with the character of the surrounding townscape and would be a noticeable element in some short range views. This would have a similar effect as the existing county hospital buildings which are often prominent utilitarian features. The elevational treatment of the MSCP would incorporate greater visual interest than these structures and would be designed in collaboration with the Trust and the local community to select artwork with local relevance and interest. It is not considered that the new building would detract from the experience of the landscape setting that surrounds Dorchester, nor would it appear dominant when experienced from surrounding residential areas and central areas of the Dorchester Conservation Area.”
- 11.83 However, Dorset Council’s Senior Landscape Architect considers that the proposed development will have a significant adverse impact on the character and appearance of the Dorchester Conservation Area and on important views from within the town and further considers that the cumulative impact of the proposals in combination with the existing hospital buildings increases the significance of the adverse effects.
- 11.84 Whilst the Dorset AONB’s Partnership Landscape Planning Officer concurs with the presented appraisal’s findings in relation to the magnitude of change and type of effect to the character and type of the Dorchester Downs area of AONB as a result of the proposed development (Very Low Adverse), visual impact from Maiden Castle are considered to be Low Adverse rather than Very Low Adverse, but in either assessment still adverse (albeit these impacts being material rather than significant).
- 11.85 Whilst not disagreeing with conclusions regarding the likely visibility of the proposed development presented in the *Landscape, Townscape and Visual Impact Appraisal*, Historic England’s Inspector of Historic Buildings and Areas has similarly diverged in her assessment of impact and effect commenting that:
- “... in relation to assets such as Maiden Castle and the conservation area, whilst not disputing the car park’s visibility will be restricted to a limited element of the view or a localised part of the conservation area, we would consider the degree of change to be somewhat higher than the report. The height, bulk and unrelieved massing of the car park are of a noticeably different form to other large buildings in the hospital site, and this is what could cause some harm to the setting of the conservation area and Maiden Castle, judging by the views that have been presented.”
- 11.86 Having considered the various assessments and opinions expressed, I am inclined to concur with the findings and conclusions of the consultees more so than those of

the applicant's consultants. I further concur with the Council's Senior Landscape Architect that the proposed multi storey car park would not:

- (i) add to the overall quality of the area;
- (ii) be visually attractive or sympathetic to local character and history, including the surrounding built environment and landscape setting;
- (iii) take the opportunities available for improving the character and quality of an area;
- (iv) sustain and enhance the significance of heritage assets;
- (v) make a positive contribution to local character and distinctiveness; or
- (vi) relate positively to adjoining buildings and other features that contribute to the character of the area,

and that the application proposal therefore does not comply with the requirements of paragraphs 127, 130 and 192 of the NPPF or policies ENV10 and ENV12 of the Adopted Local Plan. The application is also contrary to policy ENV1 and ENV4 of the Adopted Local Plan.

Heritage Assets, Significance and Alternatives

- 11.87 Whilst the proposed development would not directly (i.e. physically) impact any designated heritage asset, Historic England, Dorset Council's Senior Conservation and Design Officer and Dorset Council's Senior Landscape Architect have each indicated concern regarding the potential of the proposed multi storey car park to adversely impact on the setting of designated heritage assets. When considering the impact of a proposed development on the significance of a designated heritage asset, national planning policy distinguishes between 'substantial' and 'less than substantial harm' with consequent policy implications depending on the judgement made. Development may also preserve (i.e. maintain) or enhance and/or better reveal heritage significance.
- 11.88 The Heritage Assessment submitted in support of the application comments that:
- “... the development would introduce a new built element of increased scale and mass into the surroundings of Grade II Listed Damers Hospital and Dorchester Conservation Area, which would change the setting of these assets to some degree. However, the key contributors to the significance and character and appearance of these assets would be preserved, and this change, seen in the context of existing use of the Site and its surrounds, would be very limited.”
- 11.89 The assessment further concludes that the proposed development would result in no harm to the significance of the surrounding designated heritage assets.
- 11.90 Consultation responses from both Historic England and Dorset Council's Senior Conservation and Design Officer highlight the likelihood of harm to the significance of designated heritage assets and neither therefore endorse the overall conclusion of the submitted heritage assessment.
- 11.91 By definition harm to the surroundings in which a heritage asset is experienced (i.e. its setting) will detract from the heritage significance of the asset.

- 11.92 The glossary of the NPPF provides that significance for heritage policy is the value of a heritage asset to this and future generations because of its heritage interest; that such interest may be archaeological, architectural, artistic or historic; and that significance derives not only from a heritage asset's physical presence, but also from its setting.
- 11.93 Setting involves more than purely visual considerations, but views from and towards a heritage asset are relevant factors in how an asset is experienced. Historic relationships between places and cultural heritage associations can be important non-visual attributes of setting. Not all change in the setting of a heritage asset will be harmful (detrimental) to heritage significance, some change may be neutral in effect, thereby preserving heritage significance, and some change beneficial, in consequence enhancing heritage significance.
- 11.94 As set out above, the multi storey car park would be a substantial building that would have a significant impact on the character and appearance of the locality and also impact on the character and appearance of more distant locations. The landscape, townscape and visual impacts of the proposed development also have the potential to effect the significance of a range of heritage assets.
- 11.95 In this instance, the landscape, townscape and visual impacts of the proposed development would generally become less pronounced with distance and as views of the proposed multi storey car park become more restricted by intermitting development and/or vegetation. However, on account of its size, positioning and massing, even when viewed from distance, it is considered that the visibility of proposed multi storey car park would materially detract from the setting of a number of Dorchester's heritage assets with consequent harm to their heritage significance.
- 11.96 The multi storey car park would be located just outside of the Dorchester Conservation Area and in close proximity to a number of other designated heritage assets including the Grade II listed Damers Hospital, Dorchester West Railway Station and the Dorchester Military Museum. The significance of these assets lies primarily in their architectural and historic interest. In my opinion, introduction of the multi storey car park would result in obvious and marked change in the setting of these assets, leading to less than substantial harm to their heritage significance. Through similarly pronounced detrimental change in the setting of the former Cornwall Hotel (now known as the Georgie Porgie) the proposed development would also cause less than substantial harm to the heritage significance of this undesignated key building in the the Dorchester Conservation Area.
- 11.97 Less pronounced but material detriment to the setting of more distant designated heritage assets including the Grade II Registered Park and Garden at Borough Garden and scheduled monuments at Maumbury Rings, Poundbury Camp and Maiden Castle would also cause less than substantial harm to the heritage significance of these assets.
- 11.98 In my opinion, all resulting harm, both individually and cumulatively, would be less than substantial and generally reside towards the lower end of the very wide spectrum of harm that constitutes less than substantial harm. However, paragraph 193 of the NPPF is clear that when considering the impact of a proposed development on the significance of a heritage asset, great weight should be given to

the asset's conservation and that the more important the asset the greater the weight should be. In this instance, undesignated assets are of local importance, whilst the designated assets range from county to at least national importance.

11.99 Paragraph 194 of the NPPF is similarly clear that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. By implication, reasonable efforts should be made to avoid unnecessary harm through, for example, the consideration of potential alternative means of addressing the development requirement. The subject application does outline some alternatives considered in the design development process and provides some explanation of the design considerations underpinning the Trust's masterplan vision. However, a range of respondents have criticised the level of detail presented in the application with regards alternatives and very little further detail has been provided to address these criticisms.

11.100 Paragraph 196 of the NPPF makes clear that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal and paragraph 197 of the NPPF is equally clear that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application and that in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

11.101 Public benefit would accrue from the proposed development in that:

- (i) use of the proposed development would directly benefit hospital staff, patients and visitors;
- (ii) the direct economic impact of what would be a substantial building and engineering project would be to the benefit of the local economy;
- (iii) provision of the multi storey car park would make more efficient use of previously developed land and thereby help to reduce development pressure elsewhere;
- (iv) provision of the proposed multi storey car park would help to free up space elsewhere in the hospital campus that is currently given over to surface level parking for other potential healthcare and/or health service related development; and
- (v) there would be net gains for biodiversity.

11.102 However, in this instance, the subject application has been criticised for the omission of a detailed options appraisal that clearly demonstrates that the proposed scheme is either the one of least overall environmental impact or the one of least impact on the setting of heritage assets. Although presented in the context of the Trust's masterplan, little by way of options analysis has been submitted, with alternatives considered rejected or disregarded seemingly without detailed testing or analysis.

11.103 Having regard to the size of the hospital campus and the positioning, nature and extent of the existing development both within and beyond the campus, such omission is a significant failing in that it has not been clearly and convincingly established that:

- (i) the harm to heritage significance has been justified;
- (ii) that the public benefits associated with the proposed development could not be realised in some other less harmful way; nor
- (iii) that the potential benefits of the proposed development would clearly and convincingly outweigh the overall harm to heritage significance.

11.104 Both the development plan and the NPPF indicate that development should reinforce the distinctiveness of heritage assets and take opportunity for improvement rather than contribute further incremental cumulative erosion of the designated assets and their setting.

11.105 It is acknowledged that the hospital buildings are a greater scale than those of the Victorian and Edwardian suburbs within the Conservation Area and of a design that does not contribute positively to the neighbouring heritage asset's character. However, the main buildings are set further back within the site, in part isolated physically from the Conservation Area, and not prominently located at a gateway to the Conservation Area. The proposed building form and the proposed material palette take no reference from the immediate heritage environs and the harm to heritage assets arising from the introduction of the building would be appreciable.

11.106 The proposed development is therefore contrary to policy ENV4 of the adopted West Dorset, Weymouth and Portland Local Plan 2015 and paragraph 194 of the National Planning Policy Framework.

Summary and Conclusion

11.107 Consideration has been given to the most relevant provisions of the development plan and account taken of other material considerations including national planning policy, representations made about the application and potential public benefits associated with the proposed development.

11.108 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.

11.109 The purpose of the planning system is to contribute to the achievement of sustainable development. National planning policy is clear that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve and that good design is a key aspect of sustainable development (NPPF, paragraph 124). Paragraph 130 of the NPPF makes clear that 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, taking into account any local design standards or style guides in plans or supplementary planning documents.

11.110 Paragraph 184 for the NPPF notes that heritage assets range from sites and building of local historic value to those of the highest significance and that these assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

- 11.111 Whilst there is no in principle land use objection to the proposed development and its delivery would:
- (i) be of direct benefit to hospital staff, patients and visitors;
 - (ii) be to the benefit of the local economy;
 - (iii) make more efficient use of previously developed land and thereby help to reduce pressure for development elsewhere;
 - (iv) free up space elsewhere in the hospital campus that is currently given over to surface level parking for other potential healthcare and/or health service related development; and
 - (v) result in net gains for biodiversity,
- on account of its size, positioning and massing the proposed multi storey car park would appear as in incongruous addition to the hospital campus out of character with neighbouring and surrounding development, detracting from the character and appearance of both the locality and Dorchester's wider landscape setting.
- 11.112 It is further considered that the proposed development would not:
- (i) add to the overall quality of the area;
 - (ii) be visually attractive or sympathetic to local character and history, including the surrounding built environment and landscape setting;
 - (iii) take the opportunities available for improving the character and quality of an area;
 - (iv) sustain and enhance the significance of heritage assets;
 - (v) make a positive contribution to local character and distinctiveness; or
 - (vi) relate positively to adjoining buildings and other features that contribute to the character of the area.
- 11.113 In consequence, the application proposal is contrary to policies ENV1, ENV4, ENV10 and ENV12 of the adopted West Dorset, Weymouth and Portland Local Plan 2015 and further contrary to paragraph 127 of the National Planning Policy Framework.
- 11.114 Through detrimental change in their setting, the proposed development would also cause less than substantial harm to the heritage significance of designated heritage assets in the near vicinity of the application site including the Dorchester Conservation Area and the Grade II listed Damers Hospital, Dorchester West Railway Station and the Dorchester Military Museum.
- 11.115 Through similarly obvious and marked detrimental change in the setting of the former Cornwall Hotel (now known as the Georgie Porgie) the proposed development would also cause less than substantial harm to the heritage significance of this undesignated key building in the the Dorchester Conservation Area.
- 11.116 Less pronounced but material detriment to the setting of more distant designated heritage assets including the Grade II Registered Park and Garden at Borough Garden and scheduled monuments at Maumbury Rings, Poundbury Camp and Maiden Castle would also cause further less than substantial harm to their heritage significance.
- 11.117 Paragraph 193 of the NPPF is clear that when considering the impact of a proposed development on the significance of a heritage asset, great weight should

be given to the asset's conservation and that the more important the asset the greater the weight should be. Paragraph 194 of the NPPF is similarly clear that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

11.118 In the absence of a detailed options appraisal and having regard to the size of the hospital campus and the positioning, nature and extent of the existing development both within and beyond the campus, it is considered that it has not been clearly and convincingly established that the consequent harm to heritage significance has been justified, that the public benefits associated with the proposed development could not be realised in some other less harmful way or that the potential benefits of the proposed development would clearly and convincingly outweigh the overall harm to heritage significance.

11.119 The proposed development is therefore contrary to policy ENV4 of the adopted West Dorset, Weymouth and Portland Local Plan 2015 and paragraph 194 of the National Planning Policy Framework.

11.120 Planning permission should therefore be refused for the reasons set out in section 3 of the report. This conclusion is reached having due regard to the statutory duties outlined in section 6 of this report.

Huw Williams MRTPI
Lead Project Officer (Corporate Projects)
Economic Growth and Infrastructure
Dorset Council
04 September 2020

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Planning Committee Report

1.0 Application Number – [2/2020/0379/FUL](#)

Site address - West of Shaftesbury Road at Land South of Gillingham, Shaftesbury Road, Gillingham, Dorset.

Proposal - Construction of a principal street, associated access, landscaping and infrastructure works.

Applicant name – Dorset Council

Case Officer – Simon McFarlane

Ward Members - Val Potheary, Belinda Rideout, David Walsh

2.0 Summary of Recommendation:

Recommendation: **GRANT**, subject to the conditions (and their reasons) listed at the end of the report and subject to no adverse comment from the Environment Agency.

3.0 Reason for the recommendation:

- The site is allocated in the North Dorset Local Plan (Policy 21)
- The construction of the Principal Street has funding secured through Homes England (HIF). This funding is time limited with project milestones to meet and a longstop of March 2022 for the infrastructure to be completed.
- The provision of this infrastructure could potentially speed up housing delivery on the Gillingham strategic site allocation.
- Para 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. None have been identified
- Applications within the strategic site allocation area have been approved or have resolution to approve subject to s.106/conditions. Reserved matters has been approved for 2/2014/0968/OUT for 90 dwellings and outline applications 2/2018/0036/OUT and 2/2018/0077/OUT for up to 1,595 dwellings rely upon this infrastructure and have been recommended for approval, subject to conditions/s.106.
- The development of the Gillingham strategic site allocation would secure significant economic and social benefits.
- 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 principle of development was agreed through the strategic local plan allocation (Policy 21), and the outline application ref - 2/2018/0036/OUT which sought permission for the principal street access points off the B3081 & the B3092.
Impact on character and appearance	The detailed design is acceptable and accords with the illustrative layout in the masterplan framework and the outline application 2/2018/0036/OUT. Primary and secondary mitigation measures will reduce the potential landscape impacts of the wider scheme. After 15 years the visual effects could be reduced to moderate/slight.
Flooding/Drainage	The Principal Street has been designed taking into account flood risk and surface water drainage. There is a requirement to provide compensatory storage outside of the redline boundary. There is also an outstanding EA objection on a technical matter rather than in principle.
Impact on Heritage	Extensive archaeological investigations have taken place to the satisfaction of the council's senior archaeologist and Historic England in relation to 2/2018/0036/OUT. Further work is to be secured by condition in relation to the construction of the principal street.
Ecology	Full surveys have been undertaken and impact upon protected species can be mitigated to avoid significant effects.
Economic benefits	Significant benefits would come from the provision of jobs during construction of the Principal Street and the wider development when delivered.

	There would eventually be a roof tax repayment from the wider development of £6.31 million.
EIA	An assessment has been undertaken in respect to the scoped areas of potential environmental concern. The opinion provided is that an EIA is not required in this instance.

5.0 Description of Site

The site comprises an area of approximately 30 hectares, which is wholly within the Strategic Site Allocation – Gillingham Southern Extension (Policy 21).

Gillingham is located to the north of the former North Dorset District Boundary, approximately 35km to the west of Salisbury. It is recognised as one of the main towns in North Dorset which serves a wide catchment of surrounding villages and settlements.

The application site is located to the south east of Gillingham town, to the immediate south of Ham. It comprises the land identified as Ham Farm and Newhouse Farm which is currently characterised by open fields, divided by a series of mature trees and hedgerows. The land is identified as 'Land to the South of Ham' in Policy 21 of the Local Plan Part 1 (2016). To the eastern boundary is the B3081 Shaftesbury Road and to the west is the B3092 New Road. To the south is Cole Street Lane, with open fields beyond.

The River Lodden runs along the north-western boundary of the site, and to the immediate north is the existing settlement of Ham, including the St Mary the Virgin Primary School.

To the east and west of the Site, beyond New Road and Shaftesbury Road are other sites which form part of the Gillingham Southern Extension SSA.

The majority of the site is open land which is used for agricultural purposes. There are no existing buildings within the application site boundary.

6.0 Description of Development

The development proposed is for the construction of a principal street, associated access, landscaping and infrastructure works. The provision of the principal street has been informed by the principles set out in the South Gillingham Master Plan Framework document, which in turn was informed by site specific Policy 21 of the North Dorset Local Plan (NDLP) 2016. On final completion the principle street would be adopted as a highway maintainable at public expense.

The principal street is 1.3km in length and will create a new junction with the B3092 New Road and run generally west to east to eventually connect to the B3081 Shaftesbury Road. The red line boundary stops short of the B3081, primarily because the land is under a different ownership and rights of access have not yet formally been granted. This is a matter to be agreed between the promotor of the site, the land owner and the Council. When the reserved matters applications are approved in respect of 2/2018/0036/OUT and development commences, initial phases will include this part of the junction and the final connection to the Principal Street.

There will also need to be a further planning application submitted to seek permission for a temporary access road/junction to be constructed over this land to provide one way construction access during the construction of the principal street. Upon completion of the project, the temporary access would be stopped up, until initial phases were ready to commence.

The road is designed to enable a bus service through the development and provide the requisite bus stops at convenient locations. The street is designed as a tree lined street flanked by footpath and cycle routes and will create a legible and permeable road network as the housing development progresses, providing routes for all road users whilst promoting movement by foot, bicycle and public transport.

7.0 Relevant Planning History

Gillingham Strategic Site Allocation

2/2018/0483/REM - Erect 90 No. dwellings with garages, bin / cycle store, building to house electricity sub-station and associated infrastructure, including play areas and public open space. (Reserved Matters application to determine appearance, landscaping, layout and scale, following the grant of Outline Planning Permission No. 2/2014/0968/OUT). Land to the East of Lodden Lakes New Road Gillingham Dorset. Approved February 2019.

2/2018/0036/OUT - Develop land by construction of an urban extension to the south of Gillingham between Shaftesbury Road (B3081) and New Road (B3092). The urban extension would comprise up to 961 dwellings. Up to 2,642 sq. m. in a new local centre providing retail, community, health and leisure uses, new and enhanced pedestrian/cycle routes, open spaces, roads, car parking and vehicular access. To include all ancillary works and associated infrastructure (Outline application to determine access only). West of Shaftesbury Road at Land South of Gillingham, Shaftesbury Road, Gillingham, Dorset.

2/2018/0077/OUT Develop land by the erection of up to 634 dwellings (use class C3), a primary school (use class D1), sports pitches with floodlighting, public open space, play facilities, access and internal estate roads, internal footpaths and cycleways, sustainable drainage system with ponds, landscaping, utility

connections and associated/infrastructure. (Outline application to determine access only). Land at Park Farm Kingsmead Business Park, Gillingham, Dorset

These outline applications were recommended for approval by officers and was subsequently delegated by members at the February 2019 North Dorset District Council Planning Committee and subsequently at the May 2020 Northern Area Committee, subject to no adverse comments from environmental health, conditions and completion of a Section 106 agreement.

In all applications above there is provision in the s.106 legal agreements to repay the Principle Street infrastructure costs through the provision of a roof tax. This will eventually repay the £6.31 million HIF funding.

8.0 List of Constraints

Agricultural Land Grade - Grade: GRADE 4

Agricultural Land Grade - Grade: GRADE 3

Flood Zone 2 - Floodzone Type: Flood Zone 2

Flood Zone 3 - Floodzone Type: Flood Zone 3

HSE Hazardous Installations: Brickfields Business Park, New Road, Gillingham, Dorset

HSE Hazardous Installations: Brickfields Business Park, New Road, Gillingham, Dorset

Parish Name - : Gillingham CP

Parish Name - : East Stour CP

Public Rights of Way - Route Code: N64/35

Path Type: Footpath

Public Rights of Way - Route Code: N64/78

Path Type: Footpath

Public Rights of Way - Route Code: N62/1

Path Type: Footpath

Public Rights of Way - Route Code: N64/33

Path Type: Footpath

Public Rights of Way - Route Code: N64/34

Path Type: Footpath

Settlement Boundary - Name: Gillingham

TPO's - 12 individual trees including 9 Ash, 2 Oak & 2 Field Maple TPO 20/25/05
Land south and south east of Higher Ham roundabout, Gillingham.

Ward Name - Gillingham Rural Ward

Ward Name - Ward Name: Gillingham Town Ward
Ward Name - Ward Name: Motcombe & Bourton Ward
Ward Name - Ward Name: The Stours & Marnhull Ward

9.0

Consultations

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

Environment Agency

No objection in principle. However they currently maintain an objection on technical hydraulic modelling queries. Correspondence is ongoing between the councils flood risk engineers and the EA.

Gillingham Town Council

No objection, subject to pedestrian islands being provided in the locations where the three rights of way cross the principal street.

Archaeological Officer

No objection, subject to conditions.

Historic England

No objection.

Rights of Way Officer

No objection, subject to informatives.

Transport Development Management

No objection, subject to conditions.

Drainage (Flood Risk Management) – Dorset Council

No objection, subject to conditions and informatives

Environmental Health

No objection, subject to conditions.

WPA Consultants Ltd

No objection, subject to conditions.

Wessex Water

No objection.

Natural England

No objection, subject to conditions.

Tree Officer

No objection, subject to conditions.

Natural Environment Team

No objection, subject to conditions.

Planning Policy

There was no response from this consultee at the time of report preparation.

Urban Design

There was no response from this consultee at the time of report preparation.

Conservation Officer

There was no response from this consultee at the time of report preparation.

Ancient Monuments Society

There was no response from this consultee at the time of report preparation.

10.0 Representations

2 letters of representation were received prior to the Committee, of which 1 was supportive and 1 objecting;

The support letter can be briefly summarised by the following brief quote;

'I very much welcome this application'

The main issues raised in the objection letter can be briefly summarised as follows;

1. The need to redirect Government funding to other national priorities in light of current pressures.
2. Homes England have set a deadline for spending the funding and this is the reason the Council are progressing the application.
3. The housing site viability is marginal and may not proceed.
4. The street could become a 'road to nowhere' and construction could be premature.

11.0 Relevant Policies

Local Plan: The North Dorset Local Plan Part 1 (LPP1) was adopted by North Dorset District Council (NDDC) on 15 January 2016. It, along with policies retained from the 2003 North Dorset District-Wide Local Plan, 1 and the 'made' Gillingham Neighbourhood Plan, form the development plan for the North Dorset Area within Dorset Council. Planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

Relevant applicable policies in the adopted North Dorset Local Plan Part 1, January 2016 are as follows:

Policy 1: Presumption in Favour of Sustainable Development

Policy 2: Core Spatial Strategy
Policy 3: Climate Change
Policy 4: The Natural Environment
Policy 5: The Historic Environment
Policy 6: Housing Distribution
Policy 13: Grey Infrastructure
Policy 17: Gillingham
Policy 21: Gillingham Strategic Site Allocation
Policy 24: Design
Policy 25: Amenity

Relevant saved policies from the **North Dorset District Wide Local Plan (1st Revision)** Adopted 2002, are as follows:

Policy 1.20 - Contaminated Land

Gillingham Neighbourhood Plan

The Gillingham Neighbourhood Plan was 'made' on 27 July, 2018 and forms part of the Development Plan for North Dorset. Relevant policies applicable to this applications are:

Policy 12. Pedestrian and cycle links
Policy 13. Road designs in new development
Policy 25. Hard and soft landscaping

Current housing land supply

Officers note that where a 5-year supply of housing land cannot be demonstrated paragraph 11d i) and ii) of the Framework outlines the implications for how development proposals should be determined. It states that where the (local) development plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless the adverse impact of doing so would significantly and demonstrably outweigh the benefits.

North Dorset District Council published its latest Annual Monitoring Report (AMR) last year:

<https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/north-dorset/additional-planning-policy-documents/annual-monitoring-report-development-stats/pdfs/annual-monitoring-report-2019-final.pdf>

It confirms that there is still a lack of an identifiable 5 year housing land supply. One reason that the 5 year supply has fallen (despite an increase in approvals) is that there is an amended definition of 'deliverable' in the latest NPPF, which means that the Council can no longer automatically include major development with

outline permission in its 5 year supply. The definition states that Councils can only include such sites “where there is clear evidence that housing completions will begin on site within five years.”

National Planning Policy Framework (NPPF):

The NPPF has been updated with a revised version published February 2019. The following sections and paragraphs are relevant to this outline application:

1. Introduction
2. Achieving sustainable development
4. Decision-making
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
16. Conserving and enhancing the historic environment

The presumption in favour of sustainable development

Para 11 – Plans and decisions should apply a presumption in favour of sustainable development. ...

For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay...

12.0 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.

13.0 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.

14.0 Financial benefits

Benefit	Quantum
Construction Jobs	Lasting approximately 1 year
Facilitation of the delivery of development across the Gillingham Strategic Site Allocation.	Approximately 1,800 dwellings eventually resulting in the repayment of the HIF funding £6.31 million, a local centre, sports pitches, primary school, off site highway improvements, s.106 contributions, and new homes bonus payments.

15.0 Planning Assessment

Principle of development

The principle of development for the ‘principal street’ has been established through the strategic local plan allocation (Policy 21), and the outline application ref - 2/2018/0036/OUT which sought outline permission for the access points off the B3081 & the B3092.

The detailed design accords with the illustrative layout in the draft masterplan framework and the outline application 2/2018/0036/OUT.

Access/Transport

The principal street will run from the B3081 (Shaftesbury Road) westwards to join the B3092 (New Road). The application proposes that a new junction be provided at the western end of the new road, with priority given to the principal street running northwards into New Road. The junction with the B3081 (Shaftesbury Road) will take the form of traffic signals to the south of the existing Park Farm roundabout and will be the subject of a separate planning application at a later date (as set out in section 6).

Junctions and accesses have been shown along the length of the principal street at the locations determined by the Masterplan Framework. On both sides of the carriageway 3m wide shared use footways/cycleways will be provided. A new bus route along the principal street has been provided so that as much of the site as possible is within a 5-minute walk (400m radius) of a proposed or existing bus stop to maximise accessibility to public transport for all and encourage the use of public transport. Bus stops will be on carriageway to enable buses to stop within a traffic stream and move off without difficulty and marked with bus stop cages to the specification set out in the Traffic Signs Regulations and General Directions 2016. Raised bus stop platforms will be provided so that people, particularly those with impaired mobility, can get on and alight the bus without difficulty.

A number of footpaths run through the Site. Footpath N64/35 runs from the western side of St Mary the Virgin Primary School to Cole Street Lane adjacent to New Road. Footpath N64/33 runs from the east of St Mary the Virgin Primary School to Cole Street Lane at Cole Street Farm. Footpath N64/78 is a spur that runs from footpath N64/33 to further east along Cole Street Lane. Footpath N64/34 is a spur that connects footpath N64/33 to The Meadows and Addison Close. These paths will not be diverted as part of this application but for safety reasons a temporary closure order will be applied for to restrict their use during construction of the road.

On completion of the road, a stockproof fence will be erected on the highway boundary in order that normal farming practices can continue until the development is built out and the fence removed. During this time, self-closing pedestrian gates (to BS5709:2018) will be provided in the highway fencing at suitable road crossing locations and use of the footpaths reinstated.

The Parish Council have made representations regarding the need to provide pedestrian islands to make crossing safer for pedestrians. A response was provided to the Parish from the Highways department which stated that given the concentration of people wishing to cross along the street, the width of the road (mainly 6.7m), the 30mph speed limit and anticipated traffic flows, there would only be a need to provide uncontrolled dropped kerb crossing points. Where the road width increases to 10m refuges have been provided.

The application has been supported by the submission of a Transport Statement, the contents of which the Highway Authority can confirm as being robust and appropriate. The Highway Authority has no objection, subject to conditions.

Impact on character and appearance

The site is mainly agricultural land bounded to the north by the settlement edge of Gillingham. There are no formal landscape designations within the site. There will be an impact upon the character and appearance of the site and the general landscape with the introduction of major infrastructure through what is currently an undeveloped area of mainly agricultural land.

A Landscape and Visual Impact Assessment Environment was submitted in support of the planning application ref - 2/2018/0036/OUT. This set out the potential landscape and visual effects arising from the proposed urban extension. The purpose of this assessment was to identify, describe and assess the potential effects of the proposed development on the landscape and visual amenity of the site and its surroundings, during construction, night time and after 15 years.

It was noted that the following activities will cause temporary changes to landscape and visual receptors during all phases of the construction period:

- Infrastructure provision – building the principal street/ access road junctions / connection to services / trenching operations;
- The erection of temporary protective and security fencing as well as hoarding to reduce noise impact;
- Site compounds and contractors' car parking;
- Site excavation and the movement of soils for the construction of the new vehicular accesses;
- Site level changes, mainly involving foundations and creation of new road infrastructure;
- Introduction of cranes, rigs and large machinery and their associated movement and noise, both to and from the Site and around the Site;
- Temporary lighting and signage associated with construction works;
- Changes to the surrounding roads due to the movement of additional heavy machinery during construction; and
- Construction related noise affecting local levels

These temporary changes are likely to cause a temporary adverse impact, particularly for receptors at the Southern edge of Gillingham.

The following activities will cause permanent changes to landscape and visual receptors:

- Alteration to access roads, junctions and highways improvements at Shaftesbury Road and New Road;
- Replacement hedgerows and removal of trees;
- New tree planting;
- Relocation of the development / urban edge of Gillingham, including new street lighting;
- Earthworks including floodwater attenuation basins and compensatory storage areas;
- Changes in visual appearance of the site; and
- Changes to the character of the site.

Upon the completion of the Principal Street, the impact will also be adverse. However with primary and secondary mitigation measures this will reduce the potential landscape impacts of the principal street and the wider scheme and when

combined, after 15 years the visual effects could be reduced to moderate/slight. These mitigation measures will include the following;

Primary mitigation;

- Landscaping/tree planting. The principal street has been designed as a tree lined avenue, with grass verges, shrub planting and wild flower margins. A total of 51 street trees and 5165 plants are included within the landscape strategy for the principal street alone.

Secondary mitigation (mainly concerned with the mixed use development of the site post construction of the Principal Street);

- Architectural design/building heights
- Boundary treatments, street furniture, hard landscape
- Materials
- Soft landscaping, and
- Design and location of lighting

The proposed landscape strategy submitted in support of this application forms an effective element of the primary mitigation and proposes the retention of important trees and the provision significant tree planting/soft landscaping. The Tree Officer has raised no objections, subject to conditions.

The character of the street will change as it moves from east to west reflecting a transition from the more urban character of the local centre to the wetland park and lower density rural housing in the east.

Overall the impact upon the character and appearance of the area over the long term is considered to be acceptable.

Flooding/Drainage

The Principal Street has been designed taking into account flood risk and surface water drainage. A Flood risk assessment, flood model and drainage strategy have been submitted in support of the application.

Flood Risk

The Environment Agency Flood Zones, which are based on detailed modelling and historical flood extents, show that two areas of the site are located within Flood Zone 2 and Flood Zone 3, though with the majority of the site is located within Flood Zone 1.

The proposed development of the principal street is considered 'essential infrastructure' under the NPPF and is deemed to be acceptable in Flood Zones 1 and 2, and 3a or 3b providing the exception test is passed. Flood Zones in relation to the River Lodden are defined using a combination of detailed modelling carried out in 2006 and historic flood extents. As a result, the existing Gillingham Areas

Benefitting from Defences (ABD) model was updated by JBA Consulting in 2018 to assess the fluvial flood risk to the site.

Baseline flood modelling has demonstrated that;

- The majority of the proposed highway route is not at fluvial flood risk.
- The western end of the proposed highway, where the road connects to the B3092, is at risk of flooding during the 1% Annual Exceedance Probability (AEP) fluvial flood event.
- Where the proposed highway crosses 'the meadow' watercourses, model results show that the road location is at risk of flooding during the 1% AEP fluvial flood event.
- The maximum modelled flood depths predicted at the B3092 – Principal Street junction are 0.54m in the 0.1% AEP event. The flood depths increase further as you move north towards Gillingham and reach approximately 0.88m on the bridge.

To limit the flood risk to the proposed highway, the road levels will be raised compared to existing ground elevations and to limit the impact to third party land, culverts are proposed to maintain flow along 'the meadow' watercourse. The highway route with proposed ground raising and the in-line culverts were added to the model. Post-development flood modelling results show that:

- The principal street is not at fluvial flood risk in any of the simulated design events, other than the western end at the B3092 junction. Therefore, the proposal will be able to provide safe access and egress from the wider Southern Gillingham Extension, once it has been constructed.
- At the location where the proposed road will span the 'Meadow' watercourse, there is no notable increase in water levels downstream of the development.
- There is however a small increase in water levels immediately upstream of the development, but this is limited to less than a 10cm increase and does not impact any existing properties. Across the majority of the surrounding third-party land there is no change in flood extent from the baseline scenario. In a small number of locations flood extents are shown to increase by one modelled cell, through this has no bearing to any existing property.
- Blockage analysis was undertaken to better understand the residual risk to the Principal Street development. With the application of 50% blockage to the proposed Meadow culverts, flooding does occur on the road from the Meadow watercourse but this only occurs in the largest 0.1% and 1% +85% climate change AEP events. Flood depths do not exceed 300mm in either of these events and the flood hazard doesn't extend beyond the moderate classification.

Based on the Environment Agency's Risk of flooding from surface water mapping, surface water flood risk is deemed to be 'very low' along the majority of the road. The areas at most significant risk are at the B3092 junction and where the road crosses the 'Meadow' watercourses. The two 'Meadow' watercourses will be culverted beneath the development to ensure the flow routes are maintained at these locations.

A new raised embankment will be formed for the Principal Street development. The two 'Meadow' watercourses will be culverted to ensure current flows are maintained and to prevent the development from having a detrimental impact on flood risk elsewhere. The western culvert is 1.2m high x 4.4m wide, while the eastern culvert is 1.0m high x 3.8m wide. As a result of some areas of the site being raised, it is recommended that flood compensatory storage areas will be excavated to ensure there is no loss of flood storage and no increases in flood risk elsewhere as a result of the development. The floodplain compensation calculations show that any loss in floodplain capacity due to the scheme can be compensated for on a level for level basis.

These compensatory flood storage areas are located outside of the current red line site boundary. There will be a Grampian condition imposed which will require agreement with the landowner to allow these excavations to take place and to be maintained in perpetuity before the work commences.

The Environment Agency do not have any in principle objections to the development. They do however currently maintain an objection based on detailed hydraulic modelling queries. Due to the funding milestones associated with the HIF funding, which set out that the application for the construction of the principal street would be achieved in September 2020, it was necessary to bring the application before the committee with a recommendation which allowed members the opportunity to approve the application, subject to no further adverse comments resulting from the ongoing detailed discussions with the EA.

Drainage

The drainage strategy submitted in support of the application has adopted a sustainable urban drainage approach, with the use of balancing ponds for water attenuation during storm events. The highway drainage system is divided into four discreet systems which discharge into the river lodden, watercourses or balancing ponds with controlled outlets. The run off rates have been modelled and are less than the current greenfield run off rate. A detailed drainage strategy will be required by condition and agreed prior to the commencement of works.

The construction of the principal street, associated flood risk mitigation and drainage infrastructure will ensure that there will be no increase in flood risk.

Impact on Heritage

There are no formal heritage designations within the site and there are no heritage assets within the immediate setting of the site. There are a number of sensitive, highly-graded designated heritage assets within the wider area. These include:

- The Scheduled Monument known as 'King's Court Palace moated site' (National Heritage List ref. 1017276); and
- The Scheduled Monument known as 'Gillingham Park boundary bank' (NHLE ref. 1002382).

The application would not result in a loss of significance to the Scheduled Monuments via a change in setting. This is due to a number of factors:

- The core of the medieval park (and the associated moated site) is to the east of the B3081 road;
- There is substantial screening between the application site and the Scheduled Monuments, including mature trees, hedgerows and existing buildings;
- The application would not impact on principal views to and from the Scheduled Monuments.

Therefore there will be no impact upon the significance of any formal heritage designations. This view is shared by Historic England.

The site does however have potential for archaeological remains which are considered to be non-designated heritage assets. The applicant in 2/2018/0036/OUT was required to carry out extensive archaeological trial trench surveying prior to the issue of outline planning permission. An archaeological evaluation was undertaken between July-September 2019. The investigations were undertaken in accordance with a Written Scheme of Investigation prepared by WYG (2017) and approved prior to commencement on site.

This involved the excavation over 183 trenches and across the site. All spoil removal was undertaken under the control and direction of the Site Archaeologist. Topsoil and overburden were removed by mechanical excavator, using a wide toothless bucket, and ceased at the level at which archaeological deposits or natural subsoil was exposed.

Each trench was recorded using the full range of the standard AC archaeology *pro forma* recording system. In addition to this an analytical earthwork survey was also undertaken during the evaluation in five areas of the site.

The full results of these investigations were recorded and provided in a report dated November 2019, 'Results of archaeological site evaluation', ref – ACW1142/1/0.

This work has satisfied the Council's senior archaeologist and a planning condition has been recommended that will secure the implementation of a programme of further archaeological work/recording which shall be adhered to during the construction of the principal street.

The significance of non-designated heritage assets (archaeological remains) have been taken into account in proposing this recommendation (NPPF Para 197). The scale of the harm/loss has been taken into account and regard has been given to the desirability of preserving these features of interest. Officers are satisfied that the proposed mitigation 'preservation by record' involving excavation, recording, production of a site archive and publication of the excavation results, secured by planning condition would provide sufficient mitigation. The benefits of the proposed development (set out under 'Planning Balance') would also weigh heavily in a balanced judgement in this regard.

Ecology

Full Phase 1 and 2 ecological surveys have been undertaken across the site. The main habitat interests identified within the proposal area were priority hedgerows, ponds, mature trees, scrub, ditches, grasslands and pastures.

Protected species identified were bats, great crested newts, water vole and badgers with potential for nesting birds using hedgerows, trees and scrub, and common protected reptiles.

Four hedgerows totalling 685.8 metres qualify as Important Hedgerows under the Hedgerow Regulations 1997. All 1417m of hedgerows are important habitats and are covered as priority habitats within s41 of the NERC Act (2006).

There were 13 species of bats identified during surveys in summer of 2019 which were using the hedgerows as habitat corridors. Mitigation will include reinstating hedgerow links and planting hedgerow and shrub buffers against vehicle collision risk and lighting.

Great crested newts (GCN) were identified and have been assessed as likely to be affected by the proposal. Mitigation will be addressed on site and through following the GCN district licensing scheme approach agreed with Natural England.

Water vole were identified during surveys along water courses through which the road traverses and will require mitigation and licensing.

Restoration of species rich hedgerow and buffering water bodies should form the backdrop to any scheme here, to act as a landscape buffer and to retain existing and create new habitat corridors across the site.

Mitigations and enhancements are included to maintain a functioning ecological network and increase opportunities for biodiversity in line with the National Planning Policy Framework 2019. There will be a net gain through the proposed enhancements.

Biodiversity conservation will be secured through planning conditions including a Landscape and Ecological Management Plan. These will be adhered to during construction and also integrated within the wider development ensuring ecological receptors are comprehensively addressed and impact upon protected species can be adequately mitigated to avoid significant effects.

Environmental Impact Assessment

Following consideration of the relevant selection criteria for screening Schedule 2 development presented in Schedule 3 of the EIA regulations, the LPA conclude that the proposed development is not likely to result in significant environmental impacts. Therefore in exercise of the powers conferred on it by Regulations 6(6) of the EIA regulations, the LPA adopts an EIA screening opinion that an EIA is not required in this case.

Economic Benefits

The Council have secured £6.31 million Homes Infrastructure Funding (HIF) to facilitate the delivery of the principal street. There would eventually be total repayment from the wider Gillingham strategic allocation development through a roof tax included in the respective s106 agreements. This capital could then be used for other Council projects, which is a significant benefit.

Early completion of the principal street will also mean that a major element of critical infrastructure will be delivered at the outset of the development, which may facilitate the ability for the promoter to market serviced sites and potentially have multiple developers building within the major portion of the allocated site. The potential increased development timeframes will help improve the Council's identifiable and deliverable 5 year housing land supply and result in the provision of all of the other economic benefits that the wider development will secure.

Importantly, this funding brings with it its own time imperative to delivery, in that the funding essentially has to be committed and the project delivered by the end of March 2022.

Planning Balance;

The proposed Principal Street follows the agreed principles of the Policy 21 strategic site allocation, related draft Master Plan Framework and accords with relevant planning considerations, including Local/Neighbourhood Plan policies and the National Planning Policy Framework.

The application needs to be considered 'in the round' weighing all material issues in the planning balance:

- Local support for the development
- Financial benefits through construction and the creation of local jobs
- Prospect of delivery of up to a combined total of up to 1800 homes (market and affordable), a new local centre, community, sport, health and leisure facilities
- Increased spending in the Town centre and other local businesses from future residents
- New Home Bonus payments and increased Council tax revenue
- Section 106 obligations from the wider development which support the overall objectives to secure enhanced community infrastructure within Gillingham and which also underpin the Strategic Site Allocation Policy requirements.

When all the material planning issues are considered in the planning balance, your Officer's conclusion is that the benefits of the development combined with the facilitation of the wider development warrant approval of the application.

16.0 Conclusion

The proposed development follows the agreed principles of the Policy 21 strategic site allocation, related draft Master Plan Framework and accords with relevant planning considerations, including the Government's National Planning Policy Framework.

Officer's recommend that the development should be approved without any further delay.

17.0 RECOMMENDATION

A) GRANT, SUBJECT TO CONDITIONS (and their reasons) and no adverse comment from the Environment Agency.

CONDITIONS

Time Limits

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).

Approved Plans

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

Location Plan/Red Line Plan, Ref – HI1177/50/2/A
Engineering General Layout Plan, Ref - HI1177/54/1/Orig
Road 1 – Cross Sections (Sheet 1 of 4), Ref – HI1177/56/01/Orig
Road 1 – Cross Sections (Sheet 2 of 4), Ref – HI1177/56/02/Orig
Road 1 – Cross Sections (Sheet 3 of 4), Ref – HI1177/56/03/Orig
Road 1 – Cross Sections (Sheet 4 of 4), Ref - HI1177/56/04/Orig
Road 1 – Vertical Alignment Longitudinal Section (Sheet 1 of 2), Ref – HI1177/55/01/Orig
Road 1 – Vertical Alignment Longitudinal Section (Sheet 2 of 2), Ref – HI1177/55/02/Orig
Street Lighting Proposals, Ref - HI1177/53/1/B

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

Construction

3. The development hereby permitted shall be carried out in accordance with the approved Construction Environmental Management Plan (CEMP) dated 10 June 2020.

Reason: In the interest of the amenities of neighbouring residents and the interest of highway safety.

Trees/Landscaping

4. The development hereby permitted shall be carried out in accordance with the following approved Street Trees and Planting details;

Street Trees and Planting Plan, Ref – L-001-104 C, dated 13/07/20
Street Trees and Planting Plan, Ref – L-002-104 C, dated 13/07/20
Street Trees and Planting Plan, Ref – L-003-104 C, dated 13/07/20
Street Trees and Planting Plan, Ref – L-004-104 C, dated 13/07/20
Planting Plan, Planting Schedule & Details, Ref – L-001-107 D, dated 14/07/20
Gillingham Principal Street Seed schedule by areas, Rev B.

Reason: In the interest of the amenities of neighbouring residents and the interest of highway safety.

5. The proposal shall be carried out in accordance with approved Arboricultural Impact Appraisal, dated 17 April 2020 and the plan entitled 'Protection measures to trees affected by the works' reference no. HI1177/20/2/Orig dated 16th April 2020.

Reason: In the interest of protecting the trees retained on site.

6. All planting, seeding or turfing comprised in the approved details shall be carried out in the first planting and seeding seasons following the completion of the principal street and any trees or plants which, within a period of 5 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, unless otherwise agreed with the Local Planning Authority.

Reason: In the interest of the amenity and appearance of the location.

Flooding/Drainage

7. Prior to the commencement of any development, a scheme for the provision of compensatory flood storage shall be submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent the increased risk of flooding.

8. Prior to commencement of the development, a detailed surface water management scheme and design for the site must be submitted and approved in writing by the local planning authority. The scheme shall clarify how surface water is to be managed during construction, consider the hydrological and hydrogeological context of the development (including ground water levels during a winter period), topographic & urban design constraints (including Health & Safety) and accord with the following submissions:

- Gillingham Principal Street Drainage Strategy, Rev B, dated 23/06/20.

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, to improve and protect water quality, to improve habitat and amenity and to ensure correct functioning of drainage for the development.

9. Prior to the commencement of development details of maintenance and management of the surface water sustainable drainage scheme shall be 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.

Heritage

10. The development hereby permitted shall be carried out in accordance with the approved 'Access Road, Gillingham SSA, Gillingham, Dorset: Written Scheme of Investigation for an archaeological excavation', Dated February 2020.

Reason: To ensure that features of archaeological interest are properly examined and recorded.

Contamination

11. 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 shall be submitted to and approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that risks from soil contamination to the future occupants of the development and neighbouring occupiers are minimised.

Ecology

12. The development hereby permitted shall be carried out in accordance with the approved Landscape and Ecological Management Plan (LEMP), dated 18 June 2020, Version 4.

Reason: To ensure that the development conserves and enhances the landscape and biodiversity.

13. The development hereby permitted shall be carried out in accordance with the approved Great Crested Newt Information and Mitigation Strategy, dated July 2020.

Reason: To ensure that the development conserves and enhances the landscape and biodiversity.

14. Prior to the commencement of any development a scheme for Great Crested Newt financial compensation and the creation of offsite compensation ponds shall be submitted to and approved in writing by the Local Planning Authority. The payment and scheme shall be completed in

accordance with the approved details and to a timetable agreed with the local planning authority.

Reason: To ensure that the development conserves and enhances the landscape and biodiversity.

Informatives

INFORMATIVE NOTE: Rights of Way

Temporary ROW closures must be completed and returned at least 13 weeks before the intended closure date. There is a fee applicable.

The self-closing pedestrian gates to be installed are to be to the current British Standard BS5709:2018)

Where N64/33 will pass through an agricultural gateway South of the proposed Road) a self-closing gate is to be added to the side to allow the landowner to lock the field gate for security purposes if required.

INFORMATIVE NOTE: Section 278

The highway works referred to in the recommended condition above must be carried out to the specification and satisfaction of the Highway Authority in consultation with the Planning Authority and it may be necessary to enter into an agreement, under Section 278 of the Highways Act 1980, with the Highway Authority, before any works commence on the site.

INFORMATIVES NOTE: Land Drainage Consent (LDC)

We note that a Land Drainage Consent (LDC) application has been submitted in respect of the proposed culverts. It is proposed that the final culvert designs and installation methodology will be finalised through this regulatory process, rather than planning. The proposed culverts will need to comply with the JBA technical report.

INFORMATIVES NOTE: Environmental Permit

An Environmental Permit may be required from the EA, as relevant regulator for all works to a designated Main River that take place in, under or over, or as prescribed under relevant byelaws in accordance with section 109 of the Water Resources Act 1991. To clarify the Environment Agency's requirements, the applicant should contact the relevant department by emailing floodriskpermit@environment-agency.gov.uk

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1.0

Application reference:

2/2019/1710/REM - [Simple Search](#)

Location:

Land at E 373794 N 117227, Thornhill Road, Stalbridge, Dorset

Proposal:

Erect 60 No. dwellings, form public open space, local equipped area of play and attenuation pond. (Reserved Matters application to determine appearance, layout, landscaping and scale; and to discharge Condition Nos. 15 - Landscape Environment Plan, 17 - Soft Landscaping, 18 - Footpath Link, 21 - Materials Palette, 22 - Public Art and 24 - Lighting and Signage; following grant of Outline Planning Permission No. 2/2017/1095/OUT).Applicant name

Case Officer:

Robert Lennis

Ward Member(s):

Cllr Graham Carr-Jones

Reason application going to committee:

The Service Manager for Development Management and Enforcement, in consultation with the Planning Committee Chair and VC, considers that this is an appropriate application for consideration in a public forum at Committee given the scale of the proposed development (albeit that the principle has already been established) and the concerns raised by Stalbridge Town Council and local residents.

2.0

Summary of Recommendation:

Approval of reserved matters subject to conditions.

3.0

Reason for the recommendation:

- The proposal is considered to be acceptable in terms of layout, scale, appearance, and landscaping.
- The layout and design would not result in any significant harm to neighbouring residential amenity.
- There are no material considerations which would warrant refusal of this application. In particular, the loss or change in a view cannot be given weight in terms of amenity.
- Details of surface water management must be submitted and agreed prior to commencement of development.

- Delivery of housing following the grant of outline planning permission in the absence of 5 year land supply

4.0 Table of key planning issues

Issue	Conclusion
Principle of development	Accepted at outline stage.
Scale, design, impact on character and appearance.	Acceptable. There are no particular design or heritage concerns with this site. The two-storey scale is appropriate for this development.
Impact on amenity	No significant harm.
Impact on landscape	The proposed landscaping is considered acceptable by your Tree Officer and Landscape Officer.
Conditional details	Acceptable.

5.0 Description of Site

The proposed site is located on the southern edge of the settlement of Stalbridge, on low-lying ground at the base of the western side of the Blackmore Vale. The site consists of two medium fields in use as pasture, typical of the Blackmore Vale Landscape Character Area.

The site is surrounded on three sides by a mix of bungalows, chalets and two storey houses with gardens in medium-sized plots. Immediately to the south are scattered detached properties within large plots with pasture beyond and to the east is an access road with boundary hedge and a large arable field beyond. To the immediate west of the proposed site is A357 known as Thornhill Road along this stretch with 1950's bungalows and semi-detached housing beyond.

6.0 Description of Development

This is a reserved matters application which provides full details of the layout, scale, appearance, and landscaping following the grant of outline planning permission for up to 60no. dwellings on this site.

The details are intended to demonstrate that 60no. dwellings can be accommodated on this site along with open space, a local equipped area of play, attenuation pond, and landscaping. The details also provide information for the discharge of Conditions 15, 17, 21, 22 and 24.

7.0 Relevant Planning History

Application: 2/2017/1095/OUT
Proposal: Outline planning application for access (with all other matters reserved) for up to 60 no. dwellings, dedicated open space and associated works with vehicular access from Thornhill Road.
Decision: Approve
Decision Date: 01.03.2019

Application: 2/2019/0924/DOC
Proposal: Discharge of Condition No. 20 - Design Code; following grant of Outline Planning Permission No. 2/2017/1095/OUT.
Decision: Determined
Decision Date: 30.08.2019

Application: 2/2019/1562/DOC
Proposal: Discharge of Condition No. 20 - Design Code following grant of Outline Planning Permission No. 2/2017/1095/OUT
Decision: Determined
Decision Date: 09.12.2019

Pre-Application: PRE/2019/0255/PREAPP
Proposal: Pre-Application Consultation - Advice on Design Code and Proposed Layout Plan

Outline planning permission was granted on 1 March 2019 establishing the principle of development for up to 60no. dwellings and the detailed design of accessing the site off Thornhill Road (*application reference 2/2017/1095/OUT - Outline planning application for access (with all other matters reserved) for up to 60 no. dwellings, dedicated open space and associated works with vehicular access from Thornhill Road*).

The submission of a Design Code (DC) before a reserved matters application was required by Condition 20 of the outline planning permission with intention of achieving the best possible design. After pre-application discussion with Officers an application to discharge the condition was subsequently made in November 2019 and agreed December 2019.

The DC informs this Reserved Matters application by pulling together elements from the Design and Access Statement (DAS) and provides further information to: identify constraints of the site, make a

contextual study to inform the proposed details of this development, and develop a vision for the site setting key design principles. It also provides a helpful comparison of the proposed layout to the illustrative layout from the outline application.

8.0 List of Constraints

Agricultural Land Grade: GRADE 3
Parish Name - : Stalbridge CP
Public Rights of Way - Route Code: N51/39
Settlement Boundary - Name: Stalbridge
Ward Name: Stalbridge & Marnhull

9.0 Consultations

(Consultee comments here are summarised. Full comments can be found online.)

Stalbridge Town Council

General comments:

The proposed proximity of the new dwellings are not in accordance with a statement made by the Senior Planning Officer (North Dorset District Council Planning Committee Meeting 27th February 2018) that the new properties would need to be at least 20m away from the existing properties in the adjoining Bibbern Row, those of the private drive off Thornhill Road and Greenfields to avoid overlooking and overshadowing in relation to loss of amenity.

Officer response:

There is no requirement that dwellings would need to be at least 20m apart. Consideration should be given to issues of amenity; ie overlooking, loss of light, overbearing/dominant etc. The applicant has amended their scheme to address these concerns and the proposed layout plan shows a separation distance of 20m between the existing properties in Bibbern Row, Greenfields, and Kingsmead and the new dwellings (see Site Layout 18087-PL-2-02 Ref F).

Condition 15.

STC: Dorset Council have declared a Climate Emergency therefore members are very disappointed that there appears to be no specification of generation of energy from renewable resources in relation to PPS18 and as such the development is considered to be of detriment to the environment. It is questionable if the development is sustainable in relation to PPS21. Members would like to see bat and bird boxes on every dwelling and hedgehog highways in all fences.

Officer response:

Condition 15 relate to details of Landscape Environmental Management Plan.

The Council's declaration does not specify that then new development must generate energy nor does any national guidance. Energy efficiency through the use of building material and design is also recognised as addressing climate change. The proposed layout is making the most efficient use of the land in the context of this proposal. Building Regulation will require homes to be built to a high energy efficient standard. (PPS18 and 21 are have been superseded by the National Planning Policy Framework and Local Plan Policy 3 – Climate Change.).

The LEMP has been amend to accord with officer advice. Discharge condition.

Condition 17.

STC: Members would like to be assured with regard to the responsible body for the future maintenance of the landscaping on the site. They request that the boundary planning takes place before the development starts and that specific attention is given to detail of the areas of soft landscaping in boundary areas with existing properties to afford the minimum detriment to the residential amenity of residents of existing properties.

Officer response:

The Council's Tree and Landscape Officers have no objections to proposed details of landscaping/planting. Maintenance issues have been addressed by way of conditions. Discharge condition.

Condition 18.

STC: Members request that Footpath 39 is improved from the site access points to Lower Rd to afford ease of pedestrian access as part of the development.

Officer response:

The footpath was addressed at the outline stage by way of a financial contribution secured in the legal agreement toward Rights of Way Improvement Contribution. The terms are to pay 50% of the contribution prior to 50% occupation and the balance prior to occupation of the final dwelling. Discharge condition.

Condition 21.

STC: Members would like to see mixed materials to break up the bland features of the elevations and a high quality development with use of natural stone in the main in preference of the use of flint panelling and render which are not indicative of Stalbridge.

Officer response:

The majority of the dwelling would be constructed in brick which is considered to be a high quality material, and just a few houses rendered. The focal buildings are proposed to be clad in flint which is a quality material as well. As such the proposal does provide a good mix of materials. The site is not within a conservation area nor does it affect the setting of a listed building or CA. In the context of this site it would be onerous to insist on the use of natural stone. Discharge condition.

Condition 22.

STC: Members do not agree with the proposed site for the public art and request that there is further consultation on the location and choice of the art with the Town Council with a preference for a local artist.

Officer response:

The condition require the applicant to agree a location for public art solely. The access off Thornhill has mature trees which would compromise visibility of any art at this location. The proposed location near the local play area would be suitable and appropriate. Discharge condition.

Condition 24.

STC: Within the constraints of current highways regulations members would like further consideration given to the level of lighting and that this be kept to a minimum, in keeping with the rural area and in order to maintain the dark skies policy.

Officer response:

Stalbridge is not within a designated landscape. There is no dark skies policy here that officers are aware of. The proposed luminance is considered to be acceptable in the context of this site.

STC: Request for Conditions

- Variable height natural stone wall is erected as part of the development on the boundary adjacent to Bibbern Row in

conjunction with neighbouring resident consultation to protect the private land.

Officer response:

The applicant is proposing a low brick wall with piers and close-board timber in-fill panel. In the context of this site and the proposed building materials this is considered to be an onerous request. No condition needed.

- Units 16 & 17 are prohibited from having first floor windows on the north elevation.

Officer response:

The distance between the proposed and existing properties is acceptable to prevent any seriously detrimental loss of privacy. It would be unreasonable to require no windows. However, windows on the flank (north-west) elevation of could be conditioned to be obscure glazed with restricted opening. Condition accordingly.

- The highway is adopted.

Officer response:

The local authority can't require a developer to give over land. The roads should be built to adoptable standards if the developer wishes the LA to adopt the roads but they are not required to. This is a private land matter, therefore beyond the reach of the Town and Country Planning Act. No condition.

- That the site boundary is planted where specified with mature native hedging before the development starts and that specific attention is given to detail of the areas of soft landscaping in boundary areas with existing properties on all sides of the development to afford the minimum detriment to the residential amenity of residents of existing properties.

Officer response:

The planting/landscape details submitted are considered to be acceptable by specialist officers. No condition needed.

Landscape Architect

No objections. Concerns raised have been adequately addressed.

Tree Officer Majors

No objections subject to conditions.

Drainage Flood Risk Management

Holding objection.

Transport Development Management

No objections.

Planning Obligations Manager

No comments.

Natural England

Natural England currently has no comment to make on the approval of reserved matters and discharge of conditions.

Dorset Police Architectural Liaison Officer

No objection.

Representations:

26 letters of representation were received, of which 0 offered comments which neither supported nor objected to the proposal, 26 objected to the proposal and 0 supported the proposal.

Concerns raised relate to:

- Traffic or Highways matters
- Overlooking/Loss of privacy
- Residential amenity
- Design
- Height
- Impact on light
- Economic benefits
- Biodiversity
- Effect on the appearance of the area

Noise/disturbance

10.0 Relevant Policies
North Dorset Local Plan Part 1 2011-2031 (adopted January 2016):

1. 7 Dev. within Settlement Boundaries

Policy 1 - Sustainable Devt.

Policy 2 - C Spatial Strategy

Policy 3 - Climate Change

Policy 5 - The Historic Env.

Policy 6 - Housing Distribution

Policy 7 - Delivering Homes

Policy 8 - Affordable Housing

Policy 13 - Grey Infra.

Policy 14 - Social Infra.

Policy 15 - Green Infra.

Policy 20 - The Countryside

Policy 22 - Renewable Energy

Policy 23 - Parking

Policy 24 - Design

Policy 25 - Amenity

National Planning Policy Framework:

The following sections of the NPPF are considered to be most relevant to this case:

1. Introduction
2. Achieving sustainable development
4. Decision-making
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

Particular regard has been given to:

Para 11. Plans and decisions should apply a presumption in favour of sustainable development. ...For decision-taking this means:

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

d) where there are not relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or asset of particular importance provides a clear reason for refusing the development proposed; or

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

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.

11.0 Human rights (standard text)

Article 1 - Protection of property (first protocol)

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 (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.

13.0 Climate Implications

The applicant has provided a Sustainability Statement which is on the file. It concludes:

- 1.20 The applicants approach to development is inherently sustainable, aiming to deliver quality affordable homes which meets the needs and aspirations of owners.
- 1.21 At Land at Thornhill Road, Stalbridge the development has been designed to respond positively to national and local plan policy incorporating measures to deliver social and economic benefits, while also protecting and enhancing the environment where possible. This includes the consideration of measures to mitigate and adapt to the effects of climate change.
- 1.22 Through the provision of the following measures the applicant aims to deliver a sustainable development.

15.0 Planning Assessment

The main issues of this case are considered to relate to:

- Layout;
- Scale;
- Appearance;
- Landscaping;
- Conditions 15, 17, 18, 21, 22, and 24;
- Flood risk.

Layout

The density of 60no dwellings on this site equates to 28 dph (60/2.11ha). This compares favourably to the nearby development of Hawthorns which has a density of 33 dph (40/1.2ha) and Thrift Close has a density of 45 dph (35/0.78ha). There is less dense development in the area as well. In the context of the site the number of dwellings fits well and does not appear to be too cramped.

The layout has been subject to changes following community engagement and pre-application advice provided by the Council and technical assessments of the site subsequent to the grant of outline planning permission. In particular, issues in relation to Biberne Road have been resolved by moving the dwellings to create

a separation of 20m with the existing dwellings along Biberne Road. These dwellings would face onto open space in the development site. There would be a brick and rail boundary along Biberne Road to secure privacy.

With regard to Biberne Road, Officers have been onsite to consider these matters in context and with local residents. The two closest dwellings proposed, units 16 and 17, would be two storey in height, with no first floor windows proposed on the flank elevation, and decorative brick work to break-up an otherwise plain view. The proposed layout provides good separation distance as such there can be no reasonable claim to loss of light, or over-bearing appearance. There is no right to a view.

Issues with the existing dwelling Greenfield have been resolved by moving the block of flats to another location and having the rear gardens of dwellings back onto this shared boundary. One other minor issue with the original submission and the existing dwelling Kingsmead was resolved by rotating it 90 degrees.

The public open space adjacent to the north-eastern boundary was partially determined by the need accommodate the drainage basin and allow easement for utilities. This space would be overlooked by dwellings 42-49 which improves security and safety.

Access to the site is via the approved new junction to Thornhill Road to the west of the Site. The road layout comprises a primary route running from Thornhill Road eastwards and through the site and wrapping around the eastern end of the site. Secondary routes spur off the primary route to the north and south. A Vehicle Tracking Drawing has been submitted with this application demonstrating that the road geometry can accommodate larger vehicles.

Shared surfaces will be employed at three locations to encourage slow vehicle speeds and more pedestrian/cycle usage. Pedestrian routes run through the site and connect to the public right of way 39 which runs parallel to the site's eastern boundary. The Highway Engineers have noted that the roads are not proposed to be adopted as such they are satisfied with this arrangement.

The housing generally fronts onto the roads with the detached and semi-detached houses towards the western and southern parts of the site, and terraces towards the eastern end. There are two apartment blocks proposed at the eastern end of the site which front onto allocated parking areas.

The design, location and orientation of the new dwellings ensured that the amenity of existing properties is not adversely affected. Gardens dimension and separation distances between new dwellings within the site are generally considered to be good and would provide adequate amenity space for future occupants.

All of the dwellings have allocated parking spaces in line with Dorset Council's standards and there is additional provision for visitors along the roads. The Highway Engineers have not raised any particular issue with parking.

Two new areas of open space are provided totalling 0.44ha. The first is located to the north of the site and will provide a Locally Equipped Area of Play for children. The second is located to the east of the site containing a drainage basin. These are consistent with the approved outline application.

Surface water management is a matter that affects the layout of a development site. The Council's Flood Risk Management team accept the details submitted with this application which support the strategy to remove water from the site.

Scale

The proposed dwellings would all be two-storey houses in height as well as the block of flats. The residential character of Stalbridge consists predominantly of two-storey dwelling and some bungalows and larger barn conversions. Therefore the proposed scale of the buildings would be in keeping with the character of Stalbridge.

Appearance

The site is not within a conservation area nor does it affect the setting of a listed building. The proposed designs of dwellings are intended to be traditional and this is achieved in varying degrees as set out in the agreed Design Code. Focal buildings have been enhanced with the use of brick quoins the use of flint at first floor level, which is different since flint is not a common material in Stalbridge. These focal dwellings are all internal to the site, except for the gatehouse at the entrance to the site off Thornhill Road, and would give the development a unique character. Illustrative streetscene have been submitted in support of the application to provide further information on the design and appearance of the scheme.

The predominant material would be brick under tiled roof as shown on plan and in the Design Code. Windows and doors have a strong appearance with arches and cill generally. Some dwelling have bays which is a nice feature. It is considered that the proposed development would be taking the opportunity to improve the character and appearance of the public realm as set out in policy.

Landscape

The landscaping strategy for the site aims to soften the appearance of the site, and integrate it with the character of the surrounding area. Planting will provide a seasonal sense of place, providing biodiversity opportunities for the site.

Boundary treatment along the south-eastern boundary would be hedging with some emerging trees. Residential gardens backing on to existing properties will have post and wire to allow for flora and fauna habitat. The boundary treatment in Biberne Road is proposed to be a low brick wall with piers and close-board timber in-fill panel. In the context of this site and the proposed building materials this is considered to be a good design solution.

The request for emerging trees within the proposed hedge on the north-eastern boundary cannot be satisfied due to the overhead utility lines.

The Council's Trees and Landscape officer have confirmed that they are satisfied with the amended plans which have addressed her concerns. The TLO's request for notification after plant should be dealt with by way of an informative.

Conditional details

Condition 15 - Landscape Environment Plan, details agreed by Officers, discharge.

Condition 17 - Soft Landscaping, details agreed by Officers, discharge.

Condition 18 - Footpath Link, details agreed by Officers, discharge.

Condition 21 - Materials Palette, the condition states that the "...housing design shall reflect a palette of materials...in Stalbridge...", generally this has been achieved. While it has been noted that the use of flint is not part of the local vernacular, this is a single access site and there is no through road or other connection, there is no special designation nearby which would require a ridged adherence to materials, as such the details are considered to be acceptable, discharge.

Condition 22 - Public Art, this condition requires a "location and opportunity" for public art. This has been achieved; discharge.

Condition 24 - Lighting and Signage. This condition seeks to satisfy the requirements of transport and biodiversity. The applicant's Outdoor Lighting Report demonstrate proper lighting for the future housing in terms of vehicles and pedestrians. The applicant's ecological survey submitted at outline stage recommends that no light spillage on the attenuation basin and bat roosting features. The Outdoor Lighting Plan demonstrates this will be achieved. No signage is required for a scheme of this size and layout. Discharge.

Flood risk

The Flood Risk Management team are maintaining a holding objection on the proposed development. However, matters relating to surface water drainage,

management and maintenance of any system, and disposal of foul water drainage have been addressed by conditions 11, 12, and 13 of the outline planning permission (ref: 2/2017/1095/OUT). These three conditions are all pre-commencement conditions which means no development can commence on site until these details have been submitted and approved in writing by the Local Planning Authority and by extension the Flood Risk Management team. Hence, this could not be grounds for refusing the application. If the details submitted are inadequate then the applicant may need to change the layout of the development as proposed in this application. This would require a fresh application to consider any changes to the layout.

Your FRM team have noted that the applicant's grounding investigation report (GI) identifies a permeable section of ground now proposed for an infiltration basin. However, the vast majority of Stalbridge is considered impermeable – this has been evidenced on other sites – as such it is puzzling that a pocket of geology was found which apparently shows that infiltration is feasible here. The GI report has been undertaken by relevant specialist and appears to have followed BRE 365 processes and undertaken the testing three times as required via this method. However, the report also notes significant variability with respect to geology on this site. In addition, the ground water observations made in October, do not represent a time where ground water levels would be at their highest.

Given that this GI report was available to RMA (who acted as drainage consultant for the outline application), it would have been logical for RMA to propose the infiltration basin, however, RMA's cover letter in respect of the Ruddlesden Geotechnical report recommends further investigation rather than moving immediately to an infiltration based drainage solution without further GI, particularly in light of the variability found.

The applicant has focussed their SuDs area to one location however, this soakaway may only be representative of one end of the basin. The FRM have advised that given its size, the applicant should undertake three tests along the basins length (1 at each end and 1 in the centre). Ground Water monitoring over January and February, where the water table is at its highest, will also be required to substantiate this significant change to the previously approved Drainage Strategy.

At this time we can only flag up our concerns as the applicant has not asked for the discharge of the above-mentioned conditions previously imposed. As such, it is accepted that this a risk for the developer if the infiltration basin proves to be inadequate, and not a risk to the Council or local residents.

16.0 Conclusion

The applicant has adequately addressed the concerns raised by local residents and STC.

In the context of this site, Officers are satisfied with the details of layout, appearance, scale, and landscaping.

17.0 RECOMMENDATION

Approval of reserved matters subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of two years from the date of this approval.
Reason: This condition is required to be imposed by Section 92 of the Town and Country Planning Act, 1990.

2. The development hereby permitted shall be carried out strictly and only in accordance with the following approved drawings and details:

Site Location Plan – 8087-PL-2-01
Site Layout Plan 18087-PL-2-02 Rev F
Site Layout Plan Tenure 18087-PL-2-03 Rev E
Site Layout Plan Building Materials 18087-PL-2-05 Rev E
Site Layout Plan Boundary Materials 18087-PL-2-06 Rev G
Site Layout Plan Parking/Bins and Cycle 18087-PL-2-07 Rev E

Housetype Pack Rev 5:

- 1 BED FLAT – PLANS, 18087-PL-HT-1-01
- 1 BED FLAT – ELEVATIONS, 18087-PL-HT-1-02
- FLATS BIN ENCLOSURE - PLAN & ELEVATIONS, 18087-PL-HT-1-03
- 2 BED - WITH BAY - PLANS & ELEVATIONS, 18087-PL-HT-2-01 rev A
- 2 BED - WITH BAY - PLANS & ELEVATIONS, 18087-PL-HT-2-02 rev B
- 2 BED - BRICK/RENDER - PLANS & ELEVATIONS, 18087-PL-HT-2-03 rev A
- 2 BED - BRICK DETAIL - PLANS & ELEVATIONS, 18087-PL-HT-2-04
- 2 BED - MID-TERRACE - PLANS & ELEVATIONS, 18087-PL-HT-2-05 rev A
- 2 BED - BRICK/RENDER - PLANS & ELEVATIONS, 18087-PL-HT-2-06
- 3 BED - TYPE A - PLANS & ELEVATIONS, 18087-PL-HT-3A-01 rev A
- 3 BED - TYPE A - DETACHED - PLANS & ELEVATIONS, 18087-PL-HT-3A-02 rev A
- 3 BED - TYPE A - HIPPED - PLANS&ELEVATIONS,18087-PL-HT-3A-03 rev B
- 3 BED - TYPE B - PLANS & ELEVATIONS, 18087-PL-HT-3B-01 rev A

- 3 BED - TYPE B - BRICK/RENDER - PLANS & ELEVATIONS, 18087-PL-HT-3B-02 rev A
- 3 BED - TYPE B - BRICK/RENDER EOT - PLANS & ELEVATIONS, 18087-PL-HT-3B-03
- 3 BED - TYPE B - BRICK/FLINT EOT - PLANS & ELEVATIONS, 18087-PL-HT-3B-04
- 3 BED - TYPE C - PLANS & ELEVATIONS, 18087-PL-HT-3C-01
- 4 BED - TYPE A - PLANS & ELEVATIONS, 18087-PL-HT-4A-01 rev B
- 4 BED - TYPE B - PLANS & ELEVATIONS, 18087-PL-HT-4B-01 rev A

Materials Schedule – 18087_9_10 PL Rev D

Naturally Equipped Play Area Details – DD368C_LP03.01

Landscape Ecological Management Plan (as amended) received 29 July 2020.

Detailed Landscape Plan Sheet 1 – 4 – DD368E_LP01.01

Detailed Landscape Plan Sheet 2 – 4 – DD368E_LP01.02

Detailed Landscape Plan Sheet 3 – 4 – DD368E_LP01.03

Detailed Landscape Plan Sheet 4 – 4 – DD368E_LP01.04

Hard Landscape Plan Sheet 1 – 3 – DD368D_LP02.01

Hard Landscape Plan Sheet 2 – 3 – DD368D_LP02.02

Hard Landscape Plan Sheet 3 – 3 – DD368D_LP02.03

Surface and Foul Water Drainage – J005-PL-DS-101-C

General Arrangement Layout - J005-PL-GA-101-C

Highway Long Sections Sheet 1 – 2 J005-PL-LS-101B

Highway Long Sections Sheet 1=2 – 2 J005-PL-LS-102B

Horizontal Luminance (lux) – 14788-2-C dated 25 March 2020, (plan of street lighting layout);

forming the approved application.

Reason: For the avoidance of doubt and to clarify the permission.

3. Notwithstanding the details on the approved plans, no streetlighting (i.e. luminance) shall be used from a pole greater than two meters in height between the hours of 00:00 and 06:00.

Reason: in the interest of ecology and character of the area.

4. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), no window or other openings shall be created at first floor level or above on units 16 and 17 on the flank (north-west) elevation without the prior grant of planning permission from the Local Planning Authority.

Reason: in the interest of neighbour amenity.

5. Notwithstanding the details on the approved plans, details or samples of external brick, flint, stone, and tile to be used in the construct of dwellings hereby approved shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be completed in accordance with the agreed details.

Reason: to ensure proper planning and that the development takes the opportunity for improving the character and quality of the area.

6. Prior to first occupation of any dwelling on site, and notwithstanding the details approved drawing number 18087-PL-HT-1-02, details of design and materials for window cills, arches, and lintel shall be submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be completed in accordance with the agreed details.

Reason: to ensure proper planning and that the development takes the opportunity for improving the character and quality of the area.

1.0 **Application No:** [2/2018/1808/OUT](#)

Site Address: Land North Of, Burton Street, Marnhull, Dorset,

Proposal: Develop land by the erection of up to 61 No. dwellings, form vehicular and pedestrian access, public open space and attenuation basins. (Outline application to determine access).

Applicant: P And D Crocker

Case Officer: Ms Penny Canning

Ward Members: Cllr Graham Carr Jones

Recommendation Summary: Grant subject to conditions and a S106 legal agreement, without NHS contributions.

2.0 **Reason application is going to committee:**

2.1 The planning committee of (the former) North Dorset District Council on 26th March 2019 issued the following decision on this application:

Delegate authority to the Planning Manager to grant planning permission subject to conditions and the securing of planning contributions through the signing of a S106 agreement.

2.2 The obligations to be secured included a financial contribution requested by the NHS Trust towards acute and planned health care, which Members were verbally updated on following a late representation received from the NHS Trust. Following further consideration officers have come to the view that the contributions requested do not meet the necessary policy and legal tests as set out in Regulation 122(2) of the Community and Infrastructure Regulations, and as set out in para 56 of the National Planning Policy Framework (NPPF). In this regard, officers do not consider that the information provided demonstrates the need for the contributions has been clearly justified or evidenced as being directly related to the development or fairly and reasonably related in scale and kind to the development, and it cannot in this case be concluded that it is necessary to make the development acceptable in planning terms. The NHS Trust has since withdrawn their request for contributions. As such, officers no longer recommend a contribution in this regard. As this formed a material planning consideration, the application is being reported back to committee.

3.0 **Update**

- 3.1 The previous recommendation as set out in the Officers report, appended below, was to approve the application without the NHS Trust contribution and the consideration and recommendations as set out in that report remain relevant.
- 3.2 The following updates are provided in relation to any policy or legislative changes since the time of writing that report:
- 3.3 **Policy changes**
- 3.3.1 Regulation 123(3) of the Community Infrastructure Levy Regulations (2010) (CIL), which restricts the number of S106 agreements which an authority can enter into in relation to funding particular infrastructure, has been removed under the Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019. This amendment is not considered to alter the Councils position in terms of Planning Obligations in this case.
- 3.3.2 The number of commitments and completions within Marnhull since 2011 was formerly reported as approximately 68 dwellings. This figure has since risen to approximately 82 dwellings. Notwithstanding this, the Council continues to be unable to demonstrate a 5 year housing land supply, with the most up to date figure being 4.0 years. There have been no other significant policy changes since the time of writing the appended report.
- 3.4 **Impact on trees**
- 3.4.1 The previous report was unclear regarding the consideration given in respect of the impact upon trees. For the purposes of completeness and clarity it is considered appropriate to update Members on this matter.
- 3.4.2 It is not proposed to remove existing trees and hedges and, whilst landscaping is a reserved matter, the illustrative plan does indicate some additional planting proposed. The proposed road realignment and resultant loss of the existing highway verge would nevertheless have the potential to indirectly impact upon an adjacent Walnut Tree within the garden of a neighbouring property to the South of Burton Street through disturbance to its roots. The Walnut Tree has recently had a Tree Preservation Order (TPO) served seeking to protect the tree in recognition of its contribution to the visual amenity of the area. In order to fully assess the impact the Tree Officer has been consulted. The Tree Officer does not consider the development to result in the loss of the tree directly but does accept that there is potential for the roots of the tree to be disturbed and its long term health thereby affected. Notwithstanding this, given the impact of the development would be limited to a single tree, on balance the Tree Officer does not consider the overall harm would outweigh the benefits of the scheme, and consequently raises no objection to the proposal.
- 3.5 **Climate change**

3.5.1 Since the previous report was written, the impacts of climate change has become an ever increasing priority for the Council and at the forefront of planning decisions. In terms of the principle of development, the scheme is considered to represent sustainable development, meeting the three tests (social, environmental, and economic factors) as set out in the NPPF.

3.5.2 This is an outline application with all matters, except access, reserved. As such, limited details have been provided at this stage. The agent has nevertheless confirmed that there would be capacity to deliver vehicle charging points to a number of individual plots on the site and it is recommended that a condition requiring a vehicle charging point scheme to be submitted to, and approved in writing by, the Council should be placed on any consent. The developer has also confirmed that each individual dwelling would be provided with a garden shed suitable for the storage of bicycles to encourage the use of sustainable modes of transport, and a condition requiring cycle storage (condition 15) requires details and implementation of cycle parking. An additional recommended condition requiring electric car charging points is outlines below:

- *Prior to the construction of any part of the development above damp proof course level details of the number and location of charging points for plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations, within the development, along with a timetable for their provision, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details and timetable.*

REASON: To ensure that adequate provision is made to enable occupiers of development to be able to charge their plug-in and ultra-low emission vehicles.

3.6 **S106 legal agreement**

3.6.1 Since the application was last heard at committee work has progressed on the S106 legal agreement to secure the contributions as set out within the appended report, without the NHS Trust Contributions. In error, the legal agreement has in fact been sealed, however, this does not change the ability for the committee to make a different decision. To be clear, the Committee may choose to go down any of the below routes:

- (a) The committee could decide to refuse the application, and under these circumstances the legal agreement would not come into force. The reasons for refusal would however have to be clear having regard to any material changes since the last committee decision;
- (b) The committee could decide to approve the application with the omission of the NHS Trust contributions;

- (c) The committee could decide to approve the application with the NHS Trust contribution as per its original recommendation. Technically a supplementary legal agreement could be put in place to require the payment of these contributions. However, because officers do not consider the contributions to be compliant with Regulation 122 of the CIL Regs any decision may be unlawful and open to challenge, and the Council would be at risk of costs.

4.0 Summary of Recommendation:

Grant, subject to the completion of a legal agreement under section 106 of the town and country planning act 1990 (as amended), without NHS Trust contributions, and subject to conditions.

5.0 Reason for the recommendation:

In the 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 in this case is considered to be sustainable and the proposal is not considered to result in significant harm the visual or residential amenity of the area, historic or natural features, or highway safety. There are no material reasons to warrant the refusal of this application and the application is recommended for approval. The previous committee decision to grant consent forms a material planning consideration. With the exception of the NHS Trust contribution no longer being sought by the Council, due to this not meeting the tests as set out in the NPPF, there are no other material changes to the application which would warrant a change in recommendation.

6.0 Table of key planning issues

Issue	Conclusion
Principle of development	The proposed development is considered to meet the objectives as set out in the NPPF, such that the proposal would comprise sustainable development, for which there is a presumption in favour for. Equally, the impacts of the development are not considered to outweigh the benefits of the scheme, providing much needed housing, and those policies seeking to protect areas and assets of importance do not provide justified reasons for refusal that would prevent the tilted balance described in the appended

	report from applying. The principle of development is therefore considered acceptable.
Impact on the historic environment	The Conservation Officer considers that there would be less than substantial harm resulting from the development and through careful design, the proposed development could be achieved without significant detriment to the historic environment. When weighing the potential harm caused against the benefits of the scheme, the benefits are considered to outweigh the harm caused in this case.
Impact on the landscape	The Landscape Officer raised no objection to the principle of the scheme, and it is considered that the proposed development of up to 61 dwellings, together with access could be accommodated on the site without significant detriment to the landscape qualities of the area.
Ecology	It is considered that the proposed development could be achieved without significant harm to protected species, and could contribute to enhancing biodiversity at the site.
Residential amenity	It is considered that a proposal for up to 61 dwellings could be delivered without significant adverse impacts on the residential amenity of the area.
Impact on trees	It is considered that the harm caused to trees and other natural features would be limited in this case, and would not outweigh the benefits of the scheme.
Impact on cemetery	The proposed development is not considered to significantly compromise the use and tranquillity of the cemetery to warrant refusal of the application.

Highway Safety	The proposed development is not considered to significantly impact highway safety to warrant refusal of the application, and the Highway Authority raise no objection.
Flood risk and drainage	It is considered that a suitable drainage system could be achieved at this site to safeguard properties and land downstream from any impacts of flooding as a consequence of the proposed development. On this basis, no objection has been received from the Lead Local Flood Authority or Wessex Water.
Affordable Housing	The applicant is proposing to deliver 40% of the proposed housing as affordable units, in accordance with policy 8 of the Local Plan. This would be secured through a legal agreement.
Planning Contributions	Contributions have been sought towards play facilities, allotments, formal outdoor sports, informal outdoor space, community, leisure and indoor sports, rights of way, primary and secondary education, and libraries. These are considered to be in accordance with the relevant tests as set out in the NPPF and CIL, and the applicant has agreed to the contributions, with a legal agreement now in place.

7.0 RECOMMENDATION

GRANT, SUBJECT TO A LEGAL AGREEMENT UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) TO SECURE THE FOLLOWING:

40% affordable housing, and financial contributions towards the following: play facilities & maintenance, allotments, formal outdoor sports & maintenance, informal outdoor space & maintenance, community, leisure and indoor sports

facilities, rights of way enhancement, primary & secondary education, index-linked from the date of resolution.

And the following conditions (and their reasons):

1. The development to which this permission relates must be begun not later than whichever is the later of the following dates:-

- (i) the expiration of three years from the date of grant of outline planning permission, or
- (ii) the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: This condition is required to be imposed by Section 91 and 92 of the Town and Country Planning Act 1990 (as amended).

2. Application for approval of any 'reserved matter' must be made not later than the expiration of two years beginning with the date of this permission.

REASON: This condition with shortened timeframe, normally imposed by Section 92 of the Town and Country Planning Act 1990 (as amended), seeks to encourage development, due to the pressing need for housing to be provided in a short timeframe, within an area where housing land supply is not currently being met.

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

Site Location Plan, drawing no. RL001 (BS), received 14 Dec 2018
Access Design and Visibility Splays, drawing no. 028.0050.004 Rev C, received 6 March 2019
Access Tracking, drawing no. 028.0050.005, received 14 Dec 2018

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

4. Approval of the details of the layout, scale and appearance of the buildings, and the landscaping of the site (hereinafter called the Reserved Matters) shall be obtained from the Local Planning Authority in writing before any development is commenced.

REASON: To ensure the satisfactory development of the site.

5. No development shall commence until details of the access, geometric highway layout, turning and parking areas have been submitted to and agreed in writing by the Local Planning Authority.

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

6. No development shall commence until a Construction Traffic Management Plan (CTMP) shall have been submitted to and agreed 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

Thereafter, the development must be carried out in strict 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.

7. No development shall take place until a survey of the downstream surface water/land drainage system has been undertaken, which confirms existing drainage arrangements from the site, including the outfall route from the existing pond and ditch system.

Reason: To ensure compliance with National Planning Policies concerning sustainable drainage and to better manage local flood risk and residual risk from public drainage infrastructure.

8. No development shall take place until a Surface Water Construction Management Plan, which shall include measures to prevent turbid run-off from the construction site reaching the road and/or discharging into the public sewer system, has been submitted and approved, in writing, by the Local Planning Authority. The agreed measures shall be implemented and maintained throughout the construction phase of the development.

Reason: To prevent increased risk of flooding during construction, prevent pollution and protect water quality.

9. No development shall take place until 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.

10. 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 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.

11. No development shall commence until written agreement has been received from Wessex Water, and in turn submitted in writing to the Local Planning Authority, confirming that capacity can be made available for new connections to the foul drainage network.

Reason: To ensure appropriate capacity is first secured to manage foul drainage from the development.

12. No development shall commence until a detailed Arboricultural Method Statement shall have been produced, submitted to and approved in writing by the Local Planning Authority. The statement shall include details of how the existing trees are to be protected and managed before, during and after development and shall include information on traffic flows, phased works and construction practices near trees. The development shall thereafter be carried out in accordance with the approved Arboricultural Method Statement.

Reason: To ensure thorough consideration of the impacts of development on the existing trees.

13. The development shall comprise of no more than 61 dwellings.

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

14. Prior to the occupation of the first dwelling, the first 15.00 metres of the vehicle access, measured from the rear edge of the highway (excluding the vehicle crossing - see the Informative Note below), must be laid out and constructed to a specification first submitted to, and agreed in writing by, the Local Planning Authority.

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

15. Prior to the occupation of the first dwelling, a scheme showing precise details of the proposed cycle parking facilities shall have first been submitted to, and agreed in writing by, the Local Planning Authority. The cycle parking facilities shall be constructed in accordance with the agreed details, and made available for use prior to the occupation of the 30th dwelling. Thereafter, they shall be maintained, kept free from obstruction, and made available for the purposes specified.

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

16. Prior to the occupation of the first dwelling, the following works must have been constructed to the specification of the Local Planning Authority:

The realignment of Burton Street and associated highway works, as shown on Dwg No 028.0050.004 Rev C (or similar scheme to be agreed in writing with the Local Planning Authority).

Reason: These specified works are seen as a pre-requisite for allowing the development to proceed, providing the necessary highway infrastructure improvements to mitigate the likely impact of the proposal.

17. Prior to the occupation of the 1st dwelling, a Travel Strategy must first have been submitted to and agreed in writing by the Planning Authority. The strategy should include measures to reduce the need to travel to and from the site by private transport and the timing of such measures. Thereafter, the strategy must be implemented in accordance with the details as approved.

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.

18. Details submitted pursuant to any reserved matters application shall include exceedance measures, and a timetable for their implementation.

Reason: To ensure that the development is resilient to climate change and to ensure residual flood risk from infrastructure failure is managed appropriately.

19. Prior to the occupation of the 1st dwelling, all measures set out in the Biodiversity Mitigation & Enhancement Plan submitted by Lindsay Carrington Ecological Services dated 18th February 2019, as certified by Dorset County Council Natural Environment Team, shall be implemented in full.

Reason: To ensure that the development conserves and enhance biodiversity in accordance with the objectives of the National Planning Policy Framework.

20. Prior to the construction of the foundation of any dwelling, a Landscape and Ecology Management Plan (LEMP) shall first be submitted to and approved in writing by the Local Planning Authority. The LEMP shall include ecological enhancements, habitat creation and retained habitat features, together with details of maintenance of habitat/ecological features for a period of not less than 5 years. Such scheme shall be implemented immediately following commencement of the works, or as may be agreed otherwise in writing by the Local Planning Authority.

Reason: To ensure that the development conserves and enhance biodiversity in accordance with the objectives of the National Planning Policy Framework.

21. Prior to occupation of the 1st dwelling, a landscaping and tree planting scheme shall have first been submitted to and agreed in writing by the Local Planning Authority. The landscaping scheme shall include details of all tree, shrub and hedge planting, including details of species, sizes, and densities of plants. In addition, it shall include a long term management plan for all trees and landscaping which are to be retained and/or proposed at the site, together with provision for the maintenance and replacement as necessary of the trees and shrubs for a period of not less than 5 years. Such scheme shall be implemented during the planting season November - March inclusive, immediately following commencement of the works, or as may be agreed otherwise in writing by the Local Planning Authority.

REASON: To ensure the provision, establishment and maintenance of a reasonable standard of landscape, in the interest of safeguarding the visual amenity and landscape qualities of the area.

22. Prior to occupation of the 1st dwelling, full details of hard landscape proposals, including surfacing and boundary treatments, shall have first been submitted to and agreed in writing by the Local Planning Authority. Thereafter, development shall proceed in strict accordance with such details as have been agreed.

REASON: To ensure the provision, establishment and maintenance of a reasonable standard of hard landscaping, in the interest of safeguarding the visual amenity and landscape qualities of the area.

23. No external street lighting shall be erected on site, until a scheme showing the precise details of external lighting (including appearance, light intensity and orientation) shall have first been submitted to, and agreed in writing by, the Local Planning Authority. Thereafter, any street lighting shall be implemented in accordance with the agreed details, and shall be retained as such thereafter.

REASON: In the interests of safeguarding the rural amenity of the area.

24. Prior to the construction of the foundation of any dwelling, details of the finished floor levels of the buildings shall have first been submitted to and approved in writing by the Local Planning Authority. Such levels shall be relative to an ordnance datum or such other fixed feature as may be agreed in writing by the Local Planning Authority. Thereafter, the development shall be carried out in strict accordance with the approved details.

REASON: In the interests of visual amenity

25. Prior to the construction of any attenuation pond, details of depths, gradients, and any associated structures shall have first have been submitted to, and agreed in writing by, the Local Planning Authority. Thereafter, development shall proceed in strict accordance with such details as have been agreed.

REASON: in the interests of visual amenity

26. Prior to the construction of any part of the development above damp proof course level details of the number and location of charging points for plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations, within the development, along with a timetable for their provision, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details and timetable.

REASON: To ensure that adequate provision is made to enable occupiers of development to be able to charge their plug-in and ultra-low emission vehicles.

Application Type: Outline Application

Application No: 2/2018/1808/OUT

Applicant: P And D Crocker

Case Officer: Ms Penny Canning

Recommendation Summary: Approve

Location: Land North Of, Burton Street, Marnhull, Dorset,

Proposal: Develop land by the erection of up to 61 No. dwellings, form vehicular and pedestrian access, public open space and attenuation basins. (Outline application to determine access).

Reason for Committee Decision:

Written material representation has been received by the Head of Planning (Development Management and Building Control) and that representation has been made by Marnhull Parish Council in whose area the application is situated, and received by the Head of Planning (Development Management and Building Control) within the Consultation Period and contains a recommendation that is contrary to the proposed decision.

The Head of Planning (Development Management and Building Control) at his/her absolute discretion after consultation with the Chairman of the Planning Committee, the Vice Chairman of the Planning Committee and the Ward Member(s) of the area in which the site of the application is situated considers is a matter which ought to be referred to the Planning Committee for determination.

Planning Policies:

North Dorset Local Plan Part 1 (2016)

Policy 1 - Sustainable Development.
Policy 2 - Core Spatial Strategy
Policy 3 - Climate Change
Policy 4 - The Natural Environment
Policy 5 - The Historic Environment
Policy 6 - Housing Distribution
Policy 7 - Delivering Homes
Policy 8 - Affordable Housing
Policy 13 - Grey Infrastructure
Policy 14 - Social Infrastructure
Policy 15 - Green Infrastructure

Policy 20 - The Countryside
Policy 23 - Parking
Policy 24 - Design
Policy 25 - Amenity

North Dorset District-Wide Local Plan (saved policies) 2003- 2011

Policy 1.7 - Development within Settlement boundaries
Policy 1.9 - Important Open or Wooded Areas

National Planning Policy Framework (2019)

As far as this application is concerned the following sections of the NPPF are considered to be relevant:

1. Introduction
2. Achieving sustainable development
3. Plan-making
4. Decision-making
5. Delivering a sufficient supply of homes
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
16. Conserving and enhancing the historic environment

Presumption in favour of sustainable development:

Para 11 - Plans and decisions should apply a presumption in favour of sustainable development.

For decision-taking this means:

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

d) where there are not relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

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

ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, which are assessed against the policies in this Framework taken as a whole.

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.

Town and Country Planning Act

Para 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the statutory duty of the planning process in relation to listed buildings, and states the following:

In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Para 72 (1) and (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the general duty of the Local Planning Authority in respect of applications within a Conservation Area, stating the following:

(1) In the exercise, with respect to any buildings or other land in a conservation area, ... special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

(2) The provisions referred to in subsection (1) are the planning Acts and Part I of the Historic Buildings and Ancient Monuments Act 1953.

Other matters relating to Planning Obligations and contributions

In order to make development acceptable in planning terms, applications for major housing development such as this one are expected to maintain and enhance the level of grey, green & social infrastructure as set out in Policies 13, 14 and 15 of the Local Plan.

Regulation 122(2) of the Community Infrastructure Levy Regulations (2010) (CILR) provides that: -

A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is -

- (a) necessary to make the development acceptable in planning terms;*
- (b) directly related to the development; and*
- (c) fairly and reasonably related in scale and kind to the development.*

The NPPF reiterates that planning obligations should only be sought where they meet all three of the tests set out in Regulation 122(2) are met (paragraph 56).

Regulation 123(3) of the CILR provides that; -

(3) Other than through requiring a highway agreement to be entered into, a "planning obligation ("obligation A") may not constitute a reason for granting planning permission to the extent that—

- (a) obligation A provides for the funding or provision of an infrastructure project or provides for the funding or provision of a type of infrastructure; and*
- (b) five or more separate planning obligations that—*
 - (i) relate to planning permissions granted for development within the area of the charging authority; and*
 - (ii) which provide for the funding or provision of that project or provide for the funding or provision of that type of infrastructure, have been entered into on or after 6th April 2010.*

Description of Site:

Marnhull is situated within the Blackmore Vale and falls within the Limestone Hills Landscape Character Area, and sits on an elevated limestone ridge, bound on its western side by the River Stour, and towards the east, a tributary from the Stour, Chivrick's Brook. The village has grown from a number of smaller hamlets and as a consequence the village has a number of hubs; one near the Church, school and Crown public house (to the south), and another can be found by a small cluster of shops, car park, and Blackmore Vale Inn (to the north). It is in these areas that the more historic part of the village can be found, with more modern development expanding the village edges. A large modern estate (located to the east) connects the southern and northern strands of the village. Separated from the village is a further cluster of, mainly modern, housing situated to the East.

The application site sits within the northern portion of the village, to the rear of properties fronting Burton Street (Burtonhayes), and to the west of the village hall, recreation ground, and to the south of the cemetery. The application site occupies the southern portion of a large field extending north towards Love Lane. Due to its elevated position, the Church of St. Gregory, which sits to the south of the application site is consequently visible from the site.

The site is currently used for arable farming and is bound on its western and eastern boundaries with a mixture of broken hedgerow, domestic planting, and mixed fencing, and on its southern boundary the site abuts the existing built form of development along Burton Street, with domestic tree planting and garden boundaries forming its southern boundary. As the site only utilises part of an existing field, its northern boundary is open, with a mature hedge found along the northern boundary of the field some distance to the north. Footpath N47/91 runs through the site from Burton Street to Love Lane. Adjacent to the application site is also footpath N47/92 which runs from two separate points along Love Lane, and footpath N47/89 which leads from Burton Street to the recreation ground, and beyond. The land drops down to the South, and in sits elevated from Burton Street, and Love Lane.

Constraints:

Agricultural Land Grade: 3

Parish Name: Marnhull CP

Public Rights of Way - Route Code: N47/91

Settlement Boundary: Marnhull

TPO - Charge Description: Area TPO 37/1/68 Pilwell, Marnhull. The several Elms. A1

TPO - Charge Description: Individual TPO 37/6/99 Marnhull No.6. Horse Chesnut. T2

Ward Name: The Stours & Marnhull Ward

Consultations:

Conservation Officer South - NDCC

No objection to the proposed access and the principle of housing on this site.

Rights Of Way - DCC

No objections, subject to upgrading, and/or provision of pedestrian and bridleway gates, appropriate surfacing, and signage relating to the affected footpaths on site

County Archaeological Office - DCC

No objection

Drainage (Flood Risk Management) - DCC

No objection in principle.

Transport Development Management - DCC

No objection, subject to conditions.

Housing Enabling Team

There is an identified need for affordable housing and that the site should subsequently provide 40% affordable housing, in line with policy advice.

Landscape Architect

No objections to the proposed access and principle of housing on this site.

Planning Obligations Manager - DCC

Based on the current protocol for the identification of developer contributions, 61 qualifying units would generate £123,056 towards primary phase education and then £248,698 towards secondary phase tbc. These funds would be used to support the building of an additional teaching space at St. Gregorys Primary School. The secondary contributions would be secured for the new specialist and science provision at the Gillingham School.

For the proposed developments in North Dorset, there will be an impact on the libraries in this area. There are libraries in Blandford, Gillingham, Shaftesbury, Sturminster Newton and Stalbridge which will be affected by the potential population growth.

This will require developer funding towards capital build costs where necessary or towards additional equipment and stock:

- *Provision of books at library*
- *Provision of IT equipment*
- *Provision of library equipment/furniture eg books shelves, chairs and tables*
- *General refurbishment eg redecoration*

There may be the need to extend library opening hours to provide access for increased population.

*Development in Marnhull will impact on Sturminster Newton Library.
The costs associated with improvements at Sturminster Newton are £241 per dwelling (index linked)*

Marnhull PC

Marnhull Parish Council object to the application for the following reasons:

- Access on a hazardous junction with poor sight lines;
- Lack of safe walking routes into the village and adverse impact of further traffic on lanes in and around Marnhull;
- The proposed development does not comply with the Council's spatial strategy;
- If approved alongside other current applications in Marnhull, the cumulative impact would be unacceptable, with a disproportionate level of housing placed within Marnhull (25% of the target housing within the countryside), and an oversupply of affordable housing, exceeding local need;
- Lack of local employment opportunities to meet the scale of development proposed;
- Limited bus service results in high reliance on the car to access a employment and a wider range of services;
- Increased pressure on village services and amenities, including the school, village hall and other amenities, and sewerage treatment;
- The size and back-land nature of the site is not in keeping with the village character, close to the Conservation Area;
- Flood risk;
- Any benefits of the proposal outweigh the harm to public safety and village services and amenities.

Wessex Water

No objections

Planning Policy

North Dorset is currently unable to demonstrate a five year housing land supply(HLS). The most recent monitoring report states a figure at 3.3 years HLS. Having regard to the Council's housing trajectory, the Local Plan sets out an annual house-building target of 285 dwellings per annum, and this figure has risen as a consequence of the shortfall. Regarding para 73 of the NPPF, the Council has persistently under delivered on its housing targets over the last 3 years, falling below the level required by Government guidance such that a 20% buffer has to be applied to the housing land supply figure, in order to improve the prospect of achieving the planned supply.

As the Council cannot currently demonstrate such a supply the policies in the local plan relating to the provision of open market housing, in particular policy 2, 6, 7 and 20, cannot be considered up-to-date and the presumption in favour of sustainable development as set out in Paragraph 11 of the NPPF applies. For decision making this means:

o approving development proposals that accord with an up-to-date development plan without delay; or

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

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

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

Policy 2 of the Local Plan cannot therefore be given the full statutory weight it should enjoy, and in the absence of an adequate housing land supply, the Council has to apply a 'tilted balance' as set out in para 11 of the NPPF for housing proposals. This reflects the former position of the earlier NPPF (2012) para 14, which resulted in a number of court cases, eventually resulting in the Supreme Court ruling of *Suffolk Coastal DC v Hopkins Homes & SSCLG* (2016). This confirmed that where a Council does not have a 5-year supply, the tilted balance set out in the NPPF is triggered. In applying the tilted balance, any out-of-date policies are not simply disregarded; the Council can continue to have regard to its spatial strategy, but it does not carry its full statutory weight.

It is therefore important for the Council to look for opportunities to bolster the housing land supply in the short-term where proposals are consistent with the remaining policies in the Local Plan, in particular Policy 1 'Presumption in favour of sustainable development'. In turn, the decision-maker would need to have regard to whether continuing to apply environmental and amenity policies with their "full rigour" would frustrate the primary objective of the NPPF to deliver sustainable development. The Council needs to take a wider view of the development plan policies and should be disposed to grant planning permission unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

Notwithstanding the above, it is important to note that the revised NPPF (2019) outlines in para. 11 (i) that where policies in the Framework that protect areas or assets (this includes heritage assets) of particular importance provide clear reasons for refusing the development proposed, then the 'tilted balance' described above does not apply.

Representations:

51 letters of representation were received, of which 0 offered comments which neither supported nor objected to the proposal, 51 objected to the proposal and 0 supported the proposal.

Third party comments:

At the time of writing the report, 50 third party comments have been received, objecting to the proposed development for the following reasons:

- Road safety, due to access on sharp bend, its position adjacent to the recreation, cemetery and village hall access together with Pilwell junction, and shear increase in volume of traffic on local roads, causing particular problems at pinch points;
- Impact of construction traffic;
- Concern over validity of the transport (TRICS) report;
- Pedestrian safety, due to lack of pavement, no lighting, and lane conditions, making access to facilities unsafe;
- Increased reliance on the car due to poor public transport, unsafe routes for cycling, and poor connectivity to wider services and employment;
- Unacceptable pressure on existing overstretched infrastructure and facilities, including the schools and doctor's surgery;
- Few job opportunities within the village;
- Impact on light and privacy to neighbouring properties immediately adjacent to the site namely the properties of Burtonhayes; impact on views from nearby properties, impact to access drives of Tapshays Cottage and Lychgates through highway realignment;

- Government housing figures do not account for local circumstances, no need for large homes, properties on the market not selling;
- Lack of evidence supporting local need, all homes should be affordable, affordable is not usually affordable enough;
- Destroys productive agricultural land and unspoilt nature of the village, impacting the economy, development should be directed to brownfield sites;
- Site falls contrary to policy, being outside of the settlement boundary, and failing to comprise sustainable development;
- The development is not plan-led, and does not meet the desires of local people regarding how they wish to shape their village;
- Poor design and layout, high density housing, scale of development out of keeping with the rural character and appearance of the village;
- Impact on the Conservation Area, Listed buildings and non-designated heritage assets;
- Impact on the adjacent area identified as an Important Open or Wooded Area (IOWA);
- Impact on the landscape character of the area, and open aspect enjoyed from the recreation ground;
- Impact on peace and rural amenity of the area, due to increased noise and light pollution;
- Impact on existing vegetation, habitats and species;
- Impact on right of way;
- Impact on tranquillity and peacefulness of the cemetery;
- Flood risk and drainage concerns;
- Capacity of sewerage systems;
- Cumulative impact of all four developments proposed within the village.

Representations can be read in full at www.dorsetforyou.gov.uk

Relevant Planning History:

None.

Planning Appraisal:

The planning application is made in outline with all matters reserved, except for means of access.

The development would be served via a 6 metre wide access road at the point of the existing field entrance, with modifications proposed to Burton Street to improve visibility splays and ensure suitable access tracking for refuse vehicles. A further pedestrian access is proposed along the eastern boundary of the site offering direct access to the cemetery access and recreation ground beyond. The access and internal roads indicated within the illustrative layout also seek to accommodate the existing public right of way.

An illustrative masterplan has been provided with the application to indicate how the proposed development could be accommodated on the site. This shows the provision of an attenuation basin within a grassed surround to the south east of the site,

Off-site Planning contributions would be secured by S106 legal agreement. The legal agreement would also secure 40% of the dwellings proposed as affordable units. These are shown pepper potted throughout the site.

The main issues of this proposal are considered to relate to:

- principle of development;
- impact on the historic environment;
- impact on the landscape;
- ecology;
- residential amenity;
- impact on cemetery;
- highway safety;
- flood risk and drainage;
- affordable housing;
- Planning contributions.

Principle of development

It was never anticipated that local needs be met through large-scale housing proposals and, notwithstanding the housing shortfall, it is relevant to have regard to the Council's spatial strategy when considering the appropriate distribution of housing across the District, and the scale of development proposed. No housing needs assessment has been carried out for the 18 larger villages, however, consideration of known variables can assist in offering some context and understanding the implications of a development of this scale.

The number of commitments and completions within Marnhull since 2011 falls within the region of approximately 68 dwellings to date. The delivery of housing proposed within the current application would increase this figure to 129, equating to approximately 15% of the 825 dwellings to be delivered across Stallbridge and the 18 larger villages.

It is also worth having regard to identified needs within the village, and the housing register offers a means of considering this. In this regard, there are 25 households currently awaiting housing in the Parish. In order to meet this local need, a development of 63 dwellings would be required, which would be largely fulfilled by the current proposal.

The NPPF is underpinned by the objective to achieve sustainable development. In residential terms this relates to new dwellings in sustainable locations. The Local plan and the NPPF outlines the objective of sustainable development as 'meeting the needs of the present without compromising the ability of future generations to meet their own needs'. This is based on economic, social and environmental factors. The economic, environmental and social criteria are the basis for new housing being located within larger settlements with a range of facilities, in order to provide opportunities for people to make sustainable choices.

Having regard to the economic benefits of the proposal, the new homes would provide some short term economic benefits during the house build. Concern has been expressed regarding the reduction in productive land, and its consequent impact on the economy. This is nevertheless considered to be relatively minor in this case. Whilst the economic benefits are not wide ranging, it is not considered that the proposal would conflict with the objectives of the NPPF in this regard, and whilst job opportunities within the village are limited, the village is not without employment provision.

Having regard to the social benefits of the proposal, the new homes have the potential to contribute to the vitality and viability of the village, offering continued support for existing services, and providing 40% affordable homes. It is clear from the

representations made that there is existing pressure on local services, and where an unacceptable impact on services is identified, the proposed development seeks to make contributions to mitigate the impact of the proposed additional housing.

In order to comprise 'sustainable development' as outlined in para 8 of the NPPF, proposals need to be considered against all three dimensions of 'sustainability', such that the economic, social and environmental objectives of the NPPF are pursued in a mutually supportive way.

As identified above, following Stallbridge, Marnhull is the second largest village within the District, by some distance and, for a village, is relatively well served in terms of facilities, which include a Church, two schools, two public houses, two convenience stores, a post office, hairdressers and fabric shop, a doctor's surgery, garage, village hall, children's play area and an equipped recreation ground. Like all villages, Marnhull is not without its constraints. Within the village, routes are restricted in places creating pinch points for vehicular traffic, and whilst many of the services identified above would be accessible on foot from the development site within approximately 8 minutes, this would be via the unlit village roads with little footway provision.

In order to reach a wider range of services, together with a choice of employment, it would be necessary to travel to one of the District's larger settlements, and the lack of any arterial routes leading to the village is noteworthy. Marnhull has a limited bus service, with the X10 offering access to Stallbridge, Sherborne and Yeovil, and the X4 offering access to Gillingham. The nearest train station is located in Gillingham, approximately 6 mile away.

Marnhull is thus a comparably large and well served village, although not without its constraints. It would be possible for occupiers of the new development to access a limited range of services on foot, and in this regard the constrained village nature of the street naturally assists in slowing traffic and in turn offers some relief in places through existing driveways and verges. It is recognised that being a village location, there will be some reliance on the car to reach wider services and employment choices. There are nevertheless opportunities for occupiers to make sustainable choices in terms of travel, albeit these may be relatively limited.

Detailed consideration is given within the remainder of the report to other environmental impacts of the proposal, and in this case, the proposed development is considered to meet the objectives as set out in the NPPF, such that the proposal would comprise sustainable development, for which there is a presumption in favour for. Equally, the impacts of the development are not considered to outweigh the benefits of the scheme, and those policies seeking to protect areas and assets of importance do not provide justified reasons for refusal that would prevent the tilted balance described above from applying. The proposed development would in turn contribute significantly to meeting the local housing needs within Marnhull, whilst assisting the Council in boosting its housing land supply. The principle of development is therefore considered acceptable and is considered in more detail within the remainder of the report.

Impact on the historic environment

Marnhull is a rural village, formed from a number of smaller scattered hamlets which have grown and joined to form a single village over time. Some of these hamlets remain identifiable with some maintained separation from the village, but others have been integrated and developed such that they are less identifiable as a separate hamlet.

Nevertheless, as a consequence of Marnhull's growth there is no single historic core that the village is centred around, but instead there are a number of historic hubs centred around the heart of the earlier hamlets.

Marnhull consequently has two separate conservation areas, one reflecting the earlier hamlet of Burton and Pilwell to the north, clustered around the village shops and Blackmore Vale Inn, and another to the South reflecting the earlier hamlet of Kentleworth, centred around the Church, school and Crown Public House, but continuing in a linear form along New Street.

The application site falls outside of the Conservation Area, but sits in close proximity to its most eastern extent along Burton Street, and would have historically contributed to providing a gap in the built form between the linear hamlet of Burton and Pilwell. Despite modern infill within the village, extending both to the east and west, with some development also to the south, the linear form of the earlier hamlet is still legible within the conservation area itself. Modern infill along Burton Street, including the provision of Burtonhayes along the northern edge of Burton Street, together with development on the south side of Burton Street, has nevertheless eroded the previous opening that would have once existed at this end of the Conservation Area, such that the field subject to this application has a weakened relationship with the conservation area, owing in particular to the development within its southern extent.

There are limited opportunities to appreciate the open aspect of the field from within the conservation area itself although the vehicular access to Burtonhayes undoubtedly offers a clear view towards the rural hinterland beyond. It can't be said that the site does not positively contribute, offering a rural aspect and setting to the conservation area, however its contribution is limited owing to the intervisibility between the site and conservation area itself, and its positioning to the north east edge of the historic area.

In order to fully assess the impacts of the proposal, together with the significance of the Conservation Area, the Conservation Officer has been consulted. The Conservation Officer notes the quality of the Conservation Area, with well-maintained buildings and gardens, appropriate boundary treatments and a good public realm. The Conservation Officer in turn notes the prominence of the Conservation Area, owing to its elevated position on the limestone ridge, with views possible in and out of the Conservation Area from the wider landscape.

The Conservation Officer nevertheless goes on to note the site's separation from the Conservation area and the limited intervisibility between the two. The conservation Officer consequently highlights the importance of ensuring that the development is carefully designed to respect its historic setting, noting that a lower density of housing may be necessary to achieve this. This is something accommodated within the description of development which seeks consent for up to 61 dwellings, allowing flexibility at the design stage in the number of dwellings to be provided. Consequently the Conservation Officer does not identify any significant harm to the character of the conservation area and raises no objection to the principle of the development and provision of the access.

There are a limited number of listed buildings along Burton Street, and the Conservation Officer considers these in turn, having regard to their significance and the impact of the development. The Conservation Officers report can be read in full on the Council's website www.dorsetforyou.com, but buildings considered of particular significance include the Grade I listed Church of St. Gregory, situated on high ground approximately

550m south of the application site, and the Grade II listed Orchard House, located immediately to the south, and bordering, the application site.

Having reviewed their significance, the Conservation Officer makes the following assessment:

With regards to the setting of Orchard House within close proximity to the proposed site, I anticipate that:

- *There will be no harm to the evidential value of this asset.*
- *The proposals will result in less-than-substantial harm to the historic value of this building due to the complete removal of the historic connection between it and the adjacent rural landscape. Less-than-substantial harm does not mean no harm.*
- *As the submitted heritage statement suggests, the aesthetic qualities of the building are largely considered from the street frontage on Burton Street. In these views the building is seen with a backdrop of mature tree planting. These trees are located within the gardens of properties surrounding the application site and I do not anticipate that the proposed scheme will affect this backdrop. Therefore, I do not believe the aesthetic value of this asset will be harmed.*

The historic connection between this building and the rural landscape has been somewhat fragmented by the domestic tree planting within gardens but careful consideration of this historic connection will still have to be included in any future detailed design for the scheme.

With regards to the setting of the Church of St Gregory, I do not anticipate that the proposals will harm the evidential, historic or cultural value of this asset. I also do not anticipate that the proposed access and principle of housing will affect the aesthetic value of the church, given the distance between it and the application site and the small number of views around the site where the church is visible.

The Conservation Officer thus considers that there would be less than substantial harm resulting from the development. This refers to the NPPF's categorisation of harm, which classifies harm as 'substantial', 'less than substantial' and 'no harm'. There are of course degrees of harm within these categories, which will depend on the site characteristics and circumstances.

In this case, having regard to the site characteristics and intervisibility between the application site and heritage assets, together with their relationship on the ground, the Conservation Officer considers that through careful design, the proposed development could be achieved without significant detriment to these listed buildings. Therefore, whilst the development would result in less than substantial harm, the degree of harm would be at the lower end of this scale.

Noting the Conservation Officer's concerns regarding the suburban layout and density of the development, these matters are for subsequent consideration at the reserved matters stage, and the Conservation Officer raises no objection to the proposal in principle. It would nevertheless be important if submitted for formal consideration, to give detailed attention to the design and layout of the scheme, in order to ensure the development respects its village setting, and this could require a reduction in the number of dwellings proposed or the property types put forward.

In support of the application the agent has submitted an archaeological desk based study Assessment in order to consider the potential impacts of the development on archaeology. The assessment identified no specific indications that archaeologically significant remains are likely to be present within the site, concluding that the archaeological potential is low or negligible. Under these circumstances the report recommends that an archaeological watching brief during initial groundworks could be appropriate, but that no further investigations are likely to be required. In response to this the Senior Archaeologist has been consulted, and having reviewed the submitted information, does not consider archaeology to be a constraint on development.

For the purposes of Para 11 of the NPPF, the Conservation area and setting of Listed Buildings are considered to be designated heritage assets of particular importance. It is relevant to reiterate that the presumption in favour of sustainable development should not tilt the balance where the policies of the NPPF, in relation to safeguarding heritage assets, offer clear reasons for refusing the proposed development.

In this case, there are a number of identifiable public benefits associated with the proposed development. Not only would it contribute to the provision of both affordable and open market housing, it would in turn contribute to the vitality and viability of the village, and bring some short term economic benefits during the house build.

The impacts of the development are limited to Orchard House; any impact on the property's evidential and aesthetic value would be relatively small. Furthermore, it is considered that through careful design and landscaping, the provision of up to 61 dwellings could in turn contribute to enhancing the historic environment. No other harm is identified, and the impacts are considered to be at the lower end of the spectrum of 'less than substantial harm'.

When weighing the potential harm caused against the benefits of the scheme, the benefits are considered to outweigh the harm caused in this case. There are no policies within the Framework that offer clear reasons for refusing the development proposed on heritage grounds, and the presumption in favour of sustainable development as set out in para 11 of the NPPF continues to apply.

Impact on landscape

The site falls within the Limestone Hills Landscape Character Area which comprises a varied landform due to the complex geological structure. The built form of the village is influenced by the geography of the land, and views out of the village are characterised by rural vistas, rolling hill slopes, and hedged field boundaries to mainly arable land.

Due to the elevated and sloping nature of the application site, together with the undulating landscape that the village sits within, views are possible from the site across the rural settlement towards the built form to the south and east, including views towards the Church and rural foreground. In turn, the rising open nature of the site is easily identifiable from the south, rising beyond the housing along Burton Street to form a rural backdrop to the settlement edge.

In order to fully assess the impacts of the development on the wider landscape, the agent has provided a number of photomontages which are helpful in understanding how the development might appear within the wider landscape. Although indicative, as the layout and scale are yet to be determined, the photomontages are successful in identifying some of the impacts. Without doubt the current undeveloped rural land rising

up beyond the settlement edge of Burton Street contributes positively to the rural character of the area, and the development would result in the loss of this rural backdrop. Nevertheless, the photomontages do indicate that the development could be incorporated on the site such that it would not protrude beyond the crest of the slope to form skyline development, which assists in retaining the sense of village edge. In turn, this also protects views from the crest of the hill back towards the Church tower, with the built form of the proposed development shown no higher than the existing hedgeline.

In order to fully assess the impacts of the development the Landscape Officer has been consulted and makes the following comments:

Regarding the proposed access to the development, I do not consider the access from Burton Street likely to cause significant harm to the landscape character or the visual amenity of the surrounding area. Marnhull contains similar access entrances in relative proximity to the site and the proposed access is already a significant field entrance.

Regarding the principle of 61 dwellings being erected on the site, the proposed site sits between two areas of settlement within Marnhull. The proposed dwellings per hectare (DpH) for this application is approximately 24 DpH, which reflects the general settlement density of the village but is more dense than the historic character of the conservation area and an edge-of-village development... if you are minded to approve this application I would recommend that the illustrative masterplan is amended at reserved matters to provide greater public open space, particularly in the area to the north of Burtonhayes. This would allow for some openness of landscape and views to be maintained from these properties and Orchard House.

The Landscape Officer raised no objection to the principle of the scheme, and it is considered that the proposed development of up to 61 dwellings, together with access could be accommodated on the site without significant detriment to the landscape qualities of the area.

There are no clear policies within the Framework that offer clear reasons for refusing the development proposed on landscape grounds, and the presumption of favour of sustainable development as set out in para 11 of the NPPF continues to apply.

Ecology

In support of the application, the agent has submitted an Ecological Survey together with a Biodiversity Mitigation and Enhancement Plan (BMEP), certified by the Council's Natural Environment Team. This identified that the improved grassland on site has the potential to support low numbers of reptiles, and identified the hedgerows as a priority habitat suitable for nesting birds, and foraging and commuting bats. The BMEP sets out a number of mitigation measures including lighting requirements in terms of ensuring an unlit 5 metre buffer along the west and east site boundary is secured, and controlling the level of lighting used elsewhere. Other suggested mitigation measures include hedge protection zones, a process of habitat degradation to encourage reptiles out of the development areas, and vegetation clearance controls.

The BMEP goes on to assess enhancement measures to be incorporated into the development and considers that there would be a net gain in biodiversity through the provision of increased grassland, an attenuation pond and a planting scheme on site, including scattered native tree and shrub planting, enhancement of existing hedgerows,

and the provision of new species-rich hedgerows to border the development where no hedgerows exist. In addition, features would also be provided on the houses and garages to provide for birds, bats and bees, and features such as a log and brushwood piles will be created in suitable locations along the site boundaries for reptiles, amphibians and other fauna. A Landscape and Ecology Management Plan (LEMP) is to be provided detailing all ecological enhancements, habitat creation and retained habitat features.

It is considered that the proposed development could be achieved without significant harm to protected species, and could contribute to enhancing biodiversity at the site. In order to ensure the measures set out are delivered on site, the BMEP would form a condition of any consent. Subject to this, the proposed development is considered to be acceptable in this regard.

Residential Amenity

The site lies in close proximity to a number of residential properties, with those most affected being those bordering the site, including the properties of Burtonhayes and Orchard House. Only indicative details of the properties positioning and spacing have been provided, and no details of fenestration, scale, or levels have been submitted at this stage.

Having regard to the illustrative plan provided, it is noted that properties have been orientated and positioned to minimise the impact on neighbours to the south, with properties orientated at an angle to the properties of Burtonhayes and Orchard House, with a back garden to back garden arrangement currently shown. Additional landscaping is indicated along this southern boundary, and the proposed dwellinghouses are shown positioned at least 10 metres from neighbouring boundaries and in excess of 35 metres from the nearest neighbouring dwelling house.

At the reserved matters details of precise siting of the dwellings, position of windows and boundary treatments, together with finished floor levels and scale of properties, will be provided in order to fully assess the impact on residential amenity.

It is recognised that the views of neighbouring properties, which currently benefit from an open aspect to the rear, would undoubtedly alter. However, the impact on private views is not a material planning consideration which can be taken into account, and whilst the outlook from these properties would be subject to change, it is not considered that this would significantly impact the residential amenity of occupiers to warrant refusal of the application.

It is also noted that there would be more activity, noise and vehicle movements generally on the site, given its current undeveloped nature. However, this activity would be of a residential nature, consistent with existing uses within the vicinity of the site. It is considered that the proposed housing development would be unlikely to generate harmful levels of noise and disturbance that would significantly and demonstrably affect the quiet enjoyment of neighbouring residential properties.

Concern has also been expressed in relation to the impact of construction. During the construction phase of the proposed development there would inevitably be some adverse impact on neighbouring occupiers by way of disturbance. However, a construction management plan condition is proposed to ensure that any such disturbance would be kept to a minimum. Such disturbance would also be transitory and, as such, it is not

considered that the disturbance would be significant enough to warrant refusal of the scheme.

Concern is raised in relation to the impact that the Burton Street realignment would have on the driveways to Tapshays Cottage and Lychgates. The proposal does not propose to alter this access, and it will be the developer's responsibility to make good any damage to property.

It is considered that a proposal for 'up to 61 dwellings' could be delivered without significant adverse impacts on the residential amenity of the area. A construction management plan condition would assist in protecting neighbouring amenities, in compliance with Policy 25 of the Local Plan.

Impact on cemetery

The existing open field adjacent to the cemetery currently offers an open green aspect from the cemetery, and contributes to the sense of space when visiting the cemetery.

Whilst the character of the area would inevitably change through the provision of housing within the southern portion of the adjacent field, an open aspect would be retained along most of the cemetery's boundaries, and the proposed development is not considered to significantly compromise the use and tranquillity of the cemetery to warrant refusal of the application.

Highway Safety

The applicant is seeking full permission for access to the site, which is shown directly off Burton Street. In order to support the application, detailed plans of the access point have been provided, showing a 6 metre wide access capable of accommodating 2 way traffic including refuse vehicles, proposed at the point of the existing field access. To overcome visibility constraints at the access, it is proposed that the carriageway of Burton Street would be realigned 4m to the south utilising the existing highways verge, and a 2 metre wide pavement would be provided along the eastern side of the access road, extending around to the access to the village recreation ground. The realignment enables the site access to be provided with visibility splays that accord with the guidance provided by Manual for Streets.

The agent has also submitted a Transport Assessment which considers the likely trip generation associated with the development and the report concludes the following:

The number of additional trips being added to the local road network as a result of this proposed development is not considered to result in a severe impact on the operation of the local road network given that Burton Street provides access to numerous residential dwellings.

A junction capacity assessment has also been undertaken regarding the Crown Road/Schoolhouse Lane/New Street/Church Hill junction. The assessment concludes that the proposed development or future potential development would not result in capacity issues at the junction.

The number of parking spaces to serve the development can be considered at the detailed design stage, but the Transport Assessment confirms that parking would be

provided in accordance with the Bournemouth, Poole and Dorset Residential Car Parking Provision Guidance Document (2011).

Notwithstanding the above, third party concerns have been raised in relation to the impact of the development on highway safety. Residents refer to the increase in the volume of traffic, poor sight lines around the bend, and pinch points within Burton Street itself causing traffic to slow to negotiate oncoming vehicles. Concerns are also expressed with reference to a further access being provided in proximity to other well used junctions, including the Pilwell junction and the access to the cemetery, recreation ground and hall. In turn, the validity of the Transport Statement has been questioned.

In order to fully assess the proposal with regards to Highway Safety, the Highways Authority has been consulted who has reviewed the Transport Statement and proposed development. The Highways Authority states the following:

...In order to present a representative picture of the likely impact of the development traffic upon the local highway network, the Transport Assessment considers the following scenarios - a 2018 baseline, a 2023 baseline without development, 2023 with the development traffic and 2023 with the development traffic plus the SHELAA sites in the settlement (the worst-case scenario). The modelling looks, in particular, at the junction of Crown Road/Schoolhouse Lane/New Street/Church Hill, using Junctions 9 software to predict the likely traffic queues and delay. It also considers the junction of Burton Street with Pilwell.

The modelling concludes that the junctions in question will still operate well within capacity when the worst case 2023 scenario is considered, with a minor increase in queuing and delay. The County Highway Authority accepts these findings and does not consider that the highway impact on these junctions is a material cause for concern.

A review of personal injury collision data has not identified any critical locations on the local highway network ... The proposed realignment of the Burton Street provides a marked improvement to the existing situation and is considered to be a highway safety benefit to all road users

... the submitted Transport Assessment is satisfactory and robust. Whilst it is accepted that the proposal will obviously increase traffic flows on the local highway network the residual cumulative impact of the development cannot be thought to be "severe", when consideration is given to paragraph 109 of the National Planning Policy Framework (NPPF) - July 2018.

In light of the above, although the highway verge would be lost, which has been raised as a concern given its ability to offer pedestrians refuge from the highway, the proposed works to realign Burton Street around the bend would enable traffic to pass without crossing the centre line, which is considered to represent an improvement to highway safety. In turn, the realignment offers opportunity to obtain the recommended sight lines at the proposed access to the site, ensuring safe egress onto Burton Street from the proposed development. The proposed development would result in an increase in volume of traffic, however this is not considered to be significantly harmful. Whilst the proposed development would in turn result in an increase in pedestrians using Burton Street to access facilities, the village nature of the road naturally slows traffic, and there are opportunities for refuge on route.

The lack of a footpath along Burton Street is regrettable, however, when weighed in the balance, the proposed development is not considered to significantly impact highway safety to warrant refusal of the application, and the Highway Authority raise no objection.

Flood risk and drainage

The site falls within flood zone 1, which is the lowest flood risk category. The Environment Agency flood data indicates that there is some surface water risk within the western portion of the site, and near the access of the site along Burton Street.

Site investigation has revealed that the use of balancing methods such as attenuation basins would be the most appropriate method to attenuate surface water runoff, with discharges into the local watercourse and ditch system. The FRA considers that this drainage strategy would ensure surface water arising from the proposed development would be managed such that there would be a reduction in flood risk from the site. The FRA concludes the following:

The overall conclusions drawn from this Flood Risk Assessment are that the development would be appropriately safe for its lifetime taking account of the vulnerability of its users, the development would not increase flood risk elsewhere, and would reduce flood risk overall.

It is considered that a suitable drainage system could be achieved at this site to safeguard properties and land downstream from any impacts of flooding as a consequence of the proposed development. DCC as Lead Local Flood Authority consider that the proposed development would be acceptable, subject to conditions requiring the above investigations and an appropriate drainage solution being reached prior to commencement.

Wessex Water has been consulted in relation to the application. In terms of foul waste, Wessex Water confirm that the application site falls within the catchment of Marnhull Common Sewerage Treatment Works, which is approaching capacity.

Where planned discharge rates are exceeded, it will be necessary to plan, design and construct treatment capacity, and agree new discharge limits to meet catchment growth. In this regard, Wessex Water has a scheme of improvement works planned for the Marnhull Common sewerage works, programmed for years 2020-2025. If the treatment capacity is reached in the meantime, a separate scheme of works would be required. In order to ensure appropriate arrangements can be made to support the proposed development, it is considered appropriate that a pre-commencement condition be placed on any consent requiring confirmation to first be received from Wessex Water that capacity can be made available for new connections, prior to works going ahead.

Affordable housing

The applicant is proposing to deliver 40% of the proposed housing as affordable units, in accordance with policy 8 of the Local Plan. This would be secured through a legal agreement.

The number of 2 bed properties and 3+ bed properties broadly reflect the 60:40 split required under policy 7. The open market housing would also be in accordance with policy 7. The housing mix is a matter that could be further considered at the detailed

matters stage, but the indicative scheme complies with the policy provisions set out in the Local Plan.

It has been made clear within the comments received that housing should respond to local need and it is considered appropriate that a local connection clause be included within the legal agreement that gives priority to those with a local connection to Marnhull.

Planning contributions

In order to make development acceptable in planning terms, applications for major housing development such as this one are expected to maintain and enhance the level of grey, green & social infrastructure as set out in Policies 13, 14 and 15 of the LPP1.

In the absence of pre-existing justification within the Local Plan (as it was never anticipated that the District's villages would be subject to large scale housing proposals), to better understand the direct implications that the development would have on infrastructure within Marnhull, consultation has taken place with Marnhull Parish Council.

Where unacceptable impacts are identified and can not be addressed on-site, in line with Policy 13, 14 and 15 of the Local Plan, it is considered necessary to require either provision on the ground or a financial contribution towards enhancement and improvement of specific infrastructure, in order to mitigate the impacts, and make the development otherwise acceptable in this regard.

The key heads of terms for the legal agreement to secure these matters are as follows:

- o Play Facilities (upgrading of Marnhull's existing play equipment and skate park, provision of a multi-use games area within Marnhull) = £967.52
- o Play Facilities Maintenance (related to the provision above)= £359.36
- o Allotments = £308.16 or the transfer of existing allotments to the Parish Council.
- o Formal Outdoor Sports (upgrading Marnhull's cricket ground and football pitch, additional tennis court, provision of outdoor exercise equipment within Marnhull) = £1,318.80
- o Formal Outdoor Sports Maintenance (related to the provision above) = £128.73
- o Informal Outdoor Space (the provision of a park/garden within Marnhull together with the provision of natural and semi-natural green space within the settlement) = £2,071.38 or the delivery of a park/garden within Marnhull on land owned by the applicant of no less than 0.36ha).
- o Informal Outdoor Space Maintenance (related to the provision above) = £1,278.80
- o Community, Leisure & Indoor Sports Facilities (provision of an additional, or enlarged, village hall within Marnhull) = £2,006.97
- o Rights of Way Enhancements (upgrading, and/or provision, of pedestrian and bridleway gates, appropriate surfacing, signage, all relating to the affected footpaths on site) = £39.77
- o Primary and Secondary Education (provision of an additional teaching space at St. Gregory's Primary School, new specialist and science provision at Gillingham Secondary School, provision of an additional primary school playing field at Marnhull, if expanding by 1 formal entry) = £6,094.32
- o Libraries (additional equipment and stock at Sturminster Newton library) = £241

The applicant has agreed in principle to the heads of terms which provide contributions to the above project allocations. Negotiations are still on-going with regards to provision where a contribution could be substituted for delivery within the village. In particular, if the applicant agreed to transfer the existing allotments to the Parish Council, no further contribution would be required in this regard. In turn, the provision of a park/garden within the village would meet the Fields in Trust Guidance, and negate the need for a financial contribution. Where provision can not be made on the ground, the applicant has nevertheless agreed the fall back position of making the financial contributions.

In light of the above, the contributions have therefore been demonstrated to be reasonable, necessary and proportionate, to meet the regulations for Community Infrastructure Levy and the NPPF, and have in turn been agreed in principle by the applicant.

Concerns have been raised in relation to the doctors' surgery in Marnhull. The Dorset Clinical Commissioning Group has been consulted and no comment has been received. They have nevertheless reviewed service provision within the area as part of the other larger schemes proposed within the village, and in each case that have not sought any contribution towards healthcare provision. Without evidence from the primary care services that the surgery would be unable to cope with the additional patients as a result of the development proposed, no contribution in this respect can be justified under the Community Infrastructure Levy Regulations.

Concern has also been expressed in relation to traffic speeds, and the Parish have requested a traffic calming scheme. However, the Highway Authority have offered no evidence towards a need for road infrastructure associated with the impact of the development. Without such evidence, a financial contribution in this regard can not be justified under the Regulations.

Conclusion:

Marnhull is identified in the Local Plan as an appropriate location to absorb additional housing to meet local needs, and is the most well served of the 18 larger villages identified. The proposed development is of a scale greater than would have been envisaged for a village location. However, as a result of the existing shortfall in housing supply within North Dorset, Policy 2 of the Local Plan can not be given full statutory weight, and the presumption in favour of sustainable development, as set out in para 11 of the NPPF applies.

The proposed development is considered to comply with the objectives of sustainable development as set out in the NPPF and would assist in the delivery of housing within the District, and meet the local needs of Marnhull. The impacts of the development are not considered to significantly or demonstrably outweigh the benefits of the proposal in this case, and no policies within the Framework or Local Plan which seek to protect areas or assets of importance offer clear reasons to refuse the application. Furthermore, the proposed development is not considered to conflict with other policies which remain 'up-to-date' in the Local Plan. Under these circumstances, the 'tilted balance' in favour of supporting sustainable development therefore applies, and the proposed development is considered to comply with policy objectives, such that the recommendation is to approve, subject to conditions and a legal agreement to secure contributions and 40% affordable housing.

Delegate authority to the head of planning to grant planning permission subject to securing 40% affordable housing, and appropriate planning contributions through S106 agreement, and subject to conditions.

Recommendation:

Delegate authority to the Planning Manager to grant planning permission subject to conditions and the securing of planning contributions through the signing of a S106 agreement.

Conditions:

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

Site Location Plan, drawing no. RL001 (BS), received 14 Dec 2018

Access Design and Visibility Splays, drawing no. 028.0050.004 Rev C, received 6 March 2019

Access Tracking, drawing no. 028.0050.005, received 14 Dec 2018

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

2. Approval of the details of the layout, scale and appearance of the buildings, and the landscaping of the site (hereinafter called the Reserved Matters) shall be obtained from the Local Planning Authority in writing before any development is commenced.

REASON: To ensure the satisfactory development of the site.

3. The development to which this permission relates must be begun not later than whichever is the later of the following dates:-

(i) the expiration of three years from the date of grant of outline planning permission, or
(ii) the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: This condition is required to be imposed by Section 91 and 92 of the Town and Country Planning Act 1990 (as amended).

4. Application for approval of any 'reserved matter' must be made not later than the expiration of two years beginning with the date of this permission.

REASON: This condition with shortened timeframe, normally imposed by Section 92 of the Town and Country Planning Act 1990 (as amended), seeks to encourage development, due to the pressing need for housing to be provided in a short timeframe, within an area where housing land supply is not currently being met.

5. The development shall comprise of no more than 61 dwellings.

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

6. No development shall commence until details of the access, geometric highway layout, turning and parking areas have been submitted to and agreed in writing by the Local Planning Authority.

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

7. Prior to the occupation of the first dwelling, the first 15.00 metres of the vehicle access, measured from the rear edge of the highway (excluding the vehicle crossing - see the Informative Note below), must be laid out and constructed to a specification first submitted to, and agreed in writing by, the Local Planning Authority.

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

8. Prior to the occupation of the first dwelling, a scheme showing precise details of the proposed cycle parking facilities shall have first been submitted to, and agreed in writing by, the Local Planning Authority. The cycle parking facilities shall be constructed in accordance with the agreed details, and made available for use prior to the occupation of the 30th dwelling. Thereafter, they shall be maintained, kept free from obstruction, and made available for the purposes specified.

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

9. Prior to the occupation of the first dwelling, the following works must have been constructed to the specification of the Local Planning Authority:

The realignment of Burton Street and associated highway works, as shown on Dwg No 028.0050.004 Rev C (or similar scheme to be agreed in writing with the Local Planning Authority).

Reason: These specified works are seen as a pre-requisite for allowing the development to proceed, providing the necessary highway infrastructure improvements to mitigate the likely impact of the proposal.

10. No development shall commence until a Construction Traffic Management Plan (CTMP) shall have been submitted to and agreed in writing by the Local Planning Authority. The CTMP must include:

- o construction vehicle details (number, size, type and frequency of movement)
- o a programme of construction works and anticipated deliveries
- o timings of deliveries so as to avoid, where possible, peak traffic periods
- o a framework for managing abnormal loads
- o contractors' arrangements (compound, storage, parking, turning, surfacing and drainage)
- o wheel cleaning facilities
- o vehicle cleaning facilities
- o 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
- o a scheme of appropriate signing of vehicle route to the site

- o a route plan for all contractors and suppliers to be advised on
- o temporary traffic management measures where necessary

Thereafter, the development must be carried out in strict 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.

11. Prior to the occupation of the 1st dwelling, a Travel Strategy must first have been submitted to and agreed in writing by the Planning Authority. The strategy should include measures to reduce the need to travel to and from the site by private transport and the timing of such measures. Thereafter, the strategy must be implemented in accordance with the details as approved.

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.

12. No development shall take place until a survey of the downstream surface water/land drainage system has been undertaken, which confirms existing drainage arrangements from the site, including the outfall route from the existing pond and ditch system.

Reason: To ensure compliance with National Planning Policies concerning sustainable drainage and to better manage local flood risk and residual risk from public drainage infrastructure.

13. No development shall take place until a Surface Water Construction Management Plan, which shall include measures to prevent turbid run-off from the construction site reaching the road and/or discharging into the public sewer system, has been submitted and approved, in writing, by the Local Planning Authority. The agreed measures shall be implemented and maintained throughout the construction phase of the development.

Reason: To prevent increased risk of flooding during construction, prevent pollution and protect water quality.

14. Details submitted pursuant to any reserved matters application shall include exceedance measures, and a timetable for their implementation.

Reason: To ensure that the development is resilient to climate change and to ensure residual flood risk from infrastructure failure is managed appropriately.

15. No development shall take place until 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.

16. 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 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.

17. No development shall commence until written agreement has been received from Wessex Water, and in turn submitted in writing to the Local Planning Authority, confirming that capacity can be made available for new connections to the foul drainage network.

Reason: To ensure appropriate capacity is first secured to manage foul drainage from the development.

18. Prior to the occupation of the 1st dwelling, all measures set out in the Biodiversity Mitigation & Enhancement Plan submitted by Lindsay Carrington Ecological Services dated 18th February 2019, as certified by Dorset County Council Natural Environment Team, shall be implemented in full.

Reason: To ensure that the development conserves and enhance biodiversity in accordance with the objectives of the National Planning Policy Framework.

19. Prior to the construction of the foundation of any dwelling, a Landscape and Ecology Management Plan (LEMP) shall first be submitted to and approved in writing by the Local Planning Authority. The LEMP shall include ecological enhancements, habitat creation and retained habitat features, together with details of maintenance of habitat/ecological features for a period of not less than 5 years. Such scheme shall be implemented immediately following commencement of the works, or as may be agreed otherwise in writing by the Local Planning Authority.

Reason: To ensure that the development conserves and enhance biodiversity in accordance with the objectives of the National Planning Policy Framework.

20. No development shall commence until a detailed Arboricultural Method Statement shall have been produced, submitted to and approved in writing by the Local Planning Authority. The statement shall include details of how the existing trees are to be protected and managed before, during and after development and shall include information on traffic flows, phased works and construction practices near trees. The development shall thereafter be carried out in accordance with the approved Arboricultural Method Statement.

Reason: To ensure thorough consideration of the impacts of development on the existing trees.

21. Prior to occupation of the 1st dwelling, a landscaping and tree planting scheme shall have first been submitted to and agreed in writing by the Local Planning Authority. The landscaping scheme shall include details of all tree, shrub and hedge planting, including details of species, sizes, and densities of plants. In addition, it shall include a long term management plan for all trees and landscaping which are to be retained and/or proposed at the site, together with provision for the maintenance and

replacement as necessary of the trees and shrubs for a period of not less than 5 years. Such scheme shall be implemented during the planting season November - March inclusive, immediately following commencement of the works, or as may be agreed otherwise in writing by the Local Planning Authority.

REASON: To ensure the provision, establishment and maintenance of a reasonable standard of landscape, in the interest of safeguarding the visual amenity and landscape qualities of the area.

22. Prior to occupation of the 1st dwelling, full details of hard landscape proposals, including surfacing and boundary treatments, shall have first been submitted to and agreed in writing by the Local Planning Authority. Thereafter, development shall proceed in strict accordance with such details as have been agreed.

REASON: To ensure the provision, establishment and maintenance of a reasonable standard of hard landscaping, in the interest of safeguarding the visual amenity and landscape qualities of the area.

23. No external street lighting shall be erected on site, until a scheme showing the precise details of external lighting (including appearance, light intensity and orientation) shall have first been submitted to, and agreed in writing by, the Local Planning Authority. Thereafter, any street lighting shall be implemented in accordance with the agreed details, and shall be retained as such thereafter.

In the interests of safeguarding the rural amenity of the area.

24. Prior to the construction of the foundation of any dwelling, details of the finished floor levels of the buildings shall have first been submitted to and approved in writing by the Local Planning Authority. Such levels shall be relative to an ordnance datum or such other fixed feature as may be agreed in writing by the Local Planning Authority. Thereafter, the development shall be carried out in strict accordance with the approved details.

REASON: In the interests of visual amenity

25. Prior to the construction of any attenuation pond, details of depths, gradients, and any associated structures shall have first have been submitted to, and agreed in writing by, the Local Planning Authority. Thereafter, development shall proceed in strict accordance with such details as have been agreed.

Reason: in the interests of visual amenity

Human Rights:

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.

Public Sector Equalities Duty (PSED)

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.

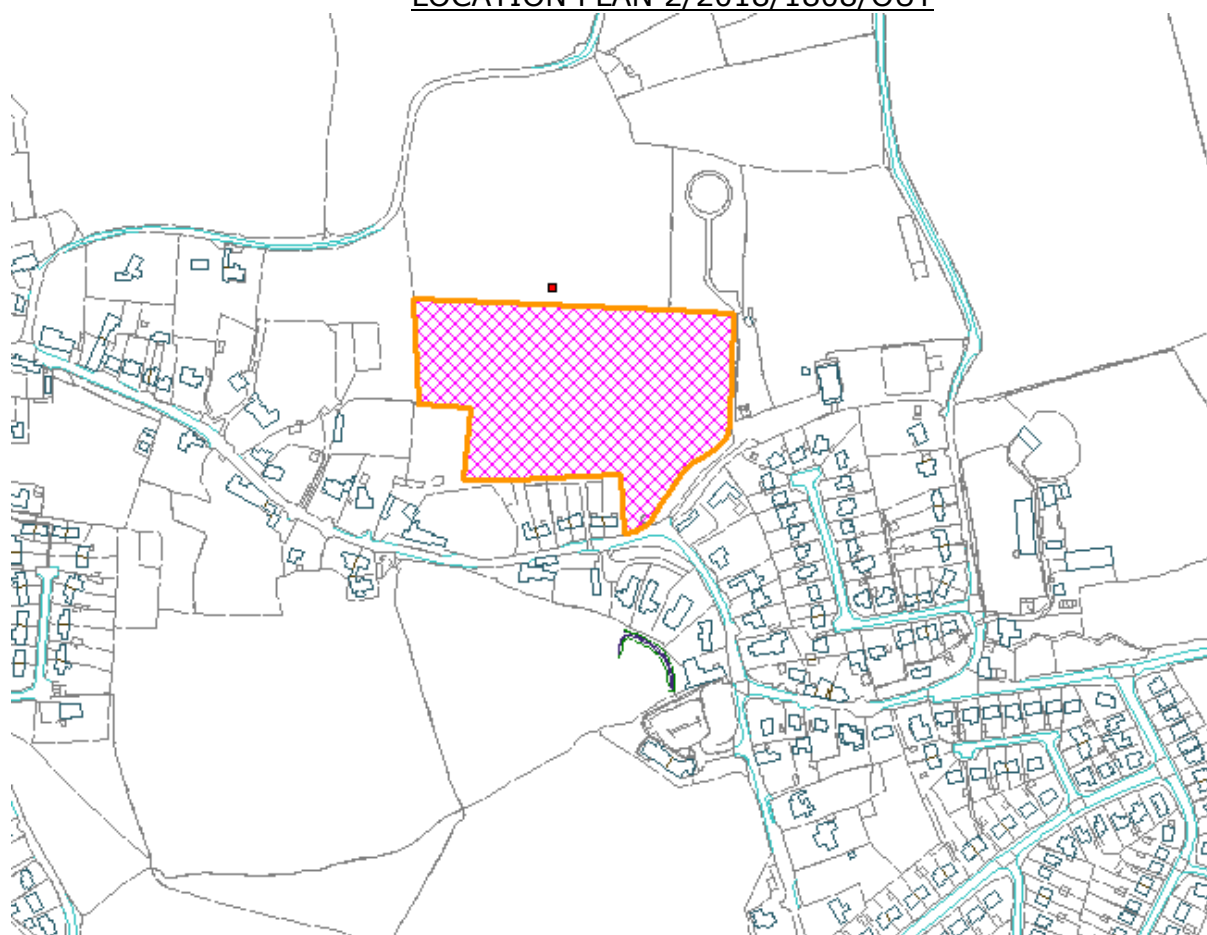
Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people.

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 particular, the access arrangement will be provided with dropped kerbs.

DECISION:

LOCATION PLAN 2/2018/1808/OUT



DO NOT SCALE

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