

Application Number: WD/D/16/000378 **Outline**

Registration Date: 13 April, 2016

Application Site: LAND SOUTH OF WARMWELL ROAD, WARMWELL ROAD,
CROSSWAYS

Proposal: Full planning permission for the erection of 99 open market dwellings & affordable dwellings, a new doctors surgery, a replacement village hall, a car park, a new village green, new vehicular and pedestrian accesses and works to Warmwell Road. An outline application for the erection of 401 open market and affordable dwellings, the provision of 2.5ha of employment land, new vehicular and pedestrian accesses, roads, footpaths and cycleways, a car park for the proposed Site of Alternative Natural Greenspace (SANG) and 2 pumping stations; and a full application for the change of use of 22.4ha of land to Site of Alternative Natural Greenspace (SANG).

Applicant: C & G Properties Ltd

Ward Members: Cllr N Bundy, Cllr A Thacker

Case Officer: David Hodges

1. Summary Recommendation

1.1 Delegate to the Head of Planning to approve subject to completion of a s106 legal agreement to secure the following;

- 35% of the units as affordable housing with 50/50 tenure split between rented and shared ownership/low-cost affordable housing
- A clause to revisit the viability of the scheme and the affordable housing provision at 100, 200, 300 & 400 units
- Education contribution of £2,722,212
- Provision of a minimum of 22.4ha of suitable alternative natural greenspace (SANG) with a maintenance contribution of £960,000 and supporting funding provisions (SAMM)
- Financial contribution of £149,089.00 towards mitigation for the impacts of the development on nitrogen levels in Poole Harbour.
- Provision of a scheme for the extraction of mineral interest from the site and the restoration of the land concerned prior to its development.
- Highway improvements at Max Gate payable not later than the occupation of 100 units
- Highways contributions of £560,000 towards off-site highway works to

- include works to Warmwell Road and a Cycle Route Scheme
- Provision of a minimum of three no. Locally Equipped Areas for Play and financial contributions towards maintenance of the proposed LEAPs

2. Description of development

2.1 Application is a hybrid proposal for full planning permission, change of use and outline planning permission for this Strategic Site allocation in the adopted West Dorset, Weymouth & Portland Local Plan. The site areas covers the entire allocation set out in the Local Plan Policy CRS1 which includes an allocation for mixed-use development and an indicative area for suitable alternative natural greenspace (SANG) as mitigation for the impacts of this residential development on protected heathlands within 5km of the site. The overall site area is 44.21 hectares.

The Outline Application

2.2 The outline application seeks permission for 401 dwellings in addition to the detailed consent for 99 dwellings on the full permission element. A total of 500 dwellings across the application. The outline application will deliver the remaining 401 dwellings across a series of 'Character Areas' (see para.13.16) on land to the east of the Hybris Business Park and south of Summer Farm, extending down from the B3390. The residential elements also extends around to the current village hall site west of the Hybris up to the boundary of the access track and bridleway to the villages hall. The residential areas extend south, wrapping around the lower part of Scotton Way to link back into the residential development east of the Business Park.

2.3 Within the residential elements of the scheme are indicated areas of open space with three LEAPs (play areas) shown. There are also areas of open space including around the site of the Bowley's Plantation Scheduled Ancient Monument. There also open areas around retained tree copses within the land. A series of allotments is indicated immediately adjoining the southern boundary of the recycling centre. A separate car park west of the public bridleway along the western boundary is located to serve the proposed SANG in this area.

2.4 At the eastern corner of the site at the junction of Warmwell Road and Moreton Road, an area of 2.5 hectares of employment land is indicated. This will be served by a separate access from the B-road opposite 16 Warmwell Road. This road is then shown linking into the remainder of the development to the south. Overall there are three vehicular accesses indicated with a main central access forming part of the full permission element below. The third access is at the far western end of the site on the position of the current village hall access road.

Detailed Planning Permission: Phase 1

2.5 The application includes a full permission element for an initial 99 dwellings to form the first phase of the development of the site. 35% of these units to be provided as affordable housing with a tenure split of 50/50 between rented and shared ownership/low-cost provision. In addition to the residential proposals, the full permission element also provides for the erection of a new village hall

and doctors surgery at the entrance to the site from Warmwell Road with a new car park to serve these facilities. The detailed scheme element in addition proposes a new village green behind the village hall. New vehicular and pedestrian accesses and works to Warmwell Road also form part of the detailed proposals.

2.6 Residential: The detailed consent provides the first 99 dwellings on land immediately east of Heathfield Park and the Hybris Business Park. The housing will be arranged on part of the primary route network indicated in the wider masterplan around the site leading from the new access from the B3390. This will form part of the character areas 2, 3 & 4 (para. 13.16 below). From this primary street will be a secondary street linking into a central 'avenue' designed to lead from the community hub of the development at Warmwell Road down to the SANG to the south. The reminder of the houses are located on narrower home zones or parking courts accessed from the primary or secondary route network.

2.7 The total schedule of accommodation for Phase 1 is as follows;

House Type	Beds	GIA sqm	Storeys	Total No.
A Apartment	2	72.8	3	12
B Townhouse B	3	105.4	2.5	4
C Wide Front	3	93.1	2	16
D Terrace	2	72.3	2	20
E Farmhouse	4	143.3	2	6
F Mews	1	69.7	2	5
G Townhouse G	3	84.2	2	17
H Townhouse H	4	132.5	2	7
I Manor	5	236.5	2	3
J Grange	5	192.3	2	1
K Townhouse K	4	115.0	2	4
M Lodge	4	148.2	2	1
N Dovecote	2	122.5	2	1
P Cottage	2	72.3	2	2
				99

2.8 On Phase 1, the affordable housing contribution proposed is 35% of the units as per Policy HOUS1, split 50/50 between shared ownership and rented accommodation. The units are as follows;

Rented				
House Type	Beds	GIA sqm	Storeys	Total No.
A Apartment	2	72.8	3	6
D Terrace	2	72.3	2	6
F Mews	1	69.7	2	1
G Townhouse G	3	84.2	2	2
K Townhouse K	4	115.0	2	2
				17

Shared Ownership				

House Type	Beds	GIA sqm	Storeys	Total No.
A Apartment	2	72.8	3	6
C Wide Front	3	93.1	2	4
D Terrace	2	72.3	2	6
P Cottage	2	72.3	2	1
				17

The affordable units are shown pepper-potted around the phase 1 development with a variety of types and sizes.

- 2.9 Village Hall:** The village hall is a single-storey but double height building located to the east of the main access onto Warmwell Road. It is intended to be a key focal point for the development whilst also serving as a hub for the wider village. The building includes a main hall sufficient to accommodate a badminton court, stage area/ancillary committee room, small hall, store rooms, playgroup facilities including an outdoor play space which is equipped and enclosed, foyer/entrance area, kitchen, office, toilets and changing facilities.
- 2.10** The village hall fronts west onto the new access road into the site but also includes large glazed areas on the east elevation. This will face out onto the proposed village green running alongside the main road. 9 parking spaces are shown immediately adjacent to the new hall with the majority of the parking demand to be met by the car park behind the new surgery (see below).
- 2.11 Doctors Surgery:** The new doctor's surgery is proposed to the west of the new junction to the B3390. This has a smaller footprint than the new village hall but instead is 2-storey. It includes three GP rooms, a nurse's treatment room, three multi-function rooms, a private consultation room, two offices, a reception and waiting area, staff and patient toilets and a staff common room. A pharmacist will be incorporated into the surgery on the ground floor with external public access and an internal connection to the surgery's waiting room. A total of 53 car parking spaces is shown along with motorcycle spaces, designed to be shared between the community facilities. Cycle parking for both the village hall and new surgery are shown to the front. The total floorspace of the new community buildings is 1,032m².
- 2.12 Change of Use to SANG:** 22.4ha of land within the site – a little over half – is proposed to be provided as suitable alternative natural greenspace. The application seeks permission for a change of use of this land from a nil use/agricultural use to be used as open space as mitigation for the impacts of the increased residential development on the site on the nearby heathland Sites of Special Scientific Interest (SSSI) at Warmwell Heath and Winfrith Heath.
- 2.13** The proposed SANG includes areas of grassland, woodland and heath. The SANG is shown divided into four 'units' in the open grassland areas immediately surrounding the proposed residential areas. On the eastern side these adjoin the woodland at Moigne Combe Wood. The proposals for the SANG involve limited physical intervention to these areas. The main changes are to provide new links to these areas to bring these into the public domain,

creating interest for informal walking routes used for dog walking and informal recreation. It is also proposed to link into existing rights of way, via the SANG, the Jubilee Trail, a national trail passing beyond the southern boundary of the SANG.

3. Main planning issues

- Key Housing Site in the adopted Local Plan (Policy CRS1)
- Local Plan settlement strategy
- Provision of housing
- 5 year housing land supply
- Affordable housing provision
- Scheme viability
- Impact to protected heathlands/SANG provision
- Impact on Scheduled Ancient Monuments/heritage assets
- Highway Safety
- Urban design and design considerations
- Employment provision
- Neighbours and occupier's living conditions
- Mineral extraction/safeguarding
- Provision of community facilities
- Recreation and sport provision
- Drainage and flood risk

4. Statutory Consultations

Parish Council

4.1 Crossways Parish Council:

The Council agreed to break down the proposal into the three parts. The first part considered was the change of use of 22.4 ha of land to Site of Alternative Natural Greenspace (SANG). All Councillors were in favour of this proposal and noted it would be maintained by Dorset Wildlife Trust who would take ownership and control of the area. It was also reported that there would be an area made available for dogs to be walked responsibly by their owners.

4.2 The Council agreed that South of Warmwell Road was agreed in the Local Plan and it was in consultation with the residents of Crossways. It was agreed the best shape for the village was to the south of the existing settlement. Councillors recommended that a provision for older children would be made available. It was acknowledged that there was a lack of facilities for children over 8 years old.

4.3 Councillors were concerned about the inevitable increase in traffic on the Warmwell Road. It was acknowledged that pedestrian refuge crossings with an island would help with connectivity of both sides of the village but concerns were raised about the more vulnerable road user crossing without a signal controlled crossing. Although Councillors were made aware that the B3390 would become a 30 mph road Councillors still had concerns that the speed of traffic would not keep to the 30 mph speed without traffic calming measures. Large lorries can take longer to stop than a car. The B3390 is a very straight stretch of road and to achieve the desired 30 mph for all vehicles especially lorries would require environmental changes to the road layout. The council

urged Dorset County Council to consider visual and physical restrictions. It was noted that Dick o th Banks Road should not be used as the preferred option/instead of the B3390.

- 4.4** Councillors were delighted with the provision of a new Village Hall. It was agreed that 3-storey development was not out of character for Crossways. Recommend a small children's play park next to the village green for families to enjoy the open space.

Councillors also wished for the dust from the site to be managed so as not to cause undue stress for those living in close proximity to the development.

All Councillors were in favour that there were no objections to the Planning Application.

- 4.5 Owermoigne Parish Council:** Objects for the following reasons;

- Visual impact of employment land fronting Moreton Road (a country lane). Should be sited closer to the Hybris.
- Increased commercial traffic using Moreton Road to reach A352 passing through Owermoigne village.
- No provision to accommodate increased school numbers.
- No report on impacts of light pollution from the scheme.
- Increased load on Warmwell pumping station to Louds Mill. Owermoigne already suffers from foul water flooding from the link to Warmwell.
- Concern overflow from surface water will flow into local watercourses and exacerbate existing issues with overflowing water in Moreton Road.

Highway Authority

- 4.6** The County Highway Authority will require contributions to a Cycle Route Scheme and Traffic Regulation Order for the speed limit proposals under a Section 106 Agreement and for the Developer to enter into a Section 278 Agreement (Highways Act 1980) to ensure the works to the existing highway are properly constructed. Following the above agreements the County Highway Authority considers that the proposal does not present a material harm to the transport network or to highway safety and consequently has NO OBJECTION and makes the following recommendations for conditions (see 15.1 below).

5. Other consultations

5.1 Purbeck District Council:

Since the application relates to an allocated site for a mixed residential, employment and community facility development in the adopted Local Plan, Purbeck District Council raises no objection. Should WDDC grant permission, it must be satisfied that all material planning considerations are properly addressed, and that the assessment includes consideration of the impact, where relevant, upon land within Purbeck. Of particular interest are issues relating to the impact on the highway network, impact on protected heathlands, noise, flood risk, and air quality.

- 5.2** The developer to ensure that the scheme includes infrastructure to support Superfast Broadband. The Planning Committee also highlighted the importance of joint working between Purbeck District Council and WDDC with regard to joint evidence gathering and master planning for the development of the Crossways area, as required by Policy CRS2 of the Local Plan.
- 5.3** **Natural England:**
Conservation Of Habitats And Species Regulations 2010
The application will result in 401 additional dwellings in the vicinity (within 5km and beyond 400m) of the Warmwell Heath Site of Special Scientific Interest (SSSI) and Winfrith Heath SSSI, sites notified for the special interest of their heathland habitats and associated plant and animal species. The SSSI forms part of the Dorset Heathlands Special Protection Area (SPA) on account of rare or vulnerable heathland bird species and are also part of the Dorset Heathlands Ramsar site on account of rare or vulnerable heathland wetlands and associated rare wetland species. They are additionally part of the Dorset Heaths Special Area of Conservation (SAC) on account of rare or vulnerable heath land and associated habitats and some individual species.
- 5.4** The proximity of the European sites (SPA and SAC) raises considerations on the requirements of the Habitats Directive 1992 for these sites to be maintained or, where necessary, restored at a favourable conservation status (Article 3 (1)). Determination of the application should be undertaken with regard to the requirements of the Habitat and Species Regulations 2010, in particular Regulations 61 and 62; and legislative and policy considerations on the protection, conservation and enhancement of the interest features of the SSSI and Ramsar site.
- 5.5** In our view the proposal is not directly connected with, or necessary to, the management of the European sites. Owing to the proximity of the proposal to the European sites, the additional residential development, in combination with other dwellings proposed nearby would be likely to have a significant effect on the heathland interest features of these sites. Before granting planning permission, an appropriate assessment of the implications of the development on these sites should be made. The conservation objectives are to maintain and, where not in favourable condition, to restore, the heathland and other habitat and species interest features. On its own the development may not adversely affect the integrity of the sites, but in combination with other dwellings proposed nearby, without mitigation there would be a deterioration of the quality of lowland heathland.
- 5.6** Natural England is satisfied that the SANG proposed, along with access management and monitoring measures (SAMM) - if fully secured - will deliver reliable measures to avoid disturbance impacts on the heathland. The SANG proposals will also provide a valuable public open space resource for the local community. Natural England therefore fully supports the provision of the SANG and supporting funding provisions as described in the submitted SANG Management and Phasing Plan.
- 5.7** The applicant must be responsible for setting up the SANG, all associated infrastructure and landscaping to a satisfactory standard. Natural England supports the SANG phasing set out in the SANG Management and Phasing

Plan. I also understand that the Dorset Wildlife Trust has now confirmed in principle to take on the freehold and management of the SANG, subject to legal agreements being satisfactorily agreed.

- 5.8** Good progress has therefore been made towards resolving the issues, however, until the proposals are fully finalised, they do not meet the requirement of certainty in the delivery of the avoidance/mitigation measures in the Habitats Regulations. The long term future management of the SANG should be secured through a s106. This will need to identify that DWT will be responsible for the long term management of the SANG and the value of the agreed SANG management fund. Provided the S106 is formally agreed by all parties then I can confirm Natural England has no further concerns regarding this aspect of the application.
- 5.9** The provision of SANG within walking distance of a new development is one important element of the long term mitigation. SANGs are not intended to divert all new residents from accessing the protected sites, but to enable a neutral level of visitor pressure with an equal proportion of existing heathland users being diverted to the SANG. It is necessary for applicants to secure a SAMM contribution relative to the level of residential development which must be in line with the provisions set out in the Dorset Heathlands SPD. Natural England welcomes the applicants' commitment to provide a SAMM contribution. This advice on mitigation measures also applies in meeting legislative and policy considerations on the protection, conservation and enhancement of the heathland SSSIs and Ramsar site.
- 5.10** Comments Relating To Nutrients And The Poole Harbour SAC, SPA And Ramsar Site:
The proposed development will introduce an additional source of nutrient loading (Total Phosphorus and Total Nitrogen) to the Poole Harbour SSSI, SPA, Ramsar catchment. Designated intertidal habitats and species features at Poole Harbour are affected by eutrophication, including macroalgae growth, encouraged by elevated nitrogen inputs from its catchment. To address the eutrophication a significant reduction in catchment nitrogen input is required from agriculture while avoiding increases derived from development.
- 5.11** Natural England has reviewed the nutrient budget for the development site and SANG and based on the calculation set out in this response is satisfied that the scheme will achieve nutrient neutrality. On this basis, provided the SANG and necessary funding is secured then Natural England has no objection to this aspect of the application. If the Council is minded to grant planning permission in a manner contrary to Natural England's advice, the procedures set out in S.28(1) of the Wildlife and Countryside Act would apply.

The contribution in this instance would be £149,089.00

- 5.12** Other Biodiversity Interests:
Natural England welcomes the submission the Phase 1 and 2 ecological assessments of the development site. In order to secure appropriate protected species mitigation and biodiversity enhancements within the developed area Natural England recommends that the provision and full implementation of a Dorset County Council Natural Environment Team (DCC NET) approved BMP is made a condition of any permission.

- 5.13 Network Rail:** After reviewing the information provided in relation to the above planning application, Network Rail has no objection to the proposed development.
- 5.14 Sport England:** The occupiers of new development, especially residential, will generate demand for sporting provision. The existing provision within an area may not be able to accommodate this increased demand without exacerbating existing and/or predicted future deficiencies. Sport England considers that new developments should contribute towards meeting the demand that they generate through the provision of on-site facilities and/or providing additional capacity off-site. The level and nature of any provision should be informed by a robust evidence base such as an up to date Sports Facilities Strategy, Playing Pitch Strategy or other relevant needs assessment.
- 5.15 The Proposal and Assessment against Sport England's Objectives and the NPPF:** The population of the proposed development is estimated to be 1200 people. This additional population will generate additional demand for sports facilities. If this demand is not adequately met then it may place additional pressure on existing sports facilities, thereby creating deficiencies in facility provision. In accordance with the NPPF, Sport England seeks to ensure that the development meets any new sports facility needs arising as a result of the development. Sport England's Sports Facilities Calculator (SFC) indicates that a population of 1100 in this local authority area will generate a demand for sports halls, swimming pools, indoor bowls and artificial grass

The contributions would be as follows:

- Sports halls: 0.31 court - £234,176
- Swimming Pools: 0.05 pool - £182,570
- Artificial Grass Pitches: 0.03 pitch - £25,916 if 3G (£22,693 if sand)
- Indoor Bowls: 0.10 rink - £35,352

Total £478,014 (if 3G) or £474,791 (if sand)

- 5.16** On reviewing the planning documents we note the provision (outdoor) of a small village green that would be too small for adult football and adult cricket with no changing provision. The indoor provision is a building that has the potential to be used by sport but it is unlikely to have a high enough ceiling for a single badminton court. With some work, we could achieve a small sports hub for the new community that could include outdoor (adult sized) pitches, courts and even bowls. A MUGA would be useful for training, potentially for netball/basketball and young people's play. The indoor provision could be a community/social hub with changing for the outdoor pitches/tennis/bowls as well as providing an important indoor sports space for formal sport and informal recreation (including storage) if designed in that way.
- 5.17** Sport England has produced 'Active Design', a guide to planning new developments that create the right environment to help people get more active, more often in the interests of health and wellbeing. The guidance sets out ten key principles for ensuring new developments incorporate opportunities for people to take part in sport and physical activity. The Active

Design principles are aimed at contributing towards the Government's desire for the planning system to promote healthy communities through good urban design. Sport England would commend the use of the guidance in the master planning process for new residential developments.

In light of the above, Sport England is unable to support this application. We will review this position if the developer makes additional representations to address the comments contained within this response.

5.18 DCC Schools Admission Team:

DCC will be looking to secure developer contributions towards the provision of education capacity as a result of the development. There will be a need to extend the facilities at Frome Valley First School from 1 Form Entry to 2FE and an extension of St. Mary's Middle School in Puddletown to deliver the Year 5-8 capacity. Also provision of additional Upper School and Post 16 capacity which is currently assumed to be through the delivery of works at Thomas Hardy School but may require the capacity to be developed in another appropriate institution.

5.19 For the initial 99 houses and based on the published formula for assessing pupil impact of a housing development, we anticipate;

- 12 First School, 10 Middle (5+5) and
- 8 Upper School along with
- 3 'Post 16' learners to be generated from this development.

The additional 401 units will generate;

- 50 Primary,
- 41 Middle School (20.5+20.5),
- 31 Upper School and
- 14 'Post 16' learners to be generated from this development.

5.20 Across the First, Middle and Upper School phases, DCC have identified for West Dorset a per housing unit cost of £5,444. This mechanism was adopted by DCC in 2013. DCC will look for a total contribution of £538,998 for the initial 99 units with a further £2,183,214 for the remaining 401 units. DCC is aware of the 5 pooling restrictions and is mindful that this development is subject to two of these and does not thus anticipate that the remaining 401 are subdivided into smaller parcels for planning purposes.

5.21 Historic England (Ancient Monuments):

As you are aware, we have recently received additional information on this application in the form of a Setting Assessment prepared by Context One. We concur with the conclusion reached in the report that the application - in its current form - will result in a loss of significance to the Scheduled Monument, via a change in setting. However, we do see an opportunity here for the application to be amended at the Reserved Matters stage, which would mitigate harm to the Scheduled Monument.

5.22 Recommendation:

We consider that the application meets the requirements of the NPPF, in particular paragraph number 128. We recommend that at Reserved Matters stage the proposed access road is re-located further to the west and north, so that it does not impinge on the sub-surface enclosure remains. We also recommend that a management plan is prepared for the Scheduled

Monument and the enclosure remains within the application area. The management plan should include proposals to manage the entire enclosure as one asset and should include provisions to retain it as an open space, free of potentially intrusive features such as fencing, lighting, drainage or sub-division.

5.23 Dorset County Council Senior Archaeologist: Confirms they are in agreement with the response of Historic England with regards to the impacts on the Scheduled Ancient Monument.

5.24 Dorset County Council Lead Local Flood Authority:

It is appropriate that we are consulted with specific regard to the Surface Water (SW) management for major development, as defined in the Development Management Procedure Order. We acknowledge the hybrid nature of this application, however, given that a SW strategy has now been submitted for the whole site, we have commented accordingly.

5.25 • With respect to climate change, the applicant has confirmed that SW drainage will be designed to 1 in 100 year rainfall events with a 40% allowance – in keeping with most recent guidance.

• Further clarification has been provided with regards previously combined SW & highways drainage. SW will be drained through on site soakaways where possible, any remaining run off generated from areas of the site not found to support infiltration will be collected and drained through an infiltration basin to the south of the site. Highways drainage will be drained separately in accordance with DCC Highways adoption standards. Provisional drainage layouts can be seen in Appendix 1 of the above FRA, although it is not clear in this drawing which ponds are for which type of drainage.

• We acknowledge the work completed by Cole Easdon Consultants in relation to maintenance of proposed infrastructure.

• We note the provision in the FRA of a plan which clearly identifies locations of where soakaway tests and boreholes were located.

• A mineral extraction plan is provided in the FRA – this remains unclear since areas on the drawing are marked as having a “Depth to Groundwater after extraction”, but are also marked as not viable for extraction. However, confirmation was provided that only the north eastern corner of the site will be subject to mineral extraction.

• We acknowledge that the applicant will design infiltration features such that Ground Water (GW) levels remain 1m below the base of any infiltration feature, based on maximum GW readings, taken when the local water table has reached its seasonal peak. At present, the ground investigation works do not provide a consistent picture of GW levels. Further ground investigation will need to be undertaken across the site to clarify matters.

• Seepages into trial pits are mentioned within the FRA, but are discounted as representative of the underlying water table. We accept that this is possible, however, seepages will affect the efficacy of any soakaways. Soakaways

should therefore be designed to take into account any loss of capacity that may result.

- We appreciate the clarification provided in regard to SW flow paths and landscaping works that will be completed after extraction in the FRA.

5.26 Given the additional clarification provided by the applicant and the formulation of a drainage strategy for all phases of the site we are able to Withdraw our Objection subject to conditions.

5.27 Wessex Water:

As we have not agreed a foul drainage strategy with the applicant please can you consider the use of a planning condition if the application gains approval.

5.28 Highways England:

We have undertaken a review of the relevant documents supporting the planning application to ensure compliance with the current policies of the Secretary of State as set out in DfT Circular 02/2013 “The Strategic Road Network and the Delivery of Sustainable Development” and the DCLG National Planning Policy Framework (NPPF). Highways England has undertaken a review of the Transport Assessment and subsequent transport notes to conclude our audit of the proposals and in determining traffic impacts on the A35, specifically the A35 Max Gate Junction.

5.29 Trip Generation:

Combined residential trip generation includes 319 (AM) and 297 (PM) two-way trips. We are prepared to accept the combined trip generation level. The TA also includes for 550 residential dwellings, yet the planning application seeking planning permission for 500. This is a further factor in accepting the trip generation levels presented in the TA. The employment proposals are identified to include the potential for B1 office development, and therefore a ‘business park’ trip rate has been derived from TRICS. In the TA A two-way employment trip rate of 1.99 (AM) and 1.26 (PM) has been adopted, generating 213 (AM) and 134 (PM) two-way trips. It is assumed that the doctors surgery and village hall do not generate trips that would travel as far as the SRN. The TA also assumes 15% internalisation of employment trips, given that a large residential population will be located within a short walkable distance of the employment offices.

5.30 Trip Distribution:

Approximately 20% of development traffic is assumed to travel through the A35 Max Gate Junction. WYG have identified committed and/or allocated development for inclusion in traffic scenarios, where there is a reasonable degree of certainty that the development will proceed within the next three years. This has included the Silverlake proposals comprising of 1,000 holiday units, a hotel and leisure facilities.

5.31 Traffic Impact & Mitigation:

As part of the planning permission for the Silverlake development, a ‘no right-turn’ mitigation scheme is to be implemented at A35 Max Gate junction. The mitigation scheme is identified for both capacity and safety reasons, and includes the banning of right-turns from the A352 to A35 North. The geometry

of the junction will be amended to reflect this banned right turn. This junction scheme is to be implemented prior to the 225th holiday unit being occupied at the Silverlake site. This trigger was identified in relation to a 2014 opening year traffic scenario in accordance with Highways England policy requirements.

- 5.32** The development proposals are likely to be unacceptable, by virtue of a severe impact, if they increase demand for use of a section that is already operating at over-capacity levels, or cannot be safely accommodated. Following capacity assessment tests, WYG identified a mitigation scheme for the A35 Max Gate junction. This scheme was required in addition to the 'committed infrastructure' already identified for the Silverlake proposals. The combined junction scheme is shown in the WYG drawing. In addition to the banned right turn movements from the A352 to A35 (N), this scheme also includes widening the A35 carriageway and the right-turn lane, and extending the right-turn lane on the A35 by approximately 40m.

This mitigation scheme is supported by capacity assessments presented for a 2017 opening year traffic scenario, a Stage 1 Road Safety Audit (RSA) and Non-Motorised User (NMU) audit.

- 5.33** Mitigation Trigger:
Highways England has considered the implementation of the A35 Max Gate improvement scheme following a small amount of development build out at the Warmwell Road site. This was a request of WYG in ensuring development viability. Highways England has taken a pragmatic view that a short term pain at the junction would be acceptable, if this meant that a longer term scheme would imminently follow. To determine the trigger at which an improvement would be required (also taking account of its existing trigger level associated with the Silverlake proposals), we considered the potential for 100 dwellings at the Warmwell Road site, prior to the A35 Max Gate scheme being provided.
- 5.34** Taking traffic volumes presented by WYG and the Silverlake proposals, [we] tested a 2017 opening year, plus 224 holiday units (Silverlake) and 100 Warmwell Road units in both the weekday AM and PM peaks. No significant queuing issues were identified for the SRN right turn (A35 to A352) in the AM peak, although in the PM peak, the right turn box positioned central to the A35 carriageway would be at capacity. Taking a pragmatic view, Highways England is aware that the Silverlake proposals have made limited progress, and the potential for 224 holiday units to be delivered by 2017 is unrealistic. Without the 224 holiday units included, the right turn movement is capacity is extended for a short time.
- 5.35** We are able to accept that a maximum of 100 dwellings (based on 35% being affordable) are occupied (and assuming no employment land uses) prior to the full A35 improvement scheme being implemented.

We recommend that the proposals are acceptable subject to planning conditions.

- 5.36** **Dorset Wildlife Trust:**
As a general principle, given the exceptional national and international

importance of Dorset's habitats and associated wildlife, the Trust would wish to challenge the suitability of the county for a major increase in house numbers and would urge the District Council to seek a re-assessment of the housing targets for the area.

- 5.37** If major housing developments are required, the Trust agrees with the view that these should be located around existing towns and major service villages. Consideration should also be given to how mitigation could be used to provide optimal compensation for the detrimental effects on biodiversity of any potential developments. The proposed development raises particular concerns regarding the proximity of internationally important wildlife habitats, especially heathland. Any mitigation measures, including the provision for new open space, must be of a sufficiently large scale to absorb additional recreational pressure from the new development away from internationally important heathland areas.
- 5.38** However, if having gone through due planning process, the above development does progress, the site has considerable potential for enhanced biodiversity, access and recreation and the Trust is supportive of the significant mitigation proposals outlined in the SANG Management Plan. The proposals could also provide an important element of the Wool to Warmwell Living Landscape Area. The Trust also recognises the careful planning and consultation processes which have been undertaken in relation to this development, including the close involvement of Natural England, DCC Natural Environment Team and ourselves. In particular, the development of a 23ha SANG which, along with other heathland mitigation measures, is welcomed.
- 5.39** The Trust will not object to this planning application on the understanding that:
- All necessary surveys of the development site and proposed SANG area have been completed and full measures have been taken to avoid harm to any protected species and other existing biodiversity interest.
 - A detailed plan of the SANG is produced in consultation with DWT and other appropriate bodies, which ensures that all SANG criteria are met and biodiversity interest is maximised.
 - The above includes a specific restoration plan for the Skippet Heath SNCI.
 - Visitor and access management plan is produced ensuring the SANG operates effectively in the context of the wider area.
 - Effective long-term management of the site is secured in perpetuity (at least 80 years).
 - The use and effectiveness of the SANG is monitored and reviewed with an option for appropriate changes in management to be made if these prove necessary.
 - A holistic approach is taken for the whole area with appropriate biodiversity enhancement measures applied to the residential development including green corridors, native planting, roosting and nesting sites.

- Overall, the environmental impact of the development is minimal and the scheme is nitrogen neutral.

5.40 Dorset County Council Natural Environment Team:

Having looked at the application we have the following comments to make:

- The site supports populations of common protected reptiles, badgers, bats and nesting birds as well as other species/habitats of note. Further surveys will be needed to inform design and mitigation as part of the ongoing planning process.
- As the planning application is large enough to trigger EIA, we recommend that all ecological mitigation and enhancements are captured within a Landscape and Ecology Management Plan (LEMP) to ensure full integration of ecological considerations across the whole site.

The Natural Environment Team would be happy to provide further advice as needed as this application progresses.

5.41 Dorset County Council Rights Of Way:

Please note that the proposed works directly affect Footpath 2 and Bridleway 1, Crossways as shown on the enclosed plans, and I strongly advise that the conditions below are included in any planning approval:

- The footpath and bridleway must be diverted by legal order and that order must be confirmed before any works obstructing the path are commenced. If the path is obstructed in the absence of such a legal order this department will carry out enforcement action as deemed appropriate.
- It should be noted that the use of this footpath or bridleway by vehicular traffic without lawful authority is an offence contrary to the Road Traffic Act 1988.

Any damage to the surface of the path attributable to the development must be repaired to Dorset County Council's specification, in accordance with Section 59 of the Highways Act 1980. The free passage of the public on all rights of way must not be obstructed at any time. If the public are unlikely to be able to exercise their public rights on the above path then a Temporary Path Closure Order must be obtained. This can be applied for through this office but the application must be completed and returned at least thirteen weeks before the intended closure date. It should be noted that there is a fee applicable to this application.

5.42 Dorset County Council Mineral & Waste:

The applicant has identified a number of relevant planning policies but no reference is made to Waste Planning Policy. The relevant statutory development plan concerning waste planning policy is the Bournemouth, Dorset and Poole Waste Local Plan adopted 2006. The Waste Local Plan, through Policy 17, deals with safeguarding waste management facilities. Policy 17 seeks to ensure that non-waste development does not encroach into areas where development could be adversely affected by the operation of waste facilities.

5.43 The Hybris Materials Recycling Facility (MRF) is located at the southern end of Hybris Industrial Estate. This is a small scale facility where materials

received from kerbside collections are bulked up and moved on to full MRFs or reprocessing facilities. From the plans available it appears that allotments and residential development is planned within 100m of the existing waste facility. The Waste Planning Authority does not object to these proposals.

5.44 However, to ensure that there would be no complaints in the future from residents regarding impacts on their amenity as a result of the waste facility if the proposed development is permitted, the Waste Planning Authority are requesting that the Local Planning Authority, through the Environmental Health Officer (EHO) or some other means, satisfy itself that the amenity of residents of the proposed development will not now or in the future be impacted by existing waste operations, and therefore the waste facility will not be restricted or have to bear additional costs to maintain operations.

5.45 If there is any indication, following investigations, that amenity could be affected with possible consequent impacts on the waste facility, the Waste Planning Authority would object to the proposed development and would want it to be refused, unless suitable mitigation can be agreed. If the Local Planning Authority are minded to override the objection and grant permission, the Waste Planning Authority would want it to be advertised as a departure from the Development Plan.

5.46 WDDC Housing Enabling Team:-

Housing need

The West Dorset District Council's Housing Register currently has over 1180 households registered as being in affordable housing need. To address this need the Council's Strategic Housing Market Assessment 2014 (SHMA) suggests that in the region of 104 new affordable dwellings will need to be developed each year. There are 40 households on the West Dorset Housing Register who have declared a local connection to Crossways. The above information is considered to demonstrate a significant level of housing need in the area.

5.47 This is a detailed application for 99 homes with an outline for 401 homes. The application makes it clear that the development will provide 35% affordable housing. The affordable homes in the detailed application for 99 homes are of a size that will help to meet local housing needs and are reasonably well spread and integrated across the development. The applicant states that all the affordable homes will be starter homes, although appendix B of the planning statement makes reference to affordable rent, shared ownership and the properties being detailed subject to the specification of a Registered Provider.

It would not comply with Local Plan policy for all the affordable homes to be provided as Starter Homes. While it is accepted that Starter Homes may be classed as affordable homes in the future this is not the case now. To comply with Policy 70% of the affordable homes should be rented and 30% intermediate, such as shared ownership. The mix suggested in the Affordable Housing Plan, as attached to the Planning Statement would be acceptable.

5.48 Summary:

There is a defined need for affordable housing in this area and this development could help to meet this. A review of the Housing Register shows

that the greatest need is for rented homes. In order to comply with the Local Plan, Policy Hous 1, 70% of the affordable homes should be for rent. It would not be acceptable for all of the affordable homes to be developed as Starter Homes.

5.49 Environmental Health:

Air Quality

The submitted Air Quality Assessment dated 13th January 2016 is agreed and accepted. However, it is noted that receptors within the Heathfield Park location have not been specifically included within the Assessment, merely mentioned, but I am satisfied that the outcomes of the report are applicable to this site also. The proposed development is located adjacent to a residential area and therefore is likely to have significant effects upon the environment and residents. It is recommended that the developer includes arrangements for protecting the environment and residents from Noise, Vibration and Dust.

5.50 This shall also include proposed provisions for the removal of any potentially hazardous waste found / generated on site. A Construction Environmental Management Plan would be an appropriate way to demonstrate that the developer has fully considered these matters. This would need to be submitted to, and agreed by the Local Planning Authority prior to commencement of demolition, and construction. Due to the close vicinity of existing residential dwellings to this site, the construction works should have regard to the following to protect residents from nuisance:

- No bonfires to be held on site at any time.
- Hours of noisy works are to be limited to Monday – Friday 0700 – 1900
Saturday 0800 – 1300 No noisy activity on Sundays or Bank Holidays

If there are to be any proposed deviations from these hours, the developer shall contact Public Health to discuss these. Start up of vehicles and machinery to be carried out in a designated area as far away from residential / sensitive areas as practicable. Start up and movement of vehicles / equipment etc will be limited to 30 minutes prior to the hours of construction only.

5.51 Noise

The Noise Assessment dated 28th January 2016 has been reviewed, and whilst it's contents are broadly agreed with, there are a few issues that need clarifying:

- Page 5 states that an area to the east of the site is proposed for employment land. It is noted that there is a potential for noise from this land. Further details will be needed at some point.
- Table 2 on page 11 shows LAeq's for one of the locations along with an average. Public Health have not been able to get the same average figure either arithmetically or logarithmically. Also, they have included the lower Saturday and Sunday LAeq's in the table. Although I am happy that tables 3 and 4 address this issue, clarification of the levels is required.
- The assessment refers to a 2 metre high acoustic barrier along the site boundary of the business park. This barrier reduces the level to acceptable values. However when a site visit was undertaken, it was noted that at the

northern part of the site the business park is at a much lower level than the proposed development. It is therefore assumed that the barrier would be located at the higher level – this needs to be clarified. At the southern end of the business park the ground level is the same as the proposed development and there are some units that are much higher than 2 metres, including a large ventilation stack on a unit on the eastern boundary of the site. We need clarification that the barrier will be effected in this location.

- Page 16 and 17 refers to the use of mechanical ventilation units on some of the properties so that windows can be kept closed to reduce internal noise levels. We need to know if an assessment of the noise produced by these units has been made.

Andy Bryant has reviewed the additional acoustic information supplied and is in agreement with the Assessment.

5.52 Contamination

The Phase 1 Preliminary Risk Assessment (March 2016) has been reviewed by the Council's Contaminated Land Consultants (WPA Consultants Ltd).

There were a couple of points raised:

1. The appendices were not available and consequently, the Assessment cannot fully be accepted.
2. If permission is granted for the development, Public Health would need to agree any proposed site investigation prior to it's commencement
3. The phasing of the site to be made available to Public Health so we may agree a phased approach to the discharge of conditions.

5.53 **WDDC Technical Services:**

The council does not hold records of any significant flooding event in this particular location other than for minor flood problems associated with surface water occurring on the housing estate on the north side of the development. Given the size of development we would expect DCC FRM to lead on all comments associated with surface water management.

Consultation Responses - Summary

6. Other representations

6.1 14 letters have been received from third parties, including one letter on behalf of Woodsford Farms Ltd & Dorset Ramblers. This raises the following points. These raise the following issues;

- Lack of infrastructure to support development of this size.
- Opens floodgates for further development
- Lack of facilities for children
- whether the EIA screening opinion should be reconsidered in light of cumulative impacts following the submission of a gravel extraction proposal for the site.
- the scheme would sterilise more mineral interest than is proposed for extraction & no unacceptably significant environmental impacts from extraction of minerals from the remainder of the land sterilised by the development have been shown

- the employment provision is below that in Policy CRS1
- no assessment of the masterplan by a BREEAM assessor
- should be more detail on proposed improvements in the Travel Plan (refers to footway/cycle links to Moreton station)
- insufficient information on landscape impact of development on the village
- further detail should be provided as regards phasing
- further archaeological work should be carried out in order to assess impacts on the Scheduled Ancient Monument
- no evidence comprehensive masterplan has been drawn up
- perceived “loss” of around 250m of existing public footpath by being incorporated into estate road following development
- It is Rambler’s policy to resist footpath diversions onto estate roads
- presence of rights of way must be taken into account in determining the application
- 3-storey dwellings out of keeping
- Loss of privacy
- Long established right of way along Summer Farm is lost
- Large number of open market and therefore unaffordable houses against affordable housing numbers
- Lack of capacity at local schools
- Road network unable to cope
- 3-storey houses at entrance will dominate the street
- Housing close to Hybris would be contrary to guidelines to keep residential away from B2 uses. Will be affected by noise from Hybris due to prevailing wind
- Management of Warmwell Caravan park do not wish to have access to the SANG and reject offer to remove the fence and install a gate to provide access to the open space due to concerns over safety and security. No approval has been given for works on our land.
- Concerns with additional HGV traffic
- Dangerous crossing Warmwell Road for occupiers
- Other plans for development in the village are not finished
- Application for a slurry lagoon at Summer Farm was a tactic to make this application appear more acceptable

Copies of the letters of representation are available to view on the website - www.dorsetforyou.com.

7. Human Rights

7.1 Article 6 - Right to a fair trial.

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

7.3 The first protocol of Article 1 Protection of property

8. Relevant Planning History

App. No	Type	Proposal	Decision	Date	Office r
WD/D/16/000 652	DCC	Gravel extraction of up to 131,000 tonnes of sand and gravel; new vehicular access onto B3390 Warmwell Road	DEL		DH

9. The Development Plan

West Dorset, Weymouth & Portland Local Plan (2015)

CRS1 - Land at Crossways

CRS2 - Land Around Crossways

INT1 - Presumption in favour of sustainable development

SUS1 - The Level of Economic And Housing Growth

SUS2 - Distribution of Development

ENV1 - Landscape, seascape and sites of geological interest

ENV2 - Wildlife & Habitats

ENV4 - Heritage assets

ENV5 - Flood Risk

ENV9 - Pollution & Contaminated Land

ENV10 - The landscape and townscape setting

ENV11 - The pattern of streets and spaces

ENV12 - The Design and Positioning of Buildings

ENV15 - Efficient & Appropriate Use of Land

ENV16 – Amenity

ECON1 - Provision of Employment

ECON2 - Protection of Key Employment Sites

HOUS1 - Affordable Housing

HOUS3 - Open market housing mix

HOUS6 - Other Residential Development Outside Defined Development Boundaries

COM1 - Making Sure New Development Makes Suitable Provision For Community Infrastructure

COM7 - Creating a Safe and Efficient Transport Network

COM9 - Parking Standards in New Development

COM10 - The Provision of Utilities Service Infrastructure

Bournemouth, Dorset & Poole Minerals Strategy (2014)

Policy SG1 - Mineral Safeguarding Area

10. Supplementary planning documents

10.1 Design & Sustainable Development Planning Guidelines SPD (2009).

- Design Policy A - Work in harmony with the site and its surroundings and the limitations and opportunities these create
- Design Policy B - Involve the right people at the design stage
- Design Policy C - Create walkable and accessible neighbourhoods and plan for a thriving public transport network
- Design Policy D - Create and sustain an appropriate mix of uses
- Design Policy E - Make efficient use of land
- Design Policy F - Create well-defined streets and spaces
- Design Policy G - Create active and overlooked public areas and secure private areas
- Design Policy H - Maintain and enhance local character
- Design Policy I - Create high quality architecture
- Design Policy J - Achieve high standards of environmental performance

10.2 Landscape Character Assessment SPD (2009)

11. Supplementary planning guidance

11.1 None

12. Other Material Planning Considerations

12.1 National Planning Policy Framework (NPPF)

The National Planning Policy Framework was published on 27 March 2012 and sets out the Government's planning policies for England and how these are expected to be applied. In terms of decision-taking this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out of date, grant permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole;
 - or where specific policies in the Framework indicate development should be restricted.

12.2 The NPPF also states that:

Local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development. The relationship between decision-taking and plan-making should be seamless, translating plans into high quality development on the ground. (Para. 186)

Local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work pro actively with applicants to secure developments that improve the economic, social and environmental conditions of the area. (Para. 187).

12.3 Other sections of the NPPF relevant to this application are listed below. These will be referred to in the "Planning issues" section of the report.

1. Building a strong, competitive economy
6. Delivering a wide choice of high quality homes
7. Requiring good design
8. Promoting healthy communities
10. Meeting the challenge of climate change, flooding and coastal change
12. Conserving and enhancing the historic environment

12.4 Planning Practice Guidance

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

includes the following statement:

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

- 12.6** Elements of the Planning Practice Guidance relevant to this application will be referred to in the “Planning issues” section of the report.

Public Sector Equalities Duty

- 12.7** Public Sector Equalities Duty (PSED) came into force in 2011 under the Equalities Act 2010. All public bodies in discharging their functions must have “due regard” to the duty. There are three main aims of the duty;
- removing or minimising disadvantages suffered by people due to their protected characteristics;
 - taking steps to meet the needs of those in protected groups where the needs are different from others;
 - encouraging participation in public life or activities where participation is disproportionately low

- 12.8** It is clear from this that there is no absolute requirement to fully remove any disadvantage – the duty is to have regard to and remove or minimise disadvantage. For this scheme, the responses of third parties have not raised particular equalities issues which need to be addressed.

- 12.9** In addition it is noted that the scheme will provide a new doctors’ surgery. This will expand provision and improve access to healthcare for residents, also meeting increased demand created by the development. A modern purpose-built facility also provides improved healthcare for residents and the pharmacy will also benefit access to this type of healthcare advice and provision locally. All new buildings within the development will be required to comply with Building Regulations which have their own criteria to apply for the design of buildings which also has due regard to the Act.

- 12.10** In facilitating improved healthcare access and the provision of BR-compliant buildings throughout the scheme, it is considered the Local Planning Authority can demonstrate due regard to PSED has been made.

13. Planning issues

Principle of Development

- 13.1** Section 38(6) of the Planning and Compulsory Planning Act 2004 provides that when making a determination under the Planning Acts “the determination must

be made in accordance with the plan unless material considerations indicate otherwise.” The development plan in this case is the West Dorset, Weymouth & Portland Local Plan 2015 (the “Local Plan”).

13.2 In exercising judgement on the policies in the LP, it is clear that the presumption in favour of sustainable development is pre-eminent, and “should be seen as a golden thread running through both plan-making and decision-taking” (NPPF para.14). That presumption is also enshrined in Policy INT1 which stating:

- i) There will be a presumption in favour of sustainable development that will improve the economic, social and environmental conditions in the area. Where there are no policies relevant to an application, or relevant policies are out of date at the time of making the decision, the following matters will be taken into account:
 - the extent to which the proposal positively contributes to the strategic objectives of the local plan;
 - whether specific policies in that National Planning Policy Framework indicate that development should be restricted; and
 - whether the adverse impacts of granting permission could significantly outweigh the benefits.

13.3 The spatial strategy in the adopted Local Plan (LP) is set out in Policy SUS2. This establishes a 3-tiered approach to achieving a sustainable pattern of development in the joint plan. The greater proportion of development will be directed towards the main settlements of Weymouth & Dorchester. These towns are the highest priority for development in the LP as the most sustainable locations for future growth. At the second tier in the hierarchy are the smaller towns and largest villages in the plan area. This includes Crossways. Policy SUS2 advises that elsewhere in the plan area, these 2nd-tier settlements will be a focus for future development. Within the settlements with Defined Development Boundaries, Policy SUS2 advises that residential, employment and other development to meet the needs of the local area will normally be permitted.

13.4 The land concerned is allocated in the adopted Local Plan for a mixed-use development under Policy CRS1 and the Defined Development Boundary for Crossways was extended to accommodate this allocation as part of the Local Plan.

Policy CRS1 states as follows;

- i) Land at Crossways, as shown on the policies map, will provide for a comprehensive mixed-use development to include new homes, local community facilities and at least 3.5ha of employment land.*
- ii) The development will be required to mitigate any adverse effects upon internationally designated heathlands.*
- iii) The development will be required to incorporate measures to secure effective avoidance and mitigation of any potential adverse effect of additional nutrient loading upon the Poole Harbour internationally designated sites.*
- iv) The development will deliver highway improvements necessary for the development to go ahead. The site should be developed in accordance with a comprehensive masterplan for the development prepared by the developer / landowner in conjunction with Crossways Parish Council, adjoining parish councils, Dorset County Council, Purbeck District Council, Network Rail and*

the local community, and agreed by West Dorset District Council. In order to address sustainable development issues, the masterplan will need to be subject to a sustainability assessment, such as a BREEAM Communities Assessment, carried out by a suitably qualified assessor. The masterplan should ensure that:

- There is an appropriate mix and layout of uses, including community facilities within the village and there is adequate provision of community infrastructure;*
- The layout secures opportunities to provide improved access and recreational use and promote biodiversity within a network of spaces. This will include the provision and location of Suitable Alternative Natural Green Space (SANGS);*
- Good links to the wider footpath and cycle network are provided through the village. This should include pedestrian/cycle links to Moreton station;*
- The design and layout relates positively to the surrounding area, enhances local character and does not have an adverse impact on the landscape setting of the village;*
- Existing hedgerows, trees and woodland within the development are retained where possible and provision for their future retention and management put in place;*
- Sustainable drainage methods are implemented to manage surface water flooding issues and ensure flood risk is not exacerbated elsewhere;*
- The development is appropriately phased;*
- The layout of the development protects and preserves the significance of Bowley's Camp scheduled monument."*

13.5 The current application follows the boundaries of the allocated site in the adopted Local Plan. The extent to which the scheme complies with all of the criteria in Policy CRS1 is examined in detail in part 14 of the report. However, the principle of the development of the site is supported by an adopted policy in the Local Plan and is considered acceptable. In addition, officers including the Council's Implementation Team have worked with the applicants to bring forward the hybrid scheme before members. The submission of a detailed scheme for the first phase along with the outline permission for the remainder of the site was intended to contribute positively towards the Council's housing land supply, allowing the detailed Phase 1 to be counted as deliverable within the first 5 years. It is noted that during the consideration of the application, the Council has had to revise its current housing land supply (HLS) from 5.3 years down to 4.94 years following the latest monitoring.

13.6 **Principle of Development - Conclusion:** When the Local Plan was adopted, the Inspector noted that the Council could only just demonstrate an adequate supply of housing in the LP – 5.1 years. Their view was that; *"The overall number of dwellings derived from the various sources of supply is unlikely, however, to be sufficient to meet housing targets to the end of the plan period making it necessary for the Councils to identify further land."* To this end the Council has already embarked on a review of the Local Plan which is only 2 years old in an effort to identify such further land to meet the housing target to the end of the plan period in 2031.

13.7 In a situation where the Council is actively seeking to identify further sites to address the long-term housing land supply in its main settlements, there remains a pressing need to commit to and deliver the sites already allocated in

the current LP to bolster the short- and medium-term supply. Furthermore, Crossways will remain as a sustainable location for further development at the 'second tier' of the spatial strategy in Policy SUS2. Failure to meet housing needs will continue to leave the LPA vulnerable to the sort of speculative applications which members will have become familiar with when the HLS has slipped below 5 years. For these reasons, the principle of the development of the site as a sustainable extension to Crossways continues to be supported.

Housing Land Supply

- 13.8** The Council has recently released its Annual Monitoring Report of its housing land supply (HLS). Due to an increase in dwelling completions which were at their highest since 2011 and thereby very close to the annual housing target of 775 dwellings per annum across the two Councils, coupled with permissions granted, the HLS currently stands at 4.94 years. This is an increase on the conclusions of an appeal Inspector who considered the Councils' HLS in a public inquiry in January 2017 to be at 4.63 years. Whilst the Authority is very nearly at the 5 year level set out in the NPPF, it nonetheless remains below the required housing supply level.

Paragraph 49 of the NPPF advises that;

“Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.”

- 13.9** In a recent Supreme Court ruling; *Suffolk Coastal District Council v Hopkins Homes Ltd & Richborough Estates Partnership LLP v Cheshire East Borough Council* [2017] - the Courts established that where a Council cannot demonstrate a 5-year supply, the “tilted balance” in paragraph 14 of the NPPF will apply. This advises that where policies are out-of-date permission should be granted unless;
- “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;
or—specific policies in this Framework indicate development should be restricted”.*

- 13.10** In relation to the reference to “specific policies”, a footnote to paragraph 14 of the NPPF confirms that this includes policies relating to Sites of Special Scientific Interest (SSSI) which has implications for the discussion on protected heathlands below. Also the Supreme Court ruling confirmed that “specific policies” relates to policies in the development plan as well as the guidance in the NPPF.

- 13.11** The Supreme Court decision clarified that “relevant policies for the supply of housing” has a narrow interpretation and relates only to those policies concerned with the delivery of housing. This would specifically include Policy CRS1 as a policy allocating the land for housing in the LP. It would also in this situation include Policies SUS1 & SUS2. It should be noted that these policies are not simply disregarded where they are ‘out-of-date’. Policy CRS1 still has direct relevance to the determination of the application, but it does not attract

its full statutory weight as part of the development plan as the remaining Local Plan policies unaffected by paragraph 49 continue to do.

- 13.12** The Supreme Court ruling confirmed that the weight to be attached to the affected policies in such circumstances is a matter for the professional judgement of the decision-maker. However, the ruling did clarify that the weight to be applied will be dependent on;

“the extent to which relevant policies fall short of providing for the five-year supply of housing land, the action being taken by the local planning authority to address it, or the particular purpose of a restrictive policy – such as the protection of a “green wedge” or of a gap between settlements.”

- 13.13 Housing Land Supply – Conclusion:** In the Council’s case, the HLS is only marginally below the 5 years, and moreover can be shown to be heading in the right direction with an increase both in delivery rates and permissions granted. In this set of circumstances, your officer’s opinion is that it would be reasonable to continue to apply considerable weight to policies CRS1, SUS1 & SUS2 even if the full statutory weight cannot currently be applied. In addition, the Court ruling provides clarity that the other policies in the LP not affected by paragraph 49 shall continue to enjoy their full statutory weight.

- 13.14** What this means for the consideration of this application is that the principle of development on this allocated site should continue to be supported. The delivery of these strategic allocations in the LP remain critical to the delivery of the strategic objectives of the Plan and achieving a sustainable pattern of development. The current lack of 5-year supply does add a degree of weight to approving the scheme, however this does not automatically override all other considerations. However, the reduced weight to be attached to CRS1 in particular does have consequences for the Council’s ability to insist on compliance with all of the criteria set out in the policy. This has implications for the employment land provision and the requirement for a BREEAM assessment for example which is explored further in the report.

- 13.15** Notwithstanding this, the delivery of CRS1 remains a key component of the Council’s HLS and maintaining progress towards a consistent 5-year supply. If construction rates are increased through delivery of the current LP’s strategic allocations, there is the prospect of the Councils no longer being regarded as a “20% authority” for the purposes of paragraph 47 of the NPPF (LPAs which have to provide a larger additional 20% buffer- as opposed to 5% - to its HLS in recognition of a record of persistent under delivery of housing). The Local Plan Review Issues & Options consultation exercise acknowledged the need to bolster the current housing allocations in the LP through identifying further allocations on which the I&O document sought responses. It follows that the existing commitments in the LP will remain an integral part of the meeting the short- to medium-term housing supply whilst sites in the I&O exercise will be needed to meet the long-term supply over the plan period. For these reasons, there remains a need to support the existing Local Plan allocations to maintain the current progress on the Councils HLS and very considerable weight is attached to this aspect of the development.

The Outline Application

Proposed masterplan

13.16 The development is accompanied by an indicative masterplan the outline application area. This divides the proposed areas to be developed into 8 'character areas' (CAs) – [Design & Access Statement – p.47; [http://wam.westdorset-dc.gov.uk/WAM/doc/Design%20and%20access%20statement%20\(4%20OF%205\).pdf?extension=.pdf&contentType=application/pdf&id=1332288](http://wam.westdorset-dc.gov.uk/WAM/doc/Design%20and%20access%20statement%20(4%20OF%205).pdf?extension=.pdf&contentType=application/pdf&id=1332288)]. The remainder of the application site is given over to the employment provision and the SANG to the south. The CAs are identified as follows;

- 13.17**
1. The Village Green – an area immediately south of Warmwell Road between the proposed vehicular access into the site. This is intended to provide a new focal point for the village and provide the village a centre with landscaping and surveillance provided by dwellings to the north and south.
 2. Spitfire Place - This area is located around the main vehicular entrance to the site, east of Heathfield Park. The intention for this zone is to provide a clearly identifiable entrance to the development. The community buildings are located fronting onto the access road with a hard 'piazza' to the south fronted by residential buildings.
 3. Moigne Combe Walk – This area runs on a NW-SE axis through the middle of the larger eastern side of the allocation. The intention is to provide a pedestrian-friendly link through the scheme to link the village green area to the proposed SANG to the south. In addition, as a straight avenue, this character area serves to frame views through the development towards the SANG and the open countryside beyond.
 4. Central Avenue – This area sits in two parts either side of CA3 and includes the majority of the residential development to the east of the Hybris Business Park. The CA assessment notes these areas to be developed at medium to high densities up to 2½-storeys (10.5m) with focal buildings up to 3-storeys
 5. Field View – This area lies to the southern edge of the residential development on the eastern side. This is to be a lower density development of mainly detached properties in larger plots – a characteristic of much of the village's current housing stock. These properties will enjoy a more open outlook at the development's edge whilst also providing surveillance over the SANG. Larger apartment blocks in spacious grounds are also noted for CA5.
 6. Moreton Walk – This part of the site lies on the north-eastern side, adjoining the former Summer Farm buildings and the road to the employment land. This is similarly intended to be an area of low-density development, in sympathy with existing development along Warmwell Road.
 7. Skippett Road – This area lies to the south of the Hybris. It is intended to be a medium- to high density residential development with a mix of terraced, detached & semi-detached dwellings and some apartment

blocks. This area also incorporates provision of allotments adjoining the southern boundary of the existing business park, providing a buffer to the residential areas beyond. This area also intends for terraced and apartment blocks to front onto the proposed allotments to provide a noise barrier from the recycling centre.

8. Moigne Combe Lane – This area lies to the west of Hybris on the site of the current village hall and bordered by the public bridleway heading south towards Mount Skippet. This is shown as a low- to medium-density residential area along its edge with higher density to its core. The central avenue will run parallel to the bridleway, allowing its route and bordering vegetation to remain intact. This CA also incorporates an area of open space around the Scheduled Ancient Monument of the Bowley's Plantation earthwork.

- 13.18** The indicative masterplan (MP) demonstrates how the elements of the proposed development can be accommodated within the site. Thus it can be seen where the SANG and biodiversity mitigation will be provided. The MP shows how current key landscape features on the site can be incorporated into the overall proposals for 500 units. This includes for example the existing copses of trees beyond the south-east corner of the Hybris Business Park, the field hedge and copse bordering the employment allocation and the area around the Bowley's Plantation Scheduled Ancient Monument (SAM). The MP indicates provision for drainage attenuation for the allocation as part of the SANG.
- 13.19** The MP shows how a scheme for 500 units on the site can continue the proposed garden suburb layout approach taken for the detailed Phase 1 layout across the remainder of the proposals. Through this, the hierarchy of streets proposed is set out with the primary route providing circulation through the site and linking the three accesses to the B3390. The hierarchy is further reinforced in the masterplan with secondary roads leading from the primary streets which in turn lead to shared surfaces, home zones and parking courts at the private scale of the street hierarchy. The spaces given over to the street hierarchy allows the scheme to deliver on the height-to-width building ratios in the Council's adopted Design SPD (p.16), thus complying with Design Policy F of the SPD to create well-defined streets and spaces.
- 13.20** The illustrative MP would be able to provide a well-defined perimeter block layout, which the Design SPD acknowledges is an efficient and appropriate use of land, allowing the wider scheme to comply with Policy ENV15 of the LP and Design Policy E of the SPD. Through this layout the scheme can deliver active and overlooked public frontages along the new streets created but also onto the proposed open spaces, particularly the new village green and square for example. It also allows for the provision of secure private areas for residents and would by this meet the requirements of Design Policy G of the SPD.
- 13.21** The nature of the indicative layout and its road hierarchy allows for permeability throughout the scheme, facilitating the following of 'desire lines' for pedestrians and cyclists. Through the scheme, residents and visitors can reach its key elements via direct routes, avoiding lengthy cul-de-sacs or winding dead-ends. The layout allows the incorporation of focal buildings at

key points which assists route finding through the scheme. Thereby provision is made for access to the various elements of the development by a variety of transport modes. It also serves to support links into the remainder of the settlement, a key aspect of helping the scheme and its residents integrate into the village. The MP thereby takes on the requirements of Design Policy A of the SPD to work in harmony with the site and its surroundings, understanding the local landform, how the site fits into the street network, the neighbouring land uses and local features of interest.

- 13.22** The illustrative masterplan also show how the proposed community buildings can form a hub to the development and the wider village at the entrance from Warmwell Road. There is also provision for other amenity open spaces and play areas and allotments incorporated into the MP layout and provision of access to this new infrastructure. It is noted that the remainder of the policies in the Design SPD are largely concerned with detailed design matters which will come to the fore at the reserved matters (RM) stage. Notwithstanding this, Policy H of the SPD requires development to maintain and enhance local character. In the policy it notes that in applying this policy *“this doesn't mean that development should simply copy what already exists, or that new technologies cannot be used.”* The more formal planned garden suburb style proposed within the masterplan does not have any real existing precedence within Crossways which has had a more organic, less obviously planned pattern of development during the post-war period. It does not however, mean this approach is unacceptable. Delivered well, with regard to the remaining criteria in the Design SPD, the proposed masterplan has the opportunity to enhance its local character, providing a new chapter in ~~its~~ Crossway's growth and development.
- 13.23 Proposed masterplan – Conclusion:** Establishing a suitable masterplan for the proposal across the wider outline consent is important in ensuring that the scheme can deliver a quality development over the whole site. Policy CRS1 seeks to ensure that quality by having the masterplan subject to a *“sustainability assessment such as a BREEAM Communities Assessment, carried out by a suitably qualified assessor.”* [my emphasis]. This part of the policy is emphasised because it is officer's opinion that due to the wording of the policy, the Council could not take a position that the lack of a BREEAM assessment was a failure against the policy if a suitable sustainability assessment is otherwise submitted.
- 13.24** The submitted sustainability assessment evaluates the scheme against the criteria and policies in the Design SPD. As can be seen from your officer's assessment above, it is considered that the MP addresses the relevant aspects of the SPD's policies to deliver a scheme which works in harmony with the site and its surroundings whilst creating places with an appropriate mix of uses where people can get about easily without needing to use their cars. The masterplan creates well-defined streets and spaces whilst making efficient use of the land. It also provides for public areas of activity, overlooked by people in buildings, and private areas which are secure. It further with maintain and enhance local character. In addition, as can be seen from the discussion on the Phase 1 below, it can be seen that at the detailed stage, the designs will deliver on strengthening the local identity of the area whilst creating high quality architecture.

13.25 Your urban design officers note in relation to the submitted scheme, the broad layout, landscape strategy, provision of SANGS, linkages to the wider area, community infrastructure and treatment of Warmwell Road have all been dealt with successfully. It is also noted that the Design & Access Statement provides further suitable commentary on the masterplan principles although this is not technically all part of a single comprehensive masterplan. For these reasons the proposed illustrative masterplan is considered to provide a suitable basis for guiding the proposed outline development. It can be seen from the Phase 1 proposals how the wider masterplan can be delivered in practice as a detailed scheme. Provided the later RM submissions for the outline permission achieve the standard of the first phase, there can be confidence of delivering quality across the allocation. The proposals are therefore considered to comply with this aspect of Policy CRS1 and the Council's adopted Design & Sustainable Development Planning Guidelines SPD (2009).

Traffic and Travel

13.26 Highway Network Capacity:

The application is accompanied by a Transport Assessment and Travel Plan. A key aspect is the impacts of traffic movements on the wider highway network, particularly where the local highway network meets the A35 trunk road with the west-heading traffic using the Max Gate junction of primary concern. There is also the prospect of this traffic increasing usage of the level crossing from Crossways over the Weymouth - Waterloo mainline train line. Members will be aware of these issues affecting additional traffic from Crossways in relation to their consideration of proposals for the Silverlake holiday home development and the Frome Valley Road residential scheme (WD/D/15/001606). The consultation exercise has not produced particular concerns over traffic movements in other directions such as south to the A353 or north to the Tolpudde junction of the A35.

13.27 It is noted in this instance that Network Rail have not raised objections to the proposals and in this particular situation, no further matters are raised with the respect to the prospect of additional traffic using the level crossing at Woodsford.

13.28 As with the Silverlake proposal, Highways England had raised concerns during the consultation process over the prospect of additional traffic using the Max Gate junction of the A35 with the A352 on the south-east edge of Dorchester. Highways England state that the applicant's assessment of trip rates from the proposed affordable housing units was too low but nonetheless overall accepts the residential trip rates put forward by the applicants. With regards to the employment provision, Highways England's view is that the trips rates associated with up to 12,522 m² of employment floorspace (based on B1 uses) could be accommodated on the highway network from the site. This includes a discount for 15% of the trips to be local – i.e. from Crossways to the employment site. The TA includes assessment of existing commitments such as Silverlake in the assessment of impacts.

13.29 Overall, Highways England's view is around one-fifth of trips generated by the proposals will travel via the Max Gate junction. Part of the proposals for

Silverlake included a scheme for making Max Gate preventing right turns from the A352 turning onto A35. As part of the Silverlake permission, there is a trigger to deliver these works before 225 of the holiday units are occupied. As part of this development, further improvements to this junction are proposed by widening the carriageway and extending the right-turn lane on the A35 to increase capacity. HE accept the principle of this scheme and agree this to be an acceptable approach to mitigate the traffic impacts of the development.

13.30 Highways England have considered a position from the applicants that the costs of delivering these improvements as a precursor to any development happening on the Warmwell Road site would have considerable impacts on the development's viability. They have sought to apply a degree of flexibility and accept that some short-term inconvenience may be acceptable provided that a long-term solution is delivered to improve the junction. They therefore advise that up to 100 dwellings can be occupied before triggering the need to deliver the proposed improvements to the Max Gate junction. This is proposed to be secured in the legal agreement.

13.31 Highway Safety & Parking:

The principal access to the site will be from Warmwell Road at the location of the proposed new surgery and village hall. A separate access further east along Warmwell Road is indicated to serve the employment allocation, linking into the residential area to provide permeability through the site. A further estate road from Warmwell Road on the position of the existing access to the village hall will provide access to the later phases linking in to the remainder of the scheme.

13.32 As set out below in the section on layout and urban design, works are proposed to Warmwell Road either side of the proposed new junction to serve Phase 1 to improve pedestrian safety across this road. The scheme will provide a cycleway along part of Warmwell Road between the western and central access points as well as a financial contribution towards DCC providing new cycle links further afield toward Moreton Station.

13.33 The nature of the site allows vehicular accesses with adequate visibility to be provided from Warmwell Road and with a package of measures to manage and reduce speeds along this current stretch of the B3390. Similarly within the site, there are no particular constraints to providing a layout to meet highway standards for safety and movement whilst complying with urban design aims of connectivity and permeability. The capacity of the local highway network to accommodate the additional traffic generated by the proposed residential, community and employment development has been taken into account.

13.34 As set out in the Phase 1 discussion below, the scheme provides parking for the proposed dwellings in a mix of on-site, on-road and parking courts. The parking levels accord with the standards set down in the adopted Bournemouth, Poole & Dorset Residential Car Parking Study, the implementation of which is set down in the adopted Policy COM9. Having regard to the indicative masterplan layout for the remainder of the site, there are no obvious concerns about the ability of the later phases to similarly deliver development with parking to meet these standards utilising the same variety of provision whilst remaining in accordance with the garden suburb vision for the

scheme.

- 13.35 Traffic & Travel conclusion:** Policy COM7 seeks to locate development generating significant movement in locations where the need to travel will be minimised and the use of sustainable transport modes including public transport, walking and cycling can be maximised. As a focus for development under the spatial strategy in the LP, Crossways is a settlement which meets these criteria with access to public transport facilities with both bus and train services within walking distance of the site. The estate road has been designed to accommodate bus services being diverted through the development to serve residents. Links to the station will also be improved for pedestrians and cyclists and measures in the submitted Travel Plan will promote use of these alternative options.
- 13.36** As a mixed-use scheme, the development provides opportunities long-term to access employment locally as well as community facilities and extensive recreational areas. Thus the scheme can deliver access to a range of day-to-day facilities by means other than the private car, delivering social and environmental benefits. Furthermore, the scheme allows for access to the remainder of the village, providing suitable links for new residents to access the school, shops, library and so on. By providing these in a safe manner, the development can promote integration into the village. Through the physical measures and the Travel Plan, encouragement can be given to accessing these facilities by sustainable travel modes.
- 13.37** Highways England have confirmed that the development will have acceptable impacts on the trunk road network subject to safeguards to ensure improvements to the Max Gate junction to accommodate the additional traffic on this route. The Highways Authority have not raised objections with regards to the capacity of the remainder of the highway network to accommodate the traffic generated by the overall development. For these reasons, the scheme is considered to meet the test in Policy COM7 to ensure the volume of traffic likely to be generated can be accommodated without exacerbating community severance or resulting in severe cumulative impacts on the efficiency of the transport network. It is further considered to have demonstrated it complies with the test in COM7 not have a severe detrimental effect on road safety.
- 13.38** Phase 1 of the proposals complies with adopted parking standards set down in Policy COM9 and there are reasonable prospects the remaining phases can deliver the rest of the proposed residential element whilst meeting this parking standard. The Highways Authority have considered these proposals and have not raised objections to the scheme subject to the provision of financial contributions towards the off-site highway works. With these contributions secured, it is considered that the scheme will comply with the tests in Policy COM7 & COM9.

Employment Provision

- 13.39** The outline permission proposes to provide 2.5ha of employment land. This is located at the far eastern end of the allocation adjoining the junction of Warmwell Road with Moreton Road. A separate vehicular access from Warmwell Road is proposed to serve the employment allocation which will link into the residential element to the south, providing a secondary route into the

development. The area of the employment allocation largely follows the field boundaries of an existing parcel of land lying inside the junction of the two roads. The illustrative masterplan indicates retention of the existing field hedges and a small copse to the south providing a physical and visual buffer between the employment and residential areas and the proposed SANG.

- 13.40** In terms of the location of the employment land, it is noted that this is not sited next to the current business park at the Hybris which might be an expected location for the further business units. However, the adjacent land could not serve as an 'extension' to the business park as it is not feasible to effectively link into Scotton Way due to the relative ground levels, thereby defeating the purpose of siting the employment allocation next to the Hybris. As noted in the discussion on the masterplan above, greater importance is given to creation of a centre or hub for the village around Warmwell Road where this also links well to current facilities along Mount Skippet Way for example. This would be compromised by locating the employment land east of the Hybris.
- 13.41** In addition, there is considered to be logic in the proposed location of the employment land at the Fiveways junction. Here it relates to a number of existing businesses clustered around this road junction and is furthermore closer to public transport links at the railway station. Paragraph 12.3.1 of the LP notes that the north-east corner of the site is "*likely to be more suited to employment uses as a key employment site.*"
- 13.42** The policy requirement in the CRS1 allocation is for the provision of at least 3.5ha of employment land. The proposal is therefore deficient in its employment provision against the policy by 1ha or 30%. The proposal is therefore ~~on its face~~ contrary to Policy CRS1. The question is therefore, is it acceptable to approve the outline application where it is under-provides against the criteria in CRS1.
- 13.43** It is important to note that the current lack of 5-year supply does render this policy out-of-date as explored above. The policy continues to have considerable weight as clarified in paragraph 13.13 above but the lack of statutory weight which can be attached does in your officer's opinion impact on the ability of the Authority to resist the application solely because of an under-provision of employment land. It should be noted that this assessment is a matter of fact and degree. If the scheme did not provide any employment provision at all, the assessment may be different – it doesn't and the extent to which it is deficient (30%/1ha) is relevant. In making this assessment it also needs to be borne in mind that the allocation is further protected as a Key Employment site as set down in Table 4.1 of the Local Plan (p.82). It is therefore covered by Policy ECON2 which does still enjoy statutory weight.
- 13.44** It is noted that the employment provision for the joint Local Plan area is one of the elements the Council is consulting on as part of the LP review in its Issues and Options document (Feb. 2017). This notes that the NPPF requires Councils to regularly review its employment allocations and not to protect sites indefinitely where there is no reasonable prospect of the allocation coming forward. The proposed approach in the I&O consultation is to retain the key employment allocations (Fig. 20.1 p.119) with the allocation on CRS1 part of these.

13.45 The consultation process asked whether the Key Site approach was potentially frustrating other objectives of the plan. In particular it sought to identify whether only those sites performing a very important role in the local economy should be identified as “key” and therefore offered the strict protection under Policy ECON2. The remaining sites falling to be considered under Policy ECON3 (protection of other employment sites). The consultation exercise also sought views on whether other areas should be added to the Key Sites list.

13.46 Views have been sought from Planning Policy with regards to the proposed employment provision. They have responded as follows;

“The proposal only includes 2.5ha of employment land, 1ha below the minimum requirement as set out in policy CRS1, Policy SUS1 and lower than the level protected as a key employment site as set out in table 3.3 of the adopted Local Plan (2015). The applicant did however submit some evidence to support the proposal of a lowered amount of employment land which includes a Commercial Property Demand Report carried out by Symonds and Sampson (10th September 2015). The report states the issues with transportation to the site including a low rail bridge from the eastern direction and small winding roads accessing Crossways from the southern and northern directions, resulting in Crossways being less accessible for larger vehicles. The report also states that the bulk of the demand in Crossways is for smaller lock up units (750-2,000sqft) and these will reach saturation fairly quickly. Although the findings of the report are important in relation to this application, we would say that report provided is very basic and does not provide a significant amount of evidence to support the conclusions raised. One of the major conclusions raised in the Commercial Property Demand Report is the lack of demand for especially larger units in the area, we do understand these concerns however at present the aim of allocating employment land in the adopted Local Plan is not necessarily for the current level of demand but for the need for employment land throughout the plan period.”

13.47 *“However although the proposal does go against policies in the adopted Local Plan in relation to employment land it is very apparent that the site delivers other positive benefits, including 35% affordable housing, a replacement village hall and new doctors surgery. In the planning balance the other provisions provided by the development for the local community outweigh the lower provision of employment land by 1ha and will provide a positive benefit to the local area.”*

13.48 The Authority is not necessarily convinced therefore by the applicant’s economic statement. Nonetheless at this point it does not have any specific evidence to counter this position and there is a lack of comparable situations in the vicinity to suggest otherwise. A long-standing former employment allocation at land adjoining Oaklands Park (also known as the Hippy Field) which is 100m from the site and has had a number of planning permissions but remains undeveloped.

13.49 **Employment Provision - Conclusion:** A potential under-provision of employment land on a key site is considered to be a negative aspect of the scheme due to its conflict with Policy ECON2 & CRS1. This will need to be

weighed in the balancing exercise set out in Section 14 below. The extent to which this is a negative factor is dependent on the fact that the scheme will continue to provide new employment opportunities in a settlement in the 'second tier' of the Council's spatial strategy. It will help to provide balance in the community due to significant expansion under Policy CRS1, meeting the objectives in the LP to support the local economy to provide opportunities for high quality, better paid jobs and provide greater opportunities to reduce car use. This is why a scheme which provides the greater proportion – but not all - of the employment allocation in a sustainable location is viewed differently to one which did not deliver any employment and therefore led to considerable out-commuting from Crossways.

- 13.50** The extent of employment provision which may be provided on the proposed site could still be considerable in meeting local needs and there is not always a direct correlation between site areas, building sizes and employee numbers; some sites being operated more intensively than others. The proposed employment allocation still has the potential to provide significant economic benefit and this affects the extent to which the under-provision of employment land is a negative factor in the balancing exercise. It is feasible that the employment area could be extended into the future although this may have implications for the SANG provision and therefore only limited weight is attached to this. These matters will be given due weight in the balancing exercise.

Minerals

- 13.51** The site lies in a Minerals Safeguarding Area (MSA) identified in the adopted Bournemouth, Dorset & Poole Minerals Strategy (2014). As a result, Policy SG1 of the Minerals Strategy applies to the site. This provides that:

“The Mineral Planning Authority will resist proposals for non-mineral development within the Mineral Safeguarding Area, as shown on the Policies Map, unless it can be demonstrated that the sterilisation of proven mineral resources will not occur as a result of the development, and that the development would not pose a serious hindrance to future mineral development in the vicinity.

Where this cannot be demonstrated, and where there is a clear and demonstrable need for the non-minerals development, prior extraction will be sought where practicable and where it would not leave the site incapable of non-mineral use.”

- 13.52** Mineral Safeguarding Areas are defined in the Minerals Strategy as areas considered to contain a valuable mineral resource which should be safeguarded against sterilisation by development. The application site lies within the Superficial Sand and Gravel Resource Block and the Bedrock Resource Block, the primary sources of sand and gravel in Dorset, with the resource blocks covering large areas of the county including the vast majority of Crossways parish outside the village DDB and a considerable proportion of the Frome valley.
- 13.53** The purpose of the MSA designation is not to sterilise all forms of non-mineral development in these areas but to ensure the mineral interest is given due

weight when non-mineral development is proposed. To this end, paragraph 14.13 of the adopted Minerals Strategy indicates that where non-mineral development within an MSA would pose a serious hindrance to future extraction or processing of mineral resource in the vicinity, the mineral planning authority will work with the relevant district/borough and or/the developer to assess the feasibility of, and where possible ensure, prior extraction of an agreed proportion of the mineral resource before it is sterilised. It is further noted that proposals for prior extraction of minerals must demonstrate that the site will not be left incapable of development for non-mineral use. Paragraph 14.14 adds that it is expected that the developer will carry out the necessary site investigations to prove the mineral resource and that these will take into account factors such as the availability of the minerals, its relative scarcity, the timescale for the development going ahead, the possible extraction of the mineral and the viability of such extraction.

- 13.54** Trial pit data provided for the application site indicates the presence of sandy topsoil and River Terrace Deposit Sands varying in thickness between 0.25 and 1.2 metres, overlying River Terrace Deposit Gravels varying in thickness between 0.4 and 3.25 metres (absent from Trial Pit 10), overlying Poole Formation. The River Terrace Deposits ('sharp' sand and gravel) and Poole Formation ('soft'/building sand and gravel) are the mineral resources exploited in local quarrying activity and are of relevance to Policy SG1. Estimates quoted in the Minerals Strategy for unconstrained areas within the identified resource blocks indicate remaining reserves of approximately 684 million tonnes in river terrace deposits and 1,803 million tonnes of sand within the Palaeogene bedrocks (paragraph 7.40).
- 13.55** In accordance with the provisions of the Minerals Strategy, representatives of the mineral planning authority (Dorset County Council) were involved in pre-application discussions concerning the mixed-use development proposals. Accepting that the mixed-use allocation responds to identified development needs and in recognition of the pressing need for housing in West Dorset, the County Council's officers have sought provision for securing the prior extraction of a proportion of the mineral resource underlying the site before it is sterilised by the proposed development. This has led to the submission of a planning application to the mineral planning authority proposing the extraction of up to 131,000 tonnes of sand and gravel from an area of approximately 5.71 hectares of land within the allocated area (App. No. WD/D/16/000652 - <http://countyplanning.dorsetforyou.com/ePlanningOPS/loadFullDetails.do?apld=5598>). The subject area extends south of the Summer Farm buildings and stretches east to the Moreton Road and therefore includes the employment allocation and part of the proposed SANG area as well part of character areas 3, 4, 5 & 6. It does not include the area in which full planning permission is sought at this stage.
- 13.56** The application envisages that extraction would take one year to complete, with the restoration of the site being through the site's redevelopment as part of the outline planning application before members. In brief, the proposal provides for the extraction of up to a 1.0 metre depth of sand and gravel, thereby avoiding any deep ground disturbance and allowing for the maintenance of 2 metres of unsaturated ground above the natural water table. It is submitted that this would then allow for the use of soakaways as a means

of managing storm water discharge from the proposed mixed use development, prevent potential contaminants from reaching groundwater's and avoid the need for infill material to be imported to the site prior to the site's mixed use development. No mineral processing facilities are proposed to be provided on site, the proposal being that the extracted sand and gravel be exported by lorry for processing at an existing facility elsewhere.

13.57 The County Council advises that the level of extraction proposed is likely to account for between one quarter and one eighth of the gravel resource anticipated to underlie the areas proposed for development. Dorset County Council considers this to be a small, but significant proportion of the mineral resource believed to be present. In the opinion of the mineral planning authority, a greater proportion of the available mineral resource could be obtained through shallow extraction across a wider area than presently proposed and/or slightly deeper extraction followed by such backfilling as may be necessary to ensure maintenance of the desired 2 metres of unsaturated material above the groundwater level, with such backfilling utilising material imported to the site and/or excavated from other parts of the development site, but acknowledges that such extraction is likely to be near, and potentially beyond, the margins of economic viability. It has also been acknowledged that importing fill material to render the site capable of development could significantly delay the delivery of the allocated development.

13.58 Minerals – Conclusion: Accordingly, subject to the grant of planning permission securing the prior extraction of mineral at least equivalent to that proposed in planning application WD/D/16/000652, the County Council has indicated that the mixed used development proposal is considered acceptable under Policy SG1 of the adopted Minerals Strategy and that such extraction is unlikely to leave the allocated area incapable of non-mineral use.

13.59 The minerals application remains undetermined by the County Council, in part pending the decision on this application. The scheme provides for prior excavation where this is practical whilst at the same time not compromising the delivery of the Phase 1 full permission. A 12 month extraction period for the minerals would work with a construction period on Phase 1, limiting the possibility of residents of the new development being affected by minerals operations nearby. In order to deliver this – thus complying with Policy SG1 – a requirement for this is proposed in the Heads of Terms of the s106 agreement. This is to ensure not only that the minerals excavation takes place but also that this is scheduled at the beginning of works on the land as part of an agreed phasing plan. With these safeguards, the proposal is considered to comply with the provisions of the adopted Minerals Strategy.

Archaeology & heritage assets

13.60 Within the western side of the wider outline application is sited a Scheduled Ancient Monument (SAM) described as a “prehistoric earthwork in Bowley’s Plantation”. It is noted that there is no Conservation Area for Crossways. The nearest listed buildings to the site are the Frampton Arms pub and its outbuildings at the level crossing at Moreton station. Due to the distances involved – over 800m from the nearest point of the site along Warmwell Road – the development is not considered to materially impact on the setting of these listed buildings. There is a further SAM approximately 350m south-east

of the corner of the proposed SANG. This is Tinkers Barrow, a Bronze Age bowl barrow set within a woodland.

- 13.61** Due to the distances to the other heritage assets listed above, it is considered that the assessment of the impacts on heritage assets is concentrated on the Bowley's Plantation SAM. Around half of the area of the monument lies outside the application site in a wooded area adjoining the Hybris. Within this area, it survives as an identifiable above-ground earthwork consisting of raised banks of two sides of a rectangular enclosure. It is only this part which is protected as a SAM. Within the site itself, visible remains of the monument have been ploughed out. However, a geophysical survey undertaken in support of the application appeared to establish the remainder of the enclosure survives as a sub-surface feature.
- 13.62** Field investigations of the site carried out earlier this year found dating evidence within the bank and ditch feature dating back to the late Iron Age. No evidence of the use of the interior of the enclosure were found. Iron Age enclosures are common across Dorset but this site is unusual for its lowland location as opposed to the more widely known hillforts and also its double-banked construction, making it an important element of the later Iron Age central Dorset landscape.
- 13.63** The application is accompanied by a settings assessment. This advises that there will be impacts to the setting of the SAM and thereby its significance with the possibility that the current indicative layout could involve a road over the sub-surface remains, or at best right up to the remains. The report notes; *While the physical integrity of the monument as a whole will be maintained, the asset will be visually isolated from its setting with the introduction of suburban elements to this rural monument. As such, it is argued that the net effect will be to cause harm to the significance of the asset*.
- 13.64** The report therefore proposes mitigation for these impacts. As no features were identified outside of the SAM, they suggest a 5m protection buffer to the remains. This will require the indicative layout to be amended in the vicinity of the monument. The report also recommends assisting in the interpretation and appreciation of the SAM by providing enhancements to the understanding of the remains. It suggests it would be desirable to establish access around the entire monument, removing current undergrowth which partially obscures the upstanding remains outside the application site to allow for better understanding of the site. In addition, interpretation panels are suggested along with a walking route around the monument.
- 13.65** **Archaeology & heritage assets – Conclusion:**
It is noted that aspects of the proposed mitigation suggested by the Settings Assessment cannot be secured because they lie outside of the applicant's control. The statutory designation of the SAM extends only to the upstanding earthwork which lies outside the site and therefore the impact of the development is on the monument's setting. As the full mitigation could not be delivered, then it must be assumed that the net effect will be harm to the significance of the asset as set out above. The assessment which needs to be made is whether this results in substantial harm as this introduces different tests under the NPPF.

- 13.66** The NPPG advises that for a development to result in significant harm is a high test so it may not arise in many cases. It is the degree of harm to the asset's significance rather than the scale of the development that is relevant. The NPPG confirms the harm may arise from development within its setting. In this case where the integrity of the actual remains can be preserved by amendments to the layout of the scheme at the RM stage and there are no physical impacts to the SAM itself, the conclusion is that the development would result in less than substantial harm to the significance of the monument.
- 13.67** Paragraph 134 of the NPPF advises 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, including securing its optimum viable use. The responses of Historic England and the County Archaeologist are noted. In these circumstances the impacts to the SAM are considered to be acceptable when balanced against the considerable benefits the remainder of the development provides.

Landscape impact:

- 13.68** The site lies within the Crossways Gravel Plateau Landscape Character Area in the Council's adopted Landscape Character Assessment SPD (LCA). The site is outside the AONB. The assessment identifies this as a heath and forest mosaic landscape type. The LCA identifies the southern and eastern parts of this character area have a more intimate feel due to the undulating landform and increased woodland cover and notes the characteristic intimate landscape and filtered views from within the wooded and undulating land in the east. Due to the relatively flat nature of the site and the surrounding area coupled with the mosaic of woodland over the wider area, long-range views of the site are limited.
- 13.69** As set out in the masterplan assessment, the scheme looks to incorporate existing landscape features within the site thereby retaining important parts of the existing landscape framework. This retains existing trees and copses/woodland areas as well as field hedges. Consequently views of the development would only become apparent in closer range views. From these points, the development would result in the change from an agricultural character to a built development, extending the village into the surrounding countryside.
- 13.70** **Landscape impact - Conclusion:** As part of the scheme, the key landscape elements in the LCA are retained. Views of the development are filtered through the retained hedges and tree belts. In the vicinity of Warmwell Road, the development would appear as a logical extension to the settlement where the developed area of the village is readily apparent. The garden suburb layout fits well with village fringe character where a sense of spaciousness and a verdant appearance are characteristic. Moreover, with the provision of the SANG, the scheme represents an opportunity for the scheme to contribute to the landscape character of the area. The proposals are therefore considered to comply with Policy ENV1 of the Local Plan.

Heathlands and Poole Harbour Site of Special Scientific Interest

13.71 Dorset Heathlands:

The application site is within 5km of both the Warmwell and Winfrith heathland SSSIs. These European-level designations are in recognition of the international importance of the surviving fragments of lowland heath in Dorset. These provide habitats for numerous protected species including all native reptile species. A requirement of CRS1 is for the development to mitigate any adverse effects upon internationally designated heathlands. .

13.72 Monitoring and evidence from Natural England demonstrates the negative impacts of increased residential development in proximity to the protected heathlands. The SSSIs are particularly vulnerable to detrimental effects from domestic pets with dog walking identified as a principal issue where species such as nightjar and other ground nesting birds can have their habitats disturbed. As a consequence of these impacts, Natural England has recommended an effective embargo on new residential development within 400m of the protected heaths.

13.73 In addition, NE's evidence demonstrates that increases in residential populations up to 5km from heathlands can adversely impact on the integrity of the heaths particularly when the cumulative impacts of all residential development within a 5km zone is taken into account. This is due to the propensity for residents to still travel to the heaths for recreation, dog walking and so on at these distances. However, Natural England recognise that to prevent all form of development within the 400m to 5km zone would have significant implications for the growth of the main settlements in the County, in effect stymying all further residential development within the Poole/ Bournemouth conurbation for example.

13.74 In order to facilitate a solution to this issue, NE's position is that residential development can occur within the zone up to 5km provided suitable mitigation is provided for the impacts of development on the integrity of the heathlands. In the majority of cases this takes the form of a financial contribution per dwelling which is used for management of existing heaths such as wardening or education and the provision of Suitable Alternative Natural Greenspace (SANG). For the majority of applications, the Council's CIL contributions in the affected areas are 'top-sliced' to provide the heathland mitigation contribution to be put towards appropriate projects off site.

13.75 However, where the number of units exceeds 50, Natural England's position within its adopted Planning Framework SPD is that SANG provision should be made on-site as part of the development. It is also noted that this Strategic Allocation is specifically excluded from CIL by the Local Plan and therefore there is a need to secure bespoke infrastructure contributions via a s106 agreement.

13.76 The SANG contribution is as detailed in para. 2.12 – 2.13 above and the application proposes the change of use of this land from agriculture to SANG. The applicants have worked with Natural England in developing the SANG proposals for this site. The application is accompanied by a management plan for the SANG which sets out the criteria for establishing the extent of SANG required which is based on a formula of between 8 – 16ha of SANG per 1,000 population growth depending on the quality of the SANG. At 500 units the management plan calculates the overall population growth across the total

scheme as 1,200, creating a SANG requirement for between 9.6 – 19.2ha. Therefore at 22ha, the SANG would represent an overprovision irrespective of the quality of the natural greenspace provided.

13.77 The SANG contribution is divided into five parcels to be delivered as phases relative to the nearest residential element. The management plan sets out the key management objectives / operations for each SANG unit including the restoration of heath within one of the phases and the habitats contained within them with a clear plan. In addition, the management plan sets out a cost for the setting up the SANG and an annual maintenance costs for the life of SANG (80yrs) at a cost of £960k. This will need to be secured via the legal agreement. Full details of the management of the SANG can be found here; [http://wam.westdorset-dc.gov.uk/WAM/doc/Supporting%20Documents%20\(SANG%20MANAGEMENT%20AND%20PHASING%20PLAN\).pdf?extension=.pdf&contentType=application/pdf&id=1343510](http://wam.westdorset-dc.gov.uk/WAM/doc/Supporting%20Documents%20(SANG%20MANAGEMENT%20AND%20PHASING%20PLAN).pdf?extension=.pdf&contentType=application/pdf&id=1343510)

13.78 Poole Harbour SSSI

Natural England's advice is that additional; residential development results in additional nutrient loading (nitrogen & phosphorous) into the Frome river catchment and thereby into Poole Harbour. Poole Harbour has SSSI, SPA and Ramsar designations. Additional nutrient loading into Poole Harbour is adversely affecting the nature conservation interest in these internationally designated sites and therefore NE's position is to ensure that new development should mitigate for these impacts by not increasing nutrient loading whilst addressing agricultural impacts – the chief cause of nutrient loading at Poole Harbour. Again, within the areas affected, the CIL contribution is normally used to take financial contributions to be used in mitigation for these impacts. However, this does not apply to this CIL-exempt site.

13.79 The change of use of the land from agriculture to SANG and from agriculture to urban represents a benefit in addressing the nutrient issues which is balanced against the additional nutrients generated from additional residents. The deficit created by this requires a financial contribution of £149,089. This will need to be secured as part of the legal agreement.

13.80 Heathlands and Poole Harbour Site of Special Scientific Interest –

Conclusion: As advised in Natural England's consultee response, the LPA is the competent authority for the purposes of the Habitats Regulations. Due to the potential impact of the development on the European-level protected sites, the Council is required to carry out an appropriate assessment before determining the application. In conjunction with the advice from Natural England, the assessment is that with the proposed mitigation measures of the provision of SANG and its management along with the proposed financial contribution towards the Poole Harbour nutrient impacts, the scheme provides acceptable mitigation for the development's impacts on the internationally protected sites. Therefore the scheme complies with Policy ENV2 of the Local Plan.

Surface Water & Flood Risk

13.81 The requirement in Policy CRS1 is for sustainable drainage methods to be implemented to manage surface water flooding issues and ensure flood risk is not exacerbated elsewhere. This mirrors the test in Policy ENV5 to steer

development towards the areas of lowest risk and ensuring development will not generate flooding through surface water runoff or exacerbate flooding elsewhere.

13.82 The site lies within Flood Zone 1 outside the area of highest flood risk, thereby complying with this aspect of ENV5. The scheme is accompanied by a drainage strategy for the site. This is based on sustainable methods and has affected the proposals for mineral extraction on the site as set out in para.13.56 above. The strategy also includes provision for drainage ponds within the SANG which is compatible with the wildlife and habitat aims of the SANG provision.

13.83 **Surface Water & Flood Risk – Conclusion:** The drainage strategy has been considered by the LLFA. They advise that the proposed strategy will provide an acceptable solution for dealing with surface water run-off issues on the site with a scheme designed to the 1:100 flood event with an additional 40% for climate change. On the basis of DCC's response, it is considered that the applicant has provided sufficient information to demonstrate that the development can take place whilst complying with the criteria in CRS1 and the tests in ENV5 to ensure that development does not cause flooding within the site or exacerbate flood risk elsewhere.

Impact to neighbouring properties

13.84 For the purposes of this assessment, this covers both the impact of the wider outline permission and the detail of Phase 1. The impact to properties in Phase 1 is assessed in detail. The impact against the remainder of the outline is considered in principle. Consideration is also given to the living conditions of occupiers of the proposed properties.

13.85 Outline consent: Considering the scale of the development, only a relatively limited number of existing dwellings will be directly physically affected by the proposed scheme. These are the four properties at Heathfield Park which are considered against the Phase 1 scheme below. The remainder of the properties impacted by the scheme are those with a current frontage or outlook over Warmwell Road.

13.86 The majority of these properties lies to the north of Warmwell Road. Due to the nature of the site, no dwellings are indicated facing directly across properties to the north of Warmwell Road. The dwellings to Old Farm Way have their back gardens backing onto Warmwell Road where the proposed access and new community buildings are proposed. The distance from the community buildings to these properties is approximately 25m at the closest points. At this distance the privacy of properties to the north of Warmwell Road will be within the guidance set down within the Council's adopted Design SPD and thereby these neighbours will continue to enjoy sufficient privacy. Similarly at these distances, the scale of the proposed community buildings are not considered to adversely affect the outlook from these neighbours or cause an over bearing impact.

13.87 On the western side of the site, the properties at 1 – 5 Warmwell Road face towards the later phases of the site on the site of the current village hall. On the indicative masterplan there would be in excess of 30m between properties

at this part of the site. There are well established hedges and field trees along this boundary of the site which officers would seek to retain as part of the detail of this part of the scheme – the masterplan indicates development set back from this boundary. This would further limit impacts to the properties concerned. There are no grounds to conclude that a scheme could not be designed for this part of the site which would not significantly adversely affect these neighbours' living conditions.

- 13.88** There are currently 2 dwellings on the south side of Warmwell Road, No.7 & No.13 which are east of the Summer Farm buildings. Again, development will be in the proximity of these properties during the later phases of the scheme. As they lie to the south of Warmwell Road, the development will come to the boundary of these properties with greater potential for impacts to these dwellings. Both properties lie in substantial plots but No.13 in particular lies close to its southern boundary with an outlook over the fields behind.
- 13.89** On the indicative masterplan, no dwellings backing directly onto these properties are shown with dwellings set back behind an access road. This is in the Moreton Walk character area, which as noted above will be a low density area of development. There is also a play area space indicated in this area. Notwithstanding that these properties will be potentially affected to a greater degree than other surrounding properties, there is no reason to suggest that a scheme cannot be designed to minimize the impact on the amenity and quiet enjoyment of both existing residents as set out in Policy ENV16.
- 13.90** Phase 1 – With the exception of the impacts to the properties in Old Farm Way from the proposed village hall and surgery explored above, the principal impacts from the residential elements of Phase 1 are to the properties in Heathfield Park, west of the detailed consent. There are four properties, originally built as 'live-work' units with separate live/work buildings within the plot. All four dwellings lie in generous plots.
- 13.91** The nearest proposed properties to these neighbours are the 3-storey Block A apartments. These are 20m from the boundary with Heathfield Park, meeting the standard in the Council' adopted design guidance (para. 7.5.2) and ensuring adequate privacy at these neighbours. Whilst this apartment block is taller than the proposed houses at 10.8m, due to the separation to the nearest property Oaktree Barn which is set a further 12m into its plot, the development is not considered to cause a significant overbearing impact or loss of outlook to this neighbour.
- 13.92** The proposed semi-detached dwellings south of Block A which back onto Heathfield Park are slightly closer at 16m to the boundary. Nonetheless the building-to-building distance is approximately 30m which will be sufficient to maintain acceptable privacy at the nearest property (6 Warmwell Road). These semis are 2-storey and lower than the apartment block and at these distances are not considered to adversely impact on outlook or cause an overbearing impact. There are also well established trees along the eastern boundary of Heathfield Park outside of the application site. These are protected by a Tree Preservation Order and further serve to screen the development from these neighbours. The properties will enjoy a typical suburban relationship.

13.93 Impact to neighbouring properties – Conclusion: A comparatively limited number of properties are directly impacted by the development considering its scale. Having considered both the detailed layout for Phase 1 and the indicative masterplan for the wider site, it is clear that the site can accommodate the proposed number of dwellings whilst meeting the criteria for dwelling relationships set out in the Council's Design SPD. Therefore there is acceptable evidence at this stage that development can be designed to minimize the impact on the amenity and quiet enjoyment of existing residents.

13.94 Due to the nature of the proposed layout and the limited constraints within the site, it is considered there is no cause at this stage to be concerned that the development could not provide new properties with acceptable living conditions for the proposed occupiers. Overall the impacts of the development on existing properties would be minor- to moderate at most. As such the scheme would comply with the test in Policy ENV16 to ensure development does not have a significant adverse effect on living conditions.

Scheme Viability

13.95 Policy HOUS1 requires 35% of the units across the scheme to be provided as affordable housing. Over the totality of the scheme, this would be a provision of 175 units, a very considerable benefit in meeting the very high needs for affordable housing in the plan area. Under HOUS1, the AH contribution would be a minimum of 70% social / affordable rent and a maximum of 30% intermediate affordable housing, unless identified local needs indicate that alternative provision would be appropriate.

13.96 The applicant had concerns over the viability of the scheme and had submitted an assessment which advised that the scheme was only sufficiently viable to provide an affordable housing contribution of 5% of the units, these to be starter homes – an initiative of the previous Government. The Council's viability advisors the District Valuer assessed the viability case and concluded that the scheme was nonetheless sufficiently viable to make a policy-compliant AH contribution. The applicants revised their position to a contribution of 30% of the units. Officers instructed the DV to assess this revised position, however their conclusions were that the scheme still remained sufficiently viable to deliver the 35% in the policy.

13.97 Scheme Viability – Conclusion: Officers continued to negotiate with the applicants on the issue of the affordable housing contribution. In light of the DV's response we have reached an agreed position of an affordable housing contribution of 35% of the units which is policy-compliant. However, this is based on a 50/50 tenure split between rented and other low-cost forms of affordable housing. This is considered to be appropriate in this particular context and preferable to delivering fewer units overall by trying to deliver more rental units. In addition, the applicant's position is that this contribution be subject to a review mechanism to assess the viability over the course of the development. Bearing in mind the scale of the development and thereby the length of build-out period, officers are content with this as an acceptable way of assessing that the predicted sale prices are realised throughout the course of the scheme. This will need to be secured as part of the legal agreement.

Sports Provision:

- 13.98** The proposals are subject to an objection from Sport England (SE). SE are an advisory consultee on all residential developments above 300 units, however they are not a statutory consultee in the Procedure Order for such a development. Therefore due weight will need to be given to SE's response in the balancing exercise in part 14 below and provision for sport is given weight bearing in mind its social and economic benefits.
- 13.99** In their consultee response SE identify that occupiers of the development will create demand for sporting provision. Their conclusion is that provision in the local area may not be able to accommodate this increased demand without adversely impacting on existing provision or overwhelming provision into the future. Their solution is to look for on-site provision or contributions to off-site provision. The nature of such provision to be informed by robust evidence. SE's response then suggests the following contribution figures towards Sports halls (£234,176) Swimming Pools (£182,570), Artificial Grass Pitches (£25,916) if 3G (£22,693 if sand) and Indoor Bowls (£35,352). This equates to a total of £478,014 (if 3G) or £474,791 (if sand).
- 13.100** In the discussion of the Heads of Terms below (para.13.100 onwards), the current legal basis for securing contributions via a legal agreement. SE's response does not identify which facilities in the local area are deficient but applies a tariff-based contribution based on the total number of units fed into their calculators. In order to justify SE's proposed contributions and comply with the CIL regulations, the Council needs to identify a specific project to which the contributions would be used. Therefore officers have sought advice internally from its Leisure Manager. They note that the nearest facilities for swimming pools and sports halls are in Dorchester and this provision is regarded as good. As a result there are no current projects identified to expand this capacity. Furthermore the proposed contributions would not be sufficient to increase capacity at these facilities.
- 13.101** In addition, officers have sought advice from the Parish Council as to their views on sports provision within the village. Currently there is an existing sports pitch on Dick O' Th' Banks Road along with a well-established skate park and Multi-Use Games Area (MUGA) granted back in 2009. The PC confirmed it does not have any outstanding projects to which such a contribution could be put. It is worth noting that as the remainder of residential development would be subject to CIL, the number of additional schemes which would make a specific contribution to any such project is likely to be limited. Where CIL already takes 17.5% of each contribution to Culture & Leisure Facilities, the Council cannot charge developers twice for the same contribution ("double-counting"). Therefore any project not fully funded by Sport England's proposed contribution would be unlikely to be delivered.
- 13.102** It is noted the PC comments also welcome the provision of the village hall. As well as full-sized badminton court, the PC note this could accommodate short mat bowls and they have also used the current village hall for archery. The village hall also provides play space for the playgroup and LEAPs are shown throughout the masterplan.

13.103 Sports Provision - Conclusion:

In making an assessment of the weight to be attached to SE's objection, it is necessary to consider the scheme as a whole. This will secure considerable amounts of informal open space directly accessible to residents and the wider village in terms of the SANG provision. It will also deliver improved cycle links. In terms of sports provision, due weight also needs to be given to the proposed village hall which provides for indoor sporting activities. Along with the Implementation Team, officers have investigated possible projects to which contributions proposed by SE could be put to. However at a local and wider district level, there is a lack of viable projects the contributions could fund. Bearing in the potential conflicts of Sport England's tariff-based approach with the CIL regulations and current Government advice on pooling infrastructure contributions, in the circumstances officers do not consider these contributions can be justified. Regard is also had to the possible marginal viability of the scheme as set out from paragraph 13.95 above.

Phase 1 – Detailed Permission

13.104 The full permission element of this hybrid application relates to an area of land in the centre of the allocation, due east of the Hybris Business Park. The detail of the Phase 1 provision is set out from paragraph 2.5 above. As approval of the application will grant full permission to this element of the scheme, this needs to be considered as per a full detailed permission. This assessment is set out below.

Phase 1 – Layout:

13.105 The approach taken in terms of the layout and character of the Phase 1 detailed consent as put forward by the applicants is of a 'garden suburb', drawing on garden city principles, which the applicant notes is supported by paragraph 52 of the NPPF. The aim stated in the D&A statement is to "*offer new residents opportunities for higher quality lifestyles promoting wellbeing and to provide new facilities for existing neighbouring Communities.*"

13.106 In terms of how this translates into the design of the scheme, the D&A statement notes the following key elements; a harmony between built and natural forms; a character which will respond to the townscape, suburban and urban landscape character of Crossways; residential development built around perimeter blocks with focal buildings to aid legibility; walkable neighbourhoods; high quality public realm; tree-lined streets; green infrastructure and provision for cars in a neighbourhood designed to encourage walking, cycling and the use of public transport.

13.107 In terms of the appropriateness of this as an approach, it is noted that of the other settlements in the second tier of the spatial strategy in Policy SUS2 – referred to as the 'market towns & large villages' in the LP – these settlements such as Sherborne, Portland and Beaminster arguably have stronger historic cores and a more easily identifiable vernacular tradition than Crossways. This means there is arguably less to draw on to show that the scheme is informed by the character of the site and its surroundings as set out in Policy ENV10. The test in this policy is to ensure that development contribute positively to the maintenance and enhancement of local identity and distinctiveness. The

advice in the NPPF (para. 58) takes a broader approach, advising that development should “*respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation.*”

- 13.108** In this particular circumstance, it is considered that there is an opportunity with this site to enhance the wider character of the settlement by taking a fresh approach in layout and design terms and the broad garden suburb approach is considered to be acceptable. What will be critical then is designing a scheme which meets the urban design criteria set out in Policy ENV11 and the Council’s adopted Design SPD and this is examined below.
- 13.109** Also of importance to the scheme is in creating a ‘hub’ for the village to provide a focus for the community facilities provided as part of the development. Crossways does not have an obvious centre or core comparable to a traditional village centre arranged along its main street – like Puddletown for example. Its facilities are separated across the village, its school in one location, the post office and current doctor’s surgery elsewhere and the Co-op in a different location on the Warmwell Road. The scheme therefore seeks to create an obvious focus for the development – and thereby the wider village – at the entrance to the site from the Warmwell Road.
- 13.110** The layout shows the proposed doctor’s surgery and village hall framing the entrance to the site, providing an obvious sense of arrival to the development but also a focus to it. The proposed village green open space east of the village hall also provides a complimentary space to the village hall, allowing community activities to spill out into this area but also similarly a focus for community activities.
- 13.111** Some of these benefits of the scheme could be undermined if the development failed to integrate into the wider village and Policy CRS1 specifically requires good links to the wider footpath and cycle network be provided through the village. A significant aspect of the scheme are the proposed works to Warmwell Road described above. The delivery of the proposed tree-lined boulevard along Warmwell Road in the vicinity of the site, is in this officer’s opinion of considerable benefit to the character and appearance of this approach to the village and the development site. At the same time it is also integral to traffic management measures to reduce speeds along this stretch and assist in safe links across Warmwell Road from the development to the rest of the village and the school in particular.
- 13.112** These measures will help integrate the community facilities provided in the scheme to the remainder of the village. They also provide a ‘bridge’ between the village facilities along Mount Skippett Way like the library, Spitfire Club and post office/stores over to the Co-op further east along Warmwell Road. This will be further integrated into the village as the later phases of the development progress eastwards around Summer Farm towards Moreton Road and the employment area.

Phase 1 – Urban Design:

- 13.113** The detailed layout of Phase 1 implements the garden suburb key elements set out above in its urban design. The detailed design is assessed here

against the criteria in Policy ENV11 of the adopted LP and the Council's adopted design guidance. The layout has been amended by the applicants in response to issues raised by your urban design officers and the proposals before members are the result of close working between the parties to deliver a scheme compliant with the relevant policy and SPD.

- 13.114** In the masterplan discussion above, the eight proposed character areas (CAs) were identified. The Phase 1 layout delivers all of The Village Green & Spitfire Place CAs, one of the Central Avenue CAs and extends across part of Moigne Combe Walk CA. Thus the Phase 1 details show how the proposed character areas can be successfully incorporated into a detailed scheme which also delivers on the urban design principles set out in the Council's policies and SPD, but also on the applicant's garden suburb concept, notably in relation to the Moigne Combe Walk avenue area.
- 13.115** It is considered that the Phase 1 layout also delivers on the proposed route network hierarchy set out for the wider masterplan with the central avenue primary route. A common building line is also delivered along these routes. The secondary and 'home zone' routes are located off the central avenue and are not through routes. These respect the route hierarchy with narrower streets and parking provided in-plot or directly on the dwelling's frontage. Thus the layout follows the general principles in the Design SPD of varying the ratios of height of the buildings to the road width to reinforce route hierarchies. For example, the width of the central avenue at 20 – 25m wide achieves a ratio of up to 1:5 for the central avenue reflecting its significance which is also necessary for it to serve as a bus route. The taller (3-storey) properties would be located along these primary routes.
- 13.116** The Phase 1 scheme achieves a perimeter block layout with active frontages along both the residential streets but also to the community focus areas. This achieves surveillance but also encourages interaction between residents. This layout along with the route hierarchy explained above, delivers a legible layout with well-defined streets which will be simple for residents to navigate, whether on foot, cycling or driving. It also connects well into the wider village and will provide considerable benefits for the amenity and use of Warmwell Road. There are active public areas and secure private areas to the rear gardens. In urban design terms, the scheme is considered to have taken on board the requirements of Policy ENV11 and delivered these in the detail of Phase 1.

Phase 1 Building Designs – Public Buildings:

- 13.117** As noted in the masterplan discussion above the new surgery and village hall are key buildings in the scheme providing a focus and identifiable entrance to the development. The quality of these buildings (and their delivery) is therefore critical to the success of the scheme.
- 13.118** The proposed village hall is considered to be a particularly well-realised design. It's cropped hipped roof and chimney vents, low eaves, along with its gabled front entrance to the west, creating a clear agricultural character to the building. Thus the building has a strong horizontal emphasis, making it imposing at the entrance to the site. This is both appropriate to its location but is an approach which has been successfully used on a smaller scale for the

Spitfire Club nearby for example. In addition, it is a building 'seen in the round' as it fronts onto the main access road into the development on its west elevation but will also be clearly seen in views across Warmwell Road and the proposed village green. Whilst the front entrance is to the west, the east elevation incorporates substantial areas of glazing and terrace, further reinforcing its agricultural design. This main hall area overlooks the village green space.

- 13.119** In terms of the internal layout, this is single storey only. Nonetheless it incorporates a main hall sufficient to accommodate a badminton court footprint and necessary ceiling height in a double height space. In addition, there are the other facilities set out in para.2.9 above including offices for the Parish Council. A schedule provided shows the proposed materials for the hall to be plain clay tiles with bonnet hips for the roof, walls with a brick plinth, with render above and timber weatherboard and grey frames to the fenestration. Through this, it is considered the agricultural character of the design will be successfully realised.
- 13.120** The doctors' surgery follows a similar design approach and is considered to complement the new village hall at this critical entrance point to the site. Although this building is narrower, it is of a similar height to the new hall, being 2-storey. It also shares a strong horizontal emphasis. It therefore is considered to be a sufficiently imposing building to retain an appropriate presence in the street scene at the site entrance. The same approach to materials as listed in 13.119 above is proposed, further reinforcing the contribution of the community buildings at the entrance to Phase 1.
- 13.121** The village hall building will be a considerable public benefit and the Parish Council's enthusiasm for this aspect of the scheme is noted. More than this though the building is important to the scheme and the village as a whole. The existing hall is remote and isolated from the village and irrespective of its condition, this impacts on its ability to serve Crossways. As well as providing modern facilities for various clubs and services in the village, the prospect of delivering an accessible hub for Crossways is given considerable weight.
- 13.122** The provision of the doctors surgery and the prospect of retaining this community facility for the village long-term is also worthy of strong weight in the balancing exercise. That the designs of both buildings and their siting will also provide a major benefit to the character and appearance of the area and the overall success of the scheme serves to add additional weight to this aspect of the scheme.

Phase 1 Detailed design – House designs and Housing Mix

- 13.123** The scheme provides a range of house types, sizes and designs. When designing a new residential area from scratch, there is a balance to be struck in providing the variety sought by Policy HOUS3 and the efficiency and effective use of land in ENV15. An excessive variety in types, sizes, designs and materials lacks cohesion but a lack of variety limits choice and leads to monotony.
- 13.124** To describe each house type in this report would be excessively laborious and the designs can be viewed on the Council's website. The designs have been

refined following advice from your urban design officers. As can be seen from the table in paragraph 2.7 above, the first phase delivers a mix of units from 1- to 5-bed properties with a mix of flats, terraced, semi-detached & detached houses. The majority are 2- & 3-bed units, reflecting the noted area of need in HOUS3 (para. 5.3.1).

- 13.125** Also, the phase 1 house designs includes a number of feature buildings as dwellings at critical points in the scheme. These designs are serving an urban design function, particularly around the Spitfire Place character area at the site's entrance, with the 'Dovecot' and 'Lodge' house designs being noticeably strong features around the proposed hard piazza in this area. Therefore the remaining house types account for a greater proportion of the overall housing mix.
- 13.126** The materials schedule for the phase 1 designs shows a mixture of slate and tile for the roofs in a largely even mix. The walls of the dwellings are shown as a mix of brick, render, weatherboarding and tile-hanging with brick predominant. Windows are timber casements. The designs incorporate stone and oak frame detailing, string course and corbels with arched headers. Overall the designs and materials palette are considered to give a suitable basis for the delivery of a high quality scheme. Subject to agreement of precise samples of the proposed materials, the designs of the proposed houses are considered to be acceptable.

Phase 1 Detailed design – Landscaping

- 13.127** The phase 1 proposals are accompanied by landscaping proposals. These include detailed proposals for the village green landscaping, an important aspect of the delivery of this element. This is shown as a central grassed area surrounded by meadow grassland and ringed by oak trees. This proposed landscaping is considered to complement the green's function as an important public space within the development.
- 13.128** The landscaping is a fundamental aspect of delivering the proposed garden suburb character with softer frontages and street trees an integral part of the overall concept. So for example the Moigne Combe Walk avenue, a focal feature of the overall layout proposes an avenue of lime trees along this street. A feature of the landscape proposals is the consistency of the street tree planting. So the primary route on the eastern side is shown with an avenue of hornbeam regularly spaced around the dwelling's driveways, other streets have avenues of cherry trees and so on. Emphasising this design approach, the plot frontages are shown enclosed by beech, hornbeam and other hedges. This reinforces the formal planned character of the overall scheme, fitting neatly with the garden suburb concept.
- 13.129** The phase 1 proposals also include details of the planting for the proposed roadworks. This includes creating a treed boulevard with a central row of field maple. As well as the public benefits from slowing traffic and providing safer crossing points for pedestrians, it is considered these works will deliver a considerable visual improvement to this otherwise straight and featureless stretch of highway.

Phase 1 Detailed design – Conclusion

- 13.130** The proposed detailed layout will bring forward an identifiably new chapter in the development of the village introducing a fresh character to the settlement. It is considered an appropriate approach which the quality of the Phase 1 development demonstrates will be an asset to the village. Consequently the garden suburb layout shown on Phase 1 is considered to meet the tests in Policy ENV10 to enhance the distinctiveness of Crossways. Moreover it also sets a standard for the later phases – reflected in the overall masterplan – for the remainder of the development to follow.
- 13.131** The overall concept for the site has been followed through in the phase 1 design. The house designs, materials, the layout and landscape details all work to reinforce this design concept. Overall a high-quality development is proposed which officers can commend to members and is considered will be a considerable asset to the village. The public buildings proposed in phase 1 are also considered to be well-realised designs which as well as providing extensive social benefits to Crossways, will in addition be buildings which contribute positively the character and appearance of the area.
- 13.132** For these reasons the proposed Phase 1 detailed scheme is considered to comply with Policies ENV10, ENV11 & ENV12. It also makes efficient use of the land in accordance with ENV15 and provides a suitable range of housing in line with HOUS3.

Section 106 – Heads of Terms:

- 13.133** Members' attention is drawn to para. 6.2.3 of the Local Plan which specifically exempts this site as well as four other strategic sites in the LP from CIL. Therefore, infrastructure contributions for this scheme need to be secured via a s106. If the Council is to take financial contributions in a s106 legal agreement, under the CIL Regulations (2010) as amended, the contributions must comply with the following three tests;
- (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.
- In addition, Government guidance in the National Planning Practice Guidance advises that "*Planning obligations must be fully justified and evidenced.*"
- 13.134** In practice what this means for the Council is that in taking any financial contributions it must be able to demonstrate that the money will be put towards specific projects which directly address the impact of the growth in population on the site and thereby the increase in demand created. It would therefore be necessary to ascertain that local provision is currently deficient or would be in the future with increased demand and then identify suitable mitigation to address that demand failure to which the contribution could be put towards.
- 13.135** The scheme seeks financial contributions towards education provision. This would ordinarily be secured through the Council's CIL-charging regime and is therefore considered to be a legitimate planning related contribution. The response from DCC clearly sets out the rationale for the education provision across the length of development and the need at various ages of education provision locally which new residents will access. The contribution will

mitigate for these impacts, necessary for the development to go ahead and is considered to be suitably justified in relation to the development.

- 13.136** The provision of SANG and the financial contribution are necessary mitigation for the impact of the development on the internationally protected heathlands. These contributions are necessary to make the development acceptable and allow residential development to take place within 5km of the protected heaths. The extent of the contribution is set out in Natural England's response and is a standard applied across their adopted planning framework throughout Dorset. Similarly, the proposed calculation of the Poole Harbour nutrient mitigation contribution is calculated against a set standard for the transfer of agricultural land to non-agricultural use set out in NE's consultee response and is related to the scale of the development with due regard to the mitigation provided by the proposed SANG. This mitigation is essential to allow development to proceed which contributes to nutrient loading in Poole Harbour.
- 13.137** The highway improvements to Max Gate are set out in an agreed plan. These highway works are necessary to accommodate increased traffic onto the strategic trunk road network arising from the development using a sub-standard junction with the A35. In addition, the contributions towards highway improvements within the vicinity of the site are a requirement to comply with Policy COM7 to ensure development is integrated into the highway network and provides facilities to encourage non car-borne trips.
- 13.138** The affordable housing contribution is necessary for the development to comply with Policy HOUS1 of the Local Plan. The scheme for the mineral extraction is necessary to comply with Policy SG1 of the adopted Bournemouth, Dorset & Poole Minerals Strategy. The provision of LEAPs (Locally Equipped Areas for Play) within the site is in line with the standards in Table 6.1 of the Local Plan, being a requirement of Policy COM1. The contribution for ongoing maintenance requirements is a stipulation of COM1.
- 13.139** For these reasons the proposed contributions in the s106 are considered to meet the statutory tests for infrastructure contributions in a legal agreement as set down in the CIL regulations.

14. Summary

14.1 Assessment of the scheme against the criteria in Policy CRS1:

14.2 The adopted policy seeks to provide numerous elements. The proposals currently before members are assessed against the policy requirements below.

14.3 Provide a comprehensive mixed-use development: The scheme includes the entire allocation in the LP thereby delivering a comprehensive scheme. It provides 500 homes which is the suggested figure in para. 12.3.1 of the Local Plan. It delivers new local community facilities in the village hall and surgery. It proposes 2.5ha of employment land, meeting the broad aspiration for a mixed-use development but is 30% below the employment space figure in the policy. The employment allocation is in the area envisaged in the policy. However, it does not fully comply with this part of the policy.

14.4 Development to mitigate any adverse effects on designated heathlands: The

scheme provides around half of the site area as SANG. It also provides for management of the SANG but also a contribution for Strategic Access Management and Monitoring, thereby not only benefitting the ecological interest of the protected heaths by providing alternative recreational areas closer to Crossways village but also contributing towards management of the protected heaths themselves. The SANG proposals are accepted by Natural England and progress has been made with regards to transferring the land to Dorset Wildlife Trust for long-term management.

- 14.5** As the competent authority, the Council has undertaken an appropriate assessment of the impacts of the development on the European protected sites. In conjunction with the advice from Natural England, the conclusion is that the development would meet the conservation objectives to maintain and where in decline, restore the heathland and other habitat and species interest features. The scheme thereby complies with this aspect.
- 14.6** Secure effective mitigation for potential adverse effects upon Poole Harbour internationally designated sites: The scheme has demonstrated how it can be nutrient neutral subject to a financial contribution towards mitigation measures. Through this the scheme complies with this part of CRS1.
- 14.7** Deliver necessary highway improvements: The scheme makes provision for highway works in the vicinity of the site. These have been agreed by the Highways Authority. In addition, Highways England have confirmed they have no objections subject to securing junction improvements to the Max Gate A35/A352 junction by the occupation of 100 units. This aspect of the policy is met.
- 14.8** Provision of a masterplan: The scheme is accompanied by an illustrative masterplan. The detailed first phase complies with the remainder of the indicative MP. The illustrative masterplan shows how the detailed permission and the remaining phases of the wider outline approval would deliver the remaining criteria in iv) of Policy CRS1. The masterplan is considered to comply with the guidance in the Council's adopted Design SPD. The application is accompanied by a Statement of Community Involvement which sets out how the applicants have engaged with the local community in drawing up the proposals. The masterplan has not been subject to a BREEAM Communities Assessment, but the requirement in the policy is only for a sustainability assessment to be carried out. This has been submitted and sets out how the MP has been considered against the advice in the Council's adopted Design SPD.
- 14.9** The masterplan includes a mix of uses and provides for community facilities and infrastructure. The scheme will deliver SANG, along with improved access to the surrounding countryside, increasing recreational opportunities with opportunities for improvements to biodiversity. The MP will deliver links to the wider rights of way network and improve cycle network provision with contributions towards improved links to Moreton station.
- 14.10** The scheme responds positively to existing constraints, incorporating landscape features within the site into the masterplan and detailed first phase. With additional landscape areas shown on the MP, the scheme is considered to have an acceptable impact on the landscape setting of the village. The

scheme is considered to have the ability to deliver a considerable enhancement to local character, providing a distinct beneficial development in the wider character of the village.

- 14.11** The scheme provides for an acceptable drainage strategy, based on sustainable principles. The scheme has shown it can be developed without exacerbating flood risk elsewhere. The proposals show how the scheme can be phased to deliver the long-term growth of the settlement over the course of this strategic allocation.
- 14.12** The development has necessitated additional work on behalf of the applicants to appropriately assess the impact of the development on the Scheduled Ancient Monument at Bowley's Camp. The additional assessment has satisfied Historic England and the County Archaeologist in terms of the impact of the outline proposals on the SAM. This is likely to be the only aspect of the current illustrative masterplan which may need some revision at the reserved matters stage. However, this is not considered to adversely impact on the ability of the MP to continue to deliver on the remaining elements above.
- 14.13** Taking all of the elements above and bearing in mind the weight to be attached to CRS1 in light of the Council's current HLS, it is considered that the development is sufficiently in compliance with Policy CRS1.

Whether sustainable development

- 14.14** Policy INT1 of the Local Plan contains a presumption in favour of sustainable development, reflecting paragraph 14 of the NPPF. This requires an assessment of the economic, social and environmental factors affecting the scheme.
- 14.15** In terms of economic factors, the scheme would provide a long-term build programme – including the mineral extraction. This will provide economic benefits over a number of years during the construction stage. The proposed community facilities will support existing jobs within the doctors' surgery and potentially create new employment through the pharmacy and also potentially the facilities within the village hall; playgroup and so on. The development would bring a large number of economically active residents over the course of the development to a sustainable location in one of the settlements which is a focus for future development in Policy SUS2 of the LP.
- 14.16** In addition, this mixed-use development proposes 2.5ha of new employment provision. This provides a substantial economic benefit to the village, with the potential to create significant new job opportunities in a sustainable location. However, the extent of the economic benefit is not as high as envisaged in the Local Plan. This makes the assessment of the economic benefits less straightforward because the delivery of the employment site would undoubtedly be a positive aspect, but its extent will be less than sought by the adopted policy. Consequently less weight is attached to this economic benefit than otherwise would be the case.
- 14.17** Accepting this, there is nonetheless considerable weight given to bolstering the Council's housing land supply. Delivery of these Strategic Allocations will be of sizeable importance to maintaining a housing land supply at the required

level and sustaining building rates. Overall the economic benefits are considered to be positive.

- 14.18** The social factors benefits of the scheme are considered to be widespread. New community facilities will be delivered replacing existing facilities in improved locations with substantially better provision. Social benefits flow from creating a new 'centre' or hub to the village which it arguably currently lacks. The scheme also provides improved links for residents to access existing facilities in the village, with the opportunity to reinforce social cohesion and a sense of community. The additional population also serves to support existing facilities, with the potential that these are sustained into the future. The extensive provision of SANG as heathland impact mitigation provides a considerable benefit for residents 'on their doorstep' with access to recreation and leisure facilities, being beneficial for healthy lifestyles for occupants. These benefits would also accrue to existing residents.
- 14.19** The provision of 175 units of affordable housing across the scheme would be a very significant social benefit to the area, helping to meet a substantial unmet need currently. A considerable amount of weight is given to this in the balancing exercise. The development would also provide additional choice in the local housing market. Overall the social factors would be positive and considerable weight is given to these.
- 14.20** In relation to the environmental factors, these are set out in the assessment of scheme against Policy CRS1 above. The development provides suitable mitigation for its impacts on protected heathlands and the Poole Harbour internationally protected sites, maintaining the integrity of these sites. The scheme has acceptable impacts on the Scheduled Ancient Monument when balanced against the benefits of the scheme. The scheme incorporates existing landscape features for retention and supplements this appropriate details for new landscaping of the developed areas. There is sufficient detail to conclude that the scheme complies with Policy ENV5 and will not increase flood risk on the site or elsewhere.
- 14.21** The scheme is compatible with the living conditions of neighbouring properties, complying with ENV16. The development, with suitable conditions and contributions, can be accommodated on the current highway network. The scheme can be designed to comply with Policy COM7 to retain efficiency and safety on the highway network, protecting against community severance whilst providing improvements to provision for pedestrians and cyclists. The scheme complies with adopted parking guidance.
- 14.22** The development will contribute positively to the maintenance and enhancement of local identity and distinctiveness whilst resulting in a new chapter of the settlement's character, bringing wider benefits overall to the appearance of Crossways. The development is considered to have acceptable impacts on the wider landscape character bearing in mind its extent and the substantial extension to the village that the development represents. In addition, the bolstering of the Council's HLS with development in sustainable locations makes the Authority less vulnerable to development occurring in more environmentally sensitive or less desirable locations. The development provides acceptable mitigation for its impacts on biodiversity within the site. Overall the environmental factors are considered to be

positive.

14.23 Overall the scheme is considered to result in economic, social and environmental benefits and therefore complies with Policy INT1 and is recommended for approval.

15. Recommendation

15.1

i. Plans list

OUTLINE PERMISSION

- ii. Approval of the details of the access, layout, scale and appearance of the development and the landscaping of the site (hereinafter called the Reserved Matters) for the remainder of the site outside of the full permission granted for Phase 1 of this hybrid permission shall be obtained from the Local Planning Authority in writing before any development is commenced on these other phases of the development.**

REASON: To ensure the satisfactory development of the site.

- iii. Application for approval of any 'reserved matter' under Condition 2 must be made not later than the expiration of ten years beginning with the date of this permission.**

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

- iv. The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.**

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

- v. Not more than 401 dwellings total shall be constructed under this outline permission.**

REASON: The assessment of the impacts of the scheme are based on a maximum of 500 dwellings across the whole site and additional dwellings would require further assessments of impacts to heathland SSSIs in accordance with Policy CRS1 and ENV2 of the adopted West Dorset, Weymouth & Portland Local Plan (2015).

PHASING

- vi. Prior to the commencement of the development a Phasing Plan for**

the entirety of the development shall be submitted to and approved in writing by the Local Planning Authority. The Phasing Plan shall make provision for

- a) Extraction of the mineral interest
- b) Delivery of Village Hall and Village Green as part of Phase 1. No further dwellings in later phases to be constructed in later residential phases until these are complete
- c) Delivery of serviced employment land as part of the development of the adjacent residential phase
- d) Provision of allotments as part of the development of the adjacent residential phase
- e) Provision of Locally Equipped Areas for Play as part of the development of the adjacent residential phase

Any subsequent changes to the agreed phasing plan must also be agreed in writing by the Local Planning Authority .

REASON: In the interests of achieving the objectives of the Local Plan and in accordance with Policy CRS1 of the adopted West Dorset, Weymouth & Portland Local Plan (2015).

MASTERPLAN

- vii. The development of the later phases of the Outline permission shall substantially accord with the layout and details of the Illustrative Masterplan Drwg. No. 1677/P04 Rev.C.

REASON: In the interests of achieving the objectives of the Local Plan and in accordance with Policy CRS1 of the adopted West Dorset, Weymouth & Portland Local Plan (2015).

HIGHWAYS

- viii. The highway improvements to the Warmwell Road on the site frontage shall be constructed substantially in accordance with the submitted details shown on the application drawings before the development is first occupied.

REASON: In the interests of road safety.

- ix. The Phase 1 full application hereby permitted shall not be occupied or utilised until the access, geometric highway layout, parking and turning areas shown on the application drawings have been constructed, unless otherwise agreed in writing by the Local Planning Authority. Thereafter, these shall be maintained, kept free from obstruction and available for the purposes specified.

REASON: In the interests of road safety.

- x. No more than 100 residential units (to include 35% affordable housing) shall be occupied until the A35 Max Gate junction

arrangement, as shown in the WYG Transport drawing 'SK09' dated 21 October 2015 is completed and open to traffic, unless any variation in the design of the proposals is otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure the safe and efficient operation of the Strategic Road Network (A35).

- xi. No development shall commence until a Construction Traffic Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority.**

The plan shall include construction vehicle movements, construction operation hours, construction vehicular routes to and from site, construction delivery hours, expected number of construction vehicles per day, car parking for contractors, specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice and a scheme to encourage the use of public transport amongst contractors. The Plan shall also include contractors' arrangements (compound, storage, parking, turning, surfacing, drainage and wheel wash facilities). The plan shall also include a scheme of signing of the heavy vehicle route to the site agreed with advice/warning signs at appropriate points. The development shall be carried out strictly in accordance with the approved Construction Management Plan.

The CTMP shall thereafter be implemented in accordance with the approved details upon the commencement of the construction phase of the development and adhered to for the complete duration of the construction programme, unless a variation to the CMP is otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure the safety of traffic on the Strategic Road Network.

TRAVEL PLANS

- xii. ~~On occupation of the development hereby approved,~~ Before the development hereby approved is first occupied or utilised the Travel Plan and Strategy included in the submissions shall be implemented and operational**

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

- xiii. Prior to the submission of any reserved matters under Condition 2 above for the approved employment allocation, a Travel Plan suitable to deal with the travel impacts of the whole 2.5ha**

employment allocation shall be submitted to and approved in writing by the Local Planning Authority. The employment Travel Plan shall be implemented in accordance with its agreed details prior to the first occupation of any approved employment building on the site.

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.

DRAINAGE

- xiv. 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.

- xv. 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.

FOUL WATER

- xvi. The development shall not be commenced until a foul water drainage strategy is submitted and approved in writing by the local Planning Authority in consultation with Wessex Water acting as the sewerage undertaker • a drainage scheme shall include appropriate arrangements for the agreed points of connection and the capacity improvements required to serve the proposed development phasing • the drainage scheme shall be completed in accordance with the approved details and to a timetable agreed with the local planning authority.

REASON: To ensure that proper provision is made for sewerage of the site and that the development does not increase the risk of

sewer flooding to downstream property.

CONTAMINATED LAND

xvii Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

The report of the findings must include:

- (a) a survey of the extent, scale and nature of contamination;**
- (b) an assessment of the potential risks to: • human health, • property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, • adjoining land, • groundwaters and surface waters, • ecological systems, • archaeological sites and ancient monuments;**
- (c) an appraisal of remedial options, and proposal of the preferred option(s).**

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

REASON: In the interests of ensuring there is no unacceptable risk to occupiers of the development in accordance with Policy ENV9 of the adopted West Dorset, Weymouth & Portland Local Plan (2015).

xviii. Submission of Remediation Scheme

Before commencement of development, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

REASON: In the interests of ensuring there is no unacceptable risk to occupiers of the development in accordance with Policy ENV9 of the adopted West Dorset, Weymouth & Portland Local Plan (2015).

xix. Implementation of Approved Remediation Scheme The approved

remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

REASON: In the interests of ensuring there is no unacceptable risk to occupiers of the development in accordance with Policy ENV9 of the adopted West Dorset, Weymouth & Portland Local Plan (2015).

- xx. **Reporting of Unexpected Contamination** 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: In the interests of ensuring there is no unacceptable risk to occupiers of the development in accordance with Policy ENV9 of the adopted West Dorset, Weymouth & Portland Local Plan (2015).

EMPLOYMENT ALLOCATION

- xxi. **The development shall provide a minimum of 2.5 hectares of employment land. No dwelling adjoining the eastern boundary of the residential development, adjacent to the proposed employment access road within the Character Areas 4, 5 & 6 as set out on page 48 of the submitted Design & Access Statement, shall be occupied before the employment allocation has been provided as serviced employment land in accordance with the phasing scheme submitted under Condition 5 above.**

REASON: In the interests of securing the economic benefits of this Key Employment Site allocation in the Local Plan

- xxii. **Buildings constructed within the employment allocation hereby approved shall not exceed a total floorspace of 13,000m² (measured externally).**

REASON: In the interests of the impacts of the traffic generated by that level of employment development on the strategic highway network in accordance with Policy COM7 of the adopted West

Dorset, Weymouth & Portland Local Plan (2015).

BIODIVERSITY

- xxiii. **Prior to the commencement of development, a Biodiversity Mitigation Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details unless any subsequent variation is agreed in writing by the Local Planning Authority .**

REASON: In order to protect the landscape qualities of the area and to safeguard and enhance the ecological value of the site in accordance with Policies SA3 and SA12 of the adopted West Dorset Local Plan (2006) and the advice in the NPPF (2012).

SCHEDULED ANCIENT MONUMENT

- xxiv. **The submission of details of reserved matters under Condition 2 shall make provision for a minimum 5m buffer around the identified remains of the Bowley's Plantation enclosure as set out on page 10 of the submitted Settings Assessment by Context One received on 16 October 2017.**

REASON: In the interests of the setting of the Scheduled Ancient Monument in accordance with Policy ENV4 of the adopted West Dorset Local Plan (2006) and the advice in the NPPF (2012).

BROADBAND

- xxv. **No development above damp proof course of any building hereby approved shall take place until a scheme for facilitating infrastructure to support superfast broadband technology to serve the development has been submitted to, and approved in writing by, the local planning authority. The scheme shall include a timetable for implementation, including triggers for a phased implementation if appropriate, Thereafter, the development shall proceed in accordance with the agreed scheme.**

REASON: To ensure that the utilities service infrastructure is sufficient to meet the extra demands imposed by this development, in accordance with West Dorset, Weymouth & Portland Local Plan policy COM10. (The Provision of Utilities Service Infrastructure).

PHASE 1 DETAILED CONSENT

- xxvi. **The Village Hall hereby approved shall be laid out with a full-size badminton court in the main hall as shown on Drwg. No. 1677 P VH 01 prior to the Village Hall first being brought into use.**

REASON: In the interests of sports provision as part of the development in accordance with Policy COM1 of the adopted West

Dorset Local Plan (2006) and the advice in the NPPF (2012).

- xxvii. The Phase 1 full permission development shall be carried out in accordance with the materials details in the approved Drwg. No's 1677 P10-1 REV A, 1677 P10-2 REV A & 1677 P11. No development above damp proof course of any dwelling approved under the Phase1 full permission shall take place before samples of the materials to be used on that building have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these details unless otherwise agreed in writing by the Local Planning Authority .**

REASON: In the interests of the character and appearance of the area in accordance with Policy ENV12 of the adopted West Dorset Local Plan (2006) and the advice in the NPPF (2012).

- xxviii. The development shall be carried out in accordance with the boundary treatments set out in the approved plans Drwg. No's 1677 P 03-1 to 5 REV A. The boundary treatments to each individual building shall be completed in their entirety prior to the first occupation of the building concerned. The boundary treatments shall thereafter be retained unless otherwise agreed in writing by the Local Planning Authority .**

REASON: In the interests of the character and appearance of the area in accordance with Policy ENV12 of the adopted West Dorset Local Plan (2006) and the advice in the NPPF (2012).

- xxix. The development of the Phase1 full permission shall be carried out in accordance with the landscaping details set out in the approved plans Drwg. No's TD742_04B & TD742_05 – 08. The landscaping shall be carried out in accordance with the soft landscape works specification set out on the approved plan Drwg. No. TD742_08.**

All planting seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the commencement of the works on the landscaping plan concerned unless the Local Planning Authority gives written consent to any variation.

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 the Local Planning Authority gives written consent to any variation. The landscaping shall thereafter be retained.

REASON: In the interests of the character and appearance of the location in accordance with Policy ENV10 of the West Dorset, Weymouth & Portland Local Plan (2015) and the advice in the NPPF

(2012).

- xxx. The development shall be carried out wholly in accordance with the Arboricultural Assessment & Method Statement by Barrell Tree Consultancy dated January 2016. The agreed tree protection measures shall be retained during the course of the development and there shall be no variation to the agreed protection measures without the prior written agreement of the Local Planning Authority.

REASON: To protect preserved trees within and adjoining the site during construction in the interests of preserving the character and of the area in accordance with Policy ENV10 of the West Dorset, Weymouth & Portland Local Plan (2015) and the advice in the NPPF (2012).

INFORMATIVE NOTES

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

INFORMATIVE NOTE: If the applicant wishes to offer for adoption any highways drainage to DCC, they should contact DCC Highway's Development team at DLI@dorsetcc.gov.uk as soon as possible to ensure that any highways drainage proposals meet DCC's design requirements.

INFORMATIVE NOTE: Prior Land Drainage Consent (LDC) may be required from DCC's FRM team, as relevant LLFA, for all works that offer an obstruction to flow to a channel or stream with the status of Ordinary Watercourse (OWC) – in accordance with s23 of the Land Drainage Act 1991. The modification, amendment or realignment of any OWC associated with the proposal under consideration, is likely to require such permission. We would encourage the applicant to submit, at an early stage, preliminary details concerning in-channel works to the FRM team. LDC enquires can be sent to floodriskmanagement@dorsetcc.gov.uk.

INFORMATIVE NOTE: The applicant intends to rely heavily on infiltration. They will therefore need to demonstrate, through further post extraction ground investigation, that soakaways remain feasible. Given the proposed use of soakaways across the site, it is important that soakaway tests and GW readings are representative of all the areas expected to support infiltration. DCC's FRM team as relevant LLFA will be unable to discharge condition (??) above,

without detailed information concerning ground conditions that substantiate the use of drainage through infiltration. Should the site, after mineral extraction, be found not to support infiltration, then the applicant will need to propose alternate and detailed designs for capturing and attenuating SW.

The DCC/FRM generic guidance note regarding SW management, can be found at www.dorsetforyou.com/localfloodrisk

INFORMATIVE NOTE: The highway proposals for the A35(T) associated with this consent involve works within the public highway, which is land over which you have no control. Highways England therefore requires you to enter into a suitable legal agreement to cover the detailed design and construction of the works. Please contact the Asset Manager, Steve Hellier, (telephone 0300 470 4383) at an early stage to discuss the details of the highways agreement.

The applicant should be aware that an early approach to Highways England is advisable to agree the detailed arrangements for financing the design and construction of the scheme. Commencement of works will also need to be timed to fit in with other road works on the strategic road network or local road network to ensure there are no unacceptable impacts on congestion and road safety.

Please be advised that Highways England will charge Commuted Sums for maintenance of schemes delivered by third parties. These will be calculated in line with HM Treasury Green Book rules and will be based on a 60 year infrastructure design life period.

INFORMATIVE NOTE: At all times, a contact telephone number shall be displayed on site for members of the public to use to raise issues. A named person will also be provided to Environmental Health in order for contact to be made should complaints be received.

The use of any radio / amplified music system on site must be kept at a level not to cause annoyance to noise sensitive premises beyond the boundary of the site.

Any future sub-contractors to the site shall be made aware of, and comply with any guidelines/conditions relating to site management of emissions of noise, dust, smoke, fumes etc., made in as part of the determination of this application. Letter drops to adjacent residents in close proximity should be considered as part of the Construction phase to give a minimum of 48 hours notice of any exceptional activities proposed.

Any waste arising at the site shall be appropriately segregated and controlled prior to its removal by an appropriately licensed

contractor. Any waste arising from the activity which could potentially be contaminated in any way shall also be segregated again, and removed appropriately. Environmental Health must be informed if this occurs.