

**1.0**

**Application Number – [WD/D/17/002597](#)**

**Site address –** Wessex Stadium, Radipole Lane, Chickerell, Weymouth, DT4 9XJ

**Description of Development -** Application for approval of reserved matters for access, appearance, landscaping, layout and scale in relation to outline approval WD/D/14/001938

**Applicant name –** Weymouth Community Sports LLP

**Case Officer –** Ann Collins

**Ward Member(s) –** Cllr J Dunseith, Cllr J Worth

**Taking account of the comments made by the Town Council, the Head of Service considers that under the provisions of Dorset Council’s constitution this application should be determined by the Area Planning Committee.**

**2.0**

**Summary of Recommendation:**

Recommendation: Grant subject to conditions.

**3.0**

**Reason for the recommendation:**

- The proposal is for reserved matters approval pursuant to the outline planning permission already granted and as such the principle of development has been established.
- The proposal is considered acceptable in its layout, design and general visual impact and including its proposed access arrangements, parking and landscaping.
- There are no neighbouring residential properties to impact upon.
- The proposed development would have an acceptable impact on highway safety, biodiversity and the downstream SSSI.
- There are no material considerations that would warrant the refusal of this application.

**4.0**

**Table of key planning issues**

<b>Issue</b>	<b>Conclusion</b>
Principle of development	Established by the granting of the outline planning permission and does not fall to be considered here.
Highway safety	Impact on highway safety is considered acceptable subject to conditions to secure access to the site from the road in accordance with Policies COM7 and COM9 of the adopted local plan.
Visual and landscape	The layout, scale, appearance and landscaping of

impact	the proposed development is considered acceptable subject to conditions in accordance with Policies ENV10, ENV11 and ENV12 of the adopted local plan.
Surface water drainage	Surface water drainage is already the subject of a condition on the outline planning permission. Details regarding the ponds and swales to be conditioned to ensure issues of health and safety are addressed.
Biodiversity	It is considered that subject to conditions the development would have an acceptable impact on biodiversity and the nearby site of special scientific interest (SSSI) in accordance with Policy ENV2 of the adopted local plan.
Residential amenity	The development is considered to have an acceptable impact subject to a condition regarding the obscure glazing of certain windows in accordance with Policy ENV16 of the adopted local plan.
Contaminated Land	This matter is the subject of conditions on the outline planning permission and does not fall to be considered further at the reserved matters stage.

## 5.0 Description of Site

- 5.1 The application site is located to the north west of the Wessex Roundabout and to the north of the B3157. The road to the application site from the roundabout also serves the Wessex Golf Centre, Police Station and custody suite, plus the Chickerell electricity sub-station and distribution centre.
- 5.2 The application site is to the west of the site of application WP/17/00836/FUL which is for the construction of a new vehicular and pedestrian access, surface water management ponds, open space and landscaping associated with the adjacent Wessex Grounds Residential Development.
- 5.3 On the application site currently is the Bob Lucas Stadium (also known as Wessex Stadium) which is home to the Weymouth Football Club. There is also currently on site a large area of hardstanding used for parking, the stadium comprising of the pitch, buildings and stands and also floodlights associated with the use of the site. To the north of the stadium is an area of land which used to be the speedway track. It appears that a café operates from the site (including

non-match days) and there is a mobile car washing service operating from the car park. There is also an existing single storey dwelling and detached garage within the site adjacent to the north east boundary of the site. The dwelling is boarded up and appears unoccupied.

- 5.4 To the east of the application site on the opposite side of the road is the police station, divisional HQ and custody suite which comprise a range of substantial buildings which are a mix of single, two and three storeys in height. They are primarily brick with sheet roofs, but there are some which are clad in some form of panel material and elements of render to the walls too. Along the road runs a public footpath from which the application site is visible.
- 5.5 To the north of the site is the building associated with the Wessex Golf Centre and beyond that to the north-west and clearly visible are a number of pylons and transformers at the Chickerell electricity sub-station and distribution centre.
- 5.6 The site is bordered to the west by a dense area of scrub and a stream, beyond which is the golf course. To the south of the site there is also scrub, some on the site and some off it and a further stream which goes into a culvert under the Wessex Roundabout before draining into the Radipole Lake SSSI to the east of the site (approximately 95m from the boundary of the application site). There is a substantial highway verge for most of the length of the site with the B3157 which is itself vegetated.
- 5.7 To the south of the site on the opposite side of the B3157 is the Dorset Echo Publishing and Print Centre which is a substantial industrial building with light grey and blue cladding. Further west along the B3157 is the Granby Industrial Estate and then Link Park.
- 5.8 The nearest residential areas to the site are Southill to the east of the site beyond the police buildings. The closest part of which, Radipole Lane, consists of bungalows and houses in brick and render, with some timber cladding and tile roofs. The properties are typical of a 1960's/70's housing estate. To the south of the site the nearest properties are on Radipole Lane on the eastern edge of Chickerell/Westham and are in the main brick terraces, with some render and tiled roofs. The properties are of a similar era to those in Southill.
- 5.9 The application site slopes from the north west boundary down to its lowest point in the south east corner of the site. There is a fall of over 8m across the site from the north west to the south east over a distance of approximately 315m.
- 5.10 It is understood that in terms of ownership of the site The Weymouth Football Club (WFC) own the freehold for the land on which the stadium is sited but the applicants own the surrounding land at the stadium site i.e car parking, access, former speedway site etc. but have an option to acquire the stadium site. It is understood that the same situation regarding ownership existed in 2014 when

the outline planning permission for the development of the site for residential purposes was granted.

## **6.0 Description of Development**

- 6.1 This is an application for reserved matters approval for access, appearance, layout, scale and landscaping following on from the outline planning permission WD/D/14/001938 “Redevelopment of existing football stadium, training pitch and car park with 150 – 170 dwellings (including affordable housing), public open space, access and parking.”
- 6.2 The outline planning permission was granted on 27<sup>th</sup> October 2014 some 5 months after the grant of a full permission (WP/13/00027/FUL) to “construct access and provide public open space” on adjacent land. At the time of the applications the majority of the Wessex Stadium site was within the administrative area of West Dorset District Council, with the application site for the access and public open space within the administrative area of Weymouth & Portland Borough Council. The same applied when the reserved matters application was submitted and the full application reference WP/17/00836/FUL, however since 1<sup>st</sup> April 2019 both sites are within the administrative area of Dorset Council.
- 6.3 This reserved matters application proposes the erection of 170 dwellings with a mix of flats and houses. It also proposes ponds, swales, local areas of play and a locally equipped area of play. Areas for allotments and natural amenity space are proposed, which would incorporate many of the proposed biodiversity mitigation measures.
- 6.4 Turning to each of the 5 reserved matters in turn. In respect of access from the road the proposed development is dependent on the separate application for planning permission reference WP/17/00836/FUL. It is that application which provides the access from the road to the residential development as the red line of the application site for the reserved matters application does not extend all the way to the road. The plan accompanying the outline application in 2014 indicated potentially 4 vehicular accesses to the site from the road but it transpires that for all but 1 of them a potential ransom strip runs between the application site and the road such that they are not feasible to achieve and the fourth access was the subject of the full planning permission in 2014 (WP/13/00027/FUL). The access now proposed in application WP/17/00836/FUL is slightly to the south of the existing vehicular access and to that approved in 2014. The development for 170 dwellings would therefore be served by a single vehicular access making it effectively a large cul-de-sac. Advice has been sought from legal officers on the matter of access and whether the reserved matters is acceptable from a legal point of view given that the access to the site differs from that indicated at the outline application stage and in fact does not include an access to the existing road. The conclusion is that the reserved matters application can legitimately be

considered as access can be achieved from the road to the application site via land in the applicant's ownership and therefore if the reserved matters application is considered acceptable the provision of the access can be secured via a planning condition.

6.5 In terms of the layout of the development a mixture of apartment blocks, terrace, semi-detached and detached dwellings are proposed. The layout is based around perimeter blocks in part and parking is provided through a mix of spaces to the front of properties, private driveways and in parking courtyards to the rear of properties. Some houses are proposed to have garages. Most of the houses have rear gardens which are similar in area to the footprint of the house it belongs to. This is something which is advocated in "Building for Life 12". An 8m wider buffer zone runs along the southern and western edges of the development as required in the interests of biodiversity. However within that area to the south swales are proposed. In the centre of the development is an area of amenity space which would include the locally equipped area of play (LEAP). Two local areas of play (LAPs) are proposed, one near the entrance to the site and the other in the south west corner of the site. In the north west corner of the site an area for allotments is shown.

6.6 In respect of the scale of development a total of 170 dwellings is proposed which is the maximum referred to in the outline planning permission. The dwellings would range from 1 bedroom apartments to 4 bedroom houses. The mix of dwellings is as follows:

1 bedroom apartment = 32  
2 bedroom apartment = 19  
2 bedroom house = 39  
3 bedroom house = 69  
4 bedroom house = 11

The apartment buildings would all be 2.5 or 3 storeys high. The dwellings are proposed to be a mix of 2 and 2.5 storeys. All the apartments and houses have floor areas that meet or exceed the Government's Nationally Described Space Standards (2015).

6.7 In terms of appearance the houses have some quite modern fenestration, porch and material details. They are not vernacular West Dorset style houses. Typically eave heights are 4.5m and ridge heights are 8 - 9m, with some of the 2.5 storey properties having higher ridge levels. Wall materials are proposed to be brick but each property would either have an area of feature brickwork (different colour/different coursing) or an area of timber cladding. Roofs are proposed to be red/brown tiles or concrete slates. Garages are proposed to be brick with tile roofs. It is proposed that the houses would have a bin store or bin store/bicycle store in each rear garden and the applicant has indicated that they would be timber.

- 6.8 In respect of the apartment buildings, blocks A – D, which would be parallel with the southern boundary of the site are all proposed to be 3 storeys high. These would be on the lowest part of the site. Blocks E and F would be a mix of 2.5 and 3 storeys and would be to the north west of the site access. The eaves and ridge heights for Blocks A and B would be 7.1m and 10m respectively, Block C 7.1m and 10.5m, Block D 6.9m and 10.9m, Block E eaves ranging from 5.3m – 7.9m and a ridge height ranging from 9.9m – 11.7m and Block F 5m and 9 – 9.7 m. Blocks A and B would have 2 storeys of brick with the third storey clad in timber. Each elevation would also have a feature area of projecting brickwork. There would be 4 balconies at first and second floor level to the front elevation and 2 juliet balconies at ground floor level. The buildings would have half dormer windows and projecting windows (very small projection). Block C would be very similar in design and appearance but with a greater area of timber cladding to the gable ends which wouldn't have any projecting brickwork. Block D is different in form having a small "L shaped" projection to the front of the building. It has balconies to the front of the building but also the side elevation facing towards one of the ponds and site access. It would again be a mix of brick, projecting brick and timber cladding. Block E has a much larger footprint but the scale and mass of the block has been broken up in part by providing accommodation in the roof and using dormer windows. The materials and use of feature brick work and timber cladding to break up the elevations would be as per the other blocks and there would be balconies on the block. Both Blocks E and F have a mix of fenestration with the use of some longer thinner windows. This introduces variation to the elevational treatments. Block F is in the main 2.5 storeys high, utilising dormer windows to provide accommodation in the roof. There would be a mix of window styles and the materials would be the same as the other blocks.
- 6.9 Refuse and cycle stores are proposed for the apartment blocks. They would all be brick with pitched tiled roofs. The refuse store for apartments 1 – 9 (block D) and the cycle store for apartments 1 – 27 (blocks A – D) would be situated between apartment blocks C and D. Between apartment blocks B and C would be the refuse store for those blocks and to the west of block A would be the refuse store for that block. Adjacent to the parking area at the rear of Blocks E and F would be the cycle store for the apartments in those blocks and adjacent to Block E would be the refuse store for the two blocks.
- 6.10 In respect of landscaping details have been submitted as part of the application and are also included within the biodiversity mitigation plan. Tree planting is proposed across the site but particularly around the entrance to the site in the south west corner, along the southern boundary and around the amenity space and LEAP. There would be proposed ornamental shrubs and perennials to the front of the houses and around the apartment blocks. Also proposed are areas of wildflowers, a special damp grassland mix for the ponds and swales and flowering lawns in some areas.

- 6.11 Details of boundary treatments have been provided. Most of the rear garden boundaries would be timber fences, but where gardens abut public areas such as roads, parking courtyards and paths it is proposed that those boundaries would be brick walls. Around the allotment area in the north west corner of the site it is proposed to have a 2m high chain link fence and gate. To the north east of Apartment Block F and to the north east of the LAP and pond near the entrance to the site it is proposed that the boundary would be a 1.2m high post and rail fence. The boundary for the north east of the site is shown as being primarily fencing, with one section of brick wall and several breaks in the boundary treatment where it would be open to the site.
- 6.12 Hard surfacing material details have also been submitted. What is indicated as being the primary road would be surfaced in macadam with kerbing. Some of the roads that are indicated as being the secondary streets would be surfaced with buff macadam to give variation and indicate a more shared nature, although the roads would generally have on at least one side a macadam footpath. The raised tables at junctions would also be in blocks to differentiate them.
- 6.13 In respect of levels it is proposed that the finished floor levels of the proposed dwellings would rise up the site to the north as per the existing rise in ground levels across the site from the lowest finished floor level at Apartment Block D in the south east corner of the site to the highest finished floor level at Plot 162 in the north east corner of the site.
- 6.14 Submitted at the same time as this application was information regarding the viability of the proposed development. The S106 agreement associated with the outline planning permission sets out what the development is required to provide which is 35% affordable housing and contributions to community venues, education, parks and gardens, libraries, pedestrian and cycle, transport, waste management, allotments and green spaces. Like a condition on the outline planning permission the S106 agreement also requires that the development is not commenced until the replacement recreation facility is ready for use. The applicant contends that the development is not viable if the replacement stadium is constructed, contributions are paid and 35% of the housing is affordable. The S106 agreement states that upon submission of the reserved matters application the developer and/or club may submit a viability appraisal to the Council for its written approval in order to assess development viability and that where the viability appraisal identifies there not to be development viability then the Council will agree a reduction in the contributions and/or number of affordable units, save for the pedestrian and cycle contribution. This matter is dealt with in a separate report to the Planning Committee.

## 7.0 Relevant Planning History

Application No.	Application Description	Decision	Date of decision
1/D/12/001763	Redevelopment of existing	Withdrawn	27 <sup>th</sup> October 2014

	football stadium, training pitch and car park with 150 – 170 dwellings (including affordable housing), public open space, convenience store, access and parking		
WP/13/00027/FUL	Construct access and provide public open space	Approved	19 <sup>th</sup> May 2014
WD/D/14/001938	Redevelopment of existing football stadium, training pitch and car park with 150 – 170 dwellings (including affordable housing), public open space, access and parking	Approved	27th October 2014
WP/17/00836/FUL	Construction of new vehicular and pedestrian access, surface water management ponds, open space and landscaping associated with the adjacent Wessex Grounds Residential Development		

## 8.0 List of Constraints

Outside defined development boundary  
Existing stadium site  
Proximity to SSSI  
Adjacent to public right of way

## 9.0 Consultations

9.1 **Sports England** – The development does not fall within either their statutory remit or non-statutory remit and therefore Sport England has not provided a detailed response but offered advice to aid the assessment of the application.

9.2 **Natural England** – Remain satisfied with the pollution prevention measures designed to protect the adjacent Radipole Lake SSSI. The measures should be secured by an appropriate condition that ensures the pollution prevention features are appropriately monitored and regularly maintained. Natural England are also satisfied that the proposals are unlikely to have a significant effect on any European Sites. It is noted that a Biodiversity Mitigation and Enhancement Plan has been submitted with the application, which is welcome. The BMEP should be agreed with the Dorset Council Natural Environment Team and its implementation secured by any permission.

- 9.3 **Environment Agency** – No objection to the reserved matters application but would require additional information in order to recommend the discharge of planning condition 9 of the outline planning permission (surface water drainage condition).

In respect of contaminated land the Phase 1 report has been reviewed and it is recommended that an intrusive site investigation is required to understand whether there are any contaminated areas at the site. The phase 1 report is insufficient to discharge condition 10 of the outline planning permission as site investigation is required.

In respect of biodiversity the ponds and streams referred to in our previous responses on this site would relate to any adjacent to or within the development area. These should be enhanced and retained as they are part of the Biodiversity Action Plan habitat. Even ponds which are dry for some months of the year can be important habitat for amphibians and invertebrates. The ecological enhancement plan details the provision of a minimum of an 8m buffer zone between the development and the watercourses. We are pleased that this will remain and that it will be largely left undisturbed, unless there is a need to manage it for biodiversity. We are also pleased to see that some areas of the buffer will be inaccessible to ensure wildlife is left undisturbed. The applicant should follow the recommendations for mitigation and enhancements made in the ecological mitigation report. We are pleased to see there is mitigation and enhancements planned including the incorporation of SuDs into the development with native planting. This will help to protect the SSSI which is close by.

- 9.4 **Dorset Police Crime Prevention Design Advisor** – Access point is too close to the Wessex Roundabout. At key times during the day this road is already very busy (can wait 5 to 6 minutes plus to enter the roundabout) and to add additional vehicles from the development will cause congestion on the roundabout and surrounding roads. What consideration has been given for officers attending emergency calls from the police station? Spoken to officers from the station who are concerned not only from attending incidents but to the safety of residents emerging from the development. For such a large development why is there now only one access point? I have reviewed the layout of the site and am pleased to see that the majority of gardens back onto one another. Where there are rear alleys it is recommended that the gates that lead to the rear of the dwellings are key lockable. There are also several rear parking courts that are not overlooked. These have the potential for crime and anti-social behaviour so would strongly recommend that these areas are well lit. Would also recommend that the security of the development meets the standards laid out in the Secured By Design Homes 2016.

- 9.5 **Tree Officer** – Happy with the arboricultural assessment provided with the application and have no objection to the tree retention and protection measures.

9.6

**Urban Design Officer** – Summary of comments on scheme as originally submitted: The relationship between dwellings is generally good, however certain dwellings do not turn the corner particularly well and it has resulted in several areas of left over space. The circulation of vehicular traffic would be aided by another point of access and reconfiguration of some of the streets. Parking dominates some areas, some plots have parking spaces that are not that convenient, could be triple banked parking to the front of some garages and some properties do not have allocated parking. The visual character of the proposed dwellings does not appear to reflect the local vernacular. There is a lack in contrast of materials with an over reliance on red brick. Plots backing onto the north east boundary in the way proposed would not be aesthetically pleasing. There is a large gap in the street scene between dwellings 157 & 163. Use of side gardens should be kept to a minimum. The configuration of the apartments close to the site entrance creates a strong sense of enclosure and adds to the sense of arrival into the scheme. However, the visitor parking at the front of plots 28 – 30 detracts from the sense of place through an awkward cluster of parking which dominates the square. There are instances where rear gardens are unusually shaped and/or encroached upon by parking. There is a lack of amenity space for plots 1 – 27 on the southern boundary and a lack of usable amenity space for plots 88 – 111. Some housetypes would benefit from additional windows to aid bathroom ventilation and thus improve design quality.

Comments on revised plans (Feb 2019) – The revised plans propose several positive changes to the scheme, however the layout still fails to demonstrate that 170 units can be successfully accommodated on the site. The following positive amendments to the layout have been made – visitor and unallocated parking spaces have been removed from the entrance to improve the sense of arrival into the scheme; visitor parking spaces west of plot 47 have been removed to enhance the turning of the corner; the parking courtyard to the rear of 40 – 43 has been removed in favour of more convenient and more land efficient frontage parking; garages and associated tandem parking has moved closer to the streetscene to prevent informal triple banked parking; Unit 60 has been reconfigured to front northwards in order to avoid a blank façade as the corner is turned; street planting at the north of the site has been enhanced in order to alleviate hard surfacing associated with parking; balconies have been added to apartments A, B and E so that some of the apartments in these blocks now benefit from amenity space.

The amended plans do not include all of the bathroom windows sought. In addition trees have been removed from both the primary street and the secondary street which reduces the quality of the scheme. In the case of the secondary street the removal of the trees exacerbates the impact of the frontage parking. This area of the site is too densely developed and would benefit from a reduction in units. The two visitor parking spaces to the south of plot 116 on the primary street would surely pose a threat to road safety. The housetype for plot 60 doesn't provide a grand enough plot for this location where a feature plot is

required. Issues regarding site layout are concentrated on the centre of the site. The removal of five units would significantly enhance the design quality of the layout whilst remaining in the upper quartile of the outline permission in terms of density.

Comments on revised plans (Nov 2019) – The amended plans have addressed concerns regarding the junction head where the secondary (central) street meets the primary street. This is achieved through the rotation of plots 116 – 118 and the removal of visitor parking bays from the junction head. The proposed presence of plots 116 – 118 fronting onto this area would elevate the design quality by creating a focal point within the scheme. The removal of close boarded fencing at the junction head offers another welcome improvement to the streetscene. The vast majority of agreed amendments to elevations have been carried out. An exception to this is the semi detached units 37 and 38 which would include mirroring the floor plans to include a side elevation window for the bathroom.

- 9.7 **Environmental health** – No objection to the reserved matters but would advise that a contaminated land consultant is given the opportunity to comment in relation to any land contamination matters.
- 9.8 **Flood Risk Management Team** – As the original proposal was registered with the LPA prior to the transfer of the surface water role to DCC in April 2015, we are not permitted or obliged to comment as a statutory consultee in this matter.
- 9.9 **Housing Enabling Team** – The development is proposing a mix of one, two, three and four bedroom properties. Having a mix of property sizes, with around 50% of these being one or two beds, complies with Policy HOUS3 and the market homes should appeal to a range demographics.
- 9.10 **Landscape Officer** – Comments as originally submitted – Happy with the proposed structure planting as a scrub understorey. At its narrowest the scrub understorey is just under 3m wide, which is sufficient to provide a buffer. The plant species are all small woody plants that will reach a height of 5 – 6m, which is appropriate for plants adjacent or underneath the existing tree canopy. If the tress outside of the site boundary were removed, then this structure planting would be low in height and not as effective. The only way to mitigate this would be to plant bigger tress species further to the east and beyond the canopy of the existing tress which would mean shifting plots 64 – 67 further east.
- The officer also made a number of detailed comments about the species and planting sizes. The latter were subsequently addressed by the submission of amended details to which the landscape officer had no objection.
- 9.11 **Technical Services** – Suggest that regard is had to the Environment Agency's comments.

9.12 **Highways Officer** – Comments on amended plans submitted in Dec 2018 - As the application crosses the Councils' boundaries the highway authority is content that the local planning authority is left to consider how it can ensure that the residential scheme cannot be implemented without the scheme for access being implemented and therefore submits the following:

All other S106 and conditions that applied to the approved outline consent remain in place and a condition is recommended that before the development is occupied or utilised the highway access, the geometric highway layout, the parking and turning areas as shown on the plans must be constructed and thereafter must be maintained, kept free from obstruction and available for the purposes specified.

Comments on amended plans submitted in Aug 2019 – The revised proposals do not present a material harm to the transport network or to highway safety and consequently has no objection provided the original conditions are applied.

9.13 **WPA** – The submitted report advises the requirement for a phase 2 invasive site investigation. WPA concurs that this is required. Further submissions are to be expected covering invasive investigation, remediation, a discovery strategy and close out verification report.

9.14 **Dorset Waste Partnership** – No issues with the application.

9.15 **DCC Planning Obligations Manager** – On the understanding that the application will be determined under the auspices of the agreed S106 agreement and the draft supplementary agreement in relation to the Management Company I have no additional comments with respect to agreed planning obligations.

9.16 **Chickerell Town Council** – Scheme as originally submitted - Recommends refusal of this application. WDDC's policy is for 35% affordable housing and the outline planning application was approved on that basis. At the time of the outline planning application the applicant had acquired the land and would be well aware of the costs of the project. The Town Council expects the LPA to maintain the 35% affordable housing requirement and it should be noted that all other developers of housing in Chickerell are meeting their requirements plus providing significant S106 benefits.

The design of the scheme is not appropriate for Chickerell. The layout is sub-standard.

The scheme results in a loss of sports provision for Chickerell. Since the outline planning application was approved Local Plan Policy CHIC2 allocated developments are being progressed. Very recently in connection with these

developments Sports England has expressed major concerns over the lack of sports and community facilities in Chickerell.

Without this scheme Chickerell has had some 1400 homes allocated or approved since 2011 and a further major site has been earmarked for the current Local Plan Review. The development is not needed and moreover instead of improving the Parish's facilities it loses a facility capable of significant enhancement for community and leisure use. It is imperative that new facilities with adequate onsite parking, to replace the spaces available at the Wessex, is provided. At this time the Town Council are not aware that a suitable site with adequate parking to provide a community sports facility for the Chickerell area and to meet Sport England's concerns about a lack of such facilities has been found. The Town Council believe a replacement stadium with adequate parking and additional facilities near the businesses located at Chickerell's Granby Industrial and Link Park Estates could generate an appropriate level of income to help maintain the community facilities.

Comments on amended plans (Jan 2019) – Recommends refusal based on comments raised in previous response.

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

## **10.0 Representations**

10.1 Weymouth Civic Society object to the application for the following reasons: Consider that the site is a suitable location for the stadium and it should be retained in view of the lack of any appropriate alternative location. It is not a good site for houses being isolated by the main road system. Do not think that the design of the blocks of flats A to D is suitable in this important location facing Hampshire Road – one of the main arteries of the town, yet in a semi rural area. The rear elevations which are relatively close to the highway are bland, plain and unimaginative. Concerned about the location of the site access. Any new access should be further away from the roundabout, especially in view of the daily traffic that would be generated by the development, with a potential further increase on the main roads and roundabout if the Portland Relief Road is constructed in the future.

10.2 Two further representations have been received raising the following points:

- Concerned with regard to the added air pollution and health effects from extra vehicles on the already strained Radipole Lane, by-pass and Wessex Roundabout.
- There would an extra strain on local doctors' surgeries, police, fire and rescue, ambulance/paramedics and school for the extra occupants of 380 plus homes.
- Will there be any public consultation before a decision is made?

- The outline planning permission had a condition that a new stadium had to be built and occupied within 3 years. This has not happened and so, rather than approval of reserved matters being sought, a new full planning application should be sought.

Some further representations were submitted but there was a subsequent request to withdraw the representations and therefore they will not be summarised and considered in this report.

## **11.0 Relevant Policies**

### West Dorset, Weymouth and Portland Local Plan (2015)

ENV1 Landscape, Seascape and Sites of Geological Interest  
 ENV2 Wildlife and Habitats  
 ENV5 Flood Risk  
 ENV9 Pollution and Contaminated Land  
 ENV10 The Landscape and Townscape Setting  
 ENV11 The Pattern of Streets and Spaces  
 ENV12 The Design and Positioning of Buildings  
 ENV16 Amenity  
 SUS2 Distribution of Development  
 HOUS3 Open Market Housing Mix  
 HOUS4 Development of Flats, Hostels and Houses in Multiple Occupation  
 COM4 New or Improved Local Recreational Facilities  
 COM5 The Retention of Open Space and Recreational Facilities  
 COM7 Creating a Safe and Efficient Transport Network

### National Planning Policy Framework (2019)

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

2 Achieving Sustainable Development  
 8 Promoting Healthy and Safe Communities  
 9 Promoting Sustainable Transport  
 11 Making Effective Use of Land  
 12 Achieving Well-Designed Places  
 14 Meeting the Challenge of Climate Change, Flooding and Coastal Change  
 15 Conserving and Enhancing the Natural Environment

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

makers at every level should seek to approve applications for sustainable development where possible.

#### Other Material Considerations

Bournemouth, Poole & Dorset Residential Car Parking Study (2011)  
Design and Sustainable Development Planning Guidelines (2009)  
West Dorset Landscape Character Assessment (2009)

### **12.0 Human rights**

Article 6 - Right to a fair trial.  
Article 8 - Right to respect for private and family life and home.  
The first protocol of Article 1 Protection of property

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

### **13.0 Public Sector Equalities Duty**

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

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

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED. Ground floor apartments are included in the development for anybody who might require level accommodation without staircases. Some of the houses have in plot parking reducing the distance between car and house for those with reduced mobility.

### **14.0 Financial benefits**

#### 14.1

<b>Material benefits of the proposed development:</b>	
Housing Nos.	170 dwellings
LEAP and 2 x LAPs	1340 sq m approximately
Amenity space	Spread around the site
Allotments	430 sq m approximately

<b>Non-material benefits of the proposed development:</b>	
Council tax	Based on 170 dwellings
New Homes Bonus	Based on 170 dwellings

## **15.0 Climate Implications**

- 15.1 The applicant is agreeable to incorporating charging points for ultra low emission vehicles within the development. Some of the houses have in plot parking which would enable the charging of such vehicles at their properties. Allotments, amenity spaces and play areas would be provided on site reducing the need to travel to such facilities off-site.
- 15.2 Additional soft landscaping and tree planting are proposed and ponds are included to assist with surface water drainage. The former is important for carbon dioxide absorption and the latter helps address one of the likely implications of climate change.
- 15.3 Energy would be used as a result of the production of the building materials and during the construction processes. However that is inevitable when building houses and a balance has to be struck between providing housing to meet needs versus conserving natural resources and minimising energy use. The properties would be built to the latest building regulations standards in respect of construction, insulation etc.

## **16.0 Planning Assessment**

### **Principle of development:**

- 16.1 The principle of the development has already been established by the granting of the outline planning permission in October 2014 for the “Redevelopment of existing football stadium, training pitch and car park with 150 – 170 dwellings (including affordable housing), public open space, access and parking”. As such it has already been accepted that the site will be developed for residential purposes subject to the conditions of the outline planning permission and subject to the approval of the reserved matters. There is also an associated S106 agreement with the outline planning permission which sets out a number of requirements.
- 16.2 There is a planning condition attached to the outline planning permission (no. 16) and it is included within the S106 agreement that no development shall commence until a recreation facility to replace Wessex Stadium has been constructed and made available for use. At this current time no planning application has been submitted for a replacement stadium and therefore no planning permission exists for a replacement stadium let alone construction having started on a replacement facility.

- 16.3 If the reserved matters scheme being considered for the residential development of the site is approved condition no. 4 on the outline planning permission requires the residential development to be begun not later than the expiration of two years from the final approval of the reserved matters. As such in that two year timeframe, before development could commence on the redevelopment of the Wessex Stadium site for residential development, planning permission would need to be obtained for a replacement recreation facility and the facility constructed and ready for first use. This would seem to be a very tight or possibly even an unachievable timescale, however it is what is currently set out in the relevant planning conditions and S106 agreement and could mean that even if the reserved matters application is approved the planning permission for the residential development is never implemented. The planning officer who considered the outline planning permission highlighted in his report to the Planning Committee in 2014 that he was sceptical that a replacement stadium could be secured and made available within the five year life of an outline planning permission and stated at that time that there were no sites that appeared to be available then and in his officer's opinion none that were likely to come forward at any point within the next five years. However Counsel's advice was sought at that time and the conclusion was that if officer's were unable to demonstrate that it would be impossible for any site to come forward at any point within the lifetime of the permission then planning permission should not be withheld on the grounds of the permission not being deliverable. Hence the outline planning permission was granted subject to the relevant planning condition and the S106 agreement regarding the provision of a replacement facility.
- 16.4 What falls to be considered here, by the current application, is the reserved matters of access, layout, scale, appearance and landscaping regardless of the likelihood or otherwise of the permission being implemented. The principle of up to 170 dwellings has been established by the outline planning permission which referred to 150 – 170 dwellings.

**Access, parking and highway safety:**

- 16.5 As already explained above at section 6 there is a separate full application for planning permission for the vehicular access from the road which would cross an area of land owned by the applicant before connecting to the south east corner of the reserved matters application site. Whilst this is an unusual situation advice has been sought from legal officers and the conclusion is that the application for reserved matters is legitimate provided the authority is satisfied with the access arrangements from a safety point of view and that the access to the site can be secured via a grampian condition, which in this case it can and the land in question is in the applicant's ownership currently. The access would not necessarily have to be that the subject of the separate full application for planning permission (WP/17/00836/FUL) but could be an alternative scheme and the proposed condition to secure the access provision allows for that.

- 16.6 The highway officer has no objection to the application subject to a planning condition and deferred to planning officers to ensure the access arrangements can be secured.
- 16.7 Having only one vehicular access to the site does create a cul-de-sac of 170 dwellings. The layout of the development will be discussed below but in highway safety terms the highway officer has no objection to the site being accessed by only one vehicular access. It is considered that the proposed development accords with Policy COM7 of the adopted local plan and paragraph 108 of the NPPF.
- 16.8 During the course of the application amended plans have been submitted which in part have amended the layout of some of the parking arrangements. The parking arrangements are a mix of in-plot parking, parking courtyards and on-street visitor parking. The highway officer has no objections to the proposals or the level of parking provision. It is considered that the development accords with Policy COM9 of the adopted local plan.

**Layout:**

- 16.9 The layout of the site is very much based on perimeter blocks. The plan shows a primary street from the access in the south east corner of the site leading to secondary streets. As already discussed above the development is in the form of a cul-de-sac given the one access point into and out of the site, however within the site there is one circular vehicular route with the rest of the road layout creating cul-de-sacs. Housing on the eastern side of the site is served by parking courtyards, with a total of 7 detached houses on the north east edge of the site. To the south and west of the site the houses generally have in-plot parking.
- 16.10 Along the southern edge of the site and in the south east corner are a total of 6 blocks of flat. The houses on the site are a mix of detached, semi-detached and terraced properties. All of the houses have a private amenity space (garden), with most having a space which is roughly equivalent to the ground floor area of the house which accords with the advice in "Building for Life 12" (2015). The flats would not have private amenity space in the same way. A total of 51 flats are proposed of which 30 would have balconies. The balconies would be relatively small at approximately 2.8m by 1.2m (they are slightly different sizes on the different blocks). They would however provide some outside amenity space for a resident to sit or to put a clothes airer. In addition there is some space to the rear of most of the blocks which would be grassed, but more significantly two local areas of play and a locally equipped play area are proposed. Also proposed is an area of allotments in the north west corner of the site, plus natural amenity space along the western edge of the site. Policy HOUS4 of the local plan states that proposals for flats should provide sufficient amenity space within the site for the likely future occupants, normally comprising at least 20% of the site area for all

new build schemes, unless such provision is undesirable in design terms. What is proposed does not strictly accord with Policy HOUS4 in this respect, however over half the flats would have balconies and given the overall outdoor spaces proposed across the whole site it is considered that there is sufficient outdoor space in close proximity to the flats to benefit the future residents.

16.11 The layout of the development at the entrance to the site as you move northwards along the primary street has been amended during the course of the consideration of the application to address a number of points raised by the urban design officer. The resulting layout creates more of an arrival point and the street scene is less dominated by parking. The orientation of some dwellings has also been amended and window positions altered or increased in number to provide more surveillance of the street scene and avoiding blank elevations. In terms of layout it is unfortunate that there are 7 detached properties proposed adjacent to the north east boundary of the site which do not front the existing road/footpath but rather face into the site. However they do all have 1 first floor window in the rear elevation (which would be visible above any boundary treatment) and windows at first floor level in the gable ends in order to provide some visual interest and avoid what would appear as blank elevations otherwise from the road and footpath.

16.12 As already discussed above there are a number of play areas and amenity spaces proposed within the development. In the south east corner of the site adjacent to a proposed pond is a local area of play and a grassed space, totalling an area of approximately 400 sq m. In the south west corner of the site is a second local area of play which is about 90 sq m in area. In the northern half of the site is a locally equipped area of play and a further local area of play/amenity space, adjacent to a pond/swale, which total approximately 1100 sq m in area. To the west of that is an area of amenity space which would include a purpose built brick building as a compensatory bat roost. In the north east corner of the site an area is shown as being for allotments covering an area of approximately 430 sq m. Condition no. 6 of the outline planning permission required that at the reserved matters stage details of young people's play areas and amenity open space to meet the standards of the local planning authority's Planning Obligations Guidelines Supplementary Planning Document (2010) be submitted. This application includes details of such spaces in accordance with the condition. In terms of amenity open space this scale of development would be expected to provide about 448 sq m of such space, which it does and the Council's Implementation Manager has commented that the level of play provision is acceptable given the scale of development at the site. 8 separate pieces of play equipment are proposed within the LEAP, with safety surfacing. There is less provision for teenagers as most of the equipment is aimed at smaller children. However, given the scale of development and that over half of the dwellings are either 1 or 2 bedroom properties there is perhaps less of a need for provision for older children at the site. What we don't have as part of this current application is details of the LAPs and the provision of play features within the LAPs, however

the submission of such details could be a condition of this reserved matters application if approved. Condition no. 6 on the outline planning permission requires that prior to occupation a scheme for the future management of the areas be submitted and approved. The same condition can be applied to the allotment area if this application is approved. The applicant had submitted a draft unilateral undertaking regarding the management of the areas by a management company, but strictly a legal agreement isn't required in order to comply with the existing condition on the outline planning permission.

16.13 A number of swales/ponds are proposed for the site. In the south east corner of the site a pond is split between this site and that of the adjacent application site. To the south of the blocks of flats further ponds/swales are proposed and there is also provision of such a feature adjacent to the LEAP. Details of these elements have not been submitted at this stage in respect of depths, gradients and fencing. Therefore there could potentially be a health and safety issue if the depth, gradient, design and fencing of these elements of the scheme are not controlled. They can however be dealt with by the imposition of a condition requiring details to be submitted and approved prior to the commencement of development.

16.14 The layout of the site is constrained by the fact that only one access is proposed into and out of the site. Good urban design encourages permeability in and through a development. That is difficult to achieve with only one access and the development could be considered to be poorer for this limitation. There is an informal grassy path proposed along the western edge of the site which aids permeability for those on foot from one end of the site to the other, but there are less options in terms of navigating the development by vehicle. Whilst having only one access point is unfortunate in respect of good urban design it is considered that the resulting reduced permeability of the development is not such that it would warrant the refusal of the application and that the proposals accord with Policy ENV11 of the adopted local plan.

**Scale:**

16.15 The quantum of development proposed is 170 dwellings, which whilst the maximum permitted by the outline planning permission, does accord with it. 51 apartments are proposed and 119 houses. The apartments are split across 6 blocks, 4 of which are 3 storey in height and 2 blocks are 2.5/3 storey in height. The 3 storey blocks are all located along the southern edge of the site. The other two blocks are to the north of the site access but still in the south east corner of the site. Nearly half of the houses are 2.5 storeys in height with accommodation in the roof space, the remainder of the houses are 2 storey.

16.16 The tallest buildings, the 3 storey blocks of flat, are located on the lowest part of the site given that they are adjacent to the southern boundary and the land rises up to the north. The buildings are significant in their height and would be clearly

visible above and beyond the scrub and highways verge to the south of the site from the B3157. However what must be considered is the existing scale and visual impact that the stadium at the site currently has. In addition the main police building to the north east will appear more dominant in some views of the site given its floor level and height relative to that of the apartment blocks. Whilst there is no development immediately opposite the application site to the south of the B3157 in a westerly direction from the site there is the Dorset Echo building, buildings on the Granby and then Link Park. All of these buildings are visible from the B3157 and are of some significant height and utilitarian appearance. To that end the scale of the apartment blocks is not considered to be out of character to the wider area and existing buildings adjacent to the B3157.

- 16.17 The urban design officer has raised no concerns in respect of the scale of the development and commented that the configuration of the apartments close to the site entrance creates a strong sense of enclosure and adds to the sense of arrival into the scheme.
- 16.18 The appearance of the proposed dwellings and apartments will be considered below, but in terms of the scale of the development it is considered that given the context of the site and other development within the vicinity and along the B3157 the scale is not inappropriate and the development accords with Policy ENV12 of the adopted local plan.

**Appearance:**

- 16.19 As already stated the dwellings are not particularly typical of the character of the local vernacular. However that is not to say that their appearance is unacceptable. Going northwards along Radipole Lane into Southill there is a mix of single storey and two storey properties, some of which are gable end onto the road. There is a mix of materials with buff and red bricks used, along with render and some timber cladding. The roofs are generally tiled. A lot of the properties are a mix of render and brick with the contrast in the materials providing part of their character. The development along this northern part of Radipole Lane is fairly conventional and standard 1960's/70's development. Going southwards along Radipole Lane towards the fire station the properties are generally red brick terraces with tiled roofs. There are some properties which are a mix of brick and render. Again some properties are gable end onto the road and the design of the properties are fairly standard and typical of their era of construction. There is some recent development on the eastern edge of Chickerell that is more traditional in its proportions and detailing and it is noted that Chickerell Town Council considers that the design of the proposed development is not appropriate to Chickerell.
- 16.20 There are elements of the design and appearance of the proposed development which reflect the existing areas of development along Radipole Lane. For instance the properties are proposed to be a mix of red brick, buff brick, painted

brick and timber cladding. The roofs are proposed to be tiled, with some having a red/brown tile and some interlocking concrete slates. Like Radipole Lane, some of the dwellings are designed to be gable end onto the road. There are a mix of detached, semi-detached and terraced properties proposed for the development which accords with the mix in the wider area. The proportions, scale and massing of some of the proposed properties would not be that different to those in Radipole Lane. However, there are also differences. The proposed dwellings do not have chimneys and there are a number of 2.5 storey houses proposed. Whilst properties in the wider area do have dormer windows, as per the proposed 2.5 storey dwellings, in the wider area these are more typically on single or 1.5 storey properties.

- 16.21 The applicant has during the course of the consideration of the application introduced a wider range of brick colours following on from the initial comments of the urban design officer. They have also incorporated windows in what would have been some of the blank elevations to provide greater surveillance and more visual interest. Brick cills have been introduced too.
- 16.22 The applicant has tried to create more modern looking dwellings with the use of feature areas of brickwork and timber cladding to provide articulation to the elevations. The exact appearance of the feature brickwork e.g. coursing and the brick choice and finished colour of the timber cladding can be the subject of a planning condition to ensure they are acceptable. The window design, proportions and colour – being grey – provide a more modern appearance. The properties feature inverted “L” shaped GRP canopy porches and timber services/utility cupboards adjacent to the front door, which is also a distinctive element of the design. Where properties have dormers these are boxy in appearance and in a composite cladding material.
- 16.23 The dwellings, given the above, could be argued to have their own character and whilst not replicating nearby 1970’s development in the residential areas closest to the site that is not necessarily a bad thing.
- 16.24 The proposed blocks of apartments as detailed above are of a greater scale and mass than the proposed houses. Blocks E and F have been designed in such a way that their scale and massing is broken up. The materials are brick, with feature areas of projecting brickwork and areas of timber cladding, further helping to break up their massing. Dormers are included in the roof space to help reduce the mass and scale of the blocks. The windows like the houses are proposed to be grey and some have a small projection to them, also helping to break up the elevations. Blocks A – D are less broken up in terms of their massing. However Blocks A and B utilise the roof space to provide accommodation and as a result include half dormers. There is also a projecting element in the centre of the rear elevation where the roof will slope down to a lower eaves level. This projecting element would also have feature brickwork in the form of projecting bricks. The upper floor of the building would be clad externally with timber cladding on all

four elevations which helps soften the appearance of the blocks. Some of the windows would also take the form of small projecting bays like blocks E and F. The blocks are not that deep which helps reduce the bulk of the side elevations. Block C is very similar to Blocks A and B but without the projecting element to the rear elevation where instead there is simply a feature area of projecting brickwork. Block D is more of an L Shape but shares some of the same characteristics as Blocks A – C with timber cladding to parts of the upper floor, an area of projecting feature brickwork, half dormers and balconies. It is considered that the use of timber cladding, projecting brick areas, small projecting bays and half dormers would give a fairly consistent character to the blocks and the use of the timber cladding and projecting brickwork would help break the elevations up and provide some softening/visual interest.

16.25 Block E and Block F would utilise the roof space to provide accommodation with flat roof dormer windows. Like other blocks they would have balconies and areas of timber cladding and projecting brick work. Both blocks appear to have been designed to break up their scale and massing to an acceptable level.

16.26 None of the blocks of flats particularly reflect the existing development in the area. However some properties in Radipole Lane do have areas of timber cladding. There are however consistencies between the design of the proposed houses on the application site and the flats in terms of materials, feature areas of brickwork, boxy looking dormers with composite cladding and the proportions of the fenestration. It could be considered that the proposed housing and blocks of flat will have their own character and create a new character area on this site which is visually divorced from existing areas of housing in Radipole Lane and is in fact more visually associated with the buildings at the Police site and the industrial buildings along the B3157. Whilst the development is not outstanding in its design it is considered to be acceptable given the standalone nature of the site, that it is visually divorced from existing areas of residential development and the scale, character and design of existing development adjacent to the site and along the B3157. The materials are considered appropriate to the site's location and there is sufficient variation in materials across the site. Overall the proposals are considered to accord with Policies ENV10 and EVN12 of the adopted local plan.

### **Landscaping:**

16.27 A softworks plan has been submitted as part of this application and amended during the course of the consideration of the application in response to the comments of the landscape officer and natural environment team. Also submitted are planting schedules, landscaping specifications and landscape maintenance and management schemes as required by the relevant condition on the outline planning permission. The landscape officer has no objection to the proposals and the softworks plan and plant schedule is included within the Biodiversity

Mitigation and Enhancement Plan as approved by the Natural Environment Team.

- 16.28 The landscaping scheme includes new trees, ornamental planting, native formal hedges, lawns, wildflower meadow grass, amenity grass, damp grassland, flowering lawn and woodland wildflower mix. This range of different landscape areas reflects the residential development, areas of play, the biodiversity issues and the proposals for ponds and swales.
- 16.29 The information which hasn't been submitted to date is the number of plants/planting density for each and every planting area. Numbers have been provided for some planting areas but not all of them as the planting schedule says that detailed planting plans have not been drawn up for all areas. This is something that can be conditioned to ensure that each planting area has sufficient and appropriate numbers of plants. Subject to that condition it is considered that the proposed landscaping scheme is acceptable in terms of visual amenity and biodiversity interests and accords with Policies ENV2 and ENV12 of the adopted local plan.

**Surface water drainage:**

- 16.30 The outline planning permission has a condition attached to it requiring the submission of a detailed surface water drainage scheme for the site prior to the commencement of development. As such no details have been submitted as part of the reserved matters application, save, for the location of ponds/swales. The Environment Agency has commented on the application and has no objection to the proposals as it highlights that the surface water drainage details will be controlled by the planning condition in due course. As outlined above it is considered necessary to attach a planning condition to control the depth, gradient and design of the ponds and swales in the interests of health and safety. Both the applicant and the Environment Agency are aware of the proposed condition and that it could limit the capacity of the swales and ponds to deal with surface water but do not object to its imposition.

**Biodiversity:**

- 16.31 During the course of the consideration of the application the applicant has submitted a Natural Environment Team approved biodiversity mitigation and enhancement plan (BMEP) and a drawing has been submitted showing the proposed biodiversity measures.
- 16.32 There are conditions on the outline planning permission regarding the submission of a Biodiversity Mitigation Plan and what it shall cover. There is also a condition regarding an 8 metre buffer zone alongside the watercourse and details the information required to be submitted. The Natural Environment Team are aware of the condition and have certified their approval of the BMEP and the

Environment Agency recommended the condition regarding the buffer zone at the time of the outline application and they have considered the proposals and are pleased to see that the buffer will remain and be largely left undisturbed, unless there is a need to manage it for biodiversity. The Environment Agency were also pleased to see that some areas of the buffer will be inaccessible to ensure wildlife is left undisturbed and to that end a condition is recommended regarding fencing the south and west stream corridors. There are other elements to the condition regarding the buffer zones that the applicant will still need to comply with in due course as part of making an application to discharge the condition on the outline planning permission.

- 16.33 There are elements in the biodiversity mitigation and enhancement plan that have timeframes against them for when they will be carried out but others don't. Despite that the natural environment team have approved it, but to ensure that the mitigation and enhancement measures are carried out it is proposed to condition the submission of a timetable for the implementation of the biodiversity and enhancement mitigation plan.
- 16.34 Natural England have commented on the application and advise that subject to measures being secured via a condition they are satisfied that pollution prevention measures would protect the adjacent Radipole Lake SSSI. A condition on the outline planning permission requires the submission of a surface water drainage scheme which would include oil and silt interceptors. Natural England have also advised that they are satisfied that the proposals are unlikely to have a significant effect on any European sites.
- 16.35 It is considered that subject to the conditions on the outline planning permission, plus the submission of a timetable for the implementation of the BMEP and its subsequent implementation the development would have an acceptable impact on biodiversity and protected sites and accord with Policy ENV2 of the adopted local plan.

**Residential Amenity:**

- 16.36 There are no immediately neighbouring residential properties to the site. There is the dwelling within the application site but that is proposed to be demolished and the site would form part of the development area.
- 16.37 The residential amenity of the proposed dwellings needs to be considered and given the juxtaposition and orientation of some of the dwellings it is considered that in some cases it would be necessary to condition that some first floor windows are obscure glazed and retained as such in the interests of the privacy of adjacent residential properties. As such a condition is recommended to address this matter. In the case of a few plots it is also considered necessary to remove permitted development rights for new windows and doors in specific elevations where the insertion of such openings would result in an unacceptable

impact on the residential amenity of the neighbouring property. Subject to these conditions the development is considered to accord with Policy ENV16 of the adopted local plan.

### **Contaminated Land:**

- 16.38 Submitted with the reserved matters application was a Phase 1 report regarding contaminated land. The Environment Agency and WPA have reviewed it and concluded that invasive ground investigation is required in accordance with the condition on the outline planning permission. Therefore further work will need to be done in order to comply with the condition and a remediation strategy may be required. However, given the condition on the outline planning permission the matter of contaminated land does not need to be considered further as part of the reserved matters application.

## **17.0 Conclusion**

- 17.1 The principle of the development is established by the granting of the outline planning permission and does not fall to be considered here.
- 17.2 It is considered that the development would have an acceptable impact on highway safety subject to planning conditions to secure the access to the site from the road.
- 17.3 It is considered that the layout, scale and appearance of the development is acceptable and would have an acceptable impact on visual amenity subject to a number of conditions. Furthermore it is considered that the proposed landscaping scheme is acceptable in respect of visual amenity and biodiversity interests subject to conditions.
- 17.4 The scheme includes a number of ponds and swales. The details of the surface water drainage scheme and its management are the subject of conditions on the outline planning permission, which would also protect the water environment and the nearby SSSI. However details regarding the design of the ponds and swales, along with fencing are proposed to be conditioned to ensure any issues in respect of health and safety can be fully and satisfactorily addressed.
- 17.5 It is considered that subject to conditions the development would have an acceptable impact on biodiversity and the nearby site of SSSI.
- 17.6 There are no residential properties abutting the site and in respect of the residential amenity of the future residents of the scheme the development is considered acceptable subject to conditions regarding obscure glazing and the removal of permitted development rights for new openings in a limited number of plots.

17.7 The matter of contaminated land is the subject of conditions on the outline planning permission and does not fall to be considered further at the reserved matters stage.

**18.0 RECOMMENDATION:**

18.1 Grant subject to the following conditions:

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

Softworks Plan - Drawing Number 221418/LA\_PL002/E received on 30/08/2019

Housing Plan - Drawing Number 221418/PL\_101/M received on 30/08/2019

Wall Materials Treatment Plan - Drawing Number 221418/PL\_105/L received on 30/08/2019

Housing Roof Plan - Drawing Number 221418/PL\_106/D received on 30/08/2019

Parking Strategy Plan - Drawing Number 221418/PL\_108/L received on 30/08/2019

Apartment Refuse & Cycle stores Plans & Elevations - Drawing Number 221418/PL\_223/A received on 30/08/2019

Apartments Materials Palette - Drawing Number 221418/PL\_218/B received on 05/12/2019

Hardworks Plan - Drawing Number 221418/LA\_PL001/E received on 05/12/2019

House Type TOR37 Plans & Elevations - Drawing Number 221418/PL205/E received on 05/12/2019

House Type TOR44 Plans & Elevations - Drawing Number 221418/PL207/E received on 05/12/2019

House Type TOR45 Plans & Elevations - Drawing Number 221418/PL209/D received on 05/12/2019

Houses Materials Palette - Drawing Number 22141/PL\_217/C received on 05/12/2019

Slab Level Plan - Drawing Number 221418/PL\_112/C received on 05/12/2019

House Type TOR23 Plans & Elevations - Drawing Number 221418/PL201/G received on 17/12/2019

House Type TOR33 Plans & Elevations - Drawing Number 221418/PL202/G received on 17/12/2019

House Type TOR34 Plans & Elevations - Drawing Number 221418/PL203/G received on 18/12/2019

Apartments A & B Plans & Elevations - Drawing Number 221418/PL\_210/B received on 17/12/2019

Apartment C Plans & Elevations - Drawing Number 221418/PL\_211/B received on 17/12/2019  
Apartment D Plans & Elevations - Drawing Number 221418/PL\_213/B received on 17/12/2019  
Apartments E Plans - Drawing Number 221418/PL\_214/B received on 17/12/2019  
Apartments E Elevations - Drawing Number 221418/PL\_219/B received on 17/12/2019  
Apartments F Plans & Elevations - Drawing Number 587530/PL\_215/B received on 17/12/2019  
House Type TOR22 Plans & Elevations - Drawing Number 221418/PL200/E received on 17/12/2019  
House Type TOR42.5 Plans & Elevations - Drawing Number 221418/PL208/F received on 17/12/2019  
House Type TOR36 Plans & Elevations - Drawing Number 221418/PL204/G received on 17/12/2019  
House Type TOR22 Plans & Elevations - Drawing Number 587530/PL220/E received on 18/12/2019  
Apartment Refuse Stores Plans & Elevations - Drawing Number 221418/PL\_216 received on 23/10/17  
Apartments Bins and Cycle Stores Plans and Elevations Drawing Number 221418/PL\_222 received on 23/10/17  
Ecological Enhancement Layout Drawing Number 221418/PL\_107/R received on 06/12/2019  
Single & Double Garage Plans & Elevations Drawing Number 221418/PL221 received on 23/10/17

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

2. (a) Prior to the commencement of any other development all existing trees, shrubs and other natural features not scheduled for removal shall have been fully safeguarded and fenced in accordance with a scheme to be first approved in writing by the Local Planning Authority. Such fencing and any other safeguarding measures shall be maintained during the course of the works on site.
- (b) No unauthorised access or placement of goods, fuels and chemicals, soil or other materials shall take place inside the fenced area.
- (c) The soil levels within the fenced area(s) shall not be raised or lowered and no trenching or excavation shall take place.
- (d) In the event that protected trees (or their roots) become damaged, are lost or become otherwise defective in any way during the course of works on site, the Local Planning Authority shall be notified immediately and a

programme of remedial action as directed by the Local Planning Authority shall be carried out within a timescale to be specified by the Local Planning Authority.

REASON: To ensure that trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability throughout the construction period in the interests of amenity.

3. No other part of the development shall commence until the following have been provided within the area shown edged blue on the Location Plan Drawing no. MSI/1346/RM/001:

- (a) Vehicular and pedestrian access linking the public road to the east of the site to the internal road shown in the reserved matters Hardworks Plan Drawing no. 221418/LA\_PL001/E;

in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of proper planning, highway safety, flood risk and visual amenity and biodiversity.

4. Prior to the commencement of any development details of the compensatory bat building that accords with the requirements detailed on the Ecological Enhancement Layout Drawing number 221418/PL\_107/R and the Biodiversity Mitigation Plan dated 27th August 2019, together with elevation drawings drawn to scale and details of the materials for the external walls and roof, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the compensatory bat building shall be constructed on site in accordance with the approved details prior to the commencement of the demolition of any buildings and structures on the application site.

REASON: In the interests of biodiversity and protected species.

5. The demolition of the stadium building and the dwelling known as “East Court Lodge” shall not take place outside of the periods 1st March to 1st May and 1st October to 15th November each year and shall be undertaken in accordance with the European Protected Species Licence.

REASON: In the interests of biodiversity and protected species.

6. Except to the extent it is necessary to comply with the requirements of condition 2 above regarding the safeguarding and fencing of all existing trees, shrubs and other natural features not scheduled for removal and condition 3 above and condition 4 above regarding the provision of a

compensatory bat building, prior to the commencement of any other development the existing stadium building(s) shall be demolished to ground level and the resulting materials removed from the site.

REASON: To ensure the satisfactory development of the site.

7. Prior to the commencement of any development a timetable for the implementation of the Biodiversity Mitigation Plan dated 27th August 2019 shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the Biodiversity Mitigation Plan and the approved timetable for implementation unless any modifications to the agreed mitigation plan as a result of the requirements of a European Protected Species Licence or the results of subsequent protected species surveys, have first been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved biodiversity mitigation measures shall be permanently maintained and retained in accordance with the approved details and Biodiversity Mitigation Plan.

REASON: In the interests of nature conservation.

8. Prior to the commencement of any development detailed planting plans including the number and density of each species to accord with the proposed planting and species shown on the Softworks Plan Drawing Number 221418/LA\_PL002/E received on 30/08/2019 and Plant Schedules reference 221418/PL/Doc14 Rev A August 2019 shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the agreed planting plans, Landscape Specification Q30 Seeding reference 221418/PL/DocL10 October 2017, Landscape Specification Q31 External Planting reference 221418/DocL11 October 2017, Landscape Specification Q35 Landscape Maintenance reference 221418/DocL12 October 2017 and Five Year Landscape Management Plan October 2017 and in accordance with the requirements of condition 5 of Outline Planning Permission ref WD/D/14/001938.

REASON: In the interests of visual amenity.

9. Prior to the commencement of any development existing and proposed spot levels for the roads, LAPs, LEAP, allotments and other areas of open space shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

REASON: In the interests of visual amenity and the quality of the amenity and play spaces provided.

10. Prior to the commencement of any development details of any proposed retaining walls or other retaining means/structures for the boundaries of the plots and the parking areas, LAPs, LEAP, allotments and other areas of open space shall be submitted to and approved in writing by the Local Planning Authority. These details shall include location, height and materials. Thereafter the development shall be carried out in accordance with the approved details.

REASON: In the interests of visual and residential amenity.

11. Prior to the construction of any part of the development above damp proof course level, details and samples of all external facing materials for the wall(s) and roof(s) shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the development shall proceed in accordance with such materials as have been agreed.

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

12. Prior to the construction of any part of the development above damp proof course level, details of the proposed brick coursing for each building where a brick feature panel is to be constructed and each building where an area of projecting brickwork is proposed shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include details of the proposed bricks to be used and a sample panel for each different type of coursing to be used in the brick feature panels and a sample panel of the projecting brickwork. Thereafter the development shall proceed in accordance with such details and materials as have been agreed.

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

13. Prior to the construction of any part of the development above damp proof course level details of the proposed bin stores and bin stores/bicycle stores to be sited in the gardens of the houses as shown on Hardworks Plan Drawing Number 221418/LA\_PL001 Rev E shall be submitted to and approved in writing by the Local Planning Authority. The details shall include dimensions and materials. Thereafter the development shall be carried out in accordance with the approved details.

REASON: In the interests of visual amenity.

14. Prior to the construction of any part of the development above damp proof course level details of the number and location of charging points for plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations, within the development, along with a timetable for their

provision, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details and timetable.

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

15. Prior to the construction of any part of the development above damp proof course level details of the provision and future management of the allotment area shall be submitted to and approved in writing by the Local Planning Authority. Thereafter no more than 50 dwellings shall be first occupied until the allotments have been provided in accordance with the approved details and the allotments shall thereafter be managed in accordance with the approved details.

REASON: In the interests of visual and residential amenity.

16. Prior to the construction of any part of the development above damp proof course level details of fencing to protect the riparian corridors to the south and west boundaries of the site, including details of position, materials and height, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the fencing shall be erected as agreed prior to the first occupation of any dwelling and shall thereafter be permanently retained.

REASON: In the interests of nature conservation and biodiversity.

17. Prior to the construction of any part of the development above damp proof course level details of the equipment, surfacing and fencing to be provided for each of the three local area of plays (LAPs) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter no more than 50 dwellings shall be first occupied until the local areas of play have been provided in accordance with the approved details.

REASON: In the interests of residential amenity and to ensure the proper planning of the area.

18. The ponds and swales shown on the approved drawings shall not be first constructed until details of:
  - (a) the depth and design of the ponds and swales (including cross-section drawings);
  - (b) details of fencing to be erected around the ponds and swales, including height, design and materials;

- (c) dry level surfaces around the ponds and swales;
- (d) how the design of the ponds and swales have had regard to the CIRIA Health and Safety Principles for SUDS (2013);
- (e) a timetable for the provision of the fencing and the dry level surfaces; and
- (f) how and who will be responsible for the maintenance and management of the fencing and dry level surfaces for the lifetime of the development

has been submitted to and approved in writing by the Local Planning Authority. The depth of the ponds and swales shall not exceed 600mm and the sloping sides of the ponds and swales shall not exceed a 1 in 3 gradient. Thereafter the development shall be carried out, implemented and maintained and managed in accordance with the approved details and timetable for implementation.

REASON: In the interests of health and safety.

19. Prior to first occupation of the development hereby approved the highway access, the geometric highway layout and the parking and turning areas shown on the Hardworks Plan Drawing number 221418/LA\_PL001 Rev E must be constructed, unless otherwise first agreed in writing by the Local Planning Authority. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.

REASON: To ensure the proper and appropriate development of the site in the interests of highway safety.

20. No more than 50 dwellings shall be first occupied until the locally equipped area of play (LEAP) has been surfaced and equipped in accordance with the Play Equipment Schedules by Terence O'Rourke Ltd dated October 2017.

REASON: In the interests of residential amenity and to ensure the proper planning of the area.

21. No fencing shall be erected around the locally equipped area of play (LEAP) unless details of its position, height and materials have first been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

REASON: In the interests of visual amenity.

22. No street lighting shall be first installed until details of the design of the columns and their height, position, direction of lighting, use of accessories such as cowls or hoods and details of the lights have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

REASON: In the interests of visual amenity and biodiversity.

23. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), no additional window(s) or other opening(s) permitted by Class A of Schedule 2 Part 1 of the 2015 Order shall be constructed in the following elevations and plots hereby approved:

First floor level of the south west elevation (rear) of plot 156  
South east elevation (side) of plot 151  
South elevation (side) of plot 65  
North elevation (side) of plot 68

REASON: In the interests of residential amenity.

24. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), before the plots hereby approved and listed below are first occupied the following window(s) shall be permanently glazed with obscured glass of a minimum obscurity of level (4) and these window(s) shall be retained as such thereafter. For the plots as indicated below the windows shall also be non-opening and shall be retained as such.

First floor side elevation window to plot 43  
First floor rear elevation to plot 156  
First floor side elevation to plot 69  
First floor side elevation to plot 46 and the window shall be non-opening.  
First floor side elevation to plot 62  
First floor side window to plot 72 and the window shall be non-opening.

REASON: In the interests of residential amenity.

**Informatives:**

1. There must be no interruption to the existing surface water and/or land drainage arrangements of the surrounding land as a result of the operations on the site. Provisions must be made to ensure that all existing drainage systems continue to operate effectively.
2. The applicant's attention is drawn to the letter of the 10<sup>th</sup> January 2018 from the Environment Agency.
3. Prior Land Drainage Consent (LDC) will be required from Dorset Council's Flood Risk Management (FRM) team, as relevant Lead Local Flood Authority (LLFA), for all works that offer an obstruction to flow to a channel or stream with the status of Ordinary Watercourse, in accordance with s23 of the Land Drainage Act 1991. Therefore, the modification, amendment or realignment of any Ordinary Watercourse or temporary drainage channel, 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 to the FRM team at DCC to clarify the potential requirement for prior LDC. LDC enquiries can be sent to [floodriskmanagement@dorsetcouncil.gov.uk](mailto:floodriskmanagement@dorsetcouncil.gov.uk)
4. NPPF informative.
5. The applicant's attention is drawn to the S106 agreement dated 27<sup>th</sup> October 2014.
6. The applicant's attention is drawn to the planning conditions attached to the outline planning permission reference WD/D/14/001938 and the need to comply with them.
7. If Japanese Knotweed is found on the application site it is the responsibility of the landowner to deal with it in the correct manner.
8. In this consent the terms "No other part of the development" and "any development" means the development to which this reserved matters approval relates as shown within the red line of Location Plan Drawing Number MSI/1346/RM/001 received on 23/10/17.
9. The applicant is advised that, notwithstanding this consent, if it is intended that the highway layout be offered for public adoption under Section 38 of the Highways Act 1980, the applicant should contact Dorset Council's Development Team. They can be reached by telephone at 01305 225401 or in writing at Development Team, Dorset Highways, Environment and the Economy, Dorset Council, County Hall, Dorchester, DT1 1XJ.