

[WD/D/19/002865](#)

Erection of 7 No. dwellings

Applicant name – CG Fry and Son

Case Officer – Emma Telford

Ward Member(s) – Cllr J Dunseith & Cllr J Worth

This application is brought to committee at the request of the Service Manager given the issues involved.

1.0 Summary of Recommendation:

1.1 Grant, subject to conditions.

2.0 Reason for the recommendation:

- Site is not considered suitable for a doctor's surgery
- Absence of 5 year land supply
- The location is considered to be sustainable and the proposal is acceptable in its design and general visual impact.
- It is not considered to result in any significant harm to neighbouring residential amenity.
- There are no material considerations which would warrant refusal of this application.

3.0 Key planning issues

Issue	Conclusion
Principle of development	Acceptable in principle.
Visual Amenity	Design is considered appropriate for the site and would reflect the surrounding development.
Residential Amenity	Not considered to result in a significant adverse effect on living conditions of either neighbouring properties or future occupiers of the proposed development.
Contamination	Acceptable subject to unexpected land contamination condition.
Biodiversity	Biodiversity Mitigation & Enhancement Plan considered acceptable.
Highway Safety	Highways raise no objections subject to conditions.
Affordable Housing	Not required.

Community Infrastructure Levy	CIL liable.
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4.0 Description of Site

4.1 The application site, measuring approximately 0.17ha comprises an undeveloped parcel of land which fronts Oldridge Road and Greys Road within the Putton lane development in Chickerell. The site has been stripped and fenced off and has remained vacant whilst development has been constructed around it.

4.2 The application site is located within the defined development boundary and within the local plan allocation CHIC1, Land at Putton Lane.

5.0 Description of Proposal

5.1 The proposed development involves the erection of 7 dwellings. The proposal involves two lines of built form with three dwellings facing onto Oldridge Road and four properties set further back within the site. The proposed dwellings would each be served by two parking spaces and the proposed design of the properties is to reflect the dwellings across the adjacent Putton Lane development.

6.0 Relevant Planning History

Application No.	Application Description	Decision	Date of decision
1/D/08/001147	Develop land by erection of around 220 dwellings, B1 business floor space, veterinary surgery, doctors' surgery, and community facilities to include open space, allotments, a multi-purpose community building, and multi-use games area	Approved	01/09/2011
1/D/13/000592	Approval of reserved matters (pursuant to outline planning permission approved under reference 1/D/08/001147) for phase 1 of the development comprising 142 dwellings, 10 commercial units, landscaping, a "community events space", a community orchard, allotments and an attenuation pond.	Approved	01/11/2013
WD/D/14/000606 – Non Material Amendment	<ul style="list-style-type: none"> – Introduction of grass verge in place of footpath to front of plots 001-002 – Gable end at the rear of Plots 001, 122 and 129 increased in width by 1.45m, with consequent changes to the size and position of some windows 	Approved	30/05/2014

	<ul style="list-style-type: none"> – Lean-to omitted from plots 012-014 – Garages to plots 020-021 joined to form a double garage – Omission of the build-over connecting plots 016-017 – Integral garages to house type to plots 121 and 130 omitted and relocated to the rear courtyard. – Amendment to the road alignment adjacent to plot 133 – Enlarged garage for plot 122 		
WD/D/15/000255 – Non Material Amendment	Amendment to planning permission reference 1/d/13/000592 - Amendments to approved plans for plots 9 to 37 (Sector 2) and plots 38 to 51 (Sector 3)	Approved	01/05/2015
WD/D/15/000645	Amendment to planning permission 1/D/13/000592	Approved	06/05/2015
WD/D/15/001390 – Non Material Amendment	Amendment to planning permission 1/D/13/000592 - increase on-site allotment provision in lieu of community orchard	Approved	07/09/2015
WD/D/15/002899 – Non Material Amendment	Amendment to planning permission 1/D/13/000592 to allow amendments to approved plans for Plots 60 - 92 (Sectors 6 & 7)	Approved	23/02/2016
WD/D/16/000575 – Non Material Amendment	Amendment to planning permission 1/D/13/000592. Repositioning of cycle and bin stores serving plots S27 to S34.	Approved	10/05/2016
WD/D/16/001682	Approval of reserved matters appearance, landscaping, layout & scale of outline approval 1/D/08/001147 for phase 2 of the development comprising of 112 dwellings, landscaping & associate drainage infrastructure	Approved	01/11/2016
WD/D/16/001719 – Non Material Amendment	Amendment to planning permission 1/D/13/000592 - Design changes to Plots 93 to 110	Approved	14/10/2016
WD/D/16/002598 – Non Material Amendment	Amendment to planning permission reference WD/D/16/001682 - Approval for a suite of minor alterations to a footpath, boundary treatments and landscaping (Phase 2)	Approved	23/02/2017
WD/D/17/000487 – Non Material	Amendment to planning permission reference 1/D/13/000592 - tie the	Approved	10/07/2017

Amendment	landscaping scheme, include planting to the front of dwellings and amendments to the allotment area.		
WD/D/17/001343 – Non Material Amendment	Specific amendments to 200 – 202 & 208 (Sector B) and 226, 232 – 235, 242, 243 – 249, 250 – 254 (Sector A) and more general amendments to the sectors as a whole. Non-material amendment re planning permission WD/D/16/001682	Approved	24/07/2017
WD/D/18/002201 – Non Material Amendment	Amendment to planning approval WD/D/16/001682 - Minor design alterations	Approved	23/10/2018

7.0 Relevant Constraints

Contaminated Land buffer

Within defined development boundary

Site is part of allocated site - Policy CHIC1 of adopted local plan

8.0 Consultations

8.1 Natural England – *We have not assessed the application and associated documents for impacts on protected species.*

Natural England notes and welcomes the submission of a Dorset County Council Natural Environment Team approved Biodiversity Mitigation Plan (BMEP). Please note that in line with the Dorset Biodiversity Protocol Natural England has not considered the provisions of the BMEP. Provided the full implementation of the approved BMP is made a planning condition then Natural England has no further comment on this aspect of the application.

The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes.

8.2 Highways – *The Highway Authority has NO OBJECTION, subject to the following condition(s):*

Turning and parking construction

*Before the development hereby approved is occupied or utilised the turning and parking shown on Drawing Number **SP-001** must have been constructed. Thereafter, these areas must be permanently maintained, kept free from obstruction and available for the purposes specified.*

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

Multiple vehicle crossings construction

Before the development is occupied or utilised the first **5.0** metres of each vehicular access, measured from the rear edge of the highway (excluding the vehicle crossing – see the **Informative Note** below), must be laid out and constructed to a specification submitted to and approved in writing by the Planning Authority.

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

INFORMATIVE NOTE: Dorset Highways

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

8.3 Technical Services – No comments received at the time of report preparation.

8.4 Environmental Health – *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 demolition and noisy construction are to be limited to*
Monday – Friday 0700 – 1900
Saturday 0800 – 1300

No activity on Sundays or Bank Holidays

If there are to be any proposed deviations from these hours, please contact Environmental Health to discuss these.

Public Health's records indicate that the proposed development lies within the 250m material consideration zone of an area identified with historic potentially contaminative land uses, namely former landfill, animal slaughter & basic processing and unspecified factory or works. This area has been identified as a low risk site through the Council's Contaminated Land Strategy. It is recommended that the following conditions are applied to any Planning Permission granted:

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall be submitted to and approved by the Local Planning Authority.

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

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

8.5 Scottish & Southern Energy – No comments received at the time of report preparation.

8.6 NHS Dorset Clinical Commissioning Group – *The 2008 original Putton Lane scheme that approved 254 dwellings provided an opportunity to address local concerns raised over the need to deliver GP services within the area. I understand that an area of land was allocated within the development for the building of a new GP surgery. Assessment of how this area of land could be utilised has been under consideration for many years.*

The Chickerell practice (branch of Wyke Regis and Lanehouse Medical Practice) has only two consulting rooms which has caused and remains an issue in terms of capacity. It is acknowledged that the branch site is not of sufficient size for the practice list size and is unable to be expanded. Patients from the area are therefore required to travel to other GP practice locations to access services. The lack of local primary care services has become increasingly concerning as the population in the area increases.

The allocation of land set aside within the Putton Lane development was appraised for its suitability for the building of a new GP practice. It was concluded that this land was not suitable in terms of size, location and transport options for patients but the need to provide a site remained.

In light of the above conclusion, NHS Dorset CCG have been working with a number of parties to consider alternative sites for the development of a new surgery within the Chickerell area. NHS Dorset CCG confirm that the land allocated within the Putton Lane development is therefore no longer required for the development of a GP surgery but as an alternative, request a payment in lieu of the land to be made towards the building of a new surgery on an alternative site.

NHS Dorset CCG considers that the cumulative impact of development which includes this development of seven dwellings on this land as detailed in ref WD/D/19/002865 merits the payment of a contribution towards health services in lieu for the land as previously stated.

8.7 Chickerell Town Council – Chickerell Town Council (CTC) wish to make the following comment:

As this was not the original concept for this land (it was originally set aside for a new Health Centre) they would like to know what will be provided by CG Frys in terms of infrastructure for the area now that they are to potentially gain from building open market housing on the land?

CG Frys have refused permission for a new Health Centre to be built on any other land in the development and as this application would mean a further loss of valuable open space CTC feel that a significant contribution to a new health centre should be made by the developers. Alternatively it should be left as an open space.

9.0 Representations

9.1 Five third party responses have been received in objection to the application. One response was made on behalf of 8 people. The reasons for objecting to the application are summarised below:

Principle of Development:

- Area was designated as a space for a much needed Health Centre particularly as Chickerell is continuing to expand
- A similarly valued alternative site should be provided for a doctors surgery or a financial settlement to provide compensation for the land
- The additional 7 buildings should also provide additional CIL monies and affordable housing as per current policy
- Given the lack of open space in Chickerell, the site might be left undeveloped for recreational purposes or for wildlife
- Overdevelopment of the land

Highway Safety:

- Parking spaces are too far from some of the properties so owners will look to park in the road which is already heavily congested
- Another access so close to the junction will cause problems and be dangerous for road users
- Highway safety concerns due to increase to on-road parking on the blind corner at the head of Greys Road making it hazardous for current residents to enter and exit properties and for vehicles accessing Greys Field
- There should be provision for pedestrians and the disabled to cross the corner safely
- Concerns regarding parking with at least another 14 cars and only garages for 2
- Already problems with parking in the vicinity of the development currently the square which forms the junction of three roads, is used on all sides for parking sometimes 2 to 3 deep. This would only exacerbate the current parking problems
- Poor visibility for road traffic around the corner at the junction of Greys Road and Oldridge Road
- Proposed plot 003, on the corner would obscure the view at a position where the additional traffic would converge on existing traffic
- Noise and disturbance from heavy construction plant and traffic

Residential Amenity:

- Plots 4-7 will seriously encroach on the privacy of the properties in Browns Crescent due to them being two stories high

9.2 Other comments were received including that the proposed properties would have no direct road access other than the proposed access road so what will the address be for them as they won't be in Oldridge Road nor Greys Road. This is not considered to be a planning matter and would not be considered as part of this application. A third party response also suggested alternative access arrangements, that the site entrance should be on the long straight road off Oldridge Road where the visibility is better and the vehicles would not be coming out on to the bend. The application as submitted needs to be considered. Further suggestions were also made in relation to on-road parking surrounding the site including that marked bays should be made available in front of the green area for only the houses adjacent and where the road narrows there should be double yellow lines to prevent unsafe parking right on the sharp corner. However these are not a consideration of this application as they fall outside of the application site.

10.0 Relevant Policies

West Dorset, Weymouth and Portland Local Plan

ENV 1 – Landscape, Seascape and Sites of Geological Interest
 ENV 2 – Wildlife and Habitats
 ENV 10 – The Landscape and Townscape Setting
 ENV 11 – The Pattern of Streets and Spaces
 ENV 12 – The Design and Positioning of Buildings
 ENV 15 – Efficient and Appropriate Use of Land
 ENV 16 – Amenity
 SUS 1 – The Level of Economic and Housing Growth
 SUS 2 – Distribution of Development
 HOUS 1 – Affordable Housing
 COM 7 – Creating a Safe and Efficient Transport Network
 COM 9 – Parking Standards in New Development
 COM 10 – The Provision of Utilities Service Infrastructure
 CHIC 1 – Land at Putton Lane

National Planning Policy Framework

2. Achieving sustainable development
 5. Delivering a sufficient supply of homes
 11. Making effective use of land
 12. Achieving well-designed places

Other material considerations

Design and Sustainable Development Planning Guidelines (2009)

West Dorset Landscape Character Assessment 2009

11.0 Human rights

Article 6 - Right to a fair trial.

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

The first protocol of Article 1 Protection of property

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

12.0 Public Sector Equalities Duty

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

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

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

13.0 Financial benefits

Material Considerations	
Employment created during construction phase	Not known
Spending in local economy by residents of 7 dwellings	Not known

Non Material Considerations	
Contributions to Council Tax Revenue	Not known
New Homes Bonus	Not known
Community Infrastructure Levy (CIL)	Not known at this stage.

14.0 Climate Implications

14.1 The construction phase would include the release of carbon monoxide from vehicles and emissions from the construction process. Energy would be used as a result of the production of the building materials and during the construction process. When occupied the development would generate vehicular movements releasing carbon monoxide. Heat escape from dwellings would contribute to greenhouse gases. However it should be noted that modern building regulations would help minimise such heat release. A balance has to be struck between providing housing to meet needs (both open market and affordable) versus conserving natural resources and minimising energy use.

15.0 Planning Assessment

Principle of Development

15.1 The proposed development involves the erection of 7 dwellings. The application site is an undeveloped parcel of land which fronts Oldridge Road and Greys Road within the Putton Lane development in Chickerell. The Putton Lane development is covered under the Local Plan allocation CHIC1. The site has been fenced off and remained vacant whilst the development has been constructed around it.

15.2 Outline planning permission under the reference 1/D/08/001147 was approved to 'develop land by erection of around 220 dwellings, B1 business floor space, veterinary surgery, doctors' surgery, and community facilities to include open space, allotments, a multi-purpose community building, and multi-use games area'. The application site subject to this current application is within the red line for the outline permission. As part of the outline application a doctor's surgery was included within the proposed development. The submitted planning statement by the agent set out that the public consultation exercise at the time identified a clear desire for a dedicated new doctor's surgery to serve the expanding population. In response to this the outline masterplan provided for a new surgery in the heart of the development based on the size and scale of the Portesham Surgery.

15.3 There is a S106 impacting on the whole site that was entered into at the time of the outline permission, dated 18 August 2011. The S106 included a requirement for an Employment scheme to be submitted and agreed with the Council and thereafter implemented to secure the provision within the land of not less than 0.7 hectares of land to cover Class B1 floorspace, a doctor's surgery and a veterinary surgery. Alternatively there was scope for an Amended Employment Scheme to be submitted and agreed if certain criteria were met. The relevant extract from the s106 is below:

If the Owners and/or Developers demonstrate to the Council's satisfaction (evidenced in writing) that despite their best endeavours they have been unable to enter into a contract to provide the doctor's surgery and/or the veterinary surgery (forming part of the Employment Scheme) within 2 years from the date of this Agreement then the Owners and/or Developers shall be at liberty to submit an amended employment scheme omitting the requirement to provide the doctor's and/or veterinary surgery and providing for buildings for B1 use in substitution thereof ("the Amended Employment Scheme") for approval by the Council (such approval not to be unreasonably withheld or delayed).

To date, The Council has not identified any such scheme being submitted or agreed.

15.4 In the intervening period, applications for reserved matters have been approved, one for phase 1 (1/D/13/000592) and one for phase 2 (WD/D/16/001682). The relevant phase to this current application was phase 1. The supporting text to the reserved matters application set out that the site for the doctor's surgery as shown at the outline stage would accommodate 10 commercial units in an L-shaped design north of Green Lane. A new site (the site of the current application) was then

identified as land that could accommodate a doctor's surgery. This site was then not included within the red line of the reserved matters application. Therefore in approving the reserved matters application, 1/D/13/000592 the local planning authority effectively agreed the site of the proposed doctor's surgery as the site of the current application. The reserved matters for phase 1 have been built out.

15.5 For the avoidance of doubt it is important to stress that in determining this application the Council is treating this application as a separate matter to the requirements of the s106 requiring the submission to and approval by the Council of an Employment /Amended Employment Scheme. As such, at this stage, It cannot be assumed that any decision of the Council in relation to the current application is an indication as to how the breach may be pursued or whether any application to modify the S106 agreement in the future would be considered acceptable.

15.6 As part of the current application the agent has set out that the provision of a doctor's surgery or veterinary practice on the site has been sought since 2006 but for a variety of reasons, neither provision seems realistic. This is supported in the response from the NHS, Dorset Clinic Commissioning Group who set out that the land set aside was appraised for its suitability for the building for a new GP practice. It was concluded that this land was not suitable in terms of size, location and transport options for patients. Although it is clear in the NHS response that the need for a site remains.

15.7 The current site is therefore considered not suitable for the provision of a doctor's surgery. The approval of the reserved matters applications and that the development has been built out means there are no longer any other sites within the development that are vacant and available for a doctor's surgery. The S106 sets out that if the doctor's surgery and/or the veterinary surgery cannot be provided that the provision for buildings for B1 use would be made in substitution. The employment scheme was to cover at least 0.7 hectares of the land. The development which has been constructed included 10 employment units totalling 0.62ha of employment space as approved by the reserved matters consent. This 0.62ha of approved/built employment falls slightly short of the required 0.7ha by 0.08ha and therefore an additional 800sqm would be required which would include access and parking not just the building itself.

15.8 The application site is surrounded by residential development with many boundaries of the site being the rear boundaries of dwellings. The site due to its location and layout are not considered suitable for employment and would lend itself to further residential development. Furthermore, in a recent appeal decision APP/D1265/W/18/3206269 at Land South of Westleaze, Charminster the Inspector concluded that the council cannot demonstrate a 5 year housing land supply for the West Dorset, Weymouth & Portland plan area and therefore the presumption still applies. The Inspector concluded that the position is greater than 4.12 years but less than 4.88 years. This site is located within the defined development boundary and is surrounded by residential development and would be regarded as a sustainable location for further development. The proposed development would offer an additional 7 dwellings towards the Council's lack of 5 year housing land supply.

15.9 If residential development was accepted on the site, queries have been made regarding the possibility of a contribution towards a doctor's surgery being pursued. The CCG set out in their response that they consider that the cumulative impact of the development which includes the current development of seven dwellings on this land merits the payment of a contribution towards health services in lieu of the land. A contribution would be based on the evidence of the supplementary planning document, Planning Obligations Guidelines dated February 2010. A contribution based on this evidence would be for a three bed dwelling a payment of £192 per dwelling therefore for the 7 dwellings proposed a contribution would be required of £1344. This contribution would not facilitate the building of an alternative doctor's surgery. Requiring such a contribution is not considered justified when through the S106 agreement employment would have been acceptable on the site without a contribution. Furthermore, the Local Plan policy for the allocation EA6 in the previous West Dorset District Local Plan (2006) did not require the provision of a doctor's surgery and nor does the current policy CHIC1 in the adopted West Dorset, Weymouth & Portland Local Plan (2015). It is therefore considered that a contribution towards the provision of a doctor's surgery is not necessary and therefore the tests for securing a contribution via a S106 agreement would not be met. It is also important to note that the proposal would be CIL liable.

15.10 As part of the supporting information for this application it is set out that the applicant would offer an additional one-off payment of £60,000 to help fund the new surgery site in due course. Such a payment has not been considered as part of this application as a contribution is not necessary to make the proposed development acceptable and even if were the figure stated by the applicant is not an evidence based calculation. If subsequently the applicant was to make such a donation that would be a matter between them and the party the money was donated to i.e. Town Council or the NHS Dorset Clinic Commissioning Group.

15.11 Given all of the above, the proposed development of 7 dwellings on the site is considered acceptable in principle. An informative would be placed on any approval that a deed of variation would be required to the S106.

Visual Amenity

15.10 The proposal involves the erection of 7 dwellings on the site. The proposal would include two lines of development, the first facing onto Oldridge Road and would consist of a terrace of 3 properties (plots 1-3). The proposed materials of these units would be slate for the roofs and one dwelling would be masonry brickworks and the other two render. The second line of development would consist of two sets of semi-detached properties (plots 4-5 & plots 6-7). The proposed semi-detached properties would be render with a slate roof. The design and materials of the proposed dwellings are considered to reflect the surrounding development. A condition would be placed on any approval for details and samples of the materials of the dwellings to be submitted but also details of the proposed hard standing. The proposed second line of built development would introduce a new building line but due to the surrounding residential development it would not be highly visible until within the site. Given the above the proposed development would not have an adverse impact on the visual amenity of the site or locality.

Residential Amenity

15.11 The proposal development involves the erection of 7 dwellings. The first line of development would consist of a terrace of three properties that would face onto Oldridge Road. The proposed properties would be set back from the existing dwellings located opposite by the road and existing landscaping to the front of the existing properties.

15.12 The existing property to the east on Greys Road is separated by the road and the relationship would be the side elevation of plot 3 facing the side elevation of the property opposite. The existing property to the west would be separated from the first line of development by the proposed garaging and parking of plots 1 and 2 and again the relationship would be side elevation facing side elevation. For the existing properties of Greys Road to the south the relationship would be the rear of plot 3 facing the side elevation of the existing property. However, these properties would be separated by the rear garden of the proposed plot 2 and the access road into the site which is considered to provide adequate separation.

15.13 The proposed second line of development would consist of two sets of semi-detached properties. The orientation of the proposed properties would mean the principal elevations would face the rear of the neighbouring properties of Brown's Crescent. The principal elevations of the properties would be set back from the boundary by 19m, with a further separation created by the gardens of Brown's Crescent. The proposed properties would be set back from the rear boundary of 24 and 26 Greys Road by the access road and parking bays. The proposed plot 06 would be located adjacent to the existing coach house property accessed off Oldridge Road, however it would be located adjacent to the blank rear elevation of the coach house property. The rear elevations of the properties would face the rear of the existing semi-detached properties 8 and 10 Oldridge Road. The properties would be separated by both the rear gardens of the existing properties and the proposed dwellings. The separation from rear elevation to rear elevation would be approximately 28m.

15.14 Policy ENV 12 of the local plan sets out that *new housing should meet and where possible exceed appropriate minimum space standards*. The proposed three terraced properties would meet the space standards for a three bed dwelling. The proposed semi-detached properties do not however meet the space standards for a three bed property. The proposed floor plans show two double bedrooms and one smaller box room. The agent has set out that it is often the case that the smaller bedroom would be used as something other than a bedroom, for example a study. It is considered that the market would reflect this and these properties would be lower in price and anyone purchasing these properties would be aware. Therefore it is not considered that this would warrant refusal of the application. Each of the proposed properties would have a private rear garden.

15.15 Environmental Health were consulted on the application, they considered that due to the close vicinity of existing residential dwellings, the construction works should have regard to the hours of operation to protect residents from nuisance. In response to this a condition would be placed on any approval for the submission of a Construction Management Plan. Given all of the above the proposed development

would not have a significant adverse impact on the living condition of occupiers of residential properties, both existing and proposed.

Contamination

15.16 The application site is located within a contaminated land buffer as records indicate the site lies within the 250m material consideration zone of an area identified with historic potentially contaminative land uses. Environmental Health were consulted on the application and set out that the area has been identified as a low risk site through the Council's Contaminated Land Strategy and therefore recommended an unexpected land contamination condition which would be placed on any approval granted.

Biodiversity

15.17 The proposed development involves the erection of 7 dwellings on the undeveloped site. Having had regard to the submitted Biodiversity Mitigation & Enhancement Plan (BMEP) and the accompanying certificate of approval from the Natural Environment Team it is considered that the proposal will have no adverse impact on biodiversity interests. A condition would be placed on any approval granted for the development to be carried out in accordance with the BMEP and the submission of a timetable for the implementation of the measures included within the BMEP.

Highway Safety

15.18 The main vehicular access would be located off Greys Road, although the parking and garaging for units 1 and 2 would be off Oldridge Road. Each of the proposed dwellings would be served by two parking spaces although one of those spaces for units 1 and 2 would be within a single garage for each. Concerns have been raised by third parties regarding the impact of the proposal on highway safety in particular the location of the proposed access, poor visibility around the corner and increase in on-street parking all around the junction of Greys Road. Highways were consulted as part of the application and raised no objection to the proposal subject to conditions for the turning and parking construction and multiple vehicle crossings construction which would be placed on any approval granted. A condition for the submission of a Construction Management Plan would also be placed on any approval.

15.19 Paragraph 110, of the NPPF sets out that *applications for development should and criteria e) reads be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations*. In response to this and the Climate Emergency declared by the Council a condition would be placed on any approval for a scheme to enable the charging of plug-in and other ultra-low emission vehicles to be submitted and carried out.

Affordable Housing

15.20 National Planning Policy Framework paragraph 63 sets out that the *provision of affordable housing should not be sought for residential developments that are not*

major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer). This application involves the erection of 7 dwellings and therefore does not meet the threshold for major development and nor is it considered to be located within a designated rural area as it is outside of the Area of Outstanding Natural Beauty (AONB). Therefore, affordable housing is not required as part of the proposed development.

Community Infrastructure Levy

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

15.22 The development proposal is CIL liable. The rate at which CIL is charged is £100 per sqm. The CIL charge would be confirmed when the liability notice is issued. Confirmation of the final CIL charge will be included in a CIL liability notice issued prior to the commencement of the development. Index linking as required by the CIL Regulations - (Reg. 40) is applied to all liability notices issued, using the national All-In Tender Price Index of construction costs published by the Building Cost Information Service (BCIS) of the Royal Institution of Chartered Surveyors. CIL payments are index linked from the year that CIL was implemented (2016) to the year that planning permission is granted.

16.0 Conclusion

16.1 The application is for the erection of 7 dwellings. The application site is located within the DDB and is therefore considered to comply with Local Plan policy SUS 2 and is therefore acceptable in principle. The proposal is also considered acceptable subject to conditions in relation to visual amenity, residential amenity, contamination, biodiversity and highway safety.

17.0 Recommendation

GRANT, SUBJECT TO CONDITIONS

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

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

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

Location Plan - Drawing Number PP-01 received on 18/11/2019

Plots 6 & 7 Floor Plans - Drawing Number 6-7-P-001 received on 18/11/2019

Plots 6 & 7 Front & Side Elevations - Drawing Number 6-7-P-002 received on 18/11/2019

Plots 6 & 7 Rear Elevations & Section - Drawing Number 6-7-P-003 received on 18/11/2019

Plot 1-3 Ground Floor Plans - Drawing Number 1-3-P-001 received on 18/11/2019
Plot 1-3 First Floor Plans - Drawing Number 1-3-P-002 received on 18/11/2019
Plots 1 - 3 Front Elevations - Drawing Number 1-3-P-003 received on 18/11/2019
Plots 1-3 Rear Elevations - Drawing Number 1-3-P-004 received on 18/11/2019
Plots 1 & 3 Side Elevations & sections - Drawing Number 1-3-P-005 received on 18/11/2019
Plots 4 & 5 Floor Plans - Drawing Number 4-5-P-001 received on 18/11/2019
Plots 4 & 5 Front & Side Elevations - Drawing Number 4-5-P-002 received on 18/11/2019
Plot 4 & 5 Rear Elevations & Sections - Drawing Number 4-5-P-003 received on 18/11/2019
Plots 1 & 2 Garage Floor plans and Elevations - Drawing Number DG5-SD received on 18/11/2019
Site Plan - Drawing Number SP-001 A received on 17/01/2020
Street Elevations - Drawing Number SE-001 Revision 1 received on 17/01/2020

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

3) No development above Damp Proof Course (DPC) level shall be commenced until details and samples of all external facing materials for the walls and roofs shall have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter, unless otherwise agreed in writing by the Local Planning Authority the development shall proceed in strict accordance with such materials as have been agreed.

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

5) Prior to the installation of the hard landscaping hereby approved details of the hard landscaping including the driveway, boundary treatments, pathways and patios shall have been submitted to, and approved in writing, by the Local Planning Authority. Thereafter, the development shall proceed in strict accordance with such materials as have been agreed.

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

6) In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority and an investigation and risk assessment must be undertaken in accordance with requirements of BS10175 (as amended). Should any contamination be found requiring remediation, a remediation scheme, including a time scale, shall be submitted to and approved by the Local Planning Authority. On completion of the approved remediation scheme a verification report shall be prepared and submitted within two weeks of completion and submitted to the Local Planning Authority.

REASON: To ensure risks from contamination are minimised.

7) No development above Damp Proof Course (DPC) level shall be commenced until a timetable for the implementation of the measures of the Biodiversity Mitigation & Enhancement Plan has been submitted and agreed in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the

agreed timetable and the approved Biodiversity Mitigation & Enhancement Plan, signed by Andrew McCarthy and dated 10/12/2019, and agreed by the Natural Environment Team on 17/01/2020, unless a subsequent variation is agreed in writing with the Council.

REASON: In the interests of biodiversity mitigation and enhancement.

8) Before the development hereby approved is occupied or utilised the turning and parking shown on Drawing Number SP-001 A must have been constructed. Thereafter, these areas must be permanently maintained, kept free from obstruction and available for the purposes specified.

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

9) Before the development is occupied or utilised the first 5.0 metres of each vehicular access, measured from the rear edge of the highway (excluding the vehicle crossing – see the Informative Note), must be laid out and constructed to a specification submitted to and approved in writing by the Planning Authority.

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

10) No development above damp proof course level shall take place until a detailed scheme to enable the charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations within the development has been submitted and approved in writing with the local planning authority. The scheme shall include a timetable for implementation. Thereafter the development shall be carried out in accordance with such details as have been approved by the Local Planning Authority including the timetable for implementation.

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

11) No development shall take place until a construction management plan has been submitted to and approved in writing by the Local Planning Authority. The approved management plan shall be adhered to throughout the construction period. The management plan shall provide for:

- Location for loading/uploading and storage of plant, waste or construction materials;
- Hours of operation;
- Parking of vehicle of site operative and visitors (including measures taken to ensure satisfactory access and movement of existing occupiers of neighbouring properties during construction);
- Routes of construction traffic;
- Arrangements for turning vehicles;
- Arrangement to receive abnormal loads or unusually large vehicles.

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

Informatives:

1) NPPF Statement

2) INFORMATIVE NOTE: Dorset Highways

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

3) CIL

4) Terms of the S106 dated, 18 August 2011 that are of potential relevance to the permission and which may impact upon it.