

Bryanston



Application Type: Outline Application

Application No: 2/2017/1919/OUT

Applicant: Bryanston (RFE) Ltd

Case Officer: Mr Robert Lennis

Recommendation Summary: Approve

Location:

Land North East Of Lower Bryanston Farm, Fair Mile Road, Bryanston, Dorset

Proposal:

Develop land by the erection of up to 80 No. dwellings, form new vehicular access from New Road, open space, landscaping, ecological mitigation, drainage works and other ancillary works. (Outline application to determine access).

Reason for Committee Decision:

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

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

Planning Policies:

Local Plan:

1. 7 Dev. within Settlement Boundaries

Policy 1 - Sustainable Devt.

Policy 2 - C Spatial Strategy

Policy 3 - Climate Change

Policy 4 - The Natural Env.

Policy 5 - The Historic Env.

Policy 6 - Housing Distribution

Policy 7 - Delivering Homes
Policy 8 - Affordable Housing
Policy 13 - Grey Infra.
Policy 14 - Social Infra.
Policy 15 - Green Infra.
Policy 16 - Blandford
Policy 23 - Parking
Policy 24 - Design
Policy 25 - Amenity

National Planning Policy Framework:

National Planning Policy Framework

The following sections of the Framework are of particular relevance to this case:

1. Introduction

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

For **decision-taking** this means:

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

2. Achieving sustainable development

3. Plan-making

4. Decision-making

5. Delivering a sufficient supply of homes

11. Making effective use of land

12. Achieving well-designed places

14. Meeting the challenge of climate change, flooding, and coastal change

15. Conserving and enhancing the natural environment

16. Conserving and enhancing the historic environment

Town and Country Planning (Listed Buildings and Conservations Areas) Act 1990

Along the north side of New Road where the proposed development site is located are the grounds of Bryanston School enclosed by a boundary wall. This boundary wall is a curtilage listed structure in relation to the Schools listing. As such the general duty as respects listed buildings in exercise of planning functions (Section 66) needs to be considered. That is:

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

The proposed development site also shares a boundary with two conservation areas: The Blandford Forum Conservation Area, and The Blandford St Mary and Bryanston Conservation Area. As such the general duty as respects conservation areas in exercise of planning functions (Section 72) needs to be considered. That is:

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

Description of Site:

The proposed development site has an area of 2.93 hectares. It is within Bryanston PC immediately west of Fair Mile Road and south of New Road. It comprises an agricultural field currently used for equestrian purposes.

The site sits within the eastern edge of the Dorset Area of Outstanding Natural Beauty (AONB) which stretches to the west of Blandford Forum and includes The Cliff ridgeline leading to Bryanston School to the north.

The boundary wall of the School is a curtilage listed structure in association with the School's listed building status. The site also shares a boundary with The Blandford Forum Conservation Area, and The Blandford St. Mary and Bryanston Conservation Area.

A public right of way currently crosses the site from New Road providing access to the countryside to the west.

Proposed development

This is an outline application to determine access only. All other matters of detail (layout, scale, appearance, and landscaping) are reserved for a later date.

The proposed new access would come off New Road.

The applicant is has agreed in principle to entering into a S106 legal agree to secure 30% affordable housing and financial contributions to support the development as require by local plan policies.

The applicant is willing to accept a conditional grant of planning permission to limit the number of houses to "no more than 75 dwellings", and a condition to limit the ridge height of any dwelling to 55m above ordinance datum (AOD). Additionally, land adjacent to the site, which is within the control of the applicant, has been offered to provided additional screen planting.

Illustrative site plans have been submitted to demonstrate how this development might proceed.

Constraints:

Agricultural Land Grade - : 3

Area of Outstanding Natural Beauty - Name: Dorset

Conservation Area - The Blandford Forum Conservation Area

Conservation Area - The Blandford Blandford St Mary and Bryanston Conservation A

Parish Name - : Bryanston CP

Public Rights of Way - Route Code: E5/3

Path Type: Footpath

Settlement Boundary - Name: Blandford Forum

TPO - Charge Description: Tree Preservation Order 526-2014 made and effective 24 July 2014. A1 = All trees of whatever species

Ward Name - : Riversdale and Portman Ward

Consultations:

Bryanston PC

Raise concerns and objections, see comments below.

Blandford St Mary PC

Blandford St. Mary PC concurs with the concerns and objections raised by Bryanston PC.

Riversdale And Portman Ward

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

Transport Development Management - DCC

No objections subject to conditions.

Natural England

No objection in principle, subject to a satisfactory biodiversity mitigation plan, an appropriate landscape and layout.

Please note that provided the DCC NET are satisfied with the submitted BMP and the full implementation of the plan and the agreed financial contributions are secured by any permission then no further consultation with Natural England on this aspect of the proposal is required.

...provided appropriate landscaping and layout is agreed with the Dorset AONB team prior to submission of a full application to your planning authority. This is required to ensure the development reduces any adverse landscape and visual effects on the protected landscape through design and mitigation. Key considerations should be avoidance of buildings in the Northern edge of the site and reduction of the density and/or height of buildings in sensitive areas of the site. Thought should also be given to an appropriate materials palette for the buildings.

DCC Natural Environment Team

No objections provided the Biodiversity Mitigations Plan dated 31 October 2017 and its implementation in full is conditioned as part of any grant of planning permission. In conditioning this Plan, the planning authority is entitled to rely: ...that the Biodiversity Mitigation Plan provides sufficient measures likely to remedy any disturbance whereby Natural England, in considering an application for a disturbance licence, would likely be satisfied that the test in Regulation 55(9)(b) is capable of being met. Additionally, the Plan is considered to provide reasonable ecological mitigation and enhancement measures to meet the NERC Act 2006 duty.

Dorset AONB

No objections in principle. The reserved matters will be most critical to the impact on the landscape.

Landscape Officer – NDDC

No objections in terms of landscape impact.

The outline scheme has been amended to remove housing from the upper (most visible) part of the site and this goes a long way in ensuring that the open character of the valley and the rural character of New Road can be maintained through the Reserved Matters stage.

Historic England

No objection in principle subject to the comments of NDDC's Conservation Officer.

Conservation Officer South - NDDC

Any development on this site is likely to cause some level of harm to the conservation area and this will need to be balanced against the public benefits of development upon this site.

The creation of a road junction on New Road and the introduction of development on the high ground to the north and west of the site will cumulatively cause less than substantial harm to the part of the Blandford Conservation area south of the Blandford Bridge. Further, there will be less than substantial harm to some of the listed-buildings within this conservation area. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

It is noted that the scheme has been amended to include a reduced number of dwellings within the application site. This goes some way to alleviate my concerns regarding the density of housing but this will need to be further tested when detailed designs are offered at Reserved Matters stage.

In determining the proposals due consideration has been given to Section 12 of the NPPF, Sections 66 and 72 of the 1990 Act and Policy ENV4 of the Local Plan.

Rights Of Way - DCC

No objections in principle. Contributions are being sought to improve footpaths within the immediate area.

Wessex Water

No objections subject to conditions.

Principal Technical Officer NDDC

No objection subject to conditions.

In particular, no development shall take place until precise details of foul and surface water disposal have been submitted to and agreed in writing by the Planning Authority.

Environmental Health Officer NDDC

No objections in principle.

It is recommended that, should consent be granted, a suitable condition is applied which requires the applicant, in the event that ground contamination is encountered during construction, to cease operations and seek specialist advice; operations should not recommence without the written consent of the planning authority.

Drainage (Flood Risk Management) - DCC

No objection in principle subject to conditions and informatives.

NHS Dorset Clinical Commissioning Group

No objections subject to securing contributions specified in their response.

Rights Of Way - DCC

No objections. Contributions should be sought to mitigate the impact of additional users of public footpaths.

Drainage (Flood Risk Management) - DCC

No objections subject to conditions.

Dorset Education Authority - DCC

No objection subject to financial contributions being secured.

Environment Agency

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

Bryanston Parish Council

Objects to the proposal.

Bryanston Parish Council (BPC) comments have been summarised as follows:

- over-development of the site;
- poor access;
- highway safety;
- pedestrian safety;
- impact on local services;
- loss of hedgerow;
- ecology, habitat mitigation.

With regard to over-development BPC, has noted that the proposed density, would be even greater than that achieved by Persimmon at the nearby new development at Dorchester Hill. They considered that this crowding fails to support the soft rural edge and is not conducive to the rural setting.

The site capacity was indicated to be 65 dwellings previously. It must be remembered it was part of the data used to allocate the site in the Local plan and as such was more than just an aid, it was an important formative document. It was believed by BPC at that time to be a limit. Thus, no objection was raised to a smaller development. BPC continues to have no objection to that contained in the blue line.

With regard to access and safety, the picture presented by Wood has little recognition by those who use the road and junctions several times a day. BPC would prefer the vehicular access to be from Fairmile road not New Road. They believe there would be significant benefits to the community by moving the vehicular access:

- * The road would be wider, making it possible for vehicles to pass easily, farm vehicles to negotiate this narrow part of the road and greatly improve the visibility for all road users.

- * There would be no need for a separate vehicular access into New Road, with the associated problems of hedge removal, poor visibility for road users, extra traffic from the new estate passing the historic cottages at the bottom New Road and the spoiling of the setting of the Conservation Area.

- * Services (gas, water, etc) could be routed into Fairmile, again looking after the historic cottages which have no foundations.

- * The three cottages on Fairmile would then be integrated with the new proposed houses fronting the road (once the hedge is gone) and with Birdswood and into the more built up area of Bryanston/Blandford St Mary, thus improving continuity and sense of community.

With regard to pedestrian safety, BPC asks Highways to reconsider the safety of this pathway.

With regard to habitat mitigation, BPC request to be consulted about the measures proposed for bat mitigation, as expected for any 'interested party'.

Representations:

33 letters of representation were received, of which 2 offered comments which neither supported nor objected to the proposal, 30 objected to the proposal and 0 supported the proposal.

In summary, the concerns raised in representations relate to the following:

- Road safety
- Impact of access
- Traffic or highway
- Effect on the appearance of the area
- Heritage
- Biodiversity
- Landscape
- Local or Government Policy
- Noise/Disturbance
- Overlooking/Loss of Privacy
- Residential Amenity
- Design

Relevant Planning History:

Application: 2/2017/1252/SCREIA

Proposal: Request for EIA Screening Opinion under Regulation 5(2) of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 for the erection of a maximum of 80 No. dwellings.

Decision: Scoping Opinion Adopted

Decision Date: 26.09.2017

Planning Appraisal:

This is an allocated housing site in the local plan. The principle of residential development has therefore already been considered acceptable. The main issues of the proposal are considered to relate to:

- number of dwellings;
- highway safety;
- landscape, trees and hedgerow;
- heritage assets;
- ecology;
- planning balance.

Number of dwellings

The proposed development site area is approximately 3 ha. When the site was first put forward by the owner as a potential development site through the Council's Strategic Housing Land Availability Assessment (SHLAA) in 2012 it was estimated by Officers to have potential to accommodate 65no. dwellings. This was a desktop estimate which might have included a visit. As such the true capacity of the site was not fully considered; it was an unsubstantiated rough estimate.

The current application provides supporting information by which we can more accurately consider the impact of development and estimate the capacity of this site. It is on this basis that Officers and the applicant have identified the constraints of the site, particularly the hedgerows and rising north slope, to come to the current proposal of 'up to 75no. dwellings'. An illustrative layout has also been provided to demonstrate how this development could be achieved.

It is foreseeable that further amendments to the proposal, particularly in terms of landscape matters, would have an impact on the land available for housing. However, at this time based on the information submitted it considered that the proposed maximum number of dwellings (75no. dwellings) is acceptable. At the reserved matters stage when details of landscape, layout, and scale come forward this number maybe reduced if it can be justified.

Highway safety

The Transport Assessment (TA), prepared by the applicant's highways consultants, considers the impact that a development of up to 80 dwellings (as submitted) would have on the highway network in the vicinity of the site. It also considers the sustainability of the development, in terms of accessibility to and from the site.

It is proposed that the vehicular access to the site would be provided from New Road. Consultation with the highway authority has been ongoing for a number of years through the local plan promotion of the site and more recently through the planning application

preparation and determination. The current speed limit along New Road, in the vicinity of the site, is 60mph and reduces to 30mph approximately 50m before the priority junction with Dorchester Hill.

An automatic traffic counter (ATC) was employed by the applicant to determine traffic flows and speeds along New Road in October 2017 (located around 240m to the west of the priority junction with Dorchester Hill). The collected data suggested that the 85th percentile vehicle speed for eastbound vehicles was 47mph.

In order to determine the suitability of the proposed access location in terms of meeting visibility standards, the proposed access road and New Road were modelled using 3D software. The purpose of building the 3D model was to demonstrate the achievability of the visibility splays, both in the horizontal and vertical planes.

The 3D modelling showed that the visibility splays at the proposed access location are achievable in both the horizontal and vertical planes. Hence, it is concluded that the proposed access location complies with the appropriate guidance in terms of visibility. Whilst the proposal is in Outline form, the submitted illustrative masterplan suggests that the internal estate road layout could fully embrace the principles suggested by Manual for Streets providing a safe and attractive place for all road users. It is intended that car and cycle parking for the development would be provided in accordance with the appropriate guidance.

TRICS is the national standard for trip generation analysis and employs a system of site selection filtering that enables users to simulate site scenarios through a number of progressive stages and to calculate vehicular and multi-modal trip rates based on these selections. The submitted TS has, in the opinion of the County Highway Authority, complied with the recommendations of the TRICS Good Practice Guide 2013 and produced a robust daily trip generation for the proposed development. The TRICS data outputs are contained within Appendix E of the TA and provide the empirical evidence to substantiate the trip rates used.

It has been assumed that all of the development traffic would route along New Road and Dorchester Hill during the AM peak and vice versa during the PM peak hour. This is considered to be a robust approach to modelling the impact of the development traffic, looking at the "worst case" scenario.

The Transport Assessment uses 2017 as the base survey year to produce a baseline of highway capacity against which the impact of the proposal can be considered. It then looks at two different scenarios – the 2022 forecast year without the development and the 2022 forecast year with the development. The TA also considers the impact of the new trips at the two nearby priority junctions - New Road/Dorchester Hill and Fair Mile Road/Dorchester Hill – and the West Street/Bournemouth Road mini-roundabout. The conclusion reached within the TA is that the two priority junctions assessed will operate within capacity in the 2022 forecast design year.

With regard to pedestrian and cycle access to the site, the applicant proposes to provide an off-site connection via Fair Mile Road to the town centre and the nearby school. The TAA indicates that a new footway would be provided in the vicinity of Birdwood Cottage linking to the New Road/Dorchester Hill priority junction, where a tactile crossing point will be provided. A similar tactile crossing will be employed on Fair Mile Road, linking to

the car parking area immediately opposite. A new footway will be provided on the western side of Dorchester Hill to a tactile crossing point linking it to Beckett Close.

The DCC as Local Highway Authority considers that the submitted Transport Assessment and the support Transport Assessment Addendum are satisfactory and robust and that the proposed mitigation measures are both necessary and appropriate. Whilst it is accepted that the proposal would increase traffic flows on the immediate highway network the residual cumulative impact of the development cannot be thought to be "severe", when consideration is given to the National Planning Policy Framework (NPPF) – July 2018.

Landscape, trees and hedgerows

Landscape concerns have been considered to some extent in the allocation of this site for housing development. As such, principle of some degree of impact to the Dorset Area of Outstanding Natural Beauty has been accepted. Therefore the details of any proposal have to be assessed to determine the degree of impact. Considerations for this scheme relate only to quantum of houses (up to 75no. dwellings) and details of access.

Paragraph 172 of the NPPF states "Great weight should be given to conserving and enhancing landscape...in...Areas of Outstanding Natural Beauty...". It also states that "...Planning permission should be refused for major development other than in exceptional circumstance, and where it can be demonstrated that the development is in the public interest..." and sets out three criteria to include in an assessment of applications:

- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, on the local economy;
- b) the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

The development proposal would constitute 'major development' and therefore require the authority to undertake an exceptional circumstances test. However, several issues pertaining to the first two parts of this test will have featured within the examination of the Local Plan including cultural heritage aspects related to listed buildings and conservation areas. Any subsequent material changes to the circumstances affecting the need for the development and options to meet this need through provision outside of the AONB would require the re-examination of this site's allocation for housing. However, as the Council's current housing land supply is well below the five year mark it should be that to re-examine this site is considered to be counterproductive.

The focus of the Dorset AONB's response was on the third aspect of the test, excluding the potential effects of the proposal on the adjacent conservation areas.

Concerning the landscape and visual impact of the proposal, it is possible to quantify the maximum housing density of the proposal and compare this with the nearby permission for development at Dorchester Hill. This proposal would have a maximum density of 27 dph, as compared to 30.5 dph at Dorchester Hill. This density to be broadly that expected of a form of urban extension. However, to accommodate the maximum housing number of houses further work is required to bring forward a final design that minimises the landscape and visual effects.

To address these concern Officers have negotiated a reduction in the maximum number houses, and limitation on ridge heights of any dwelling to 55 AOD thereby avoiding the northern slope of the site which is visually prominent and important in the context of this site. The Council and all consultees will be able to address the details layout, and landscape at the reserved matters stage

The application is supported by an Landscape and Visual Impact Assessment. This is predicated on a development of up to 80 dwellings, comprising 2 storey with occasional 2.5 storey dwellings arranged in a manner shown within the submitted illustrative masterplan (although this appears to show fewer than 80 individual plots). This masterplan incorporates the following measures design to avoid and reduce the landscape and visual effects of the proposal:

- Avoidance of buildings on the steeply sloping northern edge of the site;
- A western landscaped edge;
- Low density built development on the western edge
- A centrally located green corridor
- Retention and enhancement of existing hedgerows

The rationale for the mitigation measures is considered to be reasonable.

There would be not significant loss of trees. The loss of some hedgerow would be required to gain access to the field. It is considered that the proposed access would not result in the loss of a significant amount of hedgerow. Any future application for landscape details will need to account for this loss and offer adequate mitigation which could easily be achieved on the north-east boundary of this site where it meets with open files.

In this outline form, and subject to the agreed conditions, the impact of the proposed development on the landscape is considered to be acceptable.

Heritage assets

The illustrative masterplan gives an indication of the density of buildings required to achieve 75no. dwellings on the site. It appears from considering the illustration that to achieve this the mark of 55 above ordinance datum could be avoided. As such the applicant has addressed one of two concerns raised early on by your Conservation Officer.

The second concern related to the creation of the new access onto New Road as this would introduce an urban element to a predominantly rural road. However, the CO also stated that New Road would remain in place and the historic value that it provides to the Blandford St Mary and Bryanston Conservation Area will not likely be subject to substantial harm.

With regard to the Blandford Conservation Area, the proposed access and building development are located outside this conservation area and the proposed works are unlikely to cause substantial harm to the evidential value of the buildings and structures within the conservation area or existing road layout. However, the aesthetic value of this part of the Blandford Conservation Area is strengthened by the transition from a rural setting to a sub-urban setting (and ultimately into the urban centre of Blandford). The introduction of a sub-urban road junction and housing along New Road would cause

some harm to the setting and aesthetic qualities of this part of the conservation area. The increase in traffic through this part of the conservation area brought about by the proposed development would cause further harm to its aesthetic value.

The historic value of this part of the conservation area is based upon it being the most important of a number of historic settlements located along the river to the south of Blandford and on the edge of the rural landscape. The other pre-Great Fire settlements in this area have been lost due to the development of Bryanston House estate and the Bryanston St Mary expansion. The introduction of a suburban road junction and housing within the higher part of the site would further reduce the understanding of the settlement within its historic rural context. However, it can be said that the introduction of any new access either on New Road or Fair Mile Hill will impact the rural context of this site along with the development of houses.

Regarding the listed-buildings and curtilage-listed boundary wall, it is considered that the proposal would not cause substantial harm to the cultural, evidential or historic value of these assets. However, there is likely to be harm to the aesthetic value of the Bryanston School boundary wall, Bridgeview, Bryants Cottage, Bytheway and Ashley Cottage due to the visibility of properties on high ground along New Road, the introduction of a suburban road junction and the increase in traffic within close proximity.

The creation of a road junction on New Road would cause less than substantial harm to part of the Blandford Conservation area south of the Blandford Bridge as well as to some of the listed-buildings within this conservation area.

To reduce harm to the conservation area and listed-buildings the applicant is willing to accept conditions that would limit the number of houses to 75no. and limit the ridge height of any house to 55 AOD.

Any development on this site is likely to cause some level of harm to the conservation area and setting of listed buildings and this will need to be balanced against the public benefits of development upon this site.

Ecology

The application is supported by a Biodiversity Appraisal Report. The purpose of this report was to provide baseline information on biodiversity to inform the production of a Biodiversity Mitigation Plan (BMP) required to accompany a proposed planning application for the development of the site. Dorset CC – Natural Environment Team has considered the details of BMP and have issued a Certificate of Approval.

Provided the BMP is implemented in full by way of condition(s) as part of any grant of planning permission, it is the opinion of the Natural Environment Team of Dorset County Council that NDDC as Local Planning Authority will have met the duties set out in legislation: Regulation 9(3) of The Conservation of Habitats & Species Regulations 2017, and Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006.

Planning Contributions

In order to make development acceptable in planning terms, applications for major housing development such as this one are expected to maintain and enhance the level of grey, green & social infrastructure as set out in Policies 13, 14 and 15 of the LPP1.

The current lack of a five year housing land supply within the District does not alter the spatial characteristics which informed the approach to focusing development in the most sustainable locations or the need for enhanced facilities associated with major housing proposals. This proposed development site is considered as an allocated site for the growth of Blandford, one of the four main towns of the District where our core spatial strategy aims to focus growth.

As an allocated site this is not a speculative application, and the require contributions to make the proposal compliant with Local Plan Policies, particularly Policies 13, 14, and 15 are expected to be agree shortly. Any unspent contributions can be clawed back by the developer as set out in the terms of the legal agreement (normally we seek five years after the completion of the development as the earliest date for clawback).

Infrastructure should be provided within the Blandford Forum, Blandford St Mary and Bryanston Parich, or within walking distance of the application site in order to ensure that the infrastructure is related to the development proposed. The triggers for payments will need to be agreed as part of the S106 legal agreement. Normally we seek payment in two equal parts; the first part upon practical completion of the first dwelling, the second part before the occupation of the second half of the dwellings.

Agricultural land values are relatively low compared to urban development sites. Hence, viability should not be a particular issue in this case and the amounts listed should not be open to negotiation other than were a developer can offer land which is a cost built into some of the figures.

In addition to securing 30% of the approved dwellings as affordable homes, the following planning contributions, to be secured by a Section 106 legal agreement, are being sought per dwelling unless otherwise specified:

Destination play facilities (NEAP, MUGA, etc)	£ 967.52
Maintenance of destination play	£ 359.36
Allotments	£ 308.16
Formal outdoor sports	£ 1,318.80
Maintenance of formal outdoor sports	£ 128.73
On-site informal outdoor space	£ 2,307.36
Maintenance of informal outdoor space	£ 1,278.80
Community, Leisure & Indoor sport facilities	£ 2,006.97
Rights of way enhancement	£ TBA
Education	
Primary and secondary (not for 1-bed or age protected)	£ 6,094.32
Pre-school provision (not for 1-bed or age protected)	£ TBA
NHS Primary care services	£ 6,400.00
Highways and sustainable transport	£ TBA

The above figures are based on the best available information including local best practice and regard has been given to national guidance & policy to ensure obligations remain proportionate to the scale of development and reasonable in all other regards.

If, for whatever reason, the above figures cannot be agreed with the developer, then officers will report this application back to the Planning Manager or the Planning Committee as this could constitute a reason for refusal.

Planning Balance

The purpose of the planning system is to contribute to the achievement of sustainable development. There are three dimensions to this: economic, social, and environmental. These dimensions give rise to the need for the planning system to perform a number of roles. These roles should not be undertaken in isolation because they are mutually dependent.

Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Proposed development that accords with an up-to-date Local Plan should be approved; and proposed development that conflicts should be refused unless other material considerations indicate otherwise. The NPPF constitutes guidance and a material consideration in determining applications.

This Council's Policies in the adopted Local Plan follow the approach of the presumption in favour of sustainable development. This is an allocated site within the adopted Local Plan as such the principle of housing on this site has been accepted.

The quantum of up to 75no. dwellings is considered to be reasonable at this outline stage subject to condition. The Highway Authority has raised no objections, nor has the DCC Natural Environment Team.

The fact that this Council can only demonstrate 3.3 years of housing land supply should give significant weight to the delivery of housing to the planning balance.

The less than significant harm to heritage asset should be considered in the light that this is an allocated site in your Local Plan for housing. The potential harm would be outweighed by the social and economic benefits of providing market and affordable housing on this site.

All things considered the balance weighs heavily in favour of granting conditional approval.

Conclusion:

The proposed development site is allocated for residential development in the adopted local plan. The weight to be applied to the economic and social benefits of constructing up to 75no. houses on this site would outweigh the identified less than significant harm that the proposed development would have on the heritage assets adjacent to site. There are no adverse impacts identified that would significantly and demonstrably outweigh the benefits of delivering housing on this allocated site.

Recommendation:

Delegate authority to the Head of Planning (Development Management and Building Control) to grant planning permission subject to conditions set out below and the securing of planning contributions through the signing of a S106 agreement.

Conditions:

1. No development shall take place in any phase, other than works to complete the approved site access, until approval of the details of the layout, scale, appearance and landscaping for that phase (hereinafter called 'the reserved matters') has been obtained from the Local Planning Authority.

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

2. Application for the approval of reserved matters must be made to the Local Planning Authority not later than the expiration of three years from the date of this permission.

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

3. The development hereby permitted, in any phase, shall be begun not later than the expiration of two years from the final approval of the reserved matters for that phase or, in the case of approval on different dates, the final approval of the latest such matter to be approved.

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

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

- Access arrangement: 38456Lea19d (approved site access)
- Site boundary: 38456-LEA41c.

Reason: In the interest of clarity and proper planning.

5. The development shall comprise of no more than 75 dwellings.

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

6. The ridge height of any dwelling shall not exceed 55m AOD. The development shall be carried out in accordance with the approved details.

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

7. Prior to any development taking place in any phase, the first 15.00 metres of the vehicle access, measured from the rear edge of the highway (excluding the vehicle crossing - see the Informative Note below), must be laid out and constructed to a specification submitted to and approved in writing by the Local Planning Authority.

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

8. Prior to occupation of any dwelling hereby approved construction details of the following works shall be submitted to and agreed in writing by the Local Planning Authority, and these works shall be completed in accordance with the agreed details:

- The pedestrian and cycle connection to the town centre and the nearby school as shown on Figure 11 (Dwg No 38456-Lea42b) of the submitted Transport Assessment Addendum (or similar scheme to be agreed in writing with the Local Planning Authority).

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

9. Prior to occupation of any dwelling hereby approved the visibility splay areas as shown on Dwg Nos 38456-Lea19d must be cleared/excavated to a level not exceeding 0.60 metres above the relative level of the adjacent carriageway with an 'x' distance of 2.4m and a 'y' distance of 43m to the east and a 'y' distance of 95 metres to the west. The splay areas must thereafter be maintained and kept free from all obstructions.

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

10. Prior to commencement of any development on-site, a construction environment and traffic management plan shall be submitted to and agreed in writing by the Local Planning Authority. As a minimum this shall include:

- construction vehicle details (number, size, type and frequency of movement)
- timescales and hours of construction works and anticipated deliveries
- timings of deliveries so as to avoid, where possible, peak traffic periods
- contractors' arrangements (compound, storage, parking, turning, surfacing and drainage)
- wheel cleaning facilities
- vehicle cleaning facilities
- Inspection of the highways serving the site (by the developer (or his contractor) and Dorset

Highways) prior to work commencing and at regular, agreed intervals during the construction phase

- a scheme of appropriate signing of vehicle route to the site
- a route plan for all contractors and suppliers to be advised on
- temporary traffic management measures where necessary
- sound power levels of the equipment, their location and proposed mitigation methods to protect residents from noise and dust.
- details of the erection and maintenance of security hoarding

The development must be carried out strictly in accordance with the approved construction environment and traffic management Plan.

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

11. Prior to occupation of any dwelling hereby approved details of a Travel Strategy shall be submitted to and approved in writing by the Planning Authority. The strategy should show measures to reduce the need to travel to and from the site by private transport and the timing of such measures. The strategy must be implemented in accordance with the details as approved.

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

12. Prior to occupation of any dwelling hereby approved a scheme showing precise details of the proposed cycle parking facilities for that dwelling shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the approved scheme must

be constructed before the relevant dwelling is occupied and maintained for the purpose specified.

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

13. Prior to any development in any phase, other than works to complete the approved site access, plans and details setting out the location of all roads, footpaths and cycleways to include parking courts and internal routes within that phase shall be submitted to and agreed in writing by the Local Planning Authority. The plans and details shall identify all areas to be offered to the Highways Authority for adoption. In relation to those areas not identified for public adoption, the required details shall include the subsequent management arrangements and responsibilities to include making provision for securing public access to such areas for the purposes of emergency services and refuse and recycling collection. The development and its subsequent management shall thereafter accord with the agreed plans and details.

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

14. Prior to any development taking place an Ecological Mitigation, Landscape Enhancement and Management Scheme detailing mitigation and enhancement measures on land edged in blue for the protection of Greater horseshoe bats and their long-term management shall be submitted to and agreed in writing by the local planning authority. The submitted scheme shall include details on timing and closely accord with the principles outlined in the approved Biodiversity Mitigation Plan prepared by Amec Foster Wheeler (dated 31/10/2017). The development shall be implemented in accordance with the agreed details.

Reason: to account for, mitigate, and protect as much as possible any wildlife habitat (flora or fauna) associated with the development site.

15. Prior to any development taking place an Ecology and Habitat Management Plan for the site shall be submitted to and agreed in writing by the Local Planning Authority. The Plan should be in accordance with the principles outlined in the submitted Biodiversity Mitigation Plan prepared by Amec Foster Wheeler (dated 31/10/2017) and include measures to be taken to establish the existence of any protected species on-site prior to site clearance works, on-site mitigation measures and measures to be taken to monitor the site as development proceeds.

Reason: to account for and protect as much as possible any wildlife habitat (flora or fauna) associated with the development site.

16. Prior to any development, other than works to complete the approved site access, a planting scheme for the enhancement of the existing hedgerows along western site boundary (including on land outlined in blue) shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the details agreed or an amended scheme submitted to and approved in writing by the Local Planning Authority.

Reason: to protect and enhance the character and appearance of the area, particularly the Dorset AONB.

17. Prior to commencement of any development, other than works to complete the approved site access, a detailed and finalised surface water management scheme (including disposal of foul water drainage) for the site, based upon the hydrological and hydrogeological context of the development, shall be submitted to and agreed in writing by the local planning authority. Thereafter, the scheme shall be implemented in accordance with the agreed details.

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

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

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

19. 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: in the interest of health and safety to ensure risks from contamination are minimised.

20. Prior to any development in any phase, a scheme showing details of all external lighting (including appearance, supporting columns, siting, technical details, power, intensity, orientation and screening of the lamps) for that phase shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details. No further external lighting shall be installed on site without the prior approval, in writing, of the Local Planning Authority.

Reason: to protect and enhance the character and appearance of the area, particularly the Dorset AONB.

Human Rights:

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

Public Sector Equalities Duty (PSED)

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

Removing or minimising disadvantages suffered by people due to their protected characteristics.

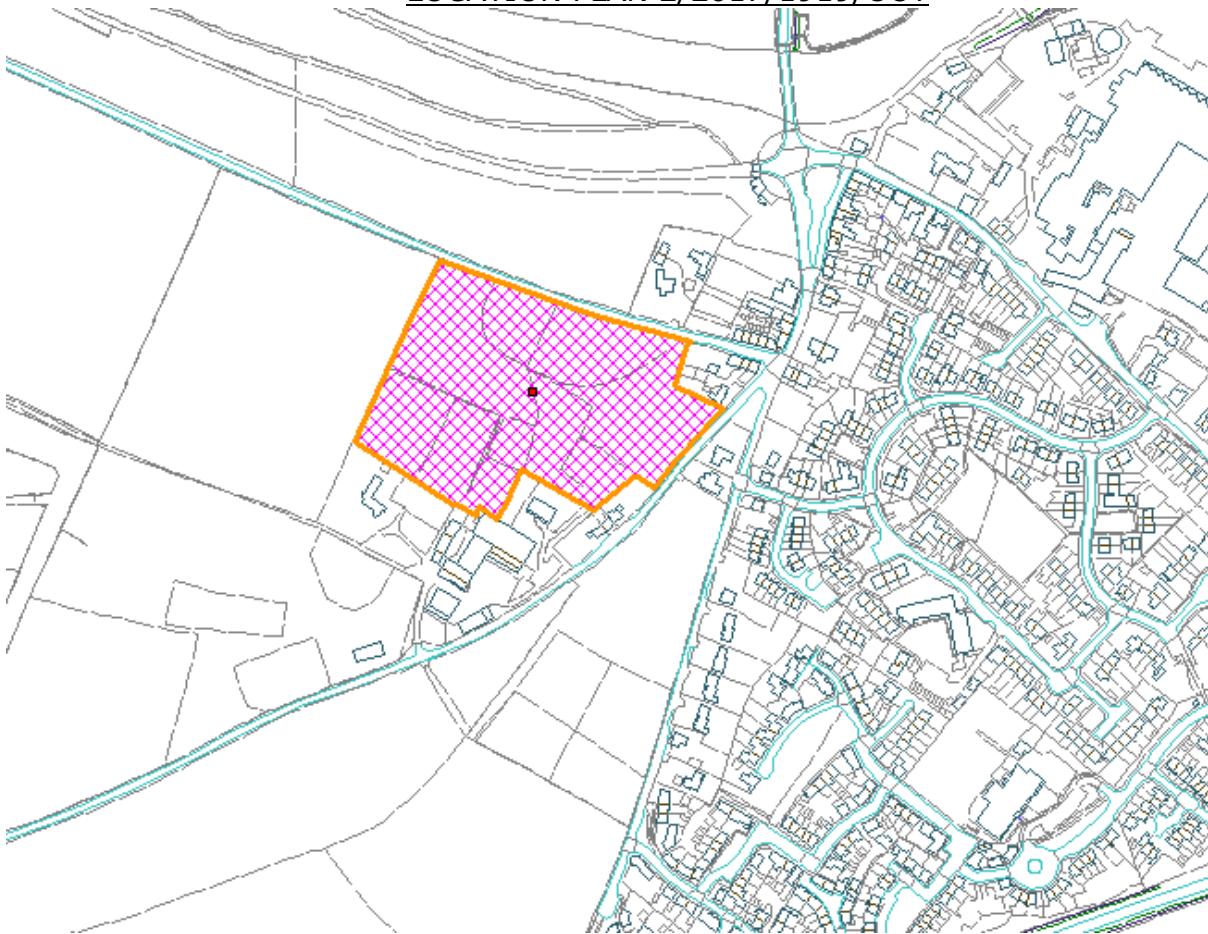
Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people.

Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED. In this instance, this is an outline application to consider details of access only. The provision of level surface and tactile paving can be provided and will be sought at the discharge of conditional details.

DECISION:

LOCATION PLAN 2/2017/1919/OUT



DO NOT SCALE

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