

## **Blandford Forum**



**Application Type:** Outline Application

**Application No:** 2/2018/0981/OUT

**Applicant:** Aster Group Ltd

**Case Officer:** Mr Dave Oakhill

**Recommendation Summary:** Approve

**Location:** Nordon, Salisbury Road, Blandford Forum, DT11 7LL

**Proposal:** Develop the land by the demolition of all existing buildings and erection of 40 No. affordable homes. Form vehicular access, parking and all associated landscaping. (Outline application to determine access and layout).

### **Reason for Committee Decision:**

Officer recommendation is contrary to that of the Town Council.

The subject site is currently owned by North Dorset District Council.

### **Constraints:**

Conservation Area - The Blandford Blandford St Mary and Bryanston Conservation A  
Parish Name - : Blandford Forum CP

Settlement Boundary - Name: Blandford Forum

TPO - Description: Group TPO 3/5/67 Nordon, Blandford. Group consisting of 13 Horse-chestnut, 5 Elms, 4 Lime and 1 Ash. G2

TPO - Description: Group TPO 3/5/67 Nordon, Blandford. Group consisting of 2 Ash, 2 Horse-chestnut, 3 Lime and 1 Beech. G1

TPO - Charge Description: The North Dorset Tree Preservation Order 548-2015 relating to Land at Fusion House, Peel Close, Blandford Forum, DT11 7JU made and effective 21st August 2015. T1 = London Plane

Ward Name - Ward Name: Blandford Central Ward

### **1. DESCRIPTION OF SITE**

The site is found on the northern side of Blandford Forum, within walking distance of the town centre. It is accessed from Salisbury Road, a main arterial route to and from the town centre that runs along the sites eastern boundary. To the immediate north, south and west is residential development served from Nordon Road, Peel Close and Holland Way /Stanton Close respectively. These areas are suburban in character containing a mix of mid 20<sup>th</sup> century 2 storey houses and bungalows, within spacious plots.

The site is relatively flat, although elevated slightly above Salisbury Road and is extensively covered with mature trees. The site is within the Blandford Conservation Area and the original building, although not listed is of historic note, as it was the private

residence of the Woodhouse family, associated with the local brewing industry. The original building on site was built in c.1901, with the stable buildings on the north eastern part of the site being built shortly after.

The site was the former offices for North Dorset District Council housed in a converted Edwardian building, significantly extended in phases over the last 30 years. The site also contains several single storey temporary portakabin-type office buildings. There is an original Edwardian lodge and former stables adjacent to the south-east corner of the site which has been retained by the Council for use as a local office. These offices are accessed off a separate junction with Salisbury Road.

An area of the frontage is designated as an 'Important Open or Wooded Area' in the saved policy from the North Dorset District Wide Local Plan 2003. A brick wall and piers marking the entrance, contemporary with the original house run along the frontage and there is also an original brick wall along the northern boundary.

The site is within Flood zone 1, with a low risk of flooding and a Flood Risk Assessment and Drainage Strategy have been submitted with the application.

## **2. DESCRIPTION OF DEVELOPMENT**

The proposal is in outline form and this application provides details of access and layout only. Matters of appearance, scale and landscape are reserved.

The proposal is to demolish all the existing buildings and erect 40 affordable homes with associated parking, access and landscaping. The housing would consist of a mix of detached, semi-detached and terraced houses and a block of four apartments and providing:

4 x 1-bedroomed flats,  
15 x 2-bedroomed houses,  
20 x 3-bedroomed houses  
1x 4-bedroom house.

This equates to a density of 35.8 dwellings per hectare. The scheme would provide affordable homes, comprising 8 affordable rented units and 32 shared ownership homes. The affordable rented, and the retained equity in the shared ownership units will be managed by Aster Group, a Registered Provider, and secured through a Section 106 Planning Agreement.

### *Access*

The development would be accessed via a new vehicular access onto Salisbury Road and the southern existing access would be blocked off. The existing brick wall along the site frontage would be retained apart from where the new entrance is proposed.

### *Layout*

There would be a main access road and a number of subsidiary shared surfaces to create a varied layout of built development. It would be interspersed with areas of soft landscaping and retained trees, including a centrally located focal area of open space. Each house within the development would have two car parking spaces and the

apartments 1.5 spaces each. Parking would be provided in a combination of on-plot parking to the side of dwellings, parking courts and frontage parking.

Two detached dwellings would front Salisbury Road to address the street frontage, projecting forward of the building line of the retained Lodge building with landscaping proposed between the dwellings and footway.

The proposed layout would result in eleven individual trees, four tree groups and a hedgerow being removed to facilitate the development. Some of these are significant trees and the largest group to be removed are in the central south eastern part of the site to facilitate the new access road. A Western Red Cedar and Yew would be removed from the frontage of the site.

#### *Other matters*

A number of ecological surveys were undertaken for the site and a certified biodiversity management and enhancement plan (BMEP) has been submitted with the application

Although appearance is not being considered at this stage the application is accompanied by illustrative material which shows dwellings of a simple, traditional appearance informed by the local vernacular.

### **3. RELEVANT PLANNING HISTORY**

None.

### **4. RELEVANT POLICY CONSIDERATIONS**

The National Planning Policy Framework is a material consideration in this case. As far as this application is concerned the following section(s) of the NPPF are considered to be most relevant;

1. Introduction
2. Achieving sustainable development
4. Decision Making

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

5. Delivering a sufficient supply of homes
8. Promoting healthy and safe communities
9. Promoting sustainable transport
11. Making effective use of land
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the natural environment
16. Conserving and enhancing the historic environment

Para 193 When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the

asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Para 195 Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and d) the harm or loss is outweighed by the benefit of bringing the site back into use.

Para 196. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

In determining applications the local authority has a statutory duties of section 72(1) of the planning (Listed Building and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

#### North Dorset Local Plan Part 1 Adopted Local Plan

1. Presumption in favour of sustainable development
2. Core Spatial Strategy
4. The Natural Environment
5. The Historic Environment
6. Housing Distribution
7. Delivering Homes
8. Affordable Housing
13. Grey Infrastructure
14. Social Infrastructure
15. Green Infrastructure
16. Blandford
22. Parking
24. Design
25. Amenity

#### North Dorset District-Wide Local Plan (1<sup>st</sup> Revision) 2003

- 1.7 Settlement Boundaries
- 1.9 Important Open/Wooded Areas (IOWA's) within Settlements
- BL6 Land north of the bypass?

Blandford + Neighbourhood Plan 2 – the plan has been submitted to the local authority and the consultation will commence within the next few weeks.

## **5. OTHER MATERIAL PLANNING CONSIDERATIONS:**

Urban Design Guidance

DCC Parking standards guidance

## **6. 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.

## **7. PUBLIC SECTOR EQUALITIES DUTY:**

Officers to insert this para into each report:

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.

Here is a link to the guide if you want more info:

<https://www.equalityhumanrights.com/en/publication-download/meeting-equality-duty-policy-and-decision-making-england-and-non-devolved>

Those with protected characteristics based on:-

- Age
- Transsexual
- Married or in civil partnerships
- Pregnant or on maternity leave (so mothers with buggies)
- Race, including colour, nationality ethnic or national origin)
- Religion or lack of religion
- Sex
- Sexual orientation

Officers are then required to include reference to any PSED issues under relevant considerations in their reports as appropriate – this will mainly be on majors and any

applications for specific matters which could be associated with a protected characteristic e.g. elderly person's accommodation, medical or religious buildings

## **8. CONSULTATIONS -**

**Environment Agency** – no comments

**Wessex Water** – re-consult on drainage strategy

**Historic England**- objects.

Historic England consider the proposals will cause substantial harm to the character and appearance of Blandford's conservation area. The proposals should be revised so that the principal building on site can be retained.

**Natural England** – no objection, subject to condition requiring implementation of a certified Biodiversity Mitigation Plan.

**Dorset CCG** – no objection and no contributions to health care required.

**Parish Council /Town Council** - objects.

The Town Council objects to this proposal on grounds of highway issues, lack of social facilities and loss of trees.

**DCC Highway Authority** – no objection, subject to a conditions and informatives.

The Transport Statement is satisfactory and robust. The proposal will reduce 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 para 109 of NPPF.

**DCC Education Authority** – no objection, subject to securing developer contributions towards Education.

**DCC Lead Local Flood Authority (LLFA)** – no objection

**DCC Archaeology** – no comment

**DCC Natural Environment Team** - no objection subject to condition requiring implementation of Biodiversity Mitigation Plan.

**DCP Landscape Officer** – Objects

The DCP Landscape Officer is unable to support this application due to objections pertaining to the following:

- loss of historical assets weakening the quality of the Conservation Area
- likely harm to local landscape character as a result
- failure to comply with Local plan policy 'to protect and enhance the natural and historic environment of the town'

**DCP Tree Officer** – objects.

The additional information on shade levels from retained trees concentrates on one part of the site, but I think it reflects the issue we have with the site and proposed layout generally: the units 1-7; 23-25; 39-40 in particular are all affected by a level of shade that would, in my view, be problematic. Taking into account garden size, tree species and longevity, I remain of the opinion that the layout proposed would inevitably lead to pressure to fell or prune.

**DCP Technical Services** – no objection subject to conditions relating to foul and surface water disposal.

**DCP Housing Enabling Officer** - There is a high level of housing need in North Dorset and currently the figure registered on Dorset Home Choice as being in housing need is over 940 households. This site would provide 40 affordable homes and make a contribution to meeting the need across the North Dorset district. Affordability for 30% would be secured in perpetuity by a S106 which is the customary method operated across the Dorset Council Partnership area.

**DCP Conservation Officer** – objects.

Insufficient justification or evidence of a high level of public benefit which outweighs the substantial harm the proposal will cause to the Conservation Area and undesignated heritage asset.

All full consultee responses and representations can be viewed on [www.dorsetforyou.com](http://www.dorsetforyou.com)>

## **9 REPRESENTATIONS –**

22 Objections have been received, a summary of which is as follows:

- Nordon is of historic value and important to the cultural heritage of Blandford. It's loss would be detrimental to the character of the area. Consideration should be given to listing the building.
- Alternatives such as the conversion of the original Nordon building should be considered.
- Adverse impacts on the Conservation Area, from loss of original Nordon building and trees, and from a modern development in the conservation area
- Potential damage to retained trees
- Over development and attempt to cram as many houses in as possible.
- Site boundary wall and gate pillars along Salisbury Road frontage should be retained.
- Important green space close to the centre of Blandford
- Important for wildlife / biodiversity

- Traffic, road safety and pedestrian safety – the number of dwellings would put a strain on Salisbury Road and cause congestion.
- Lack of public transport so people will use cars.
- Potential adverse impact on drainage and water pressure.
- Social housing is needed in Blandford however the mix is biased towards shared ownership rather than rented. Housing need is for rented. No details of a housing needs survey have been submitted to justify the mix.
- Overlooking, shadowing, noise & privacy issues for properties to the north east and north west
- Historic north wall not mentioned should be protected & restored.
- Noise and disturbance during construction and in longer term.
- Impact on local services such as dentists and doctors.
- No contribution to other infrastructure such as; education, health services, on-site play areas. Play schools, school places.

## **10. PLANNING ISSUES:**

The main issues of relevance to this case are considered to be:

- Principle of development
- Heritage – Built Form
- Heritage - Trees and Landscape
- Design
- Affordable Housing
- Amenity
- Access and Parking
- Planning contributions
- Planning Balance

### *Principle of development*

Blandford Forum is the main service centre in the south of the district and as such is identified as a focus for growth in the local plan. Nordon is located within the settlement boundary where the principle of residential development is acceptable subject to compliance with other relevant policies in the development plan and where it would not harm areas or assets of acknowledged importance set out in the NPPF or the adverse impacts of approving the application would significantly and demonstrably outweigh the benefits.

Where a designated heritage asset (in this case the Conservation Area) is effected by a proposed development, and where there is a shortfall in housing provision (as is the case in NDDC), national planning guidance (the NPPF) requires a local authorities to consider proposals under two assessments in the following order:

1. A planning assessment which 'ignores' the 5 year housing land supply situation, and assess a proposal as if there were a 5 year housing land supply – this is referred to as the 'non-titled balance'; then
2. A planning assessment which acknowledges the housing land supply in an area, applying local plan policies appropriately (in the case of NDDC, there is not a 5 year housing land supply, so policies are considered 'out of date') – this is referred to as the 'titled balance'.

NDDC currently cannot demonstrate a 5 year housing land supply and the presumption in favour of sustainable development is invoked. However, consideration has to be given to areas of acknowledged importance that might provide a clear reason for refusal. Footnote 6 of NPPF para 11 identifies areas or assets of particular importance and the one relevant to this proposal is designated heritage assets (i.e. the conservation area). An adverse impact on a designated heritage asset could warrant a refusal even if the authority cannot demonstrate a 5 year housing land supply. Another consideration is whether any adverse impacts of approving a proposal would significantly and demonstrably outweigh the benefits when assessed against the policies in NPPF taken as a whole. This assessment takes place over the following pages and is concluded in the 'Planning Balance' section of this report.

The former use of the site as Council Offices has ceased and the site is now vacant. The Local Plan policies map does not identify the site as existing employment land. The Council is not aware of any businesses currently operating in the area whose needs would be met by the Nordon site. NPPF para 121 says that LPA's should take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in the plans, where this would help to meet identified needs. In particular, they should support proposals to: use employment land for homes in areas of high housing demand where it would not undermine economic sectors and be compatible with other policies in the plan. In this context, the provision of 40 affordable homes in close proximity to the Town Centre is considered to be consistent with national and local policy.

Finally, the status of the Neighbourhood Plan should be taken into account. The emerging Neighbourhood Plan is not at an advanced stage, so limited weight should be attached to this plan. The Neighbourhood Plan contains policies on development in conservation areas but does not contain any specific policies for this site.

Overall, the site is in a sustainable location and the principle of development is acceptable, subject to comments below.

### *Heritage – Built Form*

The site is within Blandford Conservation Area, which is a designated heritage asset. The original Nordon building is not listed nor is it in itself a designated heritage asset – rather it is considered a non-designated heritage asset, given the history of the property being the former residence of the Hall & Woodhouse family and the positive contribution it makes to the Conservation Area. The site also contains a range of trees of varying quality, some of which are proposed for removal and some for retention. In general, the trees also make a contribution to the surrounding conservation area. The Conservation Area was extended in 1990 to encompass the property and its grounds.

In determining applications affecting heritage assets (i.e. the conservation area) the LPA should require applicants to describe the significance of the assets, including any

contribution made by their setting. The LPA must then identify and assess the significance of the heritage asset and assess the level of harm that any proposal will cause. Para 193 of the NPPF states that great weight should be given to the asset's conservation.

This application was accompanied by a Heritage Assessment dated November 2017. Further information has been provided by the applicant to support their assertion that the loss of Nordon would amount to 'less than substantial' harm to the Blandford Conservation Area, a designated heritage asset. In summary, the applicant reports:

*"Taking into consideration the guidance provided by the Planning Practice Guidance and the contribution Nordon makes to the significance of the conservation area as a whole, the effect of the demolition of the building would involve the loss of part of a group within the sub-area and a small constituent part of the conservation area, which would have a low impact on the conservation area **as a whole**. It is argued that without Nordon, the conservation area would still possess sufficient architectural and historic interest to merit designation.*

*The loss of Nordon would therefore amount to **'less than substantial' harm** to the Blandford Conservation Area under the terms of the National Planning Policy Framework (NPPF)."*

At our request, the applicant has provided:

- evidence demonstrating that the conversion of the Nordon building would not be viable under this proposal (a position verified by the District Valuer)
- evidence of marketing of the site – which demonstrates that the Nordon building could be retained, whilst providing affordable housing but realising a significantly reduced value for the site

In terms of the marketing of the site, NDDC as asset owner have provided details of the seven offers received for the site, following an active marketing campaign. The table below provides a summary of responses. The financial values are commercially sensitive, so the 'value' is presented as a percentage. Offer 1 value is shown as 100% (this is the offer that has been accepted), with all other values representing a proportionately lower price. Whilst we are unable to present financial totals, the price difference between the highest and lowest offer is in excess of £1m.

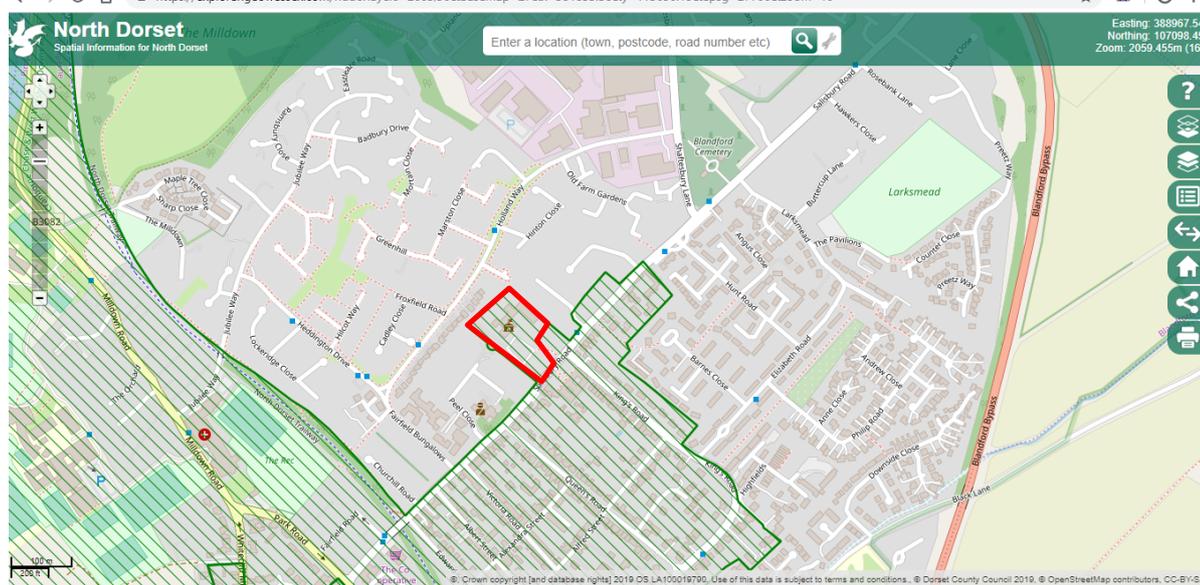
| <b>Offer</b> | <b>Value</b> | <b>No of Units</b> | <b>% of Affordable. Units</b> | <b>Retention of Nordon House</b> |
|--------------|--------------|--------------------|-------------------------------|----------------------------------|
| 1            | 100%         | 40                 | 100%                          | No                               |
| 2            | 79%          | 46                 | 30%                           | Yes                              |
| 3            | 63%          | 40                 | 30%                           | Yes                              |
| 4            | 56%          | 40                 | 45%                           | No                               |
| 5            | 52%          | 56                 | 34%                           | No                               |
| 6            | 37%          | 41                 | 45%                           | Yes                              |
| 7            | 36%          | 46                 | 100%                          | Yes                              |

The significant variation in financial offers between Offer 1 and 7 above (offer 1 being from the applicant and offer 7 being the most similar to this proposal) shows the challenging financial proposition of retaining the original building, a view verified by the District Valuer.

Both Historic England and the DCP Conservation Officer disagree with the applicant's assessment and consider the proposal would amount to 'substantial harm' to a designated heritage asset (i.e. the conservation area). Historic England state "*Substantial harm is a high test, and so may not arise in many cases. In this case, the Conservation Area boundary has been drawn to specifically include Nordon and its grounds. The house has clear and considerable aesthetic value and strong historic connections to Hall and Woodhouse Brewery, one of the town's principal industries. The building is integral to the character and appearance of the conservation area and the loss of the building would remove the special architectural and historic interest of the site.*"

In my view, the loss of the Nordon building and the redevelopment of the site would amount to 'less than substantial harm' to a designated heritage asset (the conservation area) – i.e. I agree with the applicants position and disagree with the position taken by Historic England and the DCP Conservation Officer.

The nature of the conservation area in this particular part of Blandford is also relevant. Figure one below shows part of the conservation area (hatched green) and the rough boundary of the site (shown in red). Salisbury Road largely separates the subject site from the immediate part of the conservation area in this part of Blandford Forum. The land to the immediate north, south and west is not in the conservation area and comprises a range of c.1960's+ residential developments and the local police station. The site is somewhat out on a limb, largely surrounded by standard suburban development.



The design, materials and finishes of the proposed development are not yet known (this is an outline planning application only). It is not therefore possible to conclude that the impact of new development will have a negative effect on the conservation area – this will be an important consideration when a reserved matters planning application is submitted, should this outline application be approved.

The Nordon building is not in-itself a heritage asset – rather the conservation area is the heritage asset. If the loss of the building and/or the proposed development on the site was considered to constitute 'substantial harm' to a designated heritage asset, NDDC would be required to apply the tests of para 195 of the NPPF as outlined in Section 4.1 above. Given I have concluded that the proposal does not constitute 'substantial harm' I have not applied the tests of para 195.

### *Heritage - Trees and Landscape*

The mature trees and landscape setting of the site contribute positively to townscape and character of the Conservation Area. Local Plan Policy 24 Design requires existing mature trees and hedgerows to be incorporated into the public realm of layouts and provide sufficient additional landscape planting to integrate the development into its surroundings.

The applicant has provided an arborist report in support of the application, identify Category A, B and C trees (A being the most significant). The proposal requires the removal of a total of 26 trees, including those in groups, the majority to make way for the new access within the central area and on the frontage. Four of these are category 'B' trees and 9 category 'C' trees. A further 2 category 'B' trees towards the back of the site and one in the centre are also proposed to be removed. Importantly, no category A trees are proposed for removal.

Trees that are to be retained are concentrated in a central area forming a focal open space, 16 along the south-west boundary, 6 on part of the frontage adjacent to the Nordon Hub car park and a group of 6 between plots 25 and 26 on the north east boundary. Some of these trees are retained within the public domain others are located in rear private gardens.

The layout plan shows 12 new trees planted within the public domain and more within private gardens. Landscaping is a reserved matter and so the precise detail of species will be determined at that stage however the layout will be fixed along with the space available in which to plant. Therefore the layout needs to ensure that the scheme can retain the remaining trees effectively and accommodate new planting to ensure the site continues to make a positive contribution to townscape and the character of the Conservation Area.

Concerns have been raised about the loss of existing trees, particularly those in category B and the impact of the development on those proposed to be retained. In particular the proximity of dwellings to retained trees and issue over root zone protection, shadowing of gardens & properties, leaf drop etc. which could lead to removal in the future. Further information was supplied in relation to potential shading of gardens and properties from retained trees and the layout amended. DCP Tree Officer still has concerns that:

- Trees T23 and T24, toward the front of the site (to the rear of plots 38-40) are shown as retained but may be under threat because the applicant has not accurately shown the root zones (and work may well damage the root zone if found to be in an area requiring earthworks)
- the layout is over optimistic in relation to retained trees and will lead to pressure from future residents to remove with the consequent adverse impact on tree cover and landscape setting to the site.

The DCP Tree Officer objects to the proposal as it would result in a loss in terms of public amenity (from an arboricultural point of view) and have an adverse impact upon the quality and character of the area. DCP's landscape officer also objects to the proposal, for the reasons identified in section 8 above.

In my view, any proposal for a financially viable development on this site would inevitably have an impact on trees and landscaping, as it would likely involve the removal of trees and a subsequent change to the landscape value of the site to accommodate new development. The applicant proposes to retain the most significant trees on site and has offered the planting of new trees. Conditions are proposed to ensure:

- The planting of new trees on site
- The protection of the trees proposed for retention

Subject to these conditions, I am satisfied that the proposal enables development whilst protecting the most significant trees onsite and introducing new trees in a planned way.

### *Design*

The only aspect of design being considered at this stage is layout. The proposed layout demonstrates the ability to retain the most significant trees on site (subject to conditions) whilst accommodating 40 affordable homes. Whilst scale, appearance and landscaping detail are to be dealt with at reserved matters stage, the applicant has provided illustrative plans contained in the design and access statement.

### *Affordable Housing*

DCP Housing Enabling Officer has commented that there is a high level of housing need in North Dorset and currently the figure registered on Dorset Home Choice as being in housing need is over 940 households, with 350 of those having a connection to Blandford Forum. This site would provide 40 affordable homes and make a contribution to meeting the need across the North Dorset district. Affordability for 30% would be secured in perpetuity by a S106 which is the customary method operated across the Dorset Council Partnership area.

A number of representations recognised the need for affordable housing in the area however raised concerns that the housing mix was biased towards shared ownership when the housing need is for rented properties and the mix had not been justified by a housing needs survey and that the rented properties have been placed in furthest corner of the site when they should be spread throughout the site.

Policy 8 of the NDDC LP part 1 requires residential developments within the settlement boundary of Blandford to provide 30% of dwellings to be affordable. This scheme is proposing 100% affordable housing and so is providing in excess of the policy. The policy goes on to say that 70 – 85% of those affordable units should be provided as affordable rented and/or social rented. Eight units are proposed as affordable rent and the remainder will be shared ownership. If the scheme were providing only the required 30% affordable housing this would equate to 12 units with between 8.4 and 10.5 of these as affordable rent. Therefore whilst the total number of units (40) would not be providing between 70 – 85% affordable rent the scheme would be policy compliant in relation to the local plan requirement set out in policy 8.

## *Amenity*

A number of concerns were raised regarding potential loss of amenity for surrounding properties due to loss of privacy, pollution due to the proximity of car parking areas and noise and disturbance particularly during construction. The two storey properties in Nordon Gardens have generous rear gardens, most over 20m in length. No 8 is shorter however no development is proposed immediately behind this property. The closest proposed dwelling (plot 32) side elevation is 24m from rear of No3, other proposed dwelling present their rear gardens to the boundary therefore it is not consider there would be a serious loss of privacy through overlooking along this boundary.

Rear gardens of bungalows in Holland Way adjoin the north-west boundary of the site and there would be 20m between rear elevations which is an acceptable distance that is not considered to cause serious overlooking or loss of privacy. The fenestration in the side elevation of Plot 23 could be controlled at reserved matters stage to avoid any potential overlooking of the garden of No 6 Stanton Close and similarly the side elevation of Plot 18 in relation to Fusion House adjacent to the south-west boundary. Proposed units 1 – 7 would have a back to back relationship with properties in Peel Close which have long rear gardens providing sufficient distance between rear elevations, with mature trees in between, therefore there would be no loss of amenity to existing occupiers.

Car parking areas are proposed adjacent to south-west, north-west and north-east boundaries however this relationship is not an unusual one within housing schemes and there would be areas of planting or a boundary wall between the parking and adjacent rear garden. Therefore it would not cause a significant level of pollution or noise and disturbance for existing occupiers. Retained trees/hedges, new boundary treatment and landscaping to be agreed at reserved matters stage would help absorb noise and pollution. Furthermore, extensive areas of the site were used for car parking in association with the office use, some of which were close to the northwest boundary therefore there would not a be a significant increase with the proposed housing.

During construction there will be an increase in noise and disturbance however this will be for a limited time and can be controlled by the imposition of a condition requiring a Construction Management Plan to agree times of working and deliveries.

## *Access and Parking*

The existing south-western access that served the Council Offices will be closed off permanently and the footway and kerb reinstated and a new access constructed centrally on the frontage. This will require the removal of a section of the front boundary wall and some trees allowing views of the retained group of trees in the centre of the site. The access road will have footways on both sides apart from where it skirts the central open space and then becomes a shared surface to serve the north-western part of the site. Parking will be provided on plot, to the side and front of properties and in three parking courts giving a total of 79 spaces.

A number of representations raised concerns about traffic and road safety, including poor visibility onto Salisbury Road. It was considered that there was insufficient parking provision, a lack of a pedestrian crossing in the vicinity of the site, the inadequacy of the Transport Assessment and a lack of public transport would lead people to use their cars.

A Transport Statement (TS), was prepared by the applicant's highways consultants and considered the impact that a development of 40 dwellings would have on the highway network in the vicinity of the site. It also considered the sustainability of the development, in terms of accessibility to and from the site.

The new access would be suitable to serve a residential estate development, providing visibility splays that accord with the guidance provided by Manual for Streets, with a swept path analysis proving that the access road and associated junction radii will allow a refuse vehicle to freely enter and exit the site.

Whilst the proposal is in Outline form, the submitted sketch layout (Dwg No SKL-01 Rev E refers), indicates 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 will be provided in accordance with the appropriate guidance.

The submitted Transport Statement has, in the opinion of the County Highway Authority, complied with the recommendations Good Practice Guide 2013 and produced a robust daily trip generation for the proposed development. The data submitted provides the empirical evidence to substantiate the trip rates used.

The County Highway Authority considers that the submitted Transport Statement is satisfactory and robust. It is accepted that the proposal will reduce traffic flows on the immediate highway network and, consequently, the residual cumulative impact of the development cannot be thought to be "severe", when consideration is given to paragraph 109 of the National Planning Policy Framework (NPPF) - July 2018.

Therefore, subject to the imposition of conditions controlling highway design, maintenance of visibility splays, stopping up and reinstatement of kerbs and footways for the existing access and provision of cycle parking the County Highway Authority has no objection to the proposal.

### *Biodiversity*

A certified biodiversity management and enhancement plan (BMEP) has been prepared for the site following a phase one habitat survey undertaken on the 14th August 2017 and a two phase bat survey undertaken on the 16th August 2017 and the 19th September 2017 respectively. The building proposed to be demolished contains a Serotine bat roost and so 7 bat boxes, 10 bat tubes and habitat tiles are proposed in a similar position to the existing building to mitigate the loss. In addition, gaps in gables to provide bat attics and a sympathetic lighting scheme are proposed. Bird boxes, bee bricks and native hedge planting, together with wildflower lawn mix sown on open space areas that encourage pollinators would be provided. All category 'A' trees would be retained on site.

### *Open space*

Local plan policy 15, Green infrastructure refers to the provision of outdoor sports and play space in line with the Fields in Trust standards. Developments will be expected to deliver to these standards on site, where practical to do so. For a scheme of 40 units the requirement would be an on-site Local area of Play (LAP) and Locally Equipped Area for Play (LEAP) plus a financial contribution to a Multi-Use Games Area (MUGA). This provision is for developments of a scale of 10 – 200 dwellings and given that this

proposal is at the lower end of the scale only a LAP would be expected to be provided on-site. This could be incorporated into the central open space area and include more natural / low key provision to fit with the woodland setting.

The Council will seek to secure the provision of one standard allotment plot for every 60 people in a settlement.

### *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 and policy 16 Blandford of the LPP1.

The following planning contributions, to be secured by a Section 106 legal agreement

| Local Area of Play (LAP)                     | on-site provision                                   |
|--|---|
| Education                                    | £6094 per dwelling<br>(excluding one bedroom units) |
| Destination play                             | £967.52 per dwelling                                |
| Maintenance                                  | £359.36 per dwelling                                |
| Formal outdoor sports                        | £1,318.80 per dwelling                              |
| Maintenance                                  | £128.73 per dwelling                                |
| Community, Leisure & Indoor Sport Facilities | £2006.97 per dwelling                               |

### *Sustainable Transport*

Upgrading two road crossings and paths leading Milldown Primary School and The Blandford (Secondary) School. (£150K)

Improving the link to the Trailway between Station Court and Bournemouth Road (£116,000).

Improvements by providing signage and white lining to footway of Shaftesbury Lane (Route F) to allow shared-use for pedestrians and cyclists to access industrial estates and retail areas (£25K)

### *Planning Balance*

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.

However this Council can only demonstrate 3.3 years of housing land supply and as such the relevant policies for the supply of housing in the local plan are considered out-of-date. This invokes NPPF paragraph 11 which states, in part, that when policies most important for determining the application are out-of-date, the Council should granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the proposed development; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

As outlined above, the proposal would see the loss of the original Nordon Building from the site, which whilst regrettable, it does not in my view result in substantial harm to the heritage asset that is the conservation area. As such, an assessment under Para 196 of the NPPF (2018) is required to inform a decision. Para 196 reads:

*"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."*

The proposal also results in the loss of mature trees from the site, but does retain those of most significance. There are plans to plant more trees, and proposed conditions will ensure this planting happens and that trees to be retained are protected during construction and in perpetuity thereafter.

There is a demonstrable and significant need for housing in North Dorset, which this development goes some way to satisfying. Furthermore, this proposal provides 40 (100%) affordable housing, satisfy some of the significant demand that exists for affordable housing. Significant weight should be given to the social and economic benefits associated with the provision of affordable housing, and the significance of this provision should not be understated. The scheme provides for enhancements to biodiversity, a local area of play, and other community infrastructure contributions. It would not lead to an increase in flooding, or have a detrimental impact on road safety or local amenity.

Whilst the loss of the original Nordon building and some of the mature trees on site will have an impact on the conservation area, this (in my view) is not substantial and the benefits that the proposal provides are many. On balance, it is my professional opinion that planning permission should be granted.

### *Conclusion*

Having considered all matters, it is clear that the proposal provides for much needed affordable housing on a largely un-used site within the development boundary of Blandford Forum. Additionally, the proposal provides for biodiversity enhancements and financial contributions to local community facilities. In my view the loss of buildings and trees on site represents 'less than substantial harm' on designated heritage asset. On the merits of the case and having regard to the relevant matters, this application should be granted conditional approval subject to the signing a S106 legal agreement to secure the necessary planning contributions.

### **Recommendation:**

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

## **Conditions:**

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

Sketch Layout Plan, Tree Survey Overlay ref ASTE170121 Drawing No. SLTSO-01 dated 12/02/19

Site plan No ASTE 170121 SLP-01 Rev A

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

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

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

3. Approval of the details of, scale and appearance of the building(s), the means of access thereto and the landscaping of the site (hereinafter called the Reserved Matters) shall be obtained from the Local Planning Authority in writing before any development is commenced.

REASON: To ensure the satisfactory development of the site.

4. Prior to any development on-site a detailed and finalised surface water management scheme for the site based upon the hydrological and hydrogeological context of the development and including any construction phase, has been submitted to, and approved in writing by the local planning authority. The surface water scheme shall be implemented in accordance with the submitted details before the development is completed.

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

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

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

6. Prior to commencement of development hereby approved a strategy for the disposal of foul water drainage shall be submitted to and approved in writing by the Local Planning Authority in consultation with Wessex Water acting as the sewerage undertaker. No part of the development shall be occupied until the approved scheme has been fully implemented.

Reason: To ensure that proper provision is made for foul drainage of the site.

7. Prior to the commencement of the development hereby approved, details of the access, geometric highway layout, turning and parking areas shall be submitted to and agreed in writing by the Local Planning Authority. The development shall then be carried out in accordance with those details.

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

8. Before the development is occupied or utilised the existing access point must be permanently closed by extending the adjoining highway boundary and removing any gates. The existing highway vehicular crossing must be expunged and reinstated to a specification which must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the proper and appropriate reinstatement of the adjacent highway.

9. Prior to the occupation of development hereby approved, the first 15.00 metres of the vehicle access, measured from the rear edge of the highway (excluding the vehicle crossing), 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 and cause a safety hazard.

10. Prior to the development being occupied or utilised the existing access point must be permanently closed by extending the adjoining highway boundary and removing any gates. The existing highway vehicular crossing must be expunged and reinstated to a specification which must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the proper and appropriate reinstatement of the adjacent highway.

11. Before the development hereby approved is occupied or utilised visibility splays must be provided at the access from a driver position of 2.40 metres and a stopping sight distance (SSD) of 43.00 metres in each direction along the carriageway. Thereafter the visibility splay area must be maintained and kept free from obstruction. All land within the area of any visibility splay must be cleared/excavated to a level not exceeding 0.60 metres above the relative level of the adjacent carriageway.

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

12. Prior to the occupation of any dwelling hereby approved details of cycle parking facilities are to be submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out in accordance with these details and, thereafter, be maintained, kept free from obstruction and available for the purpose specified.

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

13. Prior to the commencement of any development, a Construction Traffic Management Plan (CTMP) must be submitted to and agreed in writing by the Local Planning Authority. The CTMP must include:

- construction vehicle details (number, size, type and frequency of movement)
- a programme of construction works and anticipated deliveries
- timings of deliveries so as to avoid, where possible, peak traffic periods
- a framework for managing abnormal loads
- contractors' arrangements (compound, storage, parking, turning, surfacing and drainage)
- wheel cleaning facilities
- vehicle cleaning facilities
- 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

The development must be carried out strictly in accordance with the approved Construction Traffic Management Plan.

Reason: In the interest of highway safety and living conditions of nearby occupiers.

14. Prior to occupation of the development hereby approved, a scheme indicating the positions, design, materials and type of boundary treatments shall be submitted to and agreed in writing by the local planning authority. The approved scheme shall be implemented and completed in accordance with the approved details.

Reason: In the interests of amenity of the area.

15. Prior to occupation of the development hereby approved the mitigation measures as detailed in the Biodiversity Mitigation Plan dated 6<sup>th</sup> January 2019 shall be completed in full.

Reason: To minimise impacts on biodiversity.

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

- a) a specification for protective fencing to trees and hedges during both demolition and construction phases which complies with BS5837 (2012) and a plan indicating the alignment of the protective fencing;
- b) a specification for scaffolding of building works and ground protection within the tree protection zones in accordance with BS5837 (2012);

- c) a schedule of tree work conforming to BS3998;
- d) details of the area for storage of materials, concrete mixing and any bonfires;
- e) plans and particulars showing proposed cables, pipes and ducts above and below ground as well as the location of any soakaway or water or sewerage storage facility;
- f) details of any no-dig specification for all works within the root protection area for retained trees:
- g) details of the supervision to be carried out by the developers tree specialist;

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

17. No demolition approved by this permission shall take place unless and until:

- Reserved matters application (s) have been approved to enable the full development of the site without the need for further planning permissions; and
- A contract has been let for the redevelopment of the site.

Reason: to avoid any temporary and/or long term effects of an active construction site being located in the conservation area for an extended period of time, and the maintain the conservation area.

### **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.

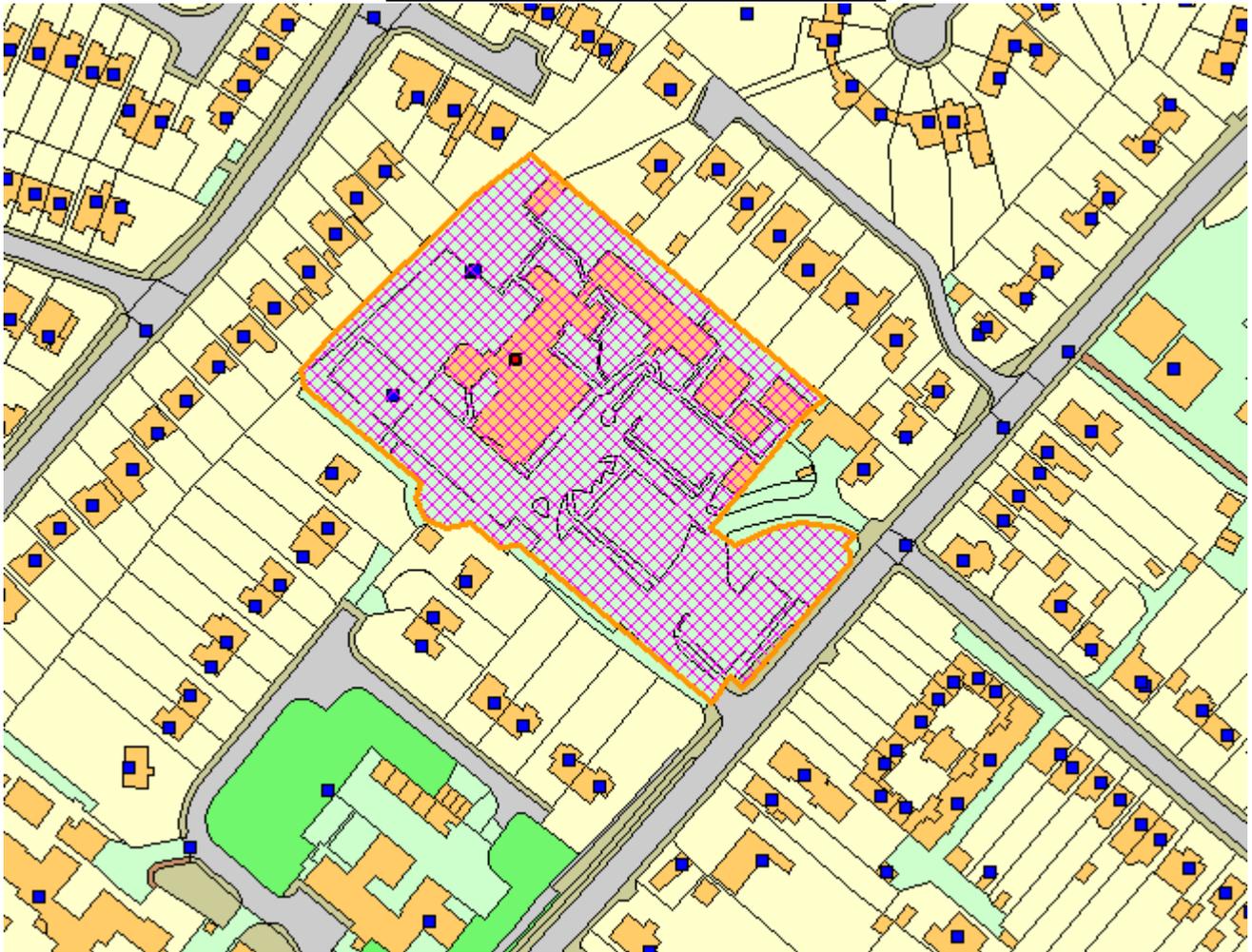
Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people.

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.

### **DECISION:**

LOCATION PLAN 2/2018/0981/OUT



**DO NOT SCALE**

Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. North Dorset District Council LA Licence Number LA078778