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## NORTH DORSET DISTRICT COUNCIL PLANNING COMMITTEE

### MINUTES OF MEETING HELD ON TUESDAY 26 FEBRUARY 2019

**Present:** Cllrs B Batty-Smith MBE (Chairman), C Dowden (Vice-Chairman), D Croney, V Fox, J Francis (Cllr Francis left the meeting at 12.15), N Lacey-Clarke, B Ridout, Jackie Stayt, J Westbrook (Cllr Westbrook left the meeting at 12.15) and P Williams MBE

**Apologies:** Cllrs S Pritchard

**Also present:** Cllr G Carr-Jones, Cllr M Gould, NDDC Portfolio Holder for Environment - M Roake, Cllr John Stayt, NDDC Portfolio Holder for Planning - D Walsh, Cllr P Brown, Cllr A Burch, Cllr J Tanner, Cllr A Cattaway and S Savage (DCC Highways)

**Officers present (for all or part of the meeting):**

Robert Lennis (Area Lead (Major Projects – Eastern)), Dave Oakhill (Major Applications Manager), Martin Pendlebury (Area Lead (Gillingham Southern Extension)), Hannah Smith (Area Manager (Eastern)) and Elaine Tibble (Democratic Services Officer)

**70. Code of Conduct**

Cllr Stayt and Cllr Westbrook both declared an interest in item 11 the Nordon application, as they had both been members of the Nordon Disposal Board.

**71. Minutes**

The minutes of the last meeting held on 29 January 2019 were agreed and signed as a correct record.

**72. Presentation**

The Area Lead Gillingham presented a report to include both applications 2/2018/0036/OUT Wellbeck Strategic Land LLP and 2/2018/0077/OUT CG Fry & Son Ltd

He explained that these were individual applications but related, both being within the Local Plan Gillingham Strategic Site Allocation. The committee had been on a site visit the previous week and the application sought outline permission only for the principle of development, points of access and percentage of affordable housing. Objections had been received primarily from residents in Woodpecker Meadows relating to loss of parking however the developer proposed to offset this loss with additional dedicated visitor parking on the development.

He re-iterated the key planning matters and advised that the flood risk objections had now been removed from the CJ Fry site. However there was still a flood risk holding objection from the Environment Agency concerning the Wellbeck Strategic Land site.

The committee received updated information and a late representation from a resident of Woodpecker Meadow and the NHS Foundation Trust were reported. The addendum sheet circulated recommended further pre-conditions; refinements and additional conditions, and corrections to the report from 20% to 15% requirement for affordable housing in the first phase of development. The recommendation was to delegate to the Head of Planning to make the necessary refinements and additional conditions as outlined in the appendix to these minutes.

The Transport Development Manager detailed and explained how DCC Highway Authority was satisfied with on and off-site transport infrastructure proposed..

The Area Lead Gillingham then took the applications 2/2018/0036/OUT and 2/2018/0077/OUT separately.

73. **Application No: 2/2018/0036/OUT - West of Shaftesbury Road at Land South of Gillingham, Dorset**

Public Participation

Oral representation was received from Mr W Edmonds the agent for the application. He asked the committee to defer the application due to the ongoing holding objection from the Environment Agency and potential costs not having been included in the viability figures. Funding changes by Homes England could also have a large impact on the viability of the development. Alternatively he suggested a recommendation to approve with 11% affordable housing as part of the first phase.

Ward Member

Cllr Gould was keen to ensure longevity and 'wow factor' for the site, he wanted something that Gillingham could be proud of.

Members' questions and debate

Members' felt that it would not be advisable to defer as requested by the Applicant's agent, there was only two weeks until the next committee meeting report deadline. Members noted that there was evidence from the District Valuer in the report and, in terms of delivery that needed to be balanced against evidence from the applicants that the scheme was not viable at 15% affordable housing. Members' thought that the application should be delegated to the Head of Planning to negotiate the S106, including the precise affordable housing requirement; which may be less than 15% if the Head of Planning was satisfied that the proposed affordable housing level was reasonable and would aid the delivery of the site which was of critical importance to Members. The addendum sheet circulated had detailed additional pre-condition; refinements, corrections and additional conditions etc.

Proposed by Cllr Ridout, seconded by Cllr Williams

**Decision: That the application be delegated to the Head of Planning (Development Management and Building Control) to negotiate the final affordable housing requirement and approve outline permission subject to the specified pre-conditions; completion of a Section 106 Agreement and the refinements and conditions, including those outlined in the appendix to these minutes.**

74. **Application No: 2/2018/0077/OUT - Land at Park Farm Kingsmead Business Park, Gillingham, Dorset**

Public Participation

Oral representation was received from Mr S Coles the Agent for the applicant, he urged the committee to agree the same delegated authority to the Head of Planning to negotiate affordable housing delivery and a Section 106.

The Portfolio Holder for Planning Cllr Walsh addressed the committee. He felt that the two applications were a reason to celebrate, he was pleased to have C G Fry and Son involved, both sites were allocated for housing in the Local Plan and he asked the committee to delegate to officers to negotiate terms with the developer.

Ward Member Cllr Mike Gould echoed his support for the application.

Proposed by Cllr Ridout, seconded by Cllr Williams.

**Decision: That the application be delegated to the Head of Planning (Development Management and Building Control) to negotiate the final affordable housing requirement and approve outline permission subject to completion of a Section 106 Agreement and the refinements, pre-condition and conditions, including those outlined in the appendix to these minutes.**

75. **Application No: 2/2018/0956/REM - Land East Of, Barnaby Mead, Gillingham, Dorset,**

The Area Manager (Eastern) presented the application, which had been the subject of a site visit by the committee, for a reserved matters application to determine access, appearance, landscaping, layout and scale for the erection of 50 dwellings.

She updated the committee with six additional objections that had been received, she advised that the application was policy compliant with regard to affordable housing. There had been some revisions which had been detailed in the report. The amendments included the removal of Plots 43 and 44 and the repositioning of the two dwellings adjacent to the open space..

The DCC Highways Representative advised that the outline established was acceptable for 50 dwellings.

#### Public Participation

Oral representation was received from Cllr Walsh on behalf of Gillingham Town Council who had objected to the application. The Town Council considered the proposal contrary to Policy 24 and the impact on neighbouring properties, it was not in keeping with the area and would be over development

Oral representation in objection to the application was received from Ms J Lucas, Mr S Kidner and Mr H Kelliher. Their objections focused on overlooking, not enough distance between the proposed properties and those already established, the development would be against policy, in relation to density and massing. It was requested that no more than 25% should be affordable, there should be a safe and sustainable travel route and pathway to the school grounds. The layout and design of the proposal disregarded the character of the area.

Mr D O'Shea the Agent for the applicant addressed the committee, he advised that they had worked with planners and invited residents to work with them but had received minimal comments. The applicant had worked with the Town Council and incorporated their requests for play areas into the design of the scheme.

#### Ward Member

Cllr Gould agreed with Cllr Walsh, he felt that the application needed a re-appraisal and was unacceptable as it stood, it was the wrong development for the area and the objections of neighbours should be taken into account.

Cllr Lacey-Clarke read a statement on behalf of Cllr Chase re-iterating his objections to the plans.

Proposed by Cllr Ridout, seconded by Cllr Lacey-Clarke

#### **Decision: that the application be refused for the following reasons –**

- 1. The proposal by reason of its scale, mass and layout would result in the living conditions of the occupiers of numbers 18 and 19 Barnaby Mead being demonstrably and significantly harmed through unacceptable overlooking, overbearing and overshadowing. The development is contrary to policies 24 and 25 of the North Dorset Local Plan, Part 1.**
- 2. The proposal by reason of its scale, mass and layout would result in the living conditions of the occupiers of numbers 18 and 19 Barnaby Mead being demonstrably and significantly harmed through unacceptable overlooking, overbearing and overshadowing. The**

**development is contrary to policies 24 and 25 of the North Dorset Local Plan, Part 1.**

**76. Application No: 2/2017/1919/OUT - Land North East Of Lower Bryanston Farm, Fair Mile Road, Bryanston, Dorset**

The Area Lead (Major Projects) Eastern presented the report for an outline application to determine access for the development of land by the erection of up to 80 dwellings. The application had been the subject of a site visit by the committee members.

He advised that the application had been allocated in the Local Plan for development, a late representation had been received in relation to ecological and archaeological interest and a request from the NHS Trust for contributions. The Area Lead (Major Projects) Eastern had spoken to the applicants who were willing to make reasonable contributions toward The Trust and these would be a matter of Section 106 negotiation.

Members were presented with an illustrative plan to give an indication of how the site may look. The Area Lead (Major Projects) Eastern felt that although the application before members was for outline only, for reasons set out in his report conditions limit the number of dwellings to up to 75 dwellings, and for the ridgeline of any dwelling to be below the 55 contour line.

The application was supported by a various reports including: landscape and visual impact assessment, ecological assessment, heritage impact, and transport assessment.

#### Public Participation

Oral representation was received from Mr P Hill on behalf of Blandford St Mary Parish Council, Mr Gale on behalf of Bryanston Parish Council and Ms S Woodlock.

Their concerns focused on the boundary changes having an impact on the area and the grade 2 listed buildings, 75 houses would be excessive. More archaeological investigation was desired to find out if there were roman remains around the site. Conservation – concerns for wildlife, human health and public safety.

Mr S Williamson, the Agent for the applicant, addressed the committee. He advised that the development had been sympathetically designed and the principal of development had already been agreed. They had worked with Officers to address the relevant issues with the site, particularly landscape, and Section 106 contributions subject to negotiations would be agreed. As an allocated site there were no policy objections in principle.

#### Ward Member

Cllr Kerby was concerned about the density and number of homes in the development, he agreed the number should be reduced.

The Area Lead (Major Projects) Eastern clarified that the number of homes was not an exact number in the local plan. Previous suggestions of developing up to 65 dwellings were not supported by any research or evaluation of the site. The final number of dwellings (up to 75) would be have to be considered at reserved matters stages along with landscape and design matters. He re-iterated the 2 conditions proposed to restrict number and height of properties.

The DCC Senior Archaeologist was satisfied with the details presented to him, and the Neighbourhood plan was not yet adopted so should not be given much weight.

Members questions and debate

In response to being asked when the traffic survey had taken place the DCC Highways Officer advised that this had been done in October 2017 over 5 days, 24 hours a day and they were happy with the assessment and the plans

Proposed by Cllr Williams, seconded by Cllr Dowden.

**Decision: That the application be delegated 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 Section 106 agreement.**

**The conditions are outlined in the appendix to these minutes.**

**11:53 – 12:00 Comfort break**

**77. Application No: 2/2017/1656/MODPO - Bourton Mill , Factory Hill, Bourton, SP8 5AX**

The Area Manager Eastern presented the report which sought to discharge Affordable Housing Planning contributions due to the viability of the development being in question because of unforeseen costs. The District Valuer had reviewed the costs and the overall conclusion was that it would not be financially viable to provide £360,000 affordable housing contributions.

Public Participation

Mr Whitehead the Agent for the applicant acknowledged the ambition to achieve affording housing contributions but following abnormal costs which had been independently verified the scheme was found to be unviable.

Members debate

Cllr Williams had called the application in to committee prior to the viability work that has been undertaken by the DVS.

Members considered that it was clear from the detailed viability work that the development was not profitable with the inclusion of the £360,000 offsite affordable housing contribution.

Proposed by Cllr Williams, Seconded by Cllr Dowden.

**Decision: That the application to discharge the offsite affordable housing contributions be approved.**

78. **LUNCH BREAK 12.15 - 13.15**

At this Juncture, Cllrs Francis and Westbrook left the meeting.

79. **Application No: 2/2018/0952/FUL - East View Farm, New Road, Bourton, Gillingham, Dorset, SP8 5BQ**

The Area Manager (Eastern) presented the report which proposed the erection of one dwelling with vehicular access. The application was within the settlement limits, the neighbour's amenity had been taken into account with regard to site levels and the relationship with the house next door was acceptable. There were no concerns from DCC Highways.

Public Participation

Oral representation was received from Mr Haynes in objection to the application, the area was a habitat for bats and he asked for the results of a bat survey, he was concerned about the boundary and the height of the proposed dwelling which he felt would tower over his home.

Cllr Cattaway felt it was out of context in the street setting and there had been 17 letters of objection.

Members debate

In response to queries from members regarding over-looking the Area Manager (Eastern) advised that the landing windows would not generally be obscured, there may have been bats in the old house and it would be possible to request a condition for bat boxes but a bat assessment would not be necessary in this instance. Floor levels could be conditioned.

Proposed by Cllr Williams, seconded by Cllr Stayt.

**Decision: that the application be refused for the following reason:**

**1. The development would result in an overdevelopment of the site which would be cramped and share a poor relationship with neighbouring properties. The proposal would give rise to unacceptable levels of overlooking and be overbearing to numbers 1, 2, and number 6 Badgers Close. The proposal is contrary to policies 24 and 25 of the Local Plan Part 1.**

80. **Application No: 2/2018/0981/OUT - Nordon, Salisbury Road, Blandford Forum, DT11 7LL**

This site is currently owned by North Dorset District Council and the outline application for demolition of all existing buildings and the development of 40 affordable homes was presented by the Major Applications Manager. The outline application sought to determine access and layout. An additional two representations were reported. The site had been the subject of a site visit by the committee members.

The Major Applications Manager re-iterated the key planning matters and advised that whilst the Nordon building was in a Conservation Area, it was not a designated heritage asset and was not listed. The DCC Highways representative confirmed that access and road layout was acceptable.

#### Public Participation

Oral representation in objection to the application was received from Cllr Quale (DCC), Mr J Turnbull, Mr C Williamson, Mr Richens, Mr Imber, Mr S Hickman (Historic England) and Cllr Carter (Chairman of Blandford Town Council). Their concerns focused on:

- Affordable housing being provided on alternative developments, negating the need for this development
- The effect of additional vehicles on Salisbury Street and traffic safety
- Schools already being at full capacity.
- The development would have a detrimental effect on the wildlife
- The Nordon building was of local historical importance, in a conservation area and demolition would cause substantial harm to the historic environment.

#### Public Participation

Oral representation in support of the application was received from Cllr Carr-Jones and Cllr I Roake and. A lot of work had been put into the project, it had been considered by the Scrutiny committee and Cabinet and it was felt that a social led housing scheme would be preferable and would provide much needed homes.

Mr M Holmes the Agent for the application also spoke on behalf of Aster group.

#### Ward Member

Cllr Tanner suggest that the building was vital to the conservation and conversion would be a better option than demolition.

#### Member debate

Members felt that the surrounding area was of mixed character, with a number of 1970's buildings behind the Nordon building. In response to a request to include a condition to seek to re-cycle interior fixtures and fittings, the Major Applications Manager advised that he could impose a condition to seek to record elements of significance and importance and re-use where possible. It was also pointed out by committee members that listing had not

been achieved for the building even after three attempts and it was important to leave a legacy for the town.

Cllr Lacey-Clarke proposed, Cllr Ridout seconded.

Decision; That in accordance with Part 4 of the Constitution – Procedure Rules, no 43 a recorded vote was taken.

Proposed by Cllr Ridout, seconded by Cllr Lacey-Clarke

That the application be refused due to substantial harm to the conservation area, Para 195 Of the NPPF should be applied.

Those who voted for the proposal to refuse; Cllr Lacey-Clarke, Cllr Ridout.  
Those who voted against the proposal: Cllr Dowden, Cllr Croney, Cllr Fox, Cllr Stayt, Cllr Williams.

The proposal was LOST.

Proposed by Cllr Stayt, seconded by Cllr Dowden.

That the application be approved.

Those who voted to approve the application: Cllr Dowden, Cllr Croney, Cllr Fox, Cllr Stayt, Cllr Williams.

Those who voted against: Cllr Lacey-Clarke, Cllr Ridout.

**Decision: That the application be delegated to the Head of Planning (Development and Building Control) to grant permission subject to the securing of planning contributions through the signing of a Section 106 Agreement and the conditions outlined in the appendix to these minutes, and the following condition being added:**

**Prior to any demolition onsite, a scheme for the reuse of materials from the site will be submitted to and approved in writing by the Local Planning Authority. The approved scheme will be implemented thereafter.**

81. **Application No: 2/2017/1952/OUT - Land At E 380667 N 111316 West Of, Castle Lane, Okeford Fitzpaine, Dorset,**

The Outline application for up to 27 dwellings with all matters reserved was presented by the Area Lead (Major Projects) Eastern. He updated the committee on a 'Pre-action protocol letter for Judicial Review' the Council had received from an applicant for another major development in Okeford Fitzpaine. At the heart of that notification was the claim that the Council had failed to consider alternative sites in Okeford Fitzpaine for housing and that applications for housing in Okeford Fitzpaine, particularly the claimant's, must be assessed by the planning committee at the same time to undertake a comparison as the scale of growth at Okeford Fitzpaine is limited.

The Head of Legal Services for the Council had responded to this letter.

The Major Applications Manager had taken legal advice prior to the Planning Committee and provided an update to the committee as follows:

- The claim contained in the pre-action complaint is not relevant.
- There is a significant housing shortfall across North Dorset totalling 3.3 yrs.
- In circumstances where no Neighbourhood Plan and an identified housing shortfall exists, there is a presumption in favour of sustainable development.
- The application(s) currently before NDDC can be considered on their own merits as there is no prescribed limit on the number of homes that Okeford Fitzpaine could accommodate.

DCC Highways had carried out a traffic assessment and were happy to support the application.

#### Public Participation

Oral representation was received from Cllr Weeks on behalf of Okeford Fitzpaine Parish Council, Mr R Bellamy, Mr I Berry, Ms D Garside and Mr D Day. The objectors felt that the 3 site allocations in the area should all be considered together and not in isolation. They voiced concerns about drainage, landscape, parking and the increased dependency on transport, lack of footpath and access. They asked for the application to be deferred.

Mr C Miell the agent spoke in support of the application, he felt there was no reason for deferral. The area was sustainable and had a variety of amenities.

Having no reason to defer or refuse the application., it was proposed by Cllr Williams, seconded by Cllr Lacey-Clarke.

**Decision: That the application be delegated 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 Section 106 agreement.**

82. **Application No: 2/2018/1121/FUL - The Pimperne Shop , Anvil Road, Pimperne, DT11 8UQ**

The Area Manager (Eastern) presented the application to demolish the existing shop/residential dwelling and outbuildings and erect 3 dwellings and create new vehicular and pedestrian access. The report acknowledged that the property had been unsuccessfully marketed and had not been making a profit. There were no Highways objections.

#### Public Participation

Oral representation in objection was received from Mr Quartermaine on behalf of Mr and Mrs Philpott, he advised that the National Planning policy required

every effort to keep facilities, he felt that the proposed didn't show that every effort had been made to dispose of the shop.

Mr S Morgan the agent for the applicant said that all the planning concerns had been met and the shop was too small to be sustainable as a village shop.

Ward Member

Cllr Brown supported the idea of keeping the village shop and the sustainability of the village.

It was proposed by Cllr Fox, seconded by Cllr Ridout.

**Decision: that the application be approved subject to the conditions outlined in the appendix to these minutes.**

**83. Application No: 2/2018/1197/FUL - Savage Cat Farm, Underground House , Bay Road, Gillingham, SP8 5QR**

The Area Manager (Eastern) presented the retrospective proposal for the change of use of agricultural land to station 2 shepherd huts for holiday accommodation. The key planning matters were highlighted and there were no objections from DCC Highways.

Proposed by Cllr Lacey-Clarke, seconded by Cllr Williams.

**Decision: that the application be approved subject to the conditions outlined in the appendix to these minutes.**

**84. Application No: 2/2018/1348/FUL - Former Office, Hags Play Ltd, Holwell Road, Kings Stag, Sturminster Newton, Dorset, DT10 2BA**

The retrospective proposal to change the use of land to increase the size of garden and alter the parking and manoeuvring area for new dwellings was presented by the Area Manager (Eastern). She advised that the main issue was the replacement of a wall with a fence and whether this was acceptable in planning terms, She did not feel that it caused significant harm and the application was recommended for approval. There were no issues from DCC Highways.

Public Participation.

Oral representation was received from Cllr May from Lydlinch Parish Council and Cllr Carr-Jones in objection to the application.

The Area Manager (Eastern) reported that the permitted development rights had been removed and the authority did have control over the boundary treatment.

Proposed by Cllr Dowden, seconded by Cllr Ridout.

**Decision: that the application be approved subject to the conditions outlined in the appendix to these minutes.**

**85. PLANNING APPEALS**

The Area Manager (Eastern) updated the committee with recent appeals.

**86. Urgent Business**

There was no urgent business.

**Appendix  
Update Addendum**

**Duration of meeting: 9.30 am - 4.10 pm**

**Chairman**

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## Decision List

## Appendix

**Application No:** 2/2018/0077/OUT - Develop land by the erection of up to 634 dwellings (use class C3), a primary school (use class D1), sports pitches with floodlighting, public open space, play facilities, access and internal estate roads, internal footpaths and cycleways, sustainable drainage system with ponds, landscaping, utility connections and associated groundworks/infrastructure. (Outline application to determine access only).

**Location:** Land at Park Farm Kingsmead Business Park, Gillingham, Dorset

**Decision:** Delegate to the Head of Planning (Development Management and Building Control) to negotiate the final affordable housing requirement and APPROVE OUTLINE planning permission subject to completion of a Section 106 Agreement and the refinements, pre-condition and conditions, including those listed in the committee report and in the appendix to the minutes. The completion of a Section 106 Agreement to secure:

- 50/50% tenure split for all affordable housing
- % affordable housing (Delegated to the Head of Planning to negotiate) in the first phase of development
- A viability review 'mechanism'/clause to review development viability in subsequent phases, seeking to secure policy compliant 25% affordable housing across the development as a whole
- Provision of transport infrastructure compliant with Local Plan Policy 21 requirements
- Provision of green infrastructure compliant with Local Plan Policy 21 requirements
- Provision of Social infrastructure (including education, health, community hall, household recycling, sports field and leisure and library) compliant with Local Plan Policy 21 requirements

**Application No:** 2/2018/0036/OUT - Develop land by construction of an urban extension to the south of Gillingham between Shaftesbury Road (B3081) and New Road (B3092). The urban extension would comprise up to 961 dwellings. Up to 2,642 sq. m. in a new local centre providing retail, community, health and leisure uses, new and enhanced pedestrian/cycle routes, open spaces, roads, car parking and vehicular access. To include all ancillary works and associated infrastructure (Outline application to determine access only).

**Location:**

**Location:** West of Shaftesbury Road at Land South of Gillingham, Dorset

**Decision:** Delegate to the Head of Planning (Development Management and Building Control) to negotiate the final affordable housing requirement and APPROVE OUTLINE planning permission subject to the specified pre-conditions; completion of a Section 106 Agreement and the refinements and conditions, including those outlined in the appendix to the minutes.

**Pre-Conditions:**

1. Allow the applicant and Environment Agency one month to continuing their dialogue with the aim for the applicant to provide additional flood risk assessment information and / or amend their proposals for the western point of access, to secure removal of the present EA holding objection, or
2. Failing that, the Council's minded to resolution to grant outline planning permission be referred to the Secretary of State to determine whether they wish to call-in the application for determination;

3. The applicant completing the required archaeological trial trench surveying within four months of the Council's resolution to grant outline planning permission and, if required, agree with the County Archaeologist a programme of consequential additional surveying, works and recording, prior to the issue of outline planning permission;
4. Delegate to the Head of Planning completion of a Section 106 legal agreement to secure;
  - 50/50% tenure split for all affordable housing
  - % affordable housing (Delegated to the Head of Planning to negotiate) in the first phase of development
  - A viability review 'mechanism'/clause to review development viability in subsequent phases, seeking to secure policy compliant 25% affordable housing across the development as a whole
  - Provision of a formal and informal green infrastructure / open space compliant with Policy 21 requirements
  - Primary and Secondary School social infrastructure compliant with Policy 21 requirements
  - Transport infrastructure compliant with Policy 21 requirements
  - Associated social infrastructure compliant with Policy 21 requirements

**Application No:** 2/2018/0956/REM - Erect 50 No. dwellings. (Reserved matters application to determine access, appearance, landscaping, layout and scale; following grant of Outline Planning Permission No. 2/2016/0149/OUT).

**Location:** Land East Of, Barnaby Mead, Gillingham, Dorset.

**Decision: Refuse**

**Reasons:**

1. The proposal by reason of its scale, mass and layout would result in the living conditions of the occupiers of numbers 18 and 19 Barnaby Mead being demonstrably and significantly harmed through unacceptable overlooking, overbearing and overshadowing. The development is contrary to policies 24 and 25 of the North Dorset Local Plan, Part 1.

2. The proposal would fail to safeguard the character of Bay, is an overdevelopment of the site, and is of a too high density and scale. The design of the development is contrary to the aims of Policy 17 of the Local Plan Part 1 and policies 22, 24, and 25 of the Gillingham Neighbourhood Plan.

**Application No:** 2/2017/1919/OUT - 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).

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

**Decision:** 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.

**Application No:** 2/2017/1656/MODPO - Request to discharge Affordable Housing Planning Obligation set out in Schedule 3/Section 2.0 - 2.17 of Agreement dated 20 May 2016 of Agreement Pursuant Section 106 of the Town & Country Planning Act 1990.

**Location:** Bourton Mill, Factory Hill, Bourton, SP8 5AX

**Decision:** Approve

**Application No:** 2/2018/0952/FUL - Erect 1 No. dwelling, form vehicular access.

**Location:** East View Farm, New Road, Bourton, Gillingham, Dorset, SP8 5BQ

**Decision:** Refuse

### **Reasons:**

1. The development would result in an overdevelopment of the site which would be cramped and share a poor relationship with neighbouring properties. The proposal would give rise to unacceptable levels of overlooking and be overbearing to numbers 1, 2, and number 6 Badgers Close. The proposal is contrary to policies 24 and 25 of the Local Plan Part 1.

**Application No:** 2/2018/0981/OUT - 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).

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

**Decision:** 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.

18. Prior to any demolition onsite, a scheme for the reuse of materials from the site will be submitted to and approved in writing by the Local Planning Authority. The approved scheme will be implemented thereafter.

### **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.

**Application No:** 2/2017/1952/OUT - Develop land by the erection of up to 27 No. dwellings (Outline application with all matters reserved).

**Location:** Land At E 380667 N 111316 West Of, Castle Lane, Okeford Fitzpaine, Dorset,

**Decision:** Approve subject to a S106 agreement to secure infrastructure contributions and affordable housing,

### **Conditions:**

1. The development to which this permission relates must be begun not later than whichever is the later of the following dates:-

(a) the expiration of three years from the date of grant of outline planning permission, or  
(b) the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.  
Reason: This condition is required to be imposed by Section 92 of the Town and Country Planning Act 1990 (as amended).

2. Application for approval of any reserved matters must be submitted to the Local Planning Authority not later than the expiration of two years beginning with the date of this permission and the development hereby permitted shall begin before the expiration of two years from the date of approval of the last of the reserved matters to be approved  
Reason: This condition with shortened timeframe, normally imposed by Section 92 of the Town and Country Planning Act 1990 (as amended), seeks to encourage development, due to the pressing need for housing to be provided in a short timeframe, within an area where housing land supply is not currently being met.

3. Approval of the reserved matters (that is any matters in respect of which details have not been given in the application and which concern the access, layout, scale or appearance of the building(s) to which this permission and the application relates or the landscaping of the site) shall be obtained from the Local Planning Authority in writing before any development is commenced, and such development shall be carried out as approved.  
Reason: This condition is required to be imposed by Section 92 of the Town and Country Planning Act 1990 (as amended).

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

Block and Location Plan Drawing No: 8975/101A dated 23.01.2019 Reason:  
For the avoidance of doubt and to clarify the permission.

5. Outline Estate Road Construction (adopted or private)  
No development must commence until details of the access, geometric highway layout, turning and parking areas have been submitted to and agreed in writing by the Local Planning Authority.  
Reason: To ensure the proper and appropriate development of the site

6. Vehicle access construction  
Before the development is occupied or utilised the first 15.00 metres of the vehicular access, measured from the rear edge of the highway (excluding the vehicle crossing - see the Informative Note below), must be laid out and constructed to a specification submitted to and approved in writing by the 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.

7. Visibility splays as submitted  
Before the development hereby approved is occupied or utilised the visibility splay areas as shown on the submitted plans must be cleared/excavated to a level not exceeding 0.6 metres above the relative level of the adjacent carriageway. The splay areas must thereafter be maintained and kept free from all obstructions.  
Reason: To ensure that a vehicle can see or be seen when exiting the access.

8. Cycle parking scheme to be submitted  
The development hereby permitted must not be occupied or utilised until a scheme showing

precise details of the proposed cycle parking facilities is submitted to the Local Planning Authority. Any such scheme requires approval to be obtained in writing from the Local Planning Authority. The approved scheme must be constructed before the development is commenced and, thereafter, must 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.

#### 9. Grampian condition

Before the development hereby approved is occupied or utilised the following works must have been constructed to the specification of the Local Planning Authority:

- The provision of a kerbed footway along the western side of Castle Lane, linking the site access to the existing footway at the junction of Castle Lane with Castle Avenue.

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.

#### 10. Construction traffic management plan to be submitted

Before the development hereby approved commences a Construction Traffic Management Plan (CTMP) must be submitted to and approved 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
- contractors' arrangements (compound, storage, parking, turning, surfacing and drainage)
- wheel cleaning facilities
- vehicle cleaning facilities
- 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: 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. Surface water Management Scheme

No development shall take place until a detailed surface water management scheme for the site, based upon the hydrological and hydrogeological context of the development, and including due consideration of the 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 the increased risk of flooding, and to improve water quality.

#### 12. Maintenance of Surface water Management Scheme

No development shall take place until details of maintenance and management of the surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. These should include a plan for the

lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

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

13. The submission of reserved matters for housing design shall reflect a palette of materials that are prevalent in other buildings in the core of Okeford Fitzpaine such as, coursed stone rubble, or brick and thatch or slate roofs or clay tiles, along with dry layered course stone walls or hedges to mark boundaries.

14.

Reason: To ensure provision of a high quality mixed housing development across the site in the interests of good design and to reflect the local distinctiveness of this rural settlement.

15. Prior to commencement of construction works a scheme for facilitating infrastructure to support superfast broadband technology to serve the development shall been submitted to, and approved in writing by, the local planning authority. The scheme shall include a timetable for implementation, including triggers for a phased implementation if appropriate. Thereafter, the development shall proceed in accordance with the agreed scheme.

Reason: To ensure that the utilities service infrastructure is sufficient to meet the extra demands imposed by this development.

16. As part of the layout design for the first reserved matters application, a lighting and signage strategy shall be provided to satisfy transport and biodiversity requirements for the development as a whole. The approved lighting and signage strategy shall then be implemented prior to first occupation within the phase of development to which it relates, and maintained and retained thereafter.

Reason: In the interest of road safety and protection of wildlife.

17. Biodiversity Mitigation

Prior to occupation of the dwellings hereby approved all the measures set out in the Biodiversity Mitigation Plan submitted by ABS Ecology Ltd dated November 2018, as certified by Dorset County Council Natural Environment Team, has been implemented in full.

Reason: To ensure that the development conserves and enhance biodiversity in accordance with the objectives of the National Planning Policy Framework

18. A full tree survey of the site shall be undertaken by reference to site layout drawings of an appropriate scale. The survey shall be submitted to, and agreed in writing by the Local Planning Authority before any site works commence. The survey shall show details of all existing trees with a stem diameter of 100mm or greater and shall include, as appropriate, the following information:

- The location, species, unique reference number, stem diameter, accurately plotted crown spread and an assessment of the age and condition of each tree.
- The existing ground levels at the base of any tree where excavations or changes in level are proposed near that tree.
- The position and individual details of all trees to be removed as a result of the proposed development.
- The position and details of any fencing, walling, service runs/trenches, drainage ditches etc.

- The manner and means of protecting all trees (incl. their stems, crowns and root systems) to be retained.

Reason: To enable proper consideration to be given to the impact of the proposed development upon the existing trees.

19. Before any works commence on site, a detailed Arboricultural Impact Assessment shall, by reference to site layout drawings of an appropriate scale, be carried out, submitted to and approved in writing by the Local Planning Authority. Based on the Tree Survey, the assessment will identify and assess the impact of the proposed development on the existing trees on site, as well as any appropriate measures to alleviate this impact. The measures identified to alleviate impacts shall thereafter be implemented for the duration of the construction programme.

Reason: To ensure thorough consideration of the impact of the development and any mitigating measures on the existing trees in accordance with Policy 1.40 of the North Dorset District Wide Local Plan (First Revision).

20. Before any works commence on site a detailed Method Statement shall be produced, submitted to and approved in writing by the Local Planning Authority. The statement will include details of how the existing trees are to be protected and managed before, during and after development and shall include information on traffic flows, phased works and construction practices near trees. The development shall thereafter accord with the approved Statement.

Reason: To ensure thorough consideration of the impacts of development on the existing trees.

21. No works shall commence on site until details of the design of building foundations, car park surface construction and the layout (with positions, dimensions and levels) of service trenches, ditches, drains and other excavations on site (insofar as they may affect trees on or adjoining the site) shall be submitted to, and approved in writing by the Local Planning Authority. The development shall thereafter accord with the approved tree protection details.

Reason: To ensure the protection of trees to be retained, and in particular to avoid unnecessary damage to their root systems.

22. No works shall commence on site until precise details of all tree, shrub and hedge planting (including positions and/or density, species and planting size) shall be submitted to and approved in writing by the Local Planning Authority. Planting shall be carried out before the end of the first available planting season following substantial completion of the development. In the five year period following the substantial completion of the development any trees that are removed without the written consent of the Local Planning Authority or which die or become (in the opinion of the Local Planning Authority) seriously diseased or damaged, shall be replaced as soon as reasonably practical and not later than the end of the first available planting season, with specimens of such size and species and in such positions as may be agreed with the Local Planning Authority. In the event of any disagreement the Local Planning Authority shall conclusively determine when the development has been completed, when site conditions permit, when planting shall be carried out and what specimens, size and species are appropriate for replacement purposes.

Reason: In the interests of continued visual public amenity.

23. No development shall commence until a landscape management plan shall, by reference to site layout drawings of an appropriate scale, be submitted to and approved in writing by the Local Planning Authority and shall include long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens. The subsequent management of the development's landscaping shall accord with the approved plan.

Reason: To ensure that due regard is paid to the continuing enhancement and maintenance of amenity afforded by the landscape features of communal, public, nature conservation or historical significance.

### **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, improvements are offered to enable better access to the village centre and playing fields for wheelchairs and pushchair accessibility and a level surface for elderly or visually impaired residents to have safe access into the village.

**Application No:** 2/2018/1121/FUL - Erect 3 No. dwellings, create new vehicular and pedestrian access (demolish existing shop/residential dwelling and outbuildings).

**Location:** The Pimperne Shop, Anvil Road, Pimperne, DT11 8UQ

**Decision:** Approve

### **Conditions:**

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

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

2. The development hereby permitted shall be carried out strictly and only in accordance with the following approved drawings and details: MDS 1345/103, MDS 1345/106, MDS 1345/108.  
forming the approved application.

Reason: For the avoidance of doubt and to clarify the permission.

3. No development shall be commenced until a scheme for the disposal of foul and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. Thereafter, no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented.

Reason: To minimise the risk of flooding and/or pollution.

4. Before the development is occupied or utilised the first 5.00 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.

5. Before the development hereby approved is occupied or utilised the turning and parking shown on Drawing Number MDS 1345/103 Rev B must have been constructed. Thereafter, these areas, must be permanently maintained, kept free from obstruction and available for the purposes specified.

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

6. There must be no gates hung so as to form obstruction to the vehicular access serving the site.

Reason: To ensure the free and easy movement of vehicles through the access and to prevent any likely interruption to the free flow of traffic on the adjacent public highway.

7. Before the development hereby approved is occupied or utilised the visibility splay areas as shown on Drawing Number MDS 1345/103 Rev B must be cleared/excavated to a level not exceeding

0.60 metres above the relative level of the adjacent carriageway. The splay areas must thereafter be maintained and kept free from all obstructions.

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

8. Prior to the construction of the boundary wall, a sample panel measuring 1m by 1m shall be constructed on site for the approval of the local planning authority in writing. The sample panel shall remain on the site for the duration of the build and the boundary wall and the external elevations of the dwellings shall be constructed in accordance with the approved panel.

Reason: In the interests of the appearance of the area on the edge of the Conservation Area.

9. Prior to the construction of the development above foundation level, samples of the materials to be used in the external wall and roof of the dwellings shall be submitted to the local planning authority for approval in writing. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the appearance of the development on the edge of the Conservation Area.

10. Prior to occupation of the development, precise details of all tree, shrub and hedge planting (including positions and/or density, species and planting size) shall be submitted to and approved in writing by the Local Planning Authority. Planting shall be carried out before the end of the first available planting season following substantial completion of the

development. In the five year period following the substantial completion of the development any trees that are removed without the written consent of the Local Planning Authority or which die or become (in the opinion of the Local Planning Authority) seriously diseased or damaged, shall be replaced as soon as reasonably practical and not later than the end of the first available planting season, with specimens of such size and species and in such positions as may be agreed with the Local Planning Authority. In the event of any disagreement the Local Planning Authority shall conclusively determine when the development has been completed, when site conditions permit, when planting shall be carried out and what specimens, size and species are appropriate for replacement purposes. Reason: In the interests of continued visual public amenity.

11. Prior to the construction of the development above foundation level, large scale details of the windows, doors, chimney, eaves, porches and lintels shall be submitted to the local planning authority for approval in writing. The development shall be carried out in accordance with the approved details. Reason: In the interest of the appearance of the development on the edge of the Conservation Area.

12. The recommendations set out in the Biodiversity Appraisal dated May 2018 shall be completed in full prior to first occupation of the development. Reason: To enhance the biodiversity potential of the site.

13. Prior to first use of the development hereby permitted, details of any external lighting shall be submitted to the local planning authority for approval in writing. The development shall be carried out in accordance with the approved details and there shall be no further external lighting installed. Reason: To prevent light pollution within the 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.

**Application No:** 2/2018/1197/FUL - Change of use of agricultural land to station 2 No. shepherd huts for holiday accommodation (retrospective).

**Location:** Savage Cat Farm, Underground House, Bay Road, Gillingham, SP8 5QR

**Decision:** Approve

### **Conditions:**

1. The development hereby permitted shall be carried out strictly and only in accordance with the following approved drawings and details: Location Plan 10824-SCF Rev PRE1; 1:2500 Block Plan; Block Plan produced 23 Aug 2018; Bankside and Lakeside Front and Back Elevations; Lakeside Side Elevations; Bankside Side Elevations; Lakeside and Bankside Floor Plan; forming the approved application.

Reason: For the avoidance of doubt and to clarify the permission.

2. The accommodation hereby approved shall be used solely for holiday letting and shall not be used for the purpose of providing permanent residential accommodation. Such accommodation shall not be let to any individual or group of individuals for any period which exceeds 28 consecutive days and there shall be no return by any such party within a further 28 days. A register of occupancy shall be kept and shall be made available to the Local Planning Authority following a written request at 14 days notice.

At the end of the ninth year following approval (i.e. by 31 January 2028;) details of the occupancy for that year to comply with this condition shall be submitted to the Local Planning Authority.

Reason: To ensure that the units are not used as permanent residential accommodation

### **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.

**Application No:** 2/2018/1348/FUL - Change of use of land to increase size of garden and alter parking and manoeuvring area (retrospective) for new dwellings approved by planning permission No. 2/2017/0718/FUL.

**Location:** Former Office, Hags Play Ltd, Holwell Road, Kings Stag, Sturminster Newton, Dorset, DT10 2BA

**Decision:** Approve

### **Conditions:**

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

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

2. The development hereby permitted shall be carried out strictly and only in accordance with the following approved drawings and details: 1440/1A Site Plan & Location Plan, 1440/1/2 Ground floor plan & elevations; forming the approved application.

Reason: For the avoidance of doubt and to clarify the permission.

3. Before the development hereby approved is occupied or utilised the turning and parking shown on Drawing Number 1440/1A must have been constructed. Thereafter, these areas, must be permanently maintained, kept free from obstruction and available for the purposes specified. Reason: To ensure the proper and appropriate development of the site and to ensure that highway safety is not adversely impacted upon.

### **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.



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## NDDC Planning Committee 26 February 2019

### Consolidated Addendum / Updates (dated 25 February 2019)

#### **AGENDA ITEMS 4 & 5 - 2/2018/00077/OUT - Land at Park Fm Kingsmead Business Park Gillingham & 2/2018/00036/OUT – West of Shaftesbury Rd at Land South of Gillingham**

#### **Correspondence from Consortium 25 February 2019:**

On behalf of both applicants we are extremely disappointed at the position currently being taken by the local planning authority. Given this position both parties have no choice other than to seek deferral of both applications in their respective allotted public speaking slots at the Committee. In broad terms the reasons on which deferral will be sought are as follows:

1. In respect of both applications there are very significant unresolved matters relating to the viability appraisal which in turn impact on affordable housing provision both in terms of the proposed minimum provision of 15% within Phase 1 (which is unacceptable to both parties) and future phase provision based on an as yet unresolved review mechanism. Having clarity over this mechanism is pivotal to our understanding of the implications of the 15% threshold sought by the Council. Neither party would be willing to enter into a s106 Agreement on the terms presented in the Committee report (notwithstanding the errata already raised with you) such that any resolution on this basis would be quite frankly worthless as neither application would be implemented putting the HE funding that has been secured at risk.
2. This position is not only unacceptable to the applicants, but also to the respective landowners.
3. In respect of Welbeck Land's application there are ongoing objections from both the EA and LLFRA. There is a lot of uncertainty as to how these can be resolved and we are concerned at the viability implications of this and also the potential grounds of challenge if a decision is proceeded at this time.
4. There is currently significant uncertainty over costs associated with infrastructure delivery and in particular how the required services can be brought under the railway line and river. Greater certainty on the solution for this and associated costings is required in order to properly factor this into the viability appraisal.
5. The recent change by Homes England in terms of funding conditions i.e. loan rather than grant, has not yet been properly factored into the viability appraisal. Furthermore, we have not yet modelled the HiF loan at £6.3m (as recently increased from £4m), nor do we understand any interest repayments that may be sought by the Council.

It is both applicants firm position that deferral for one month would afford all parties sufficient time to make the necessary progress on all the above matters such that the application could be reported to Members from a properly informed position. If the March Committee agenda is congested, it would be possible to arrange a special Committee meeting to consider the applications.

As you note this is the Councils largest strategic housing allocation and its timely delivery is critical. It is therefore wholly appropriate that both applications are deferred for one month so that the Council can be asked to make a properly informed decision.

In the event that deferral is not agreed, the applicants will have no option but to consider withdrawal of the applications immediately after Committee.

**Your Officers' response/observations:**

We see no merit in a deferment merely to prolong debate further on viability matters. Notably the negotiating gap is actually only 4% i.e. Consortium's stated position 11% and Officers' recommendation 15%. We consider this to be a defensible position on the evidence to date. Consequently we are content that the Consortium use its opportunity for rebuttal for seeking a deferment when it comes to public speaking on the day of committee. It will then be a matter for the Planning Committee to decide how it wishes to proceed.

As a matter of fact DCC Local Lead Flood Authority withdrew their holding objection to application 2/2018/0036/OUT.

Regarding S106 Agreement matters; these are outline applications and the report to Committee is not seeking to agree at this stage the precise detail of the S106 Agreement. Rather, it seeks agreement to the broad heads of terms at this stage, the level of affordable housing in the first phase of development and principle of a viability review mechanism etc. The recommendation seeks delegated authority to be given to the Head of Planning to subsequently negotiate the detailed terms / wording of a bilateral S106 Agreement. The only point of detail we are asking the Committee to decide now is the recommended level of 15% affordable housing with a 50/50% tenure split (as opposed to a policy compliant 25% Affordable Housing with a 70/30% tenure split which the District Valuer says is viable).

Please also note that the Officers' will also seek to modify the recommendations to include a further requirement; 'in the alternative', that states:

In the event that the Applicants subsequently do not agree to the terms of the Planning Committee resolution to APPROVE, or fail to complete the required Section 106 Agreements within 6 months, then delegate to the Head of Planning to REFUSE OUTLINE planning permission for the failure to comply with relevant Adopted Local Plan Policy 8 – Affordable Housing and Policy 21 – Gillingham Strategic Site Allocation (infrastructure).

**Dorset County Hospital NHS Foundation Trust** – Late consultation response received 25 February, 2019, summarised: **No objection in principle subject to financial contribution** - As our evidence demonstrates, the Trust is currently operating at full capacity in the provision of acute and planned healthcare. It is further demonstrated that although the Trust has plans to cater for the ageing population and growth, it will not be able to plan for the growth in a piecemeal manner. The contribution is being sought not to support a government body but rather to enable that body to provide services needed by the occupants of the new homes. The development directly affects the ability to provide the health service required to those who live in the development and the community at large. Without contributions to maintain the delivery of health care services at the required quality standard and to secure adequate health care for the locality the proposed development will put too much strain on the said infrastructure, putting people at significant risk.

This development imposes an additional demand on existing over-burdened healthcare services, and failure to make the requested level of healthcare provision will detrimentally affect safety and care quality for both new and existing local population. This will mean that patients will receive substandard care, resulting in poorer health outcomes and pro-longed health problems. Such an outcome is not sustainable. There will be a dramatic reduction in safety and quality as the Trust will be forced to operate over available capacity as the Trust is unable to refuse care to emergency patients. There will also be increased waiting times for planned operations and patients will be at risk of multiple cancellations. This will be an unacceptable scenario for both the existing and new population.

The contribution is necessary to maintain sustainable development. Further, the contribution is carefully calculated based on specific evidence and fairly and reasonably related in scale and kind to the development. It would also be in the accordance with Council's Core Strategy. In the circumstances, without the requested contributions to support the infrastructure the planning permission should not be granted.

**Planning Conditions** – both applications require some refinement of the wording of certain planning conditions, in particular those which require sub-phase and phasing requirements.

In addition the Grampian Highway Authority suggested conditions require deletion of the wording “to the specification of the Local Planning Authority” and insertion of the wording “to a specification provided by the applicant to be submitted to and approved in writing by the Local Planning Authority.”

Additional surface water drainage conditions required for both applications as follows:

CONDITION: No buildings shall be constructed until a detailed surface water management scheme for the site, based upon the hydrological and hydrogeological context of the development, and including clarification of how surface water is to be managed during construction phases, has been submitted to, and approved in writing by the local planning authority. The surface water scheme shall be fully implemented in accordance with the submitted details before the development is completed.

#### REASON

To prevent the increased risk of flooding & associated nuisance, to improve and protect water quality, and to improve habitat and amenity.

#### CONDITION

No buildings shall be constructed until details of maintenance & management of both the surface water sustainable drainage scheme and adjacent receiving system have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. These should include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

#### REASON

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

**Delegated authority be given to the Head of Planning to make such refinements and amendments to planning conditions as listed.**

### **AGENDA ITEM 4 - 2/2018/00077/OUT - Land at Park Fm Kingsmead Business Park Gillingham**

1. **DCC/LLFA Consultation – Surface Water Management consultation response 20 February, 2019** – Summarised: The amended FRA/DS document addresses the three main areas of concern:
  - The submission confirms that the surface water attenuation will be located outside of the Environment Agency Flood Zone 2 classification
  - A 10% betterment on greenfield flow rates provides a sufficient protection to ensure no local worsening effect downstream
  - Areas of prevailing surface water risk are identified within the Flood Risk Assessment and that these areas will be considered further. At the Reserved Matters stage any natural valleys which are susceptible to surface water flooding should be re-profiled, or must otherwise incorporate appropriate exceedance pathways (i.e. green corridors or highway alignments), which aim to steer flows towards convenient holding points.

**On the basis of the additional information & clarification supplied DCC FRM withdraw our previous (Holding) Objection, subject to the attachment of the following pre-commencement conditions to any decision granted;**

2. **Correct Recommendation Summary** – second bullet point should state 15% (NOT 20%) affordable housing in the first phase of development – consistent with the rationale in Part 1 report: Viability & Affordable Housing and Appendix C – Case Officer Conclusion.

**AGENDA ITEM 5 - 2/2018/00036/OUT – West of Shaftesbury Rd at Land South of Gillingham**

1. **One additional representation (2/2018/0036/OUT) objecting to the limited access off Woodpecker Meadow** – points of concern summarised as:
  - The recommendation of the county highway authority dated 14 February 2019 is wholly inconsistent with what they were advocating in September 2017 and February 2018
  - Neither the applicant’s advisers nor the county highway authority have properly considered the impact of increased vehicular activity on the safety of the children attending the nearby primary school via Woodpecker Meadow, a material safety concern
  - The applicant seeks to minimise the impact of the volume of additional traffic resulting from the 100 new homes; but most homes have two vehicles each and the additional traffic could well total some 200 vehicles
  - As respects Woodpecker Meadow, the transport statement dated 8 December 2017 relies on the stage 1 road safety audit
  - An analysis of this audit is at paragraphs 17 to 26 of my letter dated 15 February 2018
  - i-Transport makes no attempt to defend the audit in their letter to NDDC dated 11 February
  - The county highway authority in its recommendation appears to accept the audit without analysing it
  - The planners must apply the NPPF, and because what is proposed is a major development, the ‘lighter touch’ transport statement that the applicant has produced as respects extending Woodpecker Meadow is inadequate for the purpose of fully considering the transport and safety implications.
2. **Correct Recommendation Summary** – second bullet point should state 15% (NOT 20%) affordable housing in the first phase of development – consistent with the rationale in Part 1 report: Viability & Affordable Housing and Appendix C – Case Officer Conclusion
3. **Delete conditions listed as 12, 13 & 26; Correct condition 17** and reason to reference “634” dwellings.
4. **Missing Appendix A : NDLP Policy 21: Gillingham Southern Extension:**

**Refer following pages**

## Appendix A:

### Adopted North Dorset Local Plan Policy 21: Gillingham Strategic Site Allocation

#### **POLICY 21: GILLINGHAM STRATEGIC SITE ALLOCATION**

A Master Plan Framework will be prepared for the whole of the southern extension of Gillingham to ensure that: the site will be developed in a comprehensive and coordinated manner; and facilities and infrastructure are provided and delivered in step with housing and employment development.

The Council will use the Master Plan Framework for the southern extension as a material consideration in the context of the requirements of the Local Plan which forms the main policy basis for determining any subsequent planning applications for development on the site. The Council will not support proposals for development within the southern extension prior to the production of (and consultation on) the Master Plan Framework and prior to its contents being agreed by the Council.

The Master Plan Framework (and any subsequent planning applications on or affecting the southern extension) should:

- a reflect the conceptual framework for the site (including concept plan, concept statement and design principles), unless a departure from the concept plan or concept statement can be clearly justified; and
- b demonstrate how the land use allocations, infrastructure and other requirements set out: in this policy; on the proposals map for the strategic site allocation; and in the other policies of the Local Plan, will be provided and delivered.

The Council's preferred approach is for developers to work together (and with the Council, key stakeholders and the community) to prepare the Master Plan Framework, which the Council would then agree. If necessary, the Council would consider producing a supplementary planning document or other planning document (or documents) to guide the future development of the southern extension.

#### **Climate Change**

The Master Plan Framework for the southern extension (and any subsequent planning application, or applications, for the site) should show how the causes and effects of climate change will be tackled by:

- c incorporating energy efficiency and renewable energy measures in buildings, including measures to produce energy from renewables and low carbon sources to meet the requirements of the Government's zero carbon buildings policy; and

## **POLICY 21 (CONT'D): GILLINGHAM STRATEGIC SITE ALLOCATION**

- d consideration being given to the potential for a district heating
- e scheme to serve, or to be incorporated into, the southern extension, should a suitable opportunity arise; and
- f measures to address the risks of fluvial and surface water flooding; and
- g incorporating sustainable drainage systems into the development.

### **Environment**

The Master Plan Framework for the southern extension (and any subsequent planning application, or applications, for the site) should show how the natural and historic environment will be conserved and enhanced by:

- h measures to integrate the southern extension into the wider landscape, particularly where the edge of development adjoins open countryside; and
- i measures to conserve and enhance wildlife interests, including both habitats and species within and close to the southern extension; and
- j the retention (in situ) and enhancement of significant archaeological features and their settings, including Kings Court Palace Scheduled Monument and Gillingham Park Boundary Bank Scheduled Monument.

### **Meeting Housing Needs**

The Master Plan Framework for the southern extension should:

- k show how the site will be developed with about 1,800 homes in total; and
- l show how the delivery of housing will be phased over time making provision for about 1,800 homes to be delivered on the SSA in the period up to 2031; and
- m show how the delivery of housing will be phased spatially based on the approach that development will commence adjacent to the existing built-up area of the town and spread out towards the boundaries of the site; and
- n set out the mix of market and affordable homes, in terms of number of bedrooms, that should be delivered on the site, reflecting the proportions in Policy 7 – Delivering Homes, unless a different mix can be justified on the basis of local circumstances and agreed with the Council;

## **POLICY 21 (CONT'D): GILLINGHAM STRATEGIC SITE ALLOCATION**

- o set out that 25% of the total number of dwellings will be affordable, unless a different percentage can be justified on the basis of a site-based assessment of viability and agreed with the Council; and
- p make provision for at least 50 affordable extra care units for the elderly, as part of the overall provision of affordable housing.

Any subsequent planning application, or applications, for the site should reflect the requirements for the provision of housing development set out above, or as amended in the Master Plan Framework.

### **Supporting Economic Development**

The Master Plan Framework for the southern extension (and any relevant subsequent planning application, or applications, for the site) should:

- q set out how the land to the south of Brickfields Business Park should be developed: with a range of employment uses; with a new access from the B3092; to be well screened in views from the south and west; and
- r set out how the remaining undeveloped land at Kingsmead Business Park should be developed as part of a local centre in the Shaftesbury Road corridor to support the southern extension. In the event that the local centre does not include the remaining undeveloped land at Kingsmead Business Park, the Master Plan Framework (and any relevant subsequent planning applications), should show how the site will be developed with a range of employment uses.

### **Grey Infrastructure**

The Master Plan Framework for the southern extension (and any relevant subsequent planning application, or applications, for the site) should make provision for:

- s a 'principal street' linking New Road (B3092) and Shaftesbury Road (B3081), which will be designed as a bus route; and
- t a permeable and legible network of well-defined streets and spaces within the southern extension, which are cycle and pedestrian friendly, including well-designed gateways to the town and accesses to different areas of development at key points. Links from the southern extension into the existing built-up area of the town should be primarily for pedestrians and cycles; and

## **POLICY 21 (CONT'D): GILLINGHAM STRATEGIC SITE ALLOCATION**

- u the closure of Cole Street Lane to vehicular through traffic, other than for access; and
- v off-site highway improvements, particularly improvements to increase the capacity of the New Road (B3092) and Shaftesbury Road (B3081) junction; and improvements in the Shaftesbury Road/Le Neubourg Way corridor; and
- w off-site measures, and contributions towards off-site measures, to support the use of public transport, cycling and walking. Such improvements will include the enhancement of Gillingham Railway Station and the completion, where practicable of gaps in existing cycle and pedestrian route networks between the town and the southern extension; and
- x contributions towards the provision of a link road between the B3081 and the A30 at Enmore Green; and
- y other grey infrastructure requirements to support the development of the southern extension including the upgrading of: foul sewers; the town's sewage treatment works; utilities; and telecommunications networks, including broadband.

### **Social Infrastructure**

The Master Plan Framework for the southern extension (and any relevant subsequent planning application, or applications, for the site) should make provision for:

- z a local centre in the Shaftesbury Road corridor to serve the southern extension, which will include: small scale local convenience shops; a 2 forms of entry primary school; a pre-school nursery; a community hall; health facilities (including a doctors' surgery, a dentist and a dispensing pharmacy); and other essential local facilities; and
- aa the expansion of St Mary the Virgin Primary School (from 1 form of entry to 2) including the provision of land if required; and contributions towards the expansion of Gillingham High School; and
- bb contributions towards improvements to, or the expansion of: Riversmeet (including a community hall); Gillingham Town Library; and Gillingham Fire Station.

## **POLICY 21 (CONT'D): GILLINGHAM STRATEGIC SITE ALLOCATION**

### **Green Infrastructure**

The Master Plan Framework for the southern extension (and any relevant subsequent planning application, or applications, for the site) should make provision for:

- cc at least 8.5 hectares of formal public open space, including sport's pitches, children's play spaces, allotments and community orchards. At least 7 hectares should be provided as sports pitches and associated facilities. The preferred option is for sports pitches to be grouped in two clusters either side of the B3081; and
- dd at least 26 hectares of informal public open space primarily along the river corridors providing: a landscape setting for development; enhanced habitats for wildlife; and off-road routes for pedestrians and cyclists within the SSA linking to the town and countryside; and
- ee the retention, where practicable, of important trees, groups of trees and hedgerows on the southern extension site within public open spaces and publically accessible 'greenways'; and
- ff the establishment of a sustainable drainage system across the southern extension utilising, where practicable, existing watercourses, ponds, ditches and the 'greenways' associated with the retained hedgerows; and
- gg the retention of existing areas of strategic landscape planting and the establishment of new strategic landscape planting, particularly on the edges of the site to screen new development whilst also allowing views out of and into the site; and
- hh contributions towards the provision or enhancement of green infrastructure off site.