



Eastern Area Planning Committee

Date: Wednesday, 25 September 2019

Time: 10.00 am

Venue: Quarterjack Room - The Allendale Centre, Wimborne

Membership: (Quorum 6)

Toni Coombs (Chairman), Shane Bartlett (Vice-Chairman), Alex Brenton, Cherry Brooks, Robin Cook, Mike Dyer, Beryl Ezzard, Barry Goringe, David Morgan, David Tooke, Bill Trite and John Worth

Chief Executive: Matt Prosser, South Walks House, South Walks Road, Dorchester, Dorset DT1 1UZ (Sat Nav DT1 1EE)

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AGENDA

Page No.

1 APOLOGIES

To receive any apologies for absence

2 DECLARATIONS OF INTEREST

To receive any declarations of interest

3 MINUTES

5 - 18

To confirm the minutes of the meeting held on 31 July 2019.

4 PUBLIC PARTICIPATION

Members of the public wishing to speak to the Committee on a planning application should notify the Democratic Services Officer listed on the front of this agenda. This must be done no later than two clear working days before the meeting. Please refer to the [Guide to Public Speaking at Planning Committee](#).

PLANNING ISSUES

5 3/18/3305/OUT - DEVELOPMENT OF LAND SOUTH OF LEIGH ROAD, WIMBORNE

19 - 200

To consider Application 3/18/3305/OUT, for the development of land South of Leigh Road, Wimborne this proposal being a hybrid application comprising:

- 1) An outline application for the erection of 174 dwellings, with all matters reserved save for means of access.
- 2) A full planning application for the erection of a community sports facility comprising club house, playing pitches, parking and landscaping together with the change of use of the land to leisure.

6 APPEALS SUMMARY

201 - 206

To receive a summary of appeal decisions, for information.

7 URGENT ITEMS

To consider any items of business which the Chairman has had prior notification and considers to be urgent pursuant to section 100B (4) b) of the Local Government Act 1972

The reason for the urgency shall be recorded in the minutes.

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DORSET COUNCIL - EASTERN AREA PLANNING COMMITTEE

MINUTES OF MEETING HELD ON WEDNESDAY 31 JULY 2019

Present: Cllrs Toni Coombs (Chairman), Shane Bartlett (Vice-Chairman), Alex Brenton, Cherry Brooks, Robin Cook, Mike Dyer, Beryl Ezzard (arrived at 14.20pm), Barry Goringe, David Morgan, David Tooke (left meeting at 17.15pm), Bill Trite and John Worth

Also present: Cllr David Walsh

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

Philip Crowther (Senior Solicitor - Planning), Lynda King (Development Management Manager), Alan Davies (Development Manager), Andrew Collins (Principal Planning Officer), Kate Critchel (Senior Democratic Services Officer), Elizabeth Adams (Principal Planning Officer), Elizabeth Fay (Major Projects Officer), Alexandra Dones (Planning Officer) and Caroline Smith (Senior Planning Officer)

13. Declarations of Interest

There were no declarations of interest to report.

The Chairman of the Committee, Councillor T Coombe had no declaration to make but she read out the following statement to all those present at the meeting:-

“The application from Wyatt Homes to be considered on the agenda related to a site previously allocation by East Dorset District Council in its Core Strategy. I was previously a member of East Dorset District Council and at the time voted in support of the submission of the Core Strategy to the Secretary of State.

I have taken advice from Dorset Council’s Monitoring Officer about my role as Chairman of this Committee and Whether I should take part in this meeting. The Monitoring Officer is the Council’s Chief Legal Officer and responsible for ensuring that the Council’s actions are both lawful and uphold standards of behaviour.

The Monitoring Officer has advised me that I have no disclosable pecuniary interest under the Localism Act 2011 to prevent me from taking part in he meeting. I have been advised by the Monitoring Officer that I have no interest to declare.

In addition, the Monitoring Officer has advised that simply having voted on the submission of the Core Strategy to the Secretary of State for examination in public by an Independent Planning Inspector appointed by the Secretary of

State, does not prevent me or indeed any other councillor in that position from taking part to decide this specific planning application. I do not have a predetermined view about the application as a result of having voted on the core strategy and I am approaching the application before the committee completely afresh.”

14. Minutes

The minutes of the meeting held on 3 July 2019 were confirmed and signed by the Chairman.

15. Public Participation

Representations by the public to the Committee on individual planning applications are detailed below. There were no questions, petitions or deputations received on other items on this occasion.

16. Planning Applications

Members considered written reports submitted on planning applications as set out below.

17. Land East of New Road West Parley Dorset

The Major Projects Officer presented the report showing members all the relevant plans and drawings. The committee was advised that the application site comprised of 20.2ha of green field land and was located to the south-east of the intersection of the A347 and B3073, in the Parley Cross area, the local centre of the village. The A347 and the B3073 connected to the site east to west and north to south to the surrounding area.

The Major Projects Officer reported a number of updates to the committee including that additional comments had been received from East Dorset Environment Partnership. However these issues did not include any matter relevant at outline stage that had not already been addressed within the report. Some matters did relate to the details to be submitted at reserved matter stage and where relevant would be included within an informative note.

Members were also advised that two further neighbour representations had been received, but no new issues had been raised. In respect of paragraph 8.5.2 and 8.11.2 of the report the reference to policy should be updated to read FWP6. In respect of employment opportunities, the applicant had confirmed that the proposal had the potential to deliver up to 207 new FTE positions. In relation to the location of the SANG car parking provision, the access to this was to be provided from either the link road, New Road or Christchurch Road, with the final location of the car park to be determined in consultation with Natural England. Members were also advised that in recommendation B the “Head of Planning Services” should be amended to read “Legal Services Manager”.

The committee was informed that the site had a Public Right of Way that crossed east to west connecting Church Lane to New Road and the land was allocated within the Christchurch and East Dorset Local Plan Core Strategy. The outline application was for the construction of up to 386 dwellings, new local centre comprising of up to 1000sqm of retail units, 900sqm of offices and 2200sqm of food store. The application would include access from Christchurch Road and New Road, a link road which is forecast to alleviate congestion at Parley Cross, and associated highway works, open space, including SANG, allotments, landscaping and associated works; and a children's play area.

Members were reminded that the plan shown was indicative and demonstrated what could be delivered on the proposed site. The committee was asked to note that these designs were not set in stone.

The Major Projects Officer continued that the majority of properties abutting the site were located within Church Lane adjacent to the proposed SANG area and it was unlikely that there would be any unacceptable disturbance to amenity. The development facing the site from Christchurch Road and New Road would also not be detrimentally affected and would see improvements to amenity as a result of the reduction in traffic and congestion in the area.

The proposed site was not within the green belt area, but parts of the SANG proposal were shown in parts of the green belt. However this was an appropriate green-belt use and would not be considered to impact on the openness of the green-belt.

In respect of the retail space and food store, the Major Projects Officer confirmed that a Sequential Test and assessment of the impact of the whole retail offering had been submitted. The test concluded that the impacts associated with the proposal were low and represented no threat to the vitality and viability of local town centres.

The site was located within the Bournemouth Airport safeguarding zone and members were advised that the airport had raised no objection to the proposals, but had indicated a number of detailed considerations to be secured and addressed through conditions. The public footpath could be accommodated within the proposed residential layout, SANG and this would be addressed through the Design Code and at the reserved matters stage.

In respect of public transport, there was a bus route which passed the site north to south which could be accommodated in the proposal; however this along with any proposed cycle path would be addressed as part of the link road development.

Members were informed that in respect of the housing mix and affordable housing contribution, the housing mix did differ from that identified in the Strategic Housing Market Assessment (SHMA). The proposal would secure a good mix of properties including larger accommodation for affordable rent. But also provided a good mix of 1, 2 and 3 bedroom market units. The proposed affordable housing would be 19% of the site.

In terms of community facilities the Major Projects Officer confirmed that the following would be secured; contributions to Education, transport improvements towards a new clinical consulting room. It also included contributions to a new community facility at the Sports and Social Club to provide a wide ranging community centre and other contributions included, allotments and a children's' play area.

Public Participation

Oral representations objecting to the planning application were received from Keith Hern, Jean Heaton of the British Horse Society and Tom Blythe. Those objecting to the proposal stated that there was no evidence to prove a demand for another large food store in the area when there were others within a 5 minute drive or short bus trip away. They also challenged the need for additional office space when there were vacant properties at a local business park. Concerns were expressed regarding the existing infrastructure which was considered inadequate and insufficient to cope with traffic and that local schools and GPs could not cope with the increased demand.

There were further concerns expressed that the link road would not work as planned and would create additional traffic issues for the area. There were concerns expressed regarding the loss of green belt land and the development had not been considered in light of other housing developments already in the area. It was considered that the local planning authority had not listened to these points raised or views of the local community. Jean Heaton indicated that she was concerned for the long-term safety of local horse riders and that the proposed link road would create a dangerous environment for those crossing the B0373. She requested that more links across Parley Common be introduced for horse rider's safety and asked that the committee think about the safety of the horse riding community when making their decision.

Oral representations were received from the Chairman of the West Parley Parish Council, Cllr Philip Bamborough. Cllr Bamborough expressed concerns in respect of the information relating to the access, link road indicating that the detail was inadequate. He asked if the material to be used would be horse and cycle safe. He also advised that planning needed to take a strategic view of the whole area and consider the long term impact of the infrastructure, including the proposed development at the airport. There was also concern that SuDs would attract birds causing a hazard for local aircraft.

Cllr Andrew Parry, Local Ward Members was invited to address the committee and speak on behalf of the local community.

Cllr Parry advised that they should not underestimate the strength of feeling within the West Parley community regarding their concerns about the proposed development. He advised that residents were unhappy about the loss of the green space and the green belt land. The development would be detrimental to West Parley and surrounding towns and villages. The proposed

retail and business units would have a negative impact on the area and it was considered that these proposals were not demand lead.

If members were minded to approve that application, he asked them to consider rejecting the business element of the proposal. He also asked the committee to consider the proposal in the light of the council's declaration of a national climate emergency and challenged if the proposal had been considered against this declaration. He also stated that it was disappointing that the original affordable housing allocations would not be met and there were concerns around the viability of the link road proposal.

Oral representations were received from Lorraine Southwood on behalf of the applicant who advised that the proposed development would create new homes with community benefits and a much needed link road for the area. She understood the depth of local feeling in respect of the application, but advised that the proposal did accord with the requirement of the Local Plan New Neighbourhood Policy and was in accordance with the National Planning Policy Framework. The applicant advised that they had consulted widely and considered need against these policies. The proposal represented sustainable development for the area including the allocation of affordable dwellings.

The Chairman invited Steve Savage, Transport Development Liaison Manager to address the committee and respond to some of the comments relating to highway issues. He confirmed that the Transport Statement was satisfactory and robust. The proposed forward funding would enable the link road to be in place prior to the proposed development of the site and so offer relief to local congestion. He also confirmed that the proposals for the airport had been taken into account as part of the modelling results.

In response to some of the issues raised the Development Management Manager advised that there had been a number of representations made and these had all been carefully considered and part of the application process. Education need had been considered and section 106 contributions would be sought. Members were advised that the proposal for the site accorded with the requirements of the Local Plan and the Core Strategy. The parameter plan had been submitted and provided confidence that the proposal would be distributed across the site in a way that would not have an adverse impact on the Dorset heathlands or green belt area.

Debate

At this stage of the meeting and following advice from the Senior Solicitor, Cllr B Ezzard indicated that she would not take part in the debate or vote on the application; she had arrived late to the meeting and had not heard all of the officer's presentation.

In response to questions, the Planning Officer advised that climate issues were considered in accordance with planning policies. A cycle way, public footpath and public allotments were all proposed for the site. Renewable energy had also been considered. The application also included an Ecological Appraisal and Biodiversity Mitigation Plan. In respect of the concern that SuDs

would attract birds causing a hazard for local aircraft, members were advised that it was anticipated that the SANG would only attract small birds and the airport were not objecting to the proposal.

In response to a further question regarding the evidence for a food store and it not impacting existing stores, the Major Projects Officer advised that the retail assessment was subject to independent scrutiny by a retail consultant who confirmed the original findings of the Sequential test.

Members were disappointed about the percentage of affordable housing, but acknowledged that the proposal had to be considered as a whole. However it was requested that the condition relating to social housing element be strengthened to read as follows:-

“Review of affordable housing viability at mid-point of the development with any additional affordable housing found viable to be delivered on-site, provided that this review does not result in a reduction in the percentage of affordable housing units to be provided below 19%.” This amendment was agreed by the committee.

In respect of reserved matters members were advised that the submission of a design code was subject to a condition of the application. Reserved matters could come back to committee in accordance with the constitution, should this be considered appropriate. In summing up the Major Projects Officer confirmed that officers had worked with the local community and engaged with the design and access statement. The changes to proposal had been made as part of the consultation process.

Overall members welcomed that application and considered the scheme to be sustainable and reasonable. The community facility proposals would bring benefits to the area and work opportunities through the business element of the proposal.

Decision

It was proposed by Cllr S Bartlett seconded by Cllr M Dyer that the application be:-

APPROVED as amended and as set out in the appendix to these minutes.

18. **Land East of Church Lane, West Parley (SANG for Core Strategy Policy Site FWP6)**

The Major Projects Officer presented a report and advised that the application sought planning permission for the change of use of land to a suitable alternative natural greenspace (SANG) for the residential element of the development proposed under the outline planning proposal. The existing agricultural buildings and associated hardstanding would be removed and meadow grassland, scattered tree planting, a pond, hedgerow and scrub habitats were to be provided.

As an update the Major Projects Officer reported that the following:-

- An additional sentence should be added as paragraph 4.1 of the report "Planning policy contained in the National Planning Policy Framework and National Planning Practice Guidance is relevant and is a material consideration to be considered in the planning judgement. The guidance contained in Department of Transport (DfT) Circular 01/2010 is also a material consideration".
- Recommendation B replace "Head of Planning Services with Legal Services Manager "

Public Participation

Oral representations were received from Cllr Philip Bamborough, Chairman of West Parley Parish Council. In addressing members he indicated that the Parish Council accepted the provision of a SANG, in principle but expressed reservations that the Parish Council's concerns had not been addressed in relation to the narrowness of Church Lane. This road was not suitable for additional traffic or parking. There were concerns over air pollution and signage. The Parish Council requested that the responsibility of the SANG lease or freehold should be transferred to them to run and manage.

Cllr Andrew Parry spoke on the application as the Local Ward Member and reminded members of the strength of feeling in respect of the wider development of the area. He highlighted that the application was fragmented and expressed concerns that the airport would have increased risk of bird strike. He asked the committee to carefully reflect on the traffic management of the site and parking provision in order to protect visitors and local residents alike. He also wanted to ensure that the long-term future of the site was secured.

In response to matters raised the Major Projects Officer confirmed that the applicant intended to maintain the SANG. However the Parish Council could discuss this matter direct with the applicant outside of the planning process, if they so wished.

In respect of the airport and birds from the SANG, it was anticipated that there would be mainly small garden birds and following consultation, the airport was content that bird strike would not be an issues subject to details of a Management Plan.

Debate

In response to concerns expressed the Chairman confirmed that, if required reserved matters could be referred back to the committee for decision.

Responding to further questions for clarification, the Major Projects Officer advised that Church Lane was a very quiet road and the highways authority had raised no objection. Putting traffic calming measures in place would be considered out of character for the site and area. It was further confirmed that reserve matters would include the links to the SANG.

Decision

It was proposed by Cllr S Bartlett and seconded by Cllr D Morgan

GRANTED subject to conditions as set out in the appendix to these minutes.

The committee adjourned at this juncture (16.25pm) and returned at (16.35pm)

19. **Land South of Christchurch Road, Christchurch Road, West Parley, Dorset, BH22 8SL**

The Major Projects Officer set out the report and the application to erect an 80 bedroom Care Home with associated parking, landscaping and amenity space. The application site comprised of 0.75ha of greenfield land and was located to the south of Christchurch Road. There were a number of protected trees on the site which were proposed to be retained.

The accommodation would be provided over two storeys, with a main entrance to the building facing Christchurch Road and a servicing entrance to the north east of the building. Vehicular access to the site would be via a new access off of Christchurch Road and parking would be provided at the front of the site for 35 vehicles. The site would consist of community facilities as well as bedrooms. There was a good level of amenity and the extending roof line would prevent glare and heat build-up in the building. In conclusion the proposal for the site conformed to the requirements of the general policies of the local plan and overall the proposal represented sustainable development.

Vote to Continue Meeting

As the meeting had reached its three hour limit and in accordance with the constitution, the Chairman interrupted the debate to seek a vote to continue the meeting to its conclusion. This was so proposed by Cllr S Bartlett, seconded by Cllr C Brooks and agreed by the committee.

Public Participation

Cllr Philip Bamborough, Chairman of West Parley Parish Council objected to the application on the ground that this proposal was speculative and out of keeping with the surrounding area. The design and scale of the building was overbearing. There were also concerns expressed regarding traffic safety.

Cllr Andrew Parry, Local Ward Member expressed disappointment at a care home on this site rather than a community use. This was not what was expected or required by the local community. He felt that the proposed building was of poor design. If the care home was to provide high dependency level of care, he was anxious that there would be insufficient car parking on the site. If members were minded to approve, he asked that they request a CIL for the benefit of wider development for the community.

Oral representation were received from Mr Adrian Kearly as the applicant's agent. This was a proposed residential nursing care home which was badly needed across Dorset. The home would help reduce bed blocking and reduce accommodation shortfall. There was an increasing need for specialist care in the catchment area and the NHS had raised no objection to the plans. It was considered that the car park was acceptable and staff would be working shifts outside of normal office hours. Full CIL contributions were also part of the application.

In response to some of the comments made, the Development Management Manager advised that community use did not preclude a care home on the site. In planning terms this was an acceptable proposal and no other use had been put forward. The proposal also met the general requirements of the planning policies.

Debate

There were some reservations expressed in respect of the design and size of the building and some members were concerned that it would be overbearing. It was also disappointing that there was no direct access to the SANG for the residents of the care home as the use of green space was important for resident's health.

Overall most members felt that the site and proposed building was acceptable development for the area and the increase care provision was an important factor for the local and surrounding areas of Dorset.

It was proposed by Cllr S Bartlett seconded by Cllr A Benton that the application be approved. Before being put to the vote members discussed amending the following condition " There shall be no pets on the site at any time" to read "There shall be no pets on the site at any time, with the exception of therapy animals".

Upon being put to the vote the amendment was carried.

Decision

GRANTED subject to conditions, as amended and as set out in the appendix to these minutes.

Cllr Tooke left the meeting.

20. **Land off Stour View Gardens/ 91 Wimborne Road Corfe Mullen Wimborne BH21 3DS**

Before considering the item Cllr W Trite indicated that the applicant was known to him and asked if he should be making a declaration in this respect. The committee were advised that as Mr Burt was a previous Councillor of the East Dorset District Council, he would be known to many councillors.

The Senior Solicitor confirmed that it was up to individual to decide if this precluded them from making a decision on the application based on the closeness of their relationship with Mr Burt. Cllr Trite indicated that he would speak and vote of the item. For clarity Cllr Bartlett wanted to the committee to be aware that he served on Wimborne Town Council with the applicant.

The Principle Planning Officer advised that this was a residential development for approval of all reserved matters in respect of the outline planning permission at land off Stour View Gardens/91 Wimborne Road, Corfe Mullen, Wimborne.

Members noted that the proposal would have no adverse impact on the occupants of adjacent dwellings or the character and appearance of the locality. There was a local need for this type of dwelling and the proposal was in keeping with the area. The following updates were presented:-

- There was one additional neighbour comment, clarifies that a strip of land 3.1m wide lies between the site and 24 Stour view Gardens retained by the developer of Stour view gardens & the hedge which currently provides screening lies beyond the site
Paragraph 8.3 of the report should be revised to read:- *The new access from Stour view Gardens is be acceptable in the street scene and would result in a relatively low-key entrance to the site. The timber fence enclosing the refuse store is acceptable as this is to be located inside the site entrance adjacent to the site's west boundary; it would not be readily seen from the cul-de-sac given its set back position. There is currently also additional screening provided by the hedge at no. 24, beyond the site.*
- Concern that 24a Stour View Gardens is closer to the highway than the plans suggest.

Public Participation

Mr D Burt, highlighted a typing error in the report and asked members to support the application as set out.

Debate

Members considered the application to be in accordance with the outline planning permission and would have no adverse impact of the character and appearance of the immediate area.

Decision

It was proposed by Cllr S Bartlett seconded by Cllr D Morgan that the application be approved

GRANTED subject to conditions as set out in the appendix attached for these minutes.

21. Land adjacent to Blandford Road Corfe Mullen Wimborne BH21 3RQ

In presenting the report, the Planning Officer advised that the application was to erect an agricultural building for livestock and machinery. Members noted that Corfe Mullen Parish Council had objected to the proposal for a number of reasons as set out in the report. The following updates were also reported:-

- Paragraph. 8.12 of the officer report should be deleted and replaced with the following:
“Paragraph 193 of the NPPF explains that when considering the impact of a proposed development on the significance of a designated heritage asset great weight should be given to the asset’s conservation. In this case, the impact of the proposed development upon the setting of St Huberts church is less than substantial, and the proposed development is considered acceptable provided that its use is for agriculture only, and that additional planting is provided – as indicated on the submitted landscaping scheme”
- An additional paragraph should be added at 8.13: Paragraph. 196 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. In this case, there is some benefit in terms of the agricultural enterprise which outweighs the slight harm to the setting of St Huberts church.

Oral representations were received from Mr Munro the applicant’s agent. The building was required for the start up of trade and needed for security on site. It also was considered key to the success of this fledgling business. He advised that the container currently on the site would not be used once the building had been built.

Debate

Some members expressed concerns regarding the proposed siting of the building and the impact that it might have on the grade 2 listed church building. Some members felt that it was detrimental for the line of the church and would detract from the listed building which was set in an area of green belt land.

It was suggested that the building could be sited in another area of the field, for example, the embankment or near the woodland area. However, the Development Management Manager advised that these areas were at different levels and were likely to cause significant harm compared to the proposed location. Members were also reminded that they must consider the application before and not what they might like to see on site.

Although there were concerns expressed regarding the accesses to the field, members were reminded that there had been no objection from the Highways Authority. It was the officer’s view that the impact of the proposed site would be negligible.

Decision

It was proposed by Cllr B Ezzard seconded by Cllr M Dyer that the application be:-

GRANTED subject to conditions as set out in the appendix to these minutes.

22. 8 Westminster Road, Wareham, BH20 4SW

The Planning Officer presented a proposal for the reorganisation of depot for recycling collection vehicles. Provision of parking, porta cabins for office & welfare facilities, shipping containers for storage and new fencing and lighting. Member noted that the principle of development was acceptable for the site and within the development boundary. All planning matters had been addressed and the location was considered to be sustainable and acceptable in terms of design and general visual impact.

Debate

As the Local Member, Cllr B Ezzard advised that the proposal was a considerable improvement to the site. Overall the committee were minded to support the application.

Decision

It was proposed by Cllr S Bartlett and seconded by Cllr A Brenton that the application be:-

GRANTED subject to the conditions as set in the appendix attached to these minutes.

23. Planning Appeals

Decision

That the outcome of the planning appeal decisions as set out in the agenda were received and noted.

24. Future Meetings of Eastern Area Planning Committee

Decision

That all future meetings of the Eastern Area Planning Committee set out in the 2019/20 Calendar would be held in the Allendale Centre, Wimborne starting at 10.00am.

25. Urgent items

There were no urgent items to report.

26. **Exempt Business**

There were no Exempt items of Business to be considered.

Appendix

Duration of meeting: 2.00 - 6.30 pm

Chairman

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EASTERN AREA PLANNING COMMITTEE

1. PURPOSE AND RECOMMENDATIONS

Purpose of Report: Item for Decision

Recommendations: It is **RECOMMENDED** that the resolution of the Planning Committee of 20th March be amended in the following manner:

- Condition 15 of application 3/18/3305/FUL be removed,
- The requirement for £500,000 contribution to the Canford Bottom Roundabout /Wimborne Road West junction improvement no longer be required in the Heads of Terms for the S106 Agreement, and
- The full education contribution of £899,694 be required as part of the Heads of Terms of the S016 Agreement.
- That the period for the preparation of the Agreement be extended to the 31th October 2019.

Wards: Colehill West and Colehill East

Contact Officer Elizabeth Fay

Application 3/18/3305/OUT - A hybrid application comprising:

1) An outline application for the erection of 174 dwellings, with all matters reserved save for means of access.

2) A full planning application for the erection of a community sports facility comprising club house, playing pitches, parking and landscaping together with the change of use of the land to leisure.

Background

The East Dorset Planning Committee considered the above planning application at its meeting on 20th March 2019 and resolved to grant planning permission for the development subject to the applicants firstly entering into a S106 Legal Agreement within an agreed timeframe to secure a range of infrastructure necessary to enable the development to proceed, and a number of conditions to guide the final form of the development. In the event of a S106 legal agreement not being secured within the agreed timeframe the Committee resolved to refuse the application.

In part the legal agreement sought to secure the following contributions:

- £943,938 to fund both off-site Highway works and a proportion to education. This comprised £443,938 towards education and £500,000 towards off-site works at the junction of Wimborne Road West (B3073) and the Canford Bottom Roundabout.

In addition to the legal agreement, a Grampian style pre-occupation condition (no. 15) was proposed as follows:

No occupation of the residential units hereby approved shall commence unless and until the following works have been constructed to the specification of the Local Planning Authority:

The alterations shown in principle in accordance with the preliminary design as set out in drawing ITB13176-GA013 Rev B.

Reason: These specified works are seen as a pre-requisite for allowing the development to proceed.

Since the resolution to grant the above planning permission, the applicants have carried out further transport assessments of the scheme and have concluded that the proposed works to the approach to the Canford Bottom Roundabout along Wimborne Road West are not necessary to mitigate the impact of the development on the local highway network.

The purpose of this Report is to consider the request by the applicants to amend the requirements set out in the Committee Minute of the meeting of the 20th March in this respect.

The need for off-site highways works

The transport analysis at the time the planning application was considered by the Committee in March of this year was based on a number of assumptions relating to:

- Committed development traffic generation.
- Assumed year of opening; and
- Proposed Development traffic generation.

The applicant's transport agents have continued to discuss the impacts of the proposed development with officers of the Highways Department and have produced an updated Transport Assessment which considers the impact of the proposed development based on revised assumptions which more accurately reflect the form of the development that has been submitted as part of the planning application. This revised information relates to the amount of traffic likely to be generated from the agreed mix of housing on the site, that the First School on the site will reduce traffic

movements off the site at peak times, and that the development will commence earlier than originally planned.

This analysis has concluded that the impact of the development on the transport network in the morning peak traffic flows would not be significant; and the residual cumulative impact on the road network would not be severe.

Paragraphs 108 and 109 of the NPPF give guidance on how planning applications should be assessed in terms of traffic generation and impacts on the highway network. They conclude that mitigation is only required if the impacts from the development on highway capacity and congestion are significant, or that the residual cumulative impacts on the road network are severe.

In this instance the Transport Assessment concludes that the development does not require the degree of mitigation required in the recommendation to Members in March of this year.

Dorset Highways department and Highways England have both been re-consulted on this revised Transport Assessment and their comments in respect of the updated Transport Assessment are as follows

Highways England

We remain satisfied that the proposed development does not have a severe impact on the A31 Canford Bottom junction, and that the mitigation scheme offered minimal positive benefits on the SRN arms of the Canford Bottom junction and is not required to mitigate the traffic impact in terms of the SRN.

DC Highways

Dorset Council as the Highway Authority have studied this submission and consider it provides a more robust trip generation scenario. This identifies a lesser impact than had previously been modelled and no longer constitutes “severe harm” as the NPPF and in our opinion now fails to justify the need for the mitigation works (and disruption during construction) at the A31 Canford Bottom junction.

Education contribution

Dorset Council requested (on 6 February 2019) a contribution towards education of £899,694. The applicant accepts that an education contribution is necessary to make the development acceptable in planning terms.

Given the viability of the development, officers previously considered a contribution of £443,938 towards education reasonable, given the costs to the Canford Bottom Roundabout were £500,000. As those works are no longer required, the applicant proposes to reappportion the funds to education and therefore to meet in full the requested contribution of £899,694.

Conclusion

Regulation 122(2) of the Community Infrastructure Levy Regulations 2010 sets out that planning obligations must only be sought when they meet the following tests:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

Given that the impact of the development on the highway network will not be significant, and will be below the level of impact previously considered acceptable by Dorset Highways, it is concluded that the Grampian style planning condition and the obligation for a £500,000 contribution towards off-site highway works is not necessary to make this development acceptable in planning terms.

The full education contribution sought is based on an agreed methodology which calculates a proportionate, fair and reasonable contribution towards education from each new eligible dwelling. The full contribution meets the tests of Regulation 122(2).

Recommendation

It is therefore recommended that the resolution of the Planning Committee of 20th March be amended in the following manner:

A)

- Condition 15 be removed,
- The requirement for £500,000 contribution to the Canford Bottom Roundabout /Wimborne Road West junction improvement no longer be required in the Heads of Terms for the S106 Agreement, and
- The full education contribution of £899,694 be required as part of the Heads of Terms of the S016 Agreement.
- That the period for the preparation of the Agreement be extended to the 31st October 2019.

B)

- Refuse permission for the reasons previously reported to committee on the 20 March if the revised S106 agreement is not completed by the 31 October 2019 or such extended time as agreed by the Head of Planning Services or relevant lead officer

Background Documents:

1. Minutes of East Dorset District Planning Committee 20 March 2019
2. Report to East Dorset District Planning Committee 20 March 2019

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EAST DORSET DISTRICT COUNCIL

PLANNING COMMITTEE

Minutes of the Meeting held on 20 March 2019 at 9.30 am

Present:-

Cllr M R Dyer – Chairman

Cllr B Goringe – Vice-Chairman

Present: Cllr D B F Burt, Cllr R D Cook, Cllr Mrs T B Coombs,
Cllr Mrs B T Manuel, Cllr D Morgan, Cllr D G L Packer and
Cllr D W Shortell

Apologies: Cllr C R W Beck, Cllr Mrs G Logan and Cllr Mrs C Lugg

316. Declarations of Interest

There were no declarations of interest made on this occasion.

317. Background Papers

The Chairman informed the Committee that in addition to any specific background papers referred to, the relevant background papers for written reports and agenda items comprise of replies to consultations, objections and representations; relevant structure and Local Plans; and the file of the Council's related policies, copies of which had been available for inspection by Members prior to the meeting.

318. Presentations by the Public

Representations by the public to the Committee on individual planning applications are detailed below. There were no questions, petitions or deputations received on other items on this occasion.

319. Schedule of Planning Applications

The Development Management Manager submitted written reports, copies of which had been circulated to each Member and a copy of which appears as Appendices 'A' – 'C' to these Minutes in the Minute Book.

Members considered the planning applications as set out in Minutes 320-322 below.

320. 403 Wimborne Road East, Ferndown

Application No: 3/18/1267/FUL

Development: Erection of Class C2 Care Home, landscaping, parking and access following demolition of existing structures

Public Speaking

Mr K Poulton spoke in objection to the application on behalf of Ferndown & Uddens BID. He raised concerns over landscaping and the impact from the proximity and bulk of the proposal leading to increased pressure for further restrictions to be imposed on the industrial estate.

Mr M Poore spoke in objection to the application on behalf of DPD. He raised concerns with the close proximity and height of the proposal being overbearing and out of scale with existing buildings. He felt that the proposal would lead to overlooking and to lighting and noise complaints from the care home to their depot.

RESOLVED that Application No 3/18/1267/FUL be:-

- a) **GRANTED as per the officer recommendation subject to the completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) in a form to be agreed by the Legal Services Manager.**
- or
- b) **REFUSED for the reasons set out in the report if the agreement is not completed by 16 July 2019 or such extended time as agreed by the Head of Planning Services.**

Voting: Unanimous

321. Land North and South of Edmondsham Road, Verwood

Application No: 3/18/2903/RM

Development: Reserved Matters Application (Phase 1) pursuant to Outline Application 3/16/1291/OUT for 43 dwellings (inc. affordable housing) and public open space with associated access and landscaping

Updates

Members were informed of the following additional consultee responses:

- Lead Local Flood Authority, received 14.1.19, raised no objection.
- Dorset Wildlife Trust, received 24.1.19, raised concerns with the incorporation of invasive species; lighting to comply with latest guidance; buffer zone to be protected by bollards; and periodic clearing out of the ditch will be necessary.

Members were also informed that Paragraph 8.10 of the report be replaced with 'Finished floor levels and roof heights are compatible with existing neighbouring dwellings'.

Members were further informed of the following amendment to Condition 1: Replace EPD2465_d036 rev H Soft Landscaping Design - delegated authority requested to approve subject to amendment to replace invasive species

Public Speaking

Ms H Chittenden spoke in objection to the application on behalf of EDEP. She raised concerns with the planting of invasive, non-native species and requested that officers ensure conditions are met and planting is looked at very carefully.

Ms A Wright, the agent for the applicant, spoke in support of the application stating that their client would be happy to work with EDEP to ensure planting is done appropriately. She highlighted the extensive consultation undertaken and the benefits of the proposal including landscaping, design, affordable housing, parking, play areas and the proposed SANG.

RESOLVED that Application No 3/18/2903/RM be GRANTED as per the officer recommendation subject to receipt of the amended landscaping plan.

Voting: 6:0 (1 Abstention)

The meeting adjourned at 10.30am and reconvened at 10.40am.

Cllr B Manuel joined the meeting at 10.40am.

322. Land South of Leigh Road, Wimborne Minster

Application No: 3/18/3305/FUL

Development: A hybrid application comprising:

- 1) An outline application for the erection of 174 dwellings, with all matters reserved save for means of access.
- 2) A full planning application for the erection of a community sports facility comprising club house, playing pitches, parking and landscaping together with the change of use of the land to leisure.

Updates

Members were informed of the following changes to the legal agreement heads of terms (changes are set out in bold):

5. A SAMM contribution of £42,142 **index linked from 1 June 2019 or alternative date to be agreed with the Head of Planning or lead officer at the time of completion of the legal agreement** using RPI from the date of this Committee Report and paid in two instalments prior to the 1st occupation and at 50% (87th) occupation.
6. A local health facility contribution of £13,920 **index linked from 1 June 2019 or alternative date to be agreed with the Head of Planning or lead officer at the time of completion of the legal agreement** using RPI to fund physical improvement in the provision of consulting rooms in local health facilities in Wimborne. Any unused monies to be repaid within 5 years of receipt.

7. A contribution of £443,938 **index linked from 1 June 2019 or alternative date to be agreed with the Head of Planning or lead officer at the time of completion of the legal agreement** using RPI from the date of this Committee Report to fund Education:-
 - i. **proportionate contributions towards expansion of Primary School, Middle School and Upper School provision in East Dorset; and**
 - iii. **£2500,000 paid prior to commencement of private market dwellings and the remainder (£193938) at 50% (87th) residential occupation (all tenures);**
 - iv. **Any unused monies to be repaid within 10 years of receipt.**
8. Provision of new Community Sports Facility at Land South of Leigh Road as approved in application 3/18/3305/FUL (with sole exception of that set out in criterion 7 below), the delivery of which shall be phased, with clauses preventing further residential development in the event of non-completion, as follows:-
 - i. Commencement of the Community Sports Facility Clubhouse no later than the occupation of the 90th residential dwelling (all tenures);
 - ii. Community Sports Facility Clubhouse foundations complete by 100th (all tenures) residential occupation;
 - iii. The Site Promoter to provide the Local Authority with a Clubhouse Progress Report on or before the 130th residential occupation (all tenures);
 - iv. Full completion of the Community Sports Facility Clubhouse to an agreed specification and standard including full utility servicing and completion of all necessary works, subject to a reasonable snagging clause, on or before the 160th residential occupation (all tenures);
 - v. Commencement of the Community Sports Facility access routes, hard surfaces and car parking no later than the occupation of 60th residential dwelling (all tenures);
 - vi. Full completion of all Community Sports Facility access routes, hard surfaces and car parking on or before the 100th residential occupation (all tenures); and
 - vii. **Suitable Bond covering the delivery of the Community Sports Facility to be lodged prior to first occupation of the first residential unit**
9. A contribution of £1.41m index linked using RPI **from 1 June 2019 or alternative date to be agreed with the Head of Planning or lead officer at the time of completion of the legal agreement** to fund new natural grass and artificial pitches, pitch drainage and floodlighting, the delivery of which shall be project managed by the

Local Planning Authority only, within the Community Sports Facility subject to the following:-

Members were informed of the following updates and amendments to the recommended conditions:-

4. The development hereby permitted shall be carried out strictly in accordance with the following approved plans:
 - Site Masterplan Ref: P1-02 Rev. I (September 2018) (received 13/2/2019)
 - Land Use Plan (February 2019) (Ref: P1-16)
 - ~~Illustrative Residential Layout Ref: P1-03 Rev. F (September 2018) (received 13/2/2019)~~
 - Community Sports Facility Site Plan Rev. H (September 2018) (received 13/2/2019)
 - Pavilion Plans Ref: P1-05 Rev. A (November 2018) (received 13/2/2019)
 - Pavilion Elevations, Section and 3D View Ref: P3-01 Rev. A (November 2018) (received 13/2/2019)
 - Lighting Column Ref: 0881-DFL-1300-001 Rev. A (13/2/2019)
 - Location Plan Ref: P1-01 Rev. D (September 2018)
9. No development within the Community Sports Facility site, including any ground works, shall take place until a Heritage Management Plan for the Roman Road scheduled monument has been submitted to and approved in writing by the Local Planning Authority.

The Management Plan shall include:

- (i) The creation of an effective fenced boundary around the Management Plan area.
- (ii) A baseline record of the area of the Roman Road scheduled monument to confirm the location of its archaeological features and record the current condition of the site.
- (iii) Maintaining the site of the Roman Road and its surroundings under suitable surface treatment and managing it so as to prevent the growth of trees and scrub or damage by vehicles or burrowing animals.
- (iv) Regular monitoring and reporting of site condition at agreed intervals, with arrangements for remedial action to address any site conservation management problems (e.g. dealing with encroaching weeds, burrowing animals or other damage).
- (v) A programme for implementation, with agreed timescales.

Development shall be carried out in accordance with the agreed Heritage Management Plan.

10. Prior to the commencement of development within the phase of residential development containing the route of the existing Public Right of Way the developer shall apply and thereafter diligently

pursue the submission and approval of an application under Section 257 of the Town and Country Planning Act 1990 for the diversion of Footpath 19 - Corfe Mullen as recorded on the Dorset County Council Definitive Map and Statement of rights of way in accordance with a draft diversion scheme first agreed in writing by the Local Planning Authority. Should the footpath diversion order be approved the diversion scheme shall be subsequently implemented in full in accordance with a timetable first agreed with the Local Planning Authority.

Reason: To give effect to the development for which outline planning permission is hereby granted

11. No development on the Community Sports Facility Site shall be carried out until a bird strike hazard management plan has been submitted to and approved by the Local Planning Authority in consultation with the Aerodrome Safeguarding Authority for Bournemouth Airport. The development shall be undertaken in accordance with the approved birdstrike hazard management plan and any measures therein shall be retained as such indefinitely unless otherwise agreed in writing by the Local Planning Authority after formal consultation with the operators of Bournemouth Airport.

Reason: To reduce the attractiveness of potential feeding, nesting, breeding and roosting opportunities for hazardous bird species in the vicinity of the Airport in order to avoid the interception of bird and aircraft flight lines in the interest of aviation safety.

24. No **external** amplified or other music shall be played, nor shall any public address system to be used, in the Community Sports Facility at any time.
30. No residential dwelling shall be occupied until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping for the Community Sports Facility Area (as defined in the s106) only, in the residual areas outside the boundaries of the Natural and Artificial pitches (as defined in the s106) only, in conformity with the submitted Landscape Strategy with Alternative Access (Plan 5) (Enderby Associates, December 2018, Drawing No. 439/05).

The hard landscaping details shall include the highway traffic management features, proposed finished levels or contours, car parking layouts and materials, other vehicle and pedestrian access routes and circulation areas, together with hard surfacing materials in general. The access road will be 6m wide and constructed in tarmac except where it crosses the Roman Road alignment, where the road will be made from resin bonded gravel. The hard landscaping details shall include the construction of an appropriate traffic calming scheme for the internal vehicular access route. The approved hard landscaping details, **except that set out in the below paragraph**, shall be completed prior to the occupation of the 100th residential dwelling.

Details of the Community Sports Facility earthworks (bunds) to be undertaken outside of the Natural and Artificial Pitch Areas, as illustrated in Plan 5 Landscape Strategy with Alternative Access (December 2018) in the Landscape and Visual Impact Assessment Supplementary Assessment (Enderby Associates, December 2018) should be submitted to and approved in writing by the local planning authority on or before the 15th residential occupation. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform. Development shall be carried out strictly in accordance with the approved details and shall be completed on or before the occupation of the 30th residential dwelling (all tenures).

The soft landscaping details shall include the locations of trees and shrubs to be retained and proposed planting, schedules of proposed plants noting species, plant sizes, and proposed numbers and/or densities. In addition, full details of the use of 'Silva Cell' or similar features for tree planting and appropriate irrigation shall be provided. All planting, seeding or turfing relating to a phase of development shall be carried out in the first planting season following the completion of development within that phase, and any trees or plants which within a period of 5 years from completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

Both the hard and soft landscaping should take suitable account of the Roman Road Scheduled Monument and historic line, in line with Historic England's comments. All soft landscaping within the Community Sports Facility must be completed by the 165th residential occupation.

32. Before the **CSF** development hereby approved is first occupied or utilised the turning and parking shown on the submitted plans must have been constructed. Thereafter, these areas must be permanently maintained, kept free from obstruction and available for the purposes specified.
38. No development of the Community Sports Facility Clubhouse (pavilion) hereby approved shall commence on the development hereby approved until a schedule and samples of all the external materials to be used on the external surfaces and roofs of the Community Sports Facility Clubhouse (pavilion) have first been submitted to and approved by the Local Planning Authority. For the avoidance of doubt samples should be provided for all blocks, bricks, glazing, external security doors, roller shutters, roofing materials, joinery, timber cladding, rainwater goods, mortar and other external finishes. The materials shall all be of suitable regressive colours given its location in the Green Belt. The development shall thereafter be carried out in accordance with the approved details.

40. Acoustically rated glazing and alternative ventilation to some properties (to enable residents to occupy them with windows closed) is required. Residential development must therefore be strictly constructed in accordance with the submitted Noise Impact Assessment (24 Acoustics Technical Report: R7520-1 Rev 1 13th November 2018) recommendations (summarised in Paragraph 5.4) so that the modelled noise climate is achieved. In line with Paragraph 5.5 of the above report, full acoustic specifications for the glazing and ventilation systems should be provided on a plot by plot basis as a detailed design matter (these are contingent on the volume of each space and the area of each window). The reserved matters submission(s) shall demonstrate that an acceptable noise environment is achieved for all future residents in line with the submitted Noise Impact Assessment (November 2018) in the interests of amenity.
53. Prior to the commencement of development a phasing plan shall be submitted to and approved in writing by the LPA. Development shall be carried out in accordance with the approved details

Public Speaking

Ms C Miles, the agent for the applicant, spoke in support of the application stating that modifications were made in response to comments from consultees. She highlighted the social, economic and environmental benefits of the proposal including the Section 106 contributions and the positive impact to the local area and local residents.

Cllr P Hymers spoke in support of the application on behalf of Wimborne Town Council. She thanked the officers for their work on this proposal and highlighted the positive impact to Wimborne. She raised concern with the low number of 3-bed affordable housing provided.

Cllr S Bartlett, the Local Ward Member, spoke in support of the application highlighting the positive impact the proposal would bring to the area and applauded the officers for their work done to achieve this and addressing the concerns of local residents.

RESOLVED that Application No 3/18/3305/FUL be:

- a) **GRANTED** as per the officer recommendation subject to the completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) in a form to be agreed by the Head of Planning.
- or
- b) **REFUSED** for the reasons set out in the report if the agreement is not completed by 31 May 2019 or such extended time as agreed by the Head of Planning Services or relevant Lead Officer.

Voting: 7:1

323. Outcome of Appeal Decisions

A report was submitted, for information, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'D' to these Minutes in the Minute Book.

Members noted the appeal decisions.

As this was the last Planning Committee for East Dorset District Council, the Chairman thanked Members and Officers for their work through the years and wished everyone well on their future endeavours.

The meeting ended at 11.50 am

CHAIRMAN

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Planning Committee Agenda

Wednesday, 20 March 2019, 9.30 am

**Quarter Jack Suite, Allendale Community Centre, Hanham Road,
Wimborne, BH21 1AS**

Committee Membership:

Chairman:

Cllr M R Dyer

Vice Chairman:

Cllr B Goringe

Cllr C R W Beck

Cllr D B F Burt

Cllr R D Cook

Cllr Mrs T B Coombs

Cllr Mrs G Logan

Cllr Mrs C Lugg

Cllr Mrs B T Manuel

Cllr D Morgan

Cllr D G L Packer

Cllr J L Robinson

Cllr D W Shortell

The business to be transacted is set out overleaf

**DAVID MCINTOSH
CHIEF EXECUTIVE**

12 March 2019



Available online and
on the Mod.gov app



For further information please contact Daniel Reynafarje on 01202 795054 or email
democraticservices@christchurchandeastdorset.gov.uk

2018 – 2019 One Year Strategy

Securing a positive legacy for East Dorset

Cabinet Membership:-

Councillor Spencer Flower	Leader
Councillor Simon Gibson	Deputy Leader and Housing Portfolio Holder
Councillor Simon Tong	Change and Transformation Portfolio Holder
Councillor Andy Skeats	Community Portfolio Holder
Councillor Mike Dyer	Economy Portfolio Holder
Councillor Barbara Manuel	Environment Portfolio Holder
Councillor Steve Butler	Health and Wellbeing Portfolio Holder
Councillor Ray Bryan	Performance Portfolio Holder
Councillor Robin Cook	Planning Portfolio Holder

2018-2019 Strategic Priorities

Following the process of consultation with lead members, and taking into account the Secretary of State's decision to support Dorset local government reorganisation, five strategic themes have emerged, the same number that exist within the current Corporate Plan. These will form the focus for East Dorset District Council during what is anticipated to be its final year.

Under each theme a number of key priorities for the year are identified.

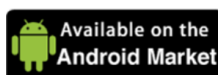
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| <ul style="list-style-type: none"> • Asset management <ul style="list-style-type: none"> ○ Policy formulation for assets post-LGR ○ Asset register ○ Town & Parish Council liaison ○ Asset optimisation • Change & Transformation <ul style="list-style-type: none"> ○ One Year Strategy ○ Sustainable local governance post-LGR ○ Oversight of transitional process ○ Coordination and alignment of Cabinet activity to strategic priorities • Environment, Policy Planning & Housing <ul style="list-style-type: none"> ○ Policy formulation for environmental asset transfers ○ Town & Parish Council liaison re environmental responsibilities ○ Oversight of transitional policy planning and planning consultation ○ Housing policy in transition | <ul style="list-style-type: none"> • Financial Oversight <ul style="list-style-type: none"> ○ Maintaining financial viability and stability ○ Pre-transition capital expenditure policy ○ Liaison with Shadow Authority re assets transfer ○ Business liaison ensuring continuity with post-LGR policies • Sustainable & Healthy Communities <ul style="list-style-type: none"> ○ Health & leisure centres policy post-LGR ○ Liaison with public health & welfare bodies in transition ○ Seamless transition for community health & wellbeing |
|--|--|



Access to Information – This agenda together with the reports and details of how to make a public presentation is available on the council's corporate website at dorsetforyou.com/committees. Members of the public are welcome to attend and observe committees. Admittance is strictly on a first-come basis.



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Emergency Procedure – Please ensure that you are familiar with the location of all emergency exits which are clearly marked. In the unlikely event of an emergency an alarm will sound. Please evacuate the building immediately. Do NOT re-enter the building until authorised to do so.

Agenda

1. **Apologies for Absence**

The Democratic Services Officer to report any apologies for absence.

2. **Declarations of Interest**

Members are reminded that any disclosable pecuniary interests must be declared including any issues which may arise through pre-determination or bias.

Pro forma for this purpose are available from the Members' Room. (Guidance on declaring an interest is included on subsequent page.)

3. **Background Papers**

In addition to any specific background papers referred to the relevant background papers for written reports and agenda items comprise replies to consultations, objections and representations; relevant structure and Local Plans; and the file of the Council's related policies.

4. **Presentations by the Public**

Members of the public wishing to speak to the Committee on a planning application should notify the Democratic Services Officer listed on the front of this agenda. This must be done no later than two clear working days before the meeting. The Democratic Services Officer will provide full details on the public speaking process.

5. **Schedule of Planning Applications**

7 - 162

To consider the planning applications contained within the schedule and to receive details of any withdrawn or requested deferred applications, if any (See Overleaf)

6. **Outcome of Appeal Decisions**

163 - 164

To inform Members of appeal decisions and to take them into account as a material consideration in the Planning Committee's future decisions

No other items of business can be considered unless the Chairman decides the matter is urgent for reasons that must be specified and recorded in the Minutes.

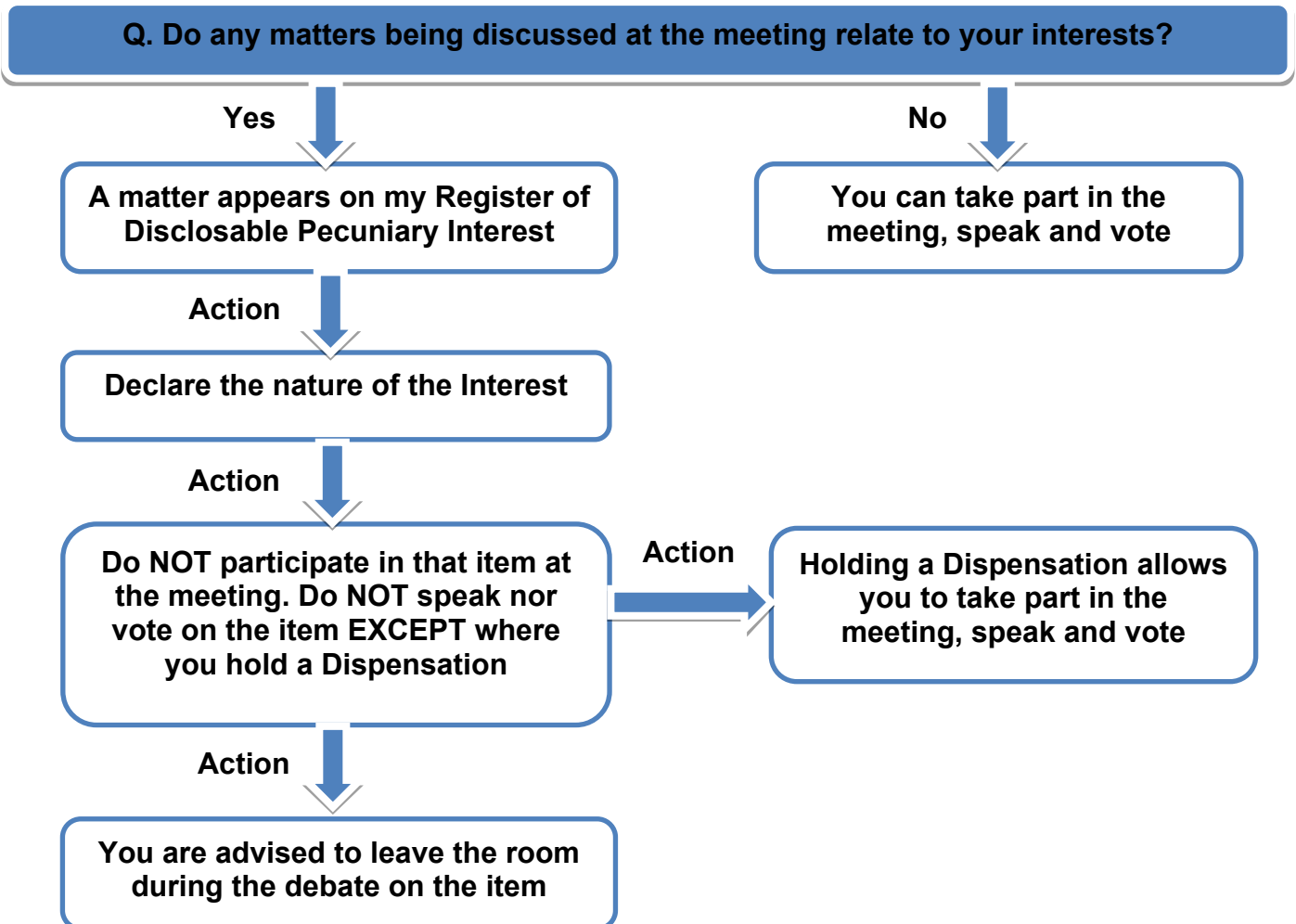
Schedule of Planning Applications

<p>a. 403 Wimborne Road East, Ferndown</p> <p>3/18/1267/FUL</p> <p>Erection of Class C2 Care Home, landscaping, parking and access following demolition of existing structures</p> <p>Recommendation: Grant</p>	<p>7 - 36</p>
<p>b. Land North and South of Edmondsham Road, Verwood</p> <p>3/18/2903/RM</p> <p>Reserved Matters Application (Phase 1) pursuant to Outline Application 3/16/1291/OUT for 43 dwellings (inc. affordable housing) and public open space with associated access and landscaping</p> <p>Recommendation: Grant</p>	<p>37 - 58</p>
<p>c. Land South of Leigh Road, Wimborne Minster</p> <p>3/18/3305/FUL</p> <p>A hybrid application comprising:</p> <p>1) An outline application for the erection of 174 dwellings, with all matters reserved save for means of access.</p> <p>2) A full planning application for the erection of a community sports facility comprising club house, playing pitches, parking and landscaping together with the change of use of the land to leisure.</p> <p>Recommendation: Grant</p>	<p>59 - 162</p>

DECLARATION OF INTEREST AT A MEETING

As a Member, ask yourself do I have an interest to declare at the meeting I am attending? Familiarise yourself with the Member Code of Conduct which can be found in part 5 of the Council's Constitution.

Before the meeting, read the agenda and reports to see if the matters to be discussed at the meeting concern your interests.



Q. What are the principles of bias and pre-determination and how do they affect my participation in the meeting?

Bias and Predetermination are common law concepts. If they affect you, your participation in the meeting may call into question the decision arrived at on the item. A challenge may be mounted in the courts.

Bias Test

In all the circumstances would it lead a fair minded and informed observer to conclude that there was a real possibility or a real danger that the decision maker was biased.

Predetermination Test

At the time of making the decision, the decision maker had a closed mind.

If a Member appears to be biased or have predetermined their decision, they **MUST NOT** participate in the meeting.

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REPORT SUMMARY

REFERENCE NO.	3/18/1267/FUL
APPLICATION PROPOSAL	Erection of Class C2 Care Home, landscaping, parking and access following demolition of existing structures.
ADDRESS	403 Wimborne Road East, Ferndown, Dorset BH22 9LZ
RECOMMENDATION	Grant subject to conditions and the completion of a satisfactory planning obligation (see Section 9 of the report for the full recommendation)
REASON FOR REFERRAL TO COMMITTEE	In accordance with the Council's Constitution: major application of over 1500sq m recommended for approval.
SUMMARY OF REASONS FOR RECOMMENDATION	<ul style="list-style-type: none"> • The delivery of specialist housing units to meet need within a large settlement. • The site is located within 400m of protected heathland which would not be appropriate for residential uses falling within Class C3 and as such is an efficient use of land. Natural England raised no objection subject to suitable conditions and obligations. • The scale and massing of the building, whilst clearly significant, is considered acceptable in its context given the overall site size, separation distances to adjacent buildings, location of very large commercial building immediately to the north, siting within the application site, existing and proposed landscaping, variations in storey heights, use of flat roofs and mix of modern vernacular treatments. • It is considered that the proposal would not give rise to any significant adverse impacts subject to suitable conditions and a planning obligation stipulating that the site has no pets (given proximity of European sites), and as such is acceptable in all material respects. • Previous reasons for refusal on prior schemes within part of this application site have been overcome.
INFORMATION ABOUT FINANCIAL BENEFITS OF THE PROPOSAL	<p>The proposal will be subject to the Community Infrastructure Levy (CIL). The contribution to be secured through CIL is (£40 x 3855 sq/m) - £154,200.</p> <p>A Planning Obligation will be sought relating to:-</p> <ul style="list-style-type: none"> - No pets allowed on site. <p><u>The following are not considered to be material to the application:-</u></p> <p>Net increase in number of jobs: 85 full time equivalent (mix of full and part time).</p>

APPLICANT	Montpelier Estates (Ferndown) Limited	AGENT	n/a
WARD	Hampreston and Longham	PARISH/TOWN COUNCIL	Ferndown Town Council
PUBLICITY EXPIRY DATE	11.12.2018	OFFICER SITE VISIT	11.07.2018
DECISION DUE DATE	27.09.2018	EXT. OF TIME	30.11.2018
RELEVANT PLANNING HISTORY			
App. No.	Proposal	Decision	Date
3/10/1134/OUT	Outline Application for a 45 Bedroom Dementia Care Home	Refused.	5/10/2011
<p>Reasons for refusal:</p> <ul style="list-style-type: none"> The proposal is considered to be unacceptable due to its site coverage, excessive footprint, scale and resultant bulk which would create a building whose bulk and site coverage would be damaging to the character of the surrounding area which comprises detached dwellings set in extensive open plots especially when viewed from the adjoining open areas or obliquely from the public highway. The Ecological Survey Report submitted with the application (29th May 2008) is now over 2 years old and as such the applicants have therefore failed to provide a valid biodiversity survey to identify the presence of protected species on the site or to identify any mitigation measures to ensure their protection. 			
Decision:	Dismissed	Date	5/10/2011
<p>Reasons for Appeal Decision:</p> <ul style="list-style-type: none"> Impact on the area's character 			
3/09/0614/OUT	Construction of a 60 bedroom dementia Care Home	Refused.	30/11/2009
<p>Reasons for refusal:</p> <ul style="list-style-type: none"> The proposal is considered to be unacceptable due to its site coverage, excessive footprint, scale and resultant bulk which would create a building whose bulk and site coverage would be damaging to the character of the surrounding area which comprises detached dwellings set in extensive open plots especially when viewed from the adjoining open areas or obliquely from the public highway. The Ecological Survey Report submitted with the application (29th May 2008) is now over 2 years old and as such the applicants have therefore failed to provide a valid biodiversity survey to identify the presence of protected species on the 			

site or to identify any mitigation measures to ensure their protection.			
Decision:	Dismissed	Date:	08/09/2010
Reasons for Appeal Decision:- <ul style="list-style-type: none"> Impact on the area's character and appearance 			
3/08/0128/FUL	Replacement Dwelling	Granted	11.04.08

MAIN REPORT

1.0 DESCRIPTION OF SITE AND SURROUNDINGS

- 1.1 This Application Site is located at 403-413 Wimborne Road East and comprises two adjacent parcels of land within the settlement of Ferndown as defined in the Local Plan. The first (western) parcel is the majority of the rear and side curtilage of an existing residential dwelling. This parcel includes an existing vehicular access and gardens. The second (eastern) parcel of land consists of a small number of dilapidated buildings and some dense vegetation. The two parcels are separated by a hedgerow that runs north to south. The land levels are highest in the south of the site adjacent to Wimborne Road East. The land levels change by approximately 2.8 metres north to south and 3.1 metres east to west. Mature trees are sited on the boundaries of the two parcels. The site eastern and southern boundaries have several protected mature to veteran specimens. The northern and western boundaries comprise hedgerows. The overall site area is 0.69ha.
- 1.2 To the north of the site is a large distribution depot located within Ferndown Industrial Estate. To the east of the site are detached residential dwellings fronting onto Wimborne Road East and behind these open, undeveloped land. To the south of the site, beyond Wimborne Road East, are residential dwellings and some commercial development. To the west of the site are detached residential dwellings fronting onto Wimborne Road East.

2.0 PROPOSAL

- 2.1 This application seeks the erection of a Class C2 73-bed care home catering for those suffering from dementia and other conditions requiring 24 hour care. The proposal is a two-storey building at the front of the site and a three-storey building for the central and rear portions. The majority of the building is three-storey. The application site size is 0.69ha (which is a larger area than the previous applications). The proposed levels are at 28.5 AOD, which reduces the existing levels and provides a flat area for the building construction.

- 2.2 The main entrance lobby to the building is located to the front. This opens onto a reception desk and communal areas which include a Bistro and Lounge/Dining room. The ground floor has 26 bedrooms (each with en-suite bathroom) and two further lounges. Stairwells and lifts provide access to higher storeys. The first includes another 26 bedrooms and communal rooms, and the second floor includes 21 bedrooms, lounges and staff rooms. The proposed building has a flat roof. Proposed building materials are a mix of traditional (e.g. red brick) and more contemporary (e.g. grey aluminium windows).
- 2.3 The Site Layout includes vehicular parking to the front and side (eastern elevation), and communal gardens in a central courtyard and around the circumference of the building. The proposed vehicular access is an alteration to the existing access (serving 403 Wimborne Road East). The proposed vehicular parking comprises 35 spaces. Separate cycle and bin storage areas are proposed adjacent to the western and eastern elevations respectively. New landscaping is proposed in all parts of the semi-private curtilage. Several mature trees are proposed to be removed.

3.0 SUMMARY INFORMATION

	Proposed
Site Area (ha)	0.69ha
Use	Residential Institution (Class C2 use)
Number of Storeys	Mixed: 2 and 3
Number of Units	73
Total Floorspace (sq/m)	3855
Number of Parking Spaces	35
Approximate Flat Roof Height (3 storeys)	12.0m
Approximate Flat Roof Height (2 storeys)	8.0m
Approximate Building Depth (max)	48.5m
Approximate Building Width (max)	59.5m
Approximate Building Width on Frontage	26.5m
Distance (from front elevation) to south site boundary	27m
Distance (from rear elevation) to north site boundary	11m

4.0 RELEVANT PLANNING CONSTRAINTS

- 4.1 Protected Heathland 400km
SSSI Impact Risk Zone
Historic Contaminated Land
Green Belt (Application Site is located outside but adjacent to the Green Belt)
Tree Preservation Orders TPO Ref: HA/252, Group Ref: T1, TPO Ref: HA/187, Group Ref: T1, TPO Ref: HA/204, Group Ref: T1, T2 and T3.

5.0 POLICY AND OTHER CONSIDERATIONS

Development Plan

- 5.1 Christchurch and East Dorset Core Strategy 2014

Relevant Local Plan Core Strategy Policies:-

- KS1 Presumption in favour of Sustainable Development
 - KS11 Transport and Development
 - KS12 Parking Provision
 - ME1 Safeguarding Biodiversity and Geodiversity
 - HE2 Design of New Development
 - LN1 The Size and Type of New Dwellings
 - LN2 Design, Layout and Density of New Housing Development
- 5.2 The Local Plan has retained certain 'saved policies' from the East Dorset Local Plan 2002 (the previous development plan for East Dorset) and the relevant saved policies from this document are:-
- DES6 – Landscaping
 - DES11 – Criteria for ensuring developments respect or enhance their surroundings

National Planning Policy

- 5.1 The National Planning Policy Framework (NPPF, February 2019)
National Planning Practice Guidance (PPG)

6.0 LOCAL REPRESENTATIONS

- 6.1 In addition to letters to neighbouring properties, a Site Notice was posted outside the site on 11/07/2018 with an expiry date for consultation of 03/08/2018. A further consultation was carried out on 14/11/2018 following receipt of amended plans.

6.2 Seventeen (17) letters of objection were received in response to the originally submitted plans. The main issues raised include:

- Impact on amenity and quality of life
- Noise and Light pollution
- Inadequate parking
- Displaced parking on adjacent roads
- Inadequate and/or unsafe vehicular access
- Design and massing of building
- Out of character in rural street scene
- Insufficient local infrastructure
- Unsuitable location for Care Home
- Site should be used for affordable housing

No neighbour representations were received in response to the second consultation.

7.0 CONSULTEES

7.1 Ferndown Town Council – (received December 2018)

Members stated that they did not consider that the amended plans altered the previous objection statement submitted. The development was considered to be excessive, bulky, of poor design and out of keeping with the street scene therefore, contrary to policy HE2 of the Core Strategy.

Access to and from the site was considered to be potentially dangerous and an inadequate number of parking spaces had been proposed.

The site lay within 400m of the SSSI and within the green belt. The development is by definition harmful to the green belt and should not be approved except in very special circumstances. There are no special circumstances or other considerations in favour of building here. It would have a detrimental impact on the openness and did not accord with policy KS3 of the Core Strategy.

Further concern was raised with regard to the close proximity of the Industrial estate especially the International Parcel Delivery company DPD that operated 24 hours a day with lorries arriving and leaving the site from 6am to 9.30pm this could result in long term problems in relation to future noise complaint and a potential detrimental outcome for the business that was an essential part of the local economy.

As previously stated the approval of the Care home would be a drain on local medical services that were known to be over stretched.

7.2 Natural England (received 23/7/2018 and 23/11/2018)

No objection, subject to conditions and planning obligation prohibiting domestic pets. The application site is within 400m of Ferndown Common which is notified as a Sites of Special Scientific Interest (SSSIs) for the special interest of its heathland habitats and associated plant and animal species. Ferndown Common is also part of the Dorset Heathlands Special Protection Area (SPA) and Dorset Heaths Special Area of Conservation (SAC) and within the scope of the Dorset Heathlands Planning Framework (2015-2020) SPD. Natural England note that the application is for a care home for people with dementia, this is permissible under the SPD, on the condition that the permission is worded in such a way so that the site cannot be turned into normal residential units in the future and requires a covenant to preclude pet ownership.

7.3 DCC Highways (received 16/07/2018 and 10/12/2018)

No objection subject to a vehicle access construction condition and an informative on vehicle crossing.

7.4 DCC Flood Risk Management (received 23/07/2018, 12/12/2018 & 11/3/2019)

No objection subject to conditions.

7.5 Trees and Landscape (received 07/08/2018, 17/12/2018 & 20/2/2019)

No objection subject to conditions.

7.6 Environmental Health (received 31/07/2018)

No objection subject to conditions.

Ferndown & Uddens BID (27/07/2018)

7.7 An informative note be added advising that the site is in proximity to an industrial estate and that if there is any doubt that the proposed use cannot coincide with the existing uses on the estate that the development should not be undertaken.

8.0 APPRAISAL

The main considerations involved with this application are:-

- Principle of Development and Dorset Heathland
- Flood Risk
- Design, Trees and Landscaping
- Amenity
- Highways and Parking
- Biodiversity
- Infrastructure Impacts and Affordable Housing
- Land Contamination
- Community Infrastructure Levy
- Planning Balance

Principle of Development and Dorset Heathland

- 8.1 Local Plan Policy KS2 (Settlement Hierarchy) sets out that the location, scale and distribution of development should conform to the settlement hierarchy, which will also help to inform service providers about the provision of infrastructure, services and facilities. Local Plan Policy KS3 (Green Belt) sets out development will be contained by the South East Dorset Green Belt.
- 8.2 Local Plan Policy ME2 (Protection of the Dorset Heathland) sets out that in accordance with evidence, no residential development will be permitted within 400m of protected European and internationally protected heathlands.
- 8.3 In line with Local Plan Policy KS2, the application site is located within the settlement of Ferndown as defined in the Local Plan and as such the principle of development is established.
- 8.4 Ferndown Town Council has stated in their representation that the application site is located within the South East Dorset Green Belt and fails to demonstrate 'very special circumstances'. However, the Application Site is not located within the Green Belt. Instead, it is located adjacent to the Green Belt boundary. As such, there is no policy requirement for the applicants to demonstrate 'very special circumstances' in line with NPPF Paragraphs 143-144.
- 8.5 The application site is located within 400m of protected Dorset Heathlands. However, Natural England has raised no objection to proposal, given it is for Class C2 residential development, subject to suitable conditions in relation the following:

- The site is only to be used for the care of people with dementia or people who require 24 hour close care (Condition 3);
- The applicant/management body will prevent, through design and enforcement measures, the use of on-site car parking for public use for accessing nearby heathlands (Condition 5);

Natural England also requires a S106 legal agreement precluding pet ownership.

- 8.6 As such, subject to a planning obligation and suitable conditions, the proposal is acceptable in principle, it is sited outside the South East Dorset Green Belt and by virtue of falling within Class C2 use would not have a significant impact on protected Dorset Heathlands. Therefore, subject to condition and an obligation, the proposal accords with Local Plan policies KS2, KS3 and ME2.

Flood Risk and Drainage

- 8.7 Local Plan Policy ME6 (Flood Management, Mitigation and Defence) sets out that when assessing new development, the local authorities will apply the sequential and exception tests set out in the NPPF. All developments will be required to demonstrate that flood risk does not increase as a result of the development proposed, and that options have been taken to reduce overall flood risk.
- 8.8 The Lead Local Flood Authority (LLFA) (Dorset County Council) has raised no objection to the proposal subject to suitable pre-commencement conditions (Conditions 11 and 12). The reduction in levels (to 28.5m AOD) in the final set of amended plans was considered satisfactory by the LLFA. The proposal seeks to connect foul drainage to the mains. No consultation response was received from the foul water service provider (Wessex Water) but nonetheless it is considered appropriate to condition this issue in this instance given the scale of the development (Condition 26).
- 8.9 Therefore, subject to suitable conditions, the proposal accords with Local Plan policy ME6.

Design, Trees and Landscaping

- 8.10 Local Plan Policy HE2 (Design of New Development) sets out that within Christchurch and East Dorset the design of development must be of a high quality, reflecting and enhancing areas of recognised local distinctiveness. To achieve this, development will be permitted if it is compatible with or improves its surroundings in terms of layout, site coverage, architectural style, scale, bulk, height, materials, landscaping, visual impact, amenity and trees. Local Plan Policy HE3 (Landscape Quality) sets out development will need to

protect and seek to enhance the landscape character of the area. Proposals will need to demonstrate that factors (as set out) are taken into account. Local Plan Policy DES11 sets out development will only be allowed where the form, materials, lighting, landscape planting and means of enclosure of roads, cycleways, footpaths and parking areas, together with the relationship of buildings and property boundaries to these spaces, respect or enhance their surroundings.

- 8.11 The proposal is a building of institutional rather than domestic scale. The building would also be taller at three storeys than existing residential dwellings on Wimborne Road. However, applicants have listened and responded to the advice given to them by Officers during the assessment of the application with regard to the siting of the building and location of parking. As such, for the reasons set out below, in this instance it is considered that the proposal has an acceptable design.
- 8.12 The Amended Site Plan has the footprint of the building set back approximately 27 metres from Wimborne Road East. The area between the front elevation of the building and Wimborne Road would comprise a mix of parking, internal routes and landscaping. The front section of the building would be only two storeys and hence there would be a visual step-up to the third storey to the rear on the majority of the building footprint.
- 8.13 Essentially, by virtue of a combination of the 27m separation distance between Wimborne Road and the front elevation, and the lower height of the front elevation, it is considered that the proposal would not have a deleterious impact on the wider street scene by virtue of an overly dominant presence or a visually discordant impact by virtue of excessive massing when viewed from the street.
- 8.14 The rear, forward (south) facing elevations would also be visible, in part, from Wimborne Road in the area between the side of the front elevation of the building and the neighbouring dwelling 403 Wimborne Road. This is illustrated in the CGI View 2 provided by the Applicant as part of the suite of Amended Plans. Essentially, it is considered that given the separation distance (approximately 60m) and the softening impact of landscaped trees, that this portion of the building would too not have a deleterious impact on the wider street scene by virtue of an overly dominant presence or a visually discordant impact by virtue of excessive massing when viewed from the street.
- 8.15 The separation distances between the adjacent dwelling 403 Wimborne Road and the application building is approximately 35m to the rear (to the north) and approximately 25m to the side (to the east). Essentially, it is considered that given these separation distances that the visual impact of the proposal on this existing dwelling would not be significant.

- 8.16 The separation distance between the adjacent dwelling 415 Wimborne Road and the application building is approximately 35m. Again, it is considered that given these separation distances that the visual impact of the proposal on this existing dwelling would not be significant.
- 8.17 The separation distances to the existing dwellings located to the west on Wimborne Road are 50m (to 401 Wimborne Road) and 60m (to 399 Wimborne Road) are such that it is considered that a three storey building would not have a significant harmful visual impact on these dwellings.
- 8.18 The building to the rear (to the north) is a large commercial building with blank elevations. The proposal would have no visual impact on this building. The Applicants have provided a 'Streetview Study' which juxtaposes an existing photograph with a proposal photomontage. This illustrates that the proposal would essentially mask much of the blank elevation of the commercial building through the construction of the proposal. As such, the proposal could have a minor beneficial impact on the wider Wimborne Road street scene.
- 8.19 Essentially, given this, it is considered that whilst undeniably a large building, given the separation distances, the proposal has an acceptable height and massing. The proposal also makes efficient use of land in line with NPPF Paragraph 122.
- 8.20 The Site Layout has been amended in light of feedback from Officers. The vehicular entrance remains in the same location to the east of 403 Wimborne Road, but the proposed parking and building servicing is now located, more appropriately in the view of Officers, to the front of the building. Hitherto, the main parking area was located in the western portion of the Application Site in the area to the rear of Nos. 403. It was considered that this earlier proposed parking layout could give rise to amenity impacts on the occupiers of existing dwellings on Wimborne Road. By locating the proposed parking to the front of the site, closer to Wimborne Road, it is considered that the proposal would have less impact on local general amenity by virtue of noise and car lighting.
- 8.21 The amended Site Layout also takes account of the change (approx. 2.8m) in land levels across the site (south to north) and as such the higher rear elevation of the building is located on the lowest point of the site. The Site Coverage in terms of the proportion of the site taken by the footprint of the building and the quantum of private amenity spaces is considered to be suitable. The occupiers would have a more formal courtyard area in the centre of the site and other amenity spaces to the north, east and west of the building. Given that the site is effectively sterilised for Class C3 use by virtue of being within 400m of European (Heathland) sites, it is considered that the proposal also represents an efficient use of land in line with NPPF Paragraph 122 criterion (a).

- 8.22 The architectural style of the building is self-confidently contemporary. The building is essentially modernist in tone with large areas of glazing and flat roofs. The proposed elevations seek to reduce the impact of the massing of the building through the use of distinct materials of different colours. It is considered that this is an appropriate design response taking into account the overall scale of the building.
- 8.23 The Applicants have provided a comprehensive materials schedule which includes:
- Ibstock Staffordshire Slate Blue Brick
 - Red Brick (type unspecified)
 - Marley Cedral Panelling (grey and grey green)
 - Render (dark grey and off-white)
 - Single ply roofing membrane
 - PPC aluminium capping (dark grey)
 - Black UPVC guttering
 - Extruded PPC Aluminium windows and doors (dark grey)
- 8.24 Essentially, the proposed materials are considered to be suitable and can be secured through a suitable condition (Condition 27).
- 8.25 In summary, the proposed building is of an institutional rather than domestic scale but this is considered to be expected when providing such accommodation. This Application Site is notably larger in coverage than that for the previous proposals 3/9/0614/OUT and 3/10/1134/OUT. However, whilst the adjacent dwellings are domestically scaled, it is considered that in this instance the separation distances and proposed landscaping and vernacular design assist in reducing the impact of the massing to a level which would not have a significant harmful impact on the character of the local street scene and, subject to conditions, the amenity of local residents. The previous reasons for refusal and the dismissal of the appeals are therefore considered to have been overcome.
- 8.26 As such, subject to suitable conditions, the proposed design accords with Local Plan Policies HE2 and DES11. However, given the scale of the proposed building and the sensitivities of the site context it is considered appropriate to remove any permitted development rights through a suitable condition (Condition 4)

Trees and Landscaping

- 8.27 The Tree and Landscape Officer has confirmed that the proposed Site Layout is now acceptable in arboricultural terms. The loss of the two chestnut trees on the site is considered to be acceptable given the improvement to the layout. There was an outstanding concern from the Tree Officer with regard to the removal of spoil. The applicant has confirmed in writing that they are in discussions with a local company to recycle the material. The proposal site landscaping strategy is considered acceptable and can be secured through a suitable pre-commencement condition (Conditions 20 & 21).
- 8.28 Therefore, subject to suitable conditions, the proposal is acceptable in arboricultural and landscape terms and as such accords with Local Plan Policies HE2 and HE3.

Amenity

- 8.29 Local Plan Policy HE2 (Design of New Development) sets out that within Christchurch and East Dorset the design of development must be of a high quality, reflecting and enhancing areas of recognised local distinctiveness. To achieve this, development will be permitted if it is compatible with or improves its surroundings in terms of amenity, amongst other things.
- 8.30 The report set out the main separation distance in Paragraphs 8.13 to 8.19. In summary these are the approximate separation distances:
- Rear Elevation to DPD yard (to north): 30m
 - Rear Elevation to DPD rear elevation: 60m
 - Front Elevation to Wimborne Road: 33m
 - Side (East) Elevation to 415 Wimborne Road
 - Rear Elevation of 403 Wimborne Road to front of rear elevation: 36m
 - Rear Elevation of 401 Wimborne Road to front & side of rear elevation: 54m
 - Rear Elevation of 399 Wimborne Road to front & side rear elevation: 62m
- 8.31 Essentially, given the separation distances involved it is considered that the proposal would not have a significant harmful impact on the amenity of the occupiers of adjoining dwellings on Wimborne Road by virtue of loss of light or overbearing impact.
- 8.32 The proposal includes a windowless en-suite bathroom in each unit and hence a reliance on mechanical ventilation. This reduces the need to condition obscure glazing for each en-suite bathroom but a condition stipulating no additional windows in the elevations hosting en-suite bathrooms will be necessary (Condition 24). As such, subject to a suitable condition, and

given the separation distances, it is considered that the proposal would not have a significant harmful impact on the amenity of the occupiers of adjoining dwellings on Wimborne Road by virtue of loss of privacy.

- 8.33 The proposed parking area has been relocated in the Amended Plans from the rear of the site to the front of the site. Essentially, it is considered that given the existing low levels of road noise associated with Wimborne Road, that the noise and light associated with the parking of vehicles associated with the proposed care home would not give rise to any significant amenity impacts on the local area.
- 8.34 Representations have set out that the relationship between the proposed Care Home and the existing DPD distribution depot located to the north would have an adverse impact on the amenity of future residents and that the Care Home building would be over-bearing.
- 8.35 The depot to the rear of the Care Home site comprises a yard for smaller vehicles including long-wheel vans. The rear elevation of the DPD depot is essentially blank. Essentially, it is considered that the Care Home would not have an over-bearing impact on the DPD depot given its less sensitive commercial character.
- 8.36 Representations have also objected on the basis of impacts on future residents by virtue of noise and light from the DPD depot. DPD have stated in their representation that the proposed use of this building as a Care Home is entirely incompatible with the DPD property. In summary, DPD argue that their existing operation sterilises at least the rear portion of the Application Site for quasi-residential use given amenity impacts.
- 8.37 The issue of the impact of noise from the DPD depot on adjacent residential occupiers was set out in the Applications for the depot (EDDC Ref: 3/06/1330/OUT, 3/13/0813/REM and 3/15/0540/REM) and the related discharge of conditions. An Environmental Noise Report ('ENR') (Sharps Redmore Acoustic Consultants 15 April 2015) was received by the LPA in July 2015. The ENR set out that there were four main sources of noise on the DPD: delivery vehicles (articulated lorries), vans, car park activity and fixed plant.
- 8.38 The ENR concluded (emphasis added) that (Paragraph 4.24) with regard to delivery vehicles, in terms of the assessment, following the mitigation measures, the residual noise from deliveries to the warehouse will not cause a significant adverse impact to local residents at any time. The ENR concluded (Paragraph 4.29) that noise from van movements in and out of the warehouse will not cause significant adverse effect on local residents. The ENR set out (Paragraph 4.33) that as a result the impact from car park activity would be insignificant to local residents.

- 8.39 In summary, the ENR states (Paragraph 6.5) (emphasis added):

Following the proposed mitigation measures it is concluded that the site can operate 24 hours a day, 7 days a week without causing significant impact on the health and life of local residents in accordance with the national policy aims contained within the NPPF.

- 8.40 As such, the argument DPD set out in their representation that the proposed use of this building as a Care Home is 'entirely incompatible' with the DPD property is not accepted. Their own acoustic evidence provided as part of the depot application process set out that the depot is compatible with local residents subject to conditions.
- 8.41 Given the separation distances involved, 30m to the nearest parked van and 60m to the nearest elevation of the depot, it is considered that there is no evidence that light from the depot site would have a significant adverse impact on the amenity of future occupiers.
- 8.42 Notwithstanding the above, the EDDC Public Health team have highlighted that the depot operates 24 hours and there has been complaints of light and noise nuisance arising from existing residents. Public Health also reiterates that nuisance legislation does not generally allow you to move to an area where you know there to be a business and then complain about it. As such, it is considered that whilst the depot would not have a significant adverse impact on the amenity of future occupiers of the Care Home, it is appropriate to secure suitable acoustic glazing for rooms on the north facing rear elevation to suitably mitigate any residual noise impacts from the depot.
- 8.43 An external Lighting Plan has been submitted. This is considered acceptable subject to a suitable condition (13, 14) which sets out specifications in line with the Biodiversity Mitigation Plan (see paragraphs 8.57-8.58 of this report). EDDC Public Health has also set out the need for suitable conditions in relation to land contamination, external plant, kitchen extract system and artificial light spill. Given that the proposal is located adjacent to existing residential occupiers it is also considered necessary to include suitable conditions on construction management, (condition 9) restricting hours of construction and demolition, and removing the ability to play amplified music or public address systems. A suitable informative on the Party Wall Act is also considered appropriate in this instance.
- 8.44 Ferndown and Uddens BID suggests an informative confirming proximity to Ferndown Industrial Estate and that if there are any doubts that the proposed use is incompatible with the Estate then the development should not be undertaken. Essentially, it is considered that the question of whether the site is incompatible should be addressed through the Committee Report rather than set out in an informative.

- 8.45 Therefore, subject to suitable conditions, the proposal accords with Local Plan Policies HE2 and ME1.

Highways and Parking

- 8.46 Local Plan Policy KS11 (Transport and Development) sets out that the Councils will use their planning powers to influence development so that it reduces the need to travel, provides improved access to key services and facilities and promotes alternative modes of transport. Local Plan Policy KS12 (Parking Provision) sets out that adequate vehicle and cycle parking facilities will be provided by the developer to serve the needs of the proposed development. Cycle and vehicle parking for residential development should be of the highest quality design and use land efficiently. Development proposals should make provision for parking in accordance with the Local Transport Plan parking guidance, including provision for parking for people with disabilities.
- 8.47 County Highways have raised no objection to proposal subject to conditions for (i) vehicle access construction, (ii) manoeuvring, parking and loading areas, and (iii) cycle parking. (conditions 5,6,7 and 8)
- 8.48 The Dorset Non-Residential Parking Standards (DNRS) suggests that Care Homes require 1 parking space per 4 beds plus 1 per 2 Full Time Staff. The DNRS states that (emphasis added):

These are the suggested car and cycle parking guidelines that will meet the likely and operational requirements of various establishments and business uses. The figures should be interpreted as an initial, pragmatic, County-wide guide. The specific level of parking provision included in any development proposal should be agreed through joint discussions between the Local Highway Authority, Local Planning Authority, developer and his/her consultants.

The agreed level of provision will take account of, amongst other things:

- *The location of the proposed development and the area that it serves.*
 - *The travel demand that is likely to be generated as a result.*
 - *Off-site constraints and opportunities that influence the functionality of the site for the use(s) proposed.*
 - *Mitigation measures proposed, including the delivery and implementation of Travel Planning and provisions.*
- 8.49 The Dorset Non-Residential Parking Standards (DNRS) suggests a requirement for 31 spaces. The Amended Site Plan (Ref: 2339-HIA-ZZ-010001 Rev. P13, received 12/02/018) sets out 35 parking spaces.

- 8.50 The supporting Transport Statement (David Tucker Associates) acknowledges (Paragraph 3.2.1) the level of car parking in the Dorset Non-Residential Standards, but goes on to state (Paragraphs 3.2.2 to 3.2.4):-

In practise, car ownership for residents of the care home will be zero and experience from other sites operated around the UK suggest that visitor demand is very low and limited to around 10 visits per day for a typical 73 bed unit. The site is well located in terms of public transport provision with a regular bus service available every half an hour Monday – Saturday and hourly on a Sunday connecting users to Ferndown Town Centre and Bournemouth. With a typical journey to work mode share for the local area of 85% this equates to a demand of 17 spaces leaving 8 spaces for visitors. The site layout currently proposes 25 spaces (Note: increased since) which is consistent with the expected demand.

- 8.51 Following discussions with Officers, the Applicants set out the provision of vehicular parking spaces to a revised total of 35 in the final Amended Site Plan. It is acknowledged that it is highly unlikely that the permanent residential occupiers of the site will be fit to drive and have a car. The Stapehill area is served by a regular bus service (Nos. 13) which connects to Wimborne and Bournemouth via Ferndown town centre, and as such, the site is comparatively well served by public transport.
- 8.52 The Applicants have provided a summary of the likely spread of staff required in three shifts over a 24 hours period and includes 5 resident visitors in each of the day time shifts.

	Full Time	Part Time	Staff Total	Visitors	Total
7am-2pm	14	21	35	5	40
2pm-9pm	8	24	32	5	37
9pm-7am	4	14	18	0	18
	26	59	85	10	95

- 8.53 As such, there is a slight shortfall in the earlier shift of five spaces during the early shift. However, the proposal, as set out, is located in an area accessible by cycle and bus services, providing staff with opportunities for modal shift. For reference, the existing Route 13 service leaves Bournemouth Square at 06:05am and reaches Stapehill at 06:43am (Monday to Friday). The last current scheduled bus service each weekday leaves Stapehill at 23:33pm.

- 8.54 In summary, the proposed quantum of parking spaces is in excess by 4 spaces of a strict interpretation of the DNRS (18.25 spaces + 13 spaces = 31 spaces) and to reiterate, the DNRS sets out that the standards are only suggested rather than prescriptive. As such, the proposed quantum of staff and visitor spaces is considered to be adequate, no objection has been made by County Highways, and therefore the proposal accords with Local Plan Policy KS12.

Infrastructure Impacts and Affordable Housing

- 8.55 Local Plan Policy LN6 (Housing and Accommodation Proposals for Vulnerable People) sets out that new social, care or health related development proposals, or major extensions to existing developments, within the C2 use classification will not be subject to Policy LN3 however they will be required to demonstrate that any impacts upon service provider objectives have been taken into account and mitigated against.
- 8.56 Given that the proposal is for Class C2 use only, there is no policy requirement to provide affordable housing. NHS Dorset was consulted on the proposal but no response was received. Officers requested that the Applicants reply directly to Policy LN6. This response was received on 21 September 2018:

NHS England has set out its Five Year Forward View which sets the framework for the vision of the future of healthcare services. It relates particularly to the shift from secondary care into primary care settings. Education, early intervention and better lifestyles are perceived to be more targeted care to help people stay in their own homes, giving them independence, for longer. Emphasis is given to bring services closer to home.

Our care home proposal has no direct role in the Five Year View. The effect of the policy is to generally reduce the average stay in care homes from several years to a matter of months. Full nursing is considered to be appropriate for particular episodes (e.g. stroke) or end of life. The changing demographics of the country with more surviving elderly people as a result of clinical advancement places strain on staff and funding.

However this proposal is for a third sector provider (private) to offer nursing services to patients and assist in the relieving pressures on NHS services. Those able to pay will privately fund their care in the home and thus aid the NHS by not being a financial burden. Others may choose this service with NHS funding with the family topping up the fees. The new home places no additional financial burdens on the NHS. Patients will be drawn from a very

local area (maximum 20 minutes drive time catchment area) and are therefore already Dorset residents.

The new care home will support the Trust's aim to support professional development of staff by offering educational placements, continuing professional development and apprenticeships. The links with the academic opportunities at Bournemouth University will help those keen on vocational placements.

Dorset Healthcare Trust has seven strategic goals:

- To provide high quality care*
- To be a valued partner with patients, communities and organisations*
- To be a learning organisation alongside Bournemouth University*
- To have a proud, skilled work force*
- To be an integrated care provider*
- To use resources in an efficient and sustainable way*
- To raise awareness of the impact of its work and reduce any negative effects.*

The proposed home is available to work alongside the Trust and supports these strategic goals. It does not offer any risks or impact upon the strategic aims. This proposal offers greater patient choice. It is not in competition with the NHS services because its offering is different yet complementary. It takes both financial burden and capacity pressure off the NHS by attracting those able to find themselves. It does not exclude NHS patients – on the contrary, beds are offered to the NHS to purchase with families opting to make up the difference between the two costs. The proposal has no impact on Dorset County Council health and social care services nor their strategic aim to keep people in their own homes for as long as possible, thus promoting independent living.

- 8.57 As such, in the absence of any robust evidence that the proposal would have a significant harmful on the delivery of local medical services, the policy accords with saved Local Plan policy LN6 with regard to the provision of affordable housing and the impact on local service providers.

Biodiversity

- 8.58 Local Plan Policy ME1 (Safeguarding Biodiversity and Geodiversity) sets out that the Core Strategy aims to protect, maintain and enhance the condition of all types of nature conservation types, habitats and species within their ecological networks including designated sites (as set out).

- 8.59 Natural England notes the Certificate of approval from the DCC Natural Environment Team and state that providing the submitted Biodiversity Mitigation Plan and its implementation in full, is secured through a condition (Condition 12), agrees that the LPA has met their duties under Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 and Regulation 9(3) of The Conservation of Habitats & Species Regulations 2017. A suitable informative on protected bats has also been added.
- 8.60 As such, subject to suitable conditions and informative notes, the proposal with Local Plan Policy ME1 and has overcome the previous reason for refusal.

Land Contamination

- 8.61 NPPF Paragraph 179 sets out that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.
- 8.62 EDDC Public Health has also set out the need for suitable conditions in relation to land contamination (Condition 17). As such, the proposal, subject to suitable conditions, accords with NPPF Paragraph 179.

Community Infrastructure Levy

- 8.63 The proposal would be liable for CIL. An informative note is appropriate.

Planning Balance

- 8.64 Core Strategy Policy KS1 (Presumption in Favour of Sustainable Development) sets out that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. The NPPF is clear that there is a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with the development plan without delay and where the development is absent, silent or relevant policies are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF or specific policies in the NPPF indicate development should be restricted.
- 8.65 The Local Plan is clear (Paragraphs 15.13-15.14) that to achieve sustainable and inclusive communities, provision should be made for older and vulnerable people. This should include but not be limited to older and younger people and people with physical or learning disabilities. By requiring appropriate and adaptable housing, good layout and design, such schemes should create

opportunities for older and vulnerable people to live securely, independently and inclusively within communities.

- 8.66 In this instance, the proposal provides for elderly residents with physical and/or mental impediments, specifically for those with diagnosed dementia. The national and local demographics which include an historically higher proportion of the overall population that are elderly and/or have conditions such as dementia are well understood. As such, the proposal is considered to be sustainable development in terms of providing residential accommodation for a specific demographic in line with the direction of travel in the Local Plan.
- 8.67 As such, on balance of considerations, the proposal comprises sustainable residential development and therefore accords with Core Strategy Policy KS1.

Conclusion

- 8.68 The application site is a sustainable location within the settlement of Ferndown. The proposed design is considered to be of a suitable scale for the application site, which is larger than that of previous refused applications, and hence the impact on the local street scene is less significant. The issues of drainage, biodiversity, materials, glazing, highways, parking, land contamination, noise, local general amenity, lighting, arboriculture and construction management could be addressed subject to suitable conditions. Suitable contributions towards local infrastructure would be made through the Community Infrastructure Levy if a planning consent were to be made.
- 8.69 Therefore, subject to suitable conditions, the proposal accords with Local Plan Core Strategy policies KS1, KS11, KS12, HE2, HE3, LN6, ME1 and ME6 and East Dorset Local Plan (2002) policy DES11, National Planning Policy Framework Paragraph 179.

9.0 RECOMMENDATION – Grant, subject to the following:-

A) GRANT, SUBJECT TO THE COMPLETION OF A LEGAL AGREEMENT UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) IN A FORM TO BE AGREED BY THE LEGAL SERVICES MANAGER TO SECURE THE FOLLOWING:

1. Prohibition of residential occupiers owning domestic pets on the site; and

And the following 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.

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

- Proposed Site Plan Ref: 2339-HIA-ZZ-010001 Rev. P13 (received 12/2/2019)
- Proposed Site Levels Plan Ref: 2339-HIA-ZZ-01004 Rev. P4 (received 12/2/2019)
- Proposed Sections Ref: 2339-HIA-ZZ-03001 & 03002 (received 12/2/2019)
- Location Plan Ref: 2339-HIA-ZZ-ZZ-01002 Rev. P3
- Proposed Ground Floor Plan Ref: 2339-HIA-00-00-02001 Rev. P5
- Proposed First Floor Plan Ref: 2339-HIA-01-01-02002 Rev. P5
- Proposed Second Floor Plan Ref: 2339-HIA-02-02-02003 Rev. P5
- Proposed East & West Elevations Ref: 2339-ZZ-HIA-04003 Rev. P5

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

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) the premises shall only be used for a Class C2 use Care Home for people with dementia or people who require 24 house close care and for no other purpose (including any other purpose in Class C2 on the Schedule to the Town and Country Planning (Use Classes) Order 1987 or any provision equivalent to that Class in any Statutory Instrument revoking and/or re-enacting that Order).

Reason: This use only is permitted and other uses, either within the same Use Class, or permitted by the Town and Country Planning (GPD) Order 2015 are not acceptable to the Local Planning Authority in this location because on the potential impact on protected European (Heathland) Sites.

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any subsequent enactment or re-enactment thereto, no enlargements, improvements or other alterations (including the insertion of a mezzanine floor) shall be undertaken to the building without express planning permission first being obtained.

Reason: To ensure a balance is maintained between floorspace and car parking and that the site is capable of accommodating the proposed building.

- 5 The areas allocated for vehicle parking, loading and unloading, circulation and manoeuvring on the approved plans shall only be used for the said purpose and not for any other purposes including vehicular parking for public use for accessing nearby protected European (Heathland) sites.

Reason: To ensure the provision and availability of satisfactory off-street parking and servicing/loading/unloading facilities for the development.

- 6 Before the development is first 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.

- 7 Before the development is first occupied or utilised the areas shown on Drawing Number 01001 Rev. P11 (Received 20.12.2018) for the manoeuvring, parking, loading and unloading of vehicles have been surfaced, marked out and made available for these purposes. Thereafter, these areas must be 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.

- 8 Before the development is first occupied or utilised the cycle parking facilities shown on Drawing Number 01001 Rev. P11 (Received 20.12.2018) must have been constructed and made ready for use. Thereafter, these must be

maintained, kept free from obstruction and available for the purposes specified.

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

- 9 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:-
- i. the parking of vehicles of site operatives and visitors
 - ii. loading and unloading of plant and materials
 - iii. storage of plant and materials used in constructing the development
 - iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - v. wheel washing facilities
 - vi. measures to control the emission of dust and dirt during construction
 - vii. a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: This information is required prior to commencement to safeguard the amenity of the locality in accordance with Policy HE2 of the Local Plan and Government Guidance contained in the National Planning Policy Framework.

(Officer Note: the applicant has agreed to the imposition of this pre-commencement condition)

- 10 No development shall take place until a detailed and finalised surface water management scheme for the site, based upon the hydrological and hydrogeological context of the development, 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.

(Officer Note: the applicant has agreed to the imposition of this pre-commencement condition)

- 11 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 increased risk of flooding.

(Officer Note: the applicant has agreed to the imposition of this pre-commencement condition)

- 12 The development shall be undertaken in strict accordance with the Biodiversity Mitigation Plan (BMP) 17.10.2017 that was approved by Dorset County Council in Certificate of Approval for Biodiversity Mitigation Plan dated 01.12.2017 unless otherwise agreed in writing by the Local Planning Authority in conjunction with Dorset County Council's Natural Environment Team. This includes the Bat mitigation set out in Section D, the other Protected Species mitigation set out in Section E, and the Enhancement Measures set out in Section G.

Reason: To ensure that biodiversity is protected and enhanced at the site to accord with Policy ME1 of the Christchurch and East Dorset Core Strategy and Section 11 of the National Planning Policy Framework.

- 13 The proposed external lighting shall be undertaken in strict accordance with the Lighting Plan (Ref: 2339-HIA-ZZ-ZZ-DR-A rev. P4) and the following specification set out in the Biodiversity Mitigation Plan:-
- Directing lighting to only where it is needed away from any mature trees in the vicinity;
 - Through the design of the luminaire by using accessories such as cowls or hoods;
 - Light sources should emit minimal ultra-violet light, peak higher than 550nm and be of a warm/neutral colour <4,200 kelvin;
 - Using low pressure sodium lighting with light levels kept as low as practically possible (between 1 and 3 lux); and
 - Security lighting will be on a timer and only triggered at waist height

Reason: To minimise light pollution from the site in the interests of nocturnal ecology and local general amenity.

- 14 Prior to the first occupation the site promoter should submit to the Local Planning Authority for approval Light Spill Charts taking into account the artificial lighting planned for the site, to ensure that light spill does not impact

on the amenity of neighbouring residential properties. The system shall be installed in accordance with the approved scheme prior to the first occupation of the building and shall be thereafter maintained and retained.

Reason: In the interests of local general amenity.

- 15 Prior to the first occupation the site promoter should submit to the Local Planning Authority for approval details of the kitchen extraction system and the associated odour abatement system. The system shall be installed in accordance with the approved scheme prior to the first occupation of the building and shall be thereafter maintained and retained.

Reason: In the interests of local general amenity.

- 16 Prior to the first occupation the site promoter should submit to the Local Planning Authority for approval details of external plant, including the location and technical specification and sound power levels. An assessment of this plant in accordance with BS4142:2014 will be required to ensure that noise from these units do not have an adverse impact on the nearest noise sensitive property. The system shall be installed in accordance with the approved scheme prior to the first occupation of the building and shall be thereafter maintained and retained.

Reason: In the interests of local general amenity.

- 17 Prior to the first occupation the site promoter should have submitted to and received approval in writing from the Local Planning Authority a Stage 2 Ground Investigation Report. The report should set out, where relevant, any necessary mitigation which shall be implemented and adhered to thereafter

Reason: In the interests of local general amenity and to accord with NPPF Paragraph 179.

- 18 Notwithstanding details already submitted with the application, no development start on site until a detailed Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP), which is to be in accordance with BS5837:2012 Trees in Relation to Design, Demolition and Construction Recommendations, has been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved AMS and TPP. This condition shall not be discharged until an arboricultural supervision statement, the contents of which are to be confirmed at a pre-commencement meeting between the Tree Officer, Arboricultural Consultant and Site Manager, is submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area.

(Officer Note: the applicant has agreed to the imposition of this pre-commencement condition)

- 19 Prior to commencement of works (including site clearance and any other preparatory works) a detailed plan showing all underground service routes, including the position of soakaways and attenuation tanks shall be submitted to and approved in writing by the LPA. In addition all underground services routes including soakaways and attenuation tanks shall be accompanied by a detailed installation method statement where all working areas shall remain wholly out of the final location of tree protective fencing and ground protection shall be submitted and agreed with the LPA.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area.

(Officer Note: the applicant has agreed to the imposition of this pre-commencement condition)

- 20 No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include hard surfacing materials; means of enclosure; details of boundary planting, schedules of plants (noting species, plant sizes and proposed numbers/densities where appropriate). In addition details of structured planting pits and their irrigation shall be supplied and approved in writing by the LPA

Reason: This information is required prior to work commencing as the long term establishment, maintenance and landscaping of the site is necessary to preserve the amenity of the locality. This decision has also had regard to Policies HE2 and HE3 of the Local Plan and Government Guidance contained in the National Planning Policy Framework.

(Officer Note: the applicant has agreed to the imposition of this pre-commencement condition)

- 21 Prior to the development commencing, a landscaping scheme is to be submitted to and approved by the Local Planning Authority which shall detail the provision for planting of additional trees and shrubs, the provision of walls and fences and other landscaping as may be considered appropriate, but shall distinguish between strategic elements of the landscape and those which are not strategic. The strategic elements shall be implemented in the

first planting season October/March inclusive immediately following commencement of the development and, where necessary, the landscape scheme shall include measures to protect it during the course of the development. The remaining landscaping may be implemented in a phased manner contemporaneously with the development but no later than the planting season immediately following occupation of the adjacent building. The planting shall be carried out in accordance with the appropriate British Standards for ground preparation, staking, etc., in BS4428:1989 and any plants found damaged, dead or dying in the first five years following their planting are to be duly replaced and the scheme thereafter retained.

Reason: This information is required prior to occupation of development in order to ensure that major landscape elements are in position at an early date in the interests of visual amenity.

(Officer Note: the applicant has agreed to the imposition of this pre-commencement condition)

- 22 Prior to development commencing, a detailed scheme of noise insulation measures for both private units, and communal areas with fenestration, on the rear, north facing elevation shall be submitted to and been approved in writing by the Local Planning Authority. The scheme of noise insulation measures, including suitable windows and doors, shall be prepared by a suitably qualified consultant/engineer and shall take into account the provisions of BS 8233: 2014 Guidance on sound insulation and noise reduction for buildings. The approved scheme shall be implemented prior to the commencement of the use and be permanently retained thereafter.

Reason: In order to safeguard the amenities of residential occupiers.

- 23 Demolition or construction works shall not take place outside 07:30 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays or Bank Holidays.

Reason: To protect the amenities of the locality.

- 24 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting, or modifying that Order), no further windows, dormer windows, or doors (other than those expressly authorised by this permission) shall be constructed in all the elevation(s) (such expression to include the roof and wall) of the extension/building hereby permitted, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To avoid loss of privacy to adjoining properties.

- 25 No amplified or other music shall be played, nor any public address system to be used, in the premises at all times.

Reason: To safeguard the amenities of the occupiers of neighbouring residential properties.

- 26 No development shall take place until details of a foul water drainage scheme for the Full and Outline development based on the foul water drainage strategy (drawing ref: 08-066-011 Rev A) has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall:

i) include appropriate arrangements for the agreed points of connection to the main sewer and any capacity improvements required to serve the proposed development phasing,

ii) be completed in accordance with the approved details,

No dwelling shall be occupied, or the Clubhouse used by the public, unless and until there is a direct connection from it to the foul water drainage system, in accordance with the approved details.

Reason: To ensure that proper provision is made for sewerage of the site and that development does not increase the risk foul discharge to downstream properties.

- 27 Development shall be carried out in accordance with the materials specified on the Approved External Materials Schedule Ref: 2339/FER/RevP1 (04.05.2018) unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the external appearance of the building is satisfactory.

INFORMATIVES

- 1 Root System of Existing Trees
- 2 Bats
- 3 Party Wall Act
- 4 CIL Liable

OR:

REFUSE PERMISSION FOR THE REASONS SET OUT BELOW IF THE AGREEMENT IS NOT COMPLETED BY 16 July 2019 OR SUCH EXTENDED TIME AS AGREED BY THE HEAD OF PLANNING SERVICES

1. The proposal does not make provision through a s106 legal agreement for the probation of domestic pets on the site to address, given the location of the Application Site within 400m of Protected Dorset Heathland, the requirements of Local Plan Policy ME1 and the Dorset Heathlands Planning Framework (2015-2020) Supplementary Planning Document.

Background Documents:

- Design and Access Statement
- Planning Statement
- Transport Statement
- Geo-Environmental Report
- Ecological Appraisal
- Arboricultural Impact Assessment
- Flood Risk Assessment and Drainage Strategy

Case Officers: Robert Thain

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.

The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.

REPORT SUMMARY

REFERENCE NO.	3/18/2903/RM
APPLICATION PROPOSAL	Reserved Matters Application (Phase 1) pursuant to Outline Application 3/16/1291/OUT for 43 dwellings (inc. affordable housing) and public open space with associated access and landscaping
ADDRESS	Land North and South of Edmondsham Road Verwood
RECOMMENDATION - Grant, subject to conditions: (see Section 9 of the report for the full recommendation)	
REASON FOR REFERRAL TO COMMITTEE <ul style="list-style-type: none"> At Councillors' request that reserved matters on this Core Strategy site return to Committee 	
SUMMARY OF REASONS FOR RECOMMENDATION <ul style="list-style-type: none"> The site is allocated for residential development in the Christchurch and East Dorset Local Plan Part 1 – Core Strategy 2014 through Policy VTSW4 (North Western Verwood New Neighbourhood). The principle of residential development for up to 230 dwellings within the wider Application Site was agreed through Outline consent (Ref: 3/16/1291/OUT). Vehicular access into the site is from Edmondsham Road. Suitable Dorset Heathland mitigation was secured at Outline planning stage through suitable planning conditions and a Planning Obligation. A Suitable Alternative Natural Greenspace (SANG) will be provided to the north of the Application Site. Overall, the proposal has a suitable design. The proposed appearance, layout, landscaping and scale, subject to conditions, are considered to be suitable for the site and respect the character and visual amenities of the local area. The proposed housing mix in terms of both affordable and market housing numbers, size (by bedrooms), tenure and residential typology is considered to be acceptable and in line with that agreed at the Outline stage. The proposed parking is considered adequate for both the residential and retail elements of the proposed. No demonstrable harm to neighbouring residential amenity will result. 	
INFORMATION ABOUT FINANCIAL BENEFITS OF PROPOSAL <u>The following are considered to be material to the application:</u> Contributions to be secured through Section 106 legal agreement (subject to interest): <ul style="list-style-type: none"> £584,271 towards the maintenance of the Northern SANG £22,400 towards the maintenance of the LAP £10,553 SAMM contribution Contributions to be secured through CIL: Nil (all sites allocated in the Core Strategy are exempt from CIL payment.)	

The following are not considered to be material to the application:

Estimated annual council tax benefit for District: £8915

Estimated annual council tax benefit total: £75,857

Estimated annual new homes bonus per residential unit, per year (for first 4 years):
£1,200 approx.

Estimated annual business rates benefits for District: Unknown

APPLICANT	Pennyfarthing Homes	AGENT	Thrive Architects
WARD	Crane	PARISH/ TOWN COUNCIL	Verwood
PUBLICITY EXPIRY DATE	18 March 2019	OFFICER SITE VISIT DATE	19 December 2018
DECISION DUE DATE	18 March 2019	EXT. OF TIME	21 March 2019
RELEVANT PLANNING HISTORY			
App No	Proposal	Decision	Date
3/16/129/OUT	All matters reserved except access, for up to 230 dwellings (inc. affordable housing) Public open space and SANG with associated access and landscaping	Granted	10/10/18

MAIN REPORT

1.0 DESCRIPTION OF SITE AND SURROUNDINGS

- 1.01 The application site comprises 0.17ha of land north of Edmondsham Road in the urban area of Verwood as designated in the Christchurch and East Dorset Local Plan. Two storey residential development at Rosemead lies southeast of the site, separated only by post and rail fencing, while Trinity First School is fenced to the east. To the north lies agricultural land, part of which will become a Suitable Alternative Natural Greenspace (SANG) associated with the development. The Bridleway along the northwestern boundary separates the site from a cluster of houses at Eastworth Farm to the west and to the south of Edmondsham Road lie chalet style properties facing the site.
- 1.02 The land is currently agricultural and is used for grazing. The site is roughly rectangular and is relatively level; land levels rise by approx. 5m from the lowest point in the southeast to the north 185m distance (1:37) and by approx. 3m along the 168m long northeast boundary (1:56).

2.0 PROPOSAL

- 2.01 The principle of residential development for up to 230 dwellings land to the north and south of Edmondsham Road was agreed under outline planning application 3/16/1291/OUT which was approved subject to a number of planning conditions and a Section 106 Legal Agreement. Amongst other matters the legal agreement secures two SANGs; the proposed northern SANG, which is the subject to a separate permission 3/16/1295/COU, lies immediately north of the current application site. This Reserved Matters application seeks permission for the outstanding reserved matters for the first of the two phases of the development; access, layout, scale, appearance and landscaping for 43 residential units and the associated Local Area of Play north of Edmondsham Road following approval of 3/16/1291/OUT. It is anticipated that phase 2, the larger land parcel to the southwest of this site and south of Edmondsham Road will accommodate up to 187 dwellings in due course.
- 2.02 The proposed access to the site accords with the details previously approved at outline stage where a footway crossing on Edmondsham Road was agreed. Within the site the highway is to form a loop, off which spur small, informal cul-de-sacs. To the south of the site dwellings face onto Edmondsham Road and the remainder front the new streets. There is one rear parking court to serve the block of 9 flats. Elsewhere gardens back onto one another.
- 2.03 Two storey form predominates but the apartment block is to be three storey (with the majority of the second floor incorporated into the roof) and there are 8 bungalows proposed, 6 of which lie to the north. Traditional red brick and plain tiles are anticipated with some complementary brick course detailing and limited cladding in tiles/timber effect boarding.
- 2.04 Within the site there is a modest area of Public Open Space west of the entrance junction between Edmondsham Road and the development and details of an informal Local Area of Play as envisaged by the Outline application has also been submitted.
- 2.05 The details that have been submitted also seek to discharge, in parallel, a number of pre-application conditions on the Outline consent relating to phase 1:
- 18. Land levels
 - 19. Parking
 - 20. Cycle parking
 - 21. Local Area of Play
 - 22. Renewables
 - 23. Hard and soft landscaping
 - 25. Refuse and recycling storage
 - 26. Boundary treatment
 - 27. Materials
 - 28. Affordable housing
 - 29. Entrance to North SANG

3.0 SUMMARY OF INFORMATION

	Proposed
Site Area (ha)	0.17
No. of residential units	43
No. of affordable units	15 (35%)
No. of affordable rented	11 (73%)
No. of shared ownership units	4 (27%)
No. of market units	28
No. of Storeys	1, 2 and 2.5
Residential parking spaces	99 (inc. 28 garages)
Total non-residential spaces	15

4.0 RELEVANT PLANNING CONSTRAINTS

Main Urban Area
Highways Inspected Network along southern boundary
Green Belt adjacent to north and northwest
SSSI Impact Risk Zone
Heathland 5km Consultation Area
Rights of Way- E54/32 follows the west boundary
Tree Preservation Order – VE/296- Oak trees along the north boundary

5.0 POLICY AND OTHER CONSIDERATIONS

Development Plan:

Christchurch and East Dorset Core Strategy 2014

KS1	Presumption in favour of sustainable development
KS4	Housing Provision in Christchurch and East Dorset
KS11	Transport and Development
KS12	Parking Provision
LN1	The Size and Type of New Dwellings
LN2	Design, Layout and Density of New Housing Development
LN3	Provision of Affordable Housing
HE2	Design of new development
HE3	Landscape Quality
HE4	Open Space Provision
ME1	Safeguarding biodiversity and geodiversity

ME3 Sustainable development standards for new development
VTSW4 North Western Verwood New Neighbourhood

East Dorset Local Plan 2002

- Policy HODEV1: Criteria for new housing developments in urban areas and village envelopes

Supplementary Planning Documents:

- Dorset Heathlands Planning Framework SPD 2015

Planning Guidance:

- The National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)

6.0 LOCAL REPRESENTATIONS

6.1 In addition to letters to neighbouring properties, a site notice was posted outside the site on 19 December 2018 with an expiry date for consultation of 12 January 2019. A press advert was published on 11 January expiring 1 February 2019.

6.02 5 representations have been received raising objections. The issues raised comprise the following:-

- Poor layout- lack of buffer between development area and neighbours, proximity of the dwellings to neighbouring houses in Rosemead
- Impact on neighbouring amenity- overlooking, loss of light, noise
- Harm to the character of the area resulting from loss of green fields
- Impact on highway safety, junction design and insufficient parking
- Noise and pollution during construction
- Impact on stream and flood prevention system
- Insufficient infrastructure in Verwood

7.0 CONSULTATIONS

Responses have been summarised.

7.1 County Highways (rec'd 5 March 2019)
No objection: the revised site layout (Dwg No SL.01 Rev B5) is satisfactory in terms of geometry and overall design and it should be suitable for adoption under S38 of the Highways Act.

- 7.2 Verwood Town Council (rec'd 24 January 2019)
No objection. The Town Council fully supports the submission form EDEP in response to the application; suitable bollards should be installed to prevent parking on the wildlife buffer zone
- 7.3 East Dorset Environment Partnership (rec'd 24 January 2019)
Consideration needed of:
- restrictions on development rights to protect tree rooting areas,
- protection of wildlife buffer
- appropriate lighting
- appropriate tree and shrub guard details
- locally sourced materials
Issues identified with SANG planting and layout proposals (not under consideration).
- 7.4 County Rights Of Way Officer (rec'd 14 January 2019)
Planned path link onto E54/32 increases likelihood of higher usage. Suggest aggregate surfacing to improve useability (see table 8.49)
- 7.5 Dorset Waste Partnership (rec'd 15 January 19)
No objection- occupiers will need to use bin collection points
- 7.6 Wessex Water (rec'd 1 February 19)
Noted that the drainage details are secured by conditions on the outline permission.
- 7.7 Other consultees notified of the application who did not provide comments:
Natural England
Dorset Wildlife Trust
Environment Agency
Lead Flood Authority
Dorset Police Crime Prevention Design Advisor
Dorset Fire and Rescue Service

8.0 APPRAISAL

- 8.01 This is a Reserved Matters application for the access, appearance, layout, scale and landscaping details associated with 43 residential units. For this residential application the main considerations are:
- A. Principle of Development and Access
- B. Scale and Site Layout:
- Character Area
 - Residential Tenure and Mix
 - Vehicular Parking
 - Servicing

C. Appearance and Landscaping:

- Building Materials
- Boundary Treatments
- Landscaping and trees
- Local Area of Play

D. Other Material Considerations:

- Impact on Residential Amenity
- Biodiversity

E. Conditions

These points will be discussed as well as other material considerations under the headings below.

A. Principle of Development and Access

- 8.02 The principle of residential development for up to 230 dwellings on the entire site was agreed under outline planning application 3/16/1291/OUT which was approved subject to a number of planning conditions and a Section 106 Legal Agreement. Amongst other matters the legal agreement secures two SANGs, the one to the north is the subject to a separate permission 3/16/1295/COU.
- 8.03 Policy VTSW4 requires that vehicular access to the site is secured from Edmondsham Road. The proposed access has not varied from the illustrative plans submitted with the application; the access lies approx. 40m north of the roundabout with Coopers Lane, 50m south of the junction with Eastworth Road.
- 8.04 Pedestrian improvements secured with the outline planning permission will ensure a safe crossing point on Edmondsharm Road to facilitate access from Eastworth Road and a new pavement will be formed along the southern edge of the development parcel under consideration.
- 8.05 Within the site the single principle vehicular route leads to a raised table where the route splits to form a loop. The highway has been designed to achieve reduced vehicular speeds of approx. 15mph. Shared use of the surface by vehicular, cyclist and pedestrian traffic is anticipated, although pedestrian safe zones in a contrasting block paving with a 25mm upstand are to be provided along the majority of the route with the exception of the eastern section where it is accepted that traffic will be sufficiently light that additional highway width would be unnecessary and appear over-engineered. Access from the site onto the Public Right of Way to the west is provided north of the proposed Local Area of Play.
- 8.06 Three short private cul-de-sacs branch off the access road, each serving up to four dwellings. The cul-de-sac west of the entrance is served by a path off Edmondsham Road to assist with pedestrian permeability which is a positive

feature of the scheme. All but two of the proposed dwellings are served by private drives within their curtilages. Units 24-25 have allocated on street parking separated from the plots by a pavement which follows pedestrian desire lines but their proximity to the dwellings makes these acceptable.

- 8.07 Dorset County Highways have been in discussion with the applicants. Their comments will be reported at the Committee meeting.

B. Scale and Site Layout

Character Area

- 8.08 The Design Code approved under condition 3 of the outline permission identifies four character areas across the two phases of the development to the north and south of Edmondsham Road. As phase 1 is of relatively modest size (43 units) it is appropriate that it is identified as having one character entitled 'Rural Lanes'. This is the least specifically defined character area enabling the design to respond to the specific characteristics of the site. In accordance with the design code, the proposal is predominantly two storey but the scheme responds to the sensitivity of adjacent open countryside to the north and west by positioning bungalows to the north and lower density development, including bungalows (approx. 20dph), alongside the western boundary. The centre and southeastern parts of the site have a higher density (centre approx. 49d/h as a result of the flat, southeast approx. 27d/h).
- 8.09 The design code envisages some three storey buildings to articulate key corners or vistas; the proposal includes one three storey apartment block on a key corner, approx. in the centre of the site where the access road forks, although even here the majority of the second floor is contained within the roof space and served by dormer windows. The finished floor levels plan accompanying the application confirms that this higher building will lie at a lower finished floor level than the closest two storey dwellings to its northeast. The only retaining wall, 0.6-1m in height, lies to the north of this building to facilitate the change in land levels.
- 8.10 The layout maintains an appropriate setback from Edmondsham Road in keeping with the existing streetscene and an approx. 12m wide buffer is maintained with Trinity First School to the east comprising a landscaped strip and the highway. To the south the housing lies closer to the boundary but this is adjacent to an existing residential development. Finished floor levels and roof heights.
- 8.11 The proposed layout and scale is judged to accord with the design code as required by condition 3 of the outline permission and appropriately reflects the local context in accordance with policy HE2, DES11 and NPPF para 127.

Residential Tenure and Mix

- 8.12 The s106 legal agreement secured on the outline permission requires that the development provide 35% affordable housing to a required mix as shown in the table below:

	Affordable	Market Requirement	Total Land %
1 bed	32%	9%	17%
2 bed	43%	20%	28%
3 bed	23%	45%	37%
4+ beds	2%	26%	18%

- 8.13 The required percentage of affordable units and the tenure mix is reflected in the current proposal. The house sizes sufficiently aligned with the overall requirement that it will not preclude full compliance at phase 2 (See table below).

Unit Size	Affordable Rented Units	Shared Ownership Units	% of total
1 bed	3	0	20%
2 bed	6	0	53%
2 bed house	0	2	
3 bed house	2	2	27%
4 bed house	0	0	0
	11 units	4 units	100%
	71%	29%	

- 8.14 The applicant are aware of the outstanding need to provide 10% of the affordable dwellings (11 units) to lifetime home standard in accordance with the legal agreement but Officers consider that it is reasonable that this element be secured in the second phase on land south of Edmondsham Road where the large land parcel provides greater scope.

8.15 The affordable dwellings are sited in the centre and to the east of the site. The proposal accords with the legal agreement requirement that the homes be distributed across the land in groups of no more than 15. Further distribution will occur across phase 2. Their materials will assist in integrating them within the scheme to achieve tenure blindness.

8.16 The proposed market housing mix is set out below:-

Market Housing mix	Total (Nos.)	%
2 bed house	6	21
3 bed house	17	61
4 bed house	5	18
Total	28	100

8.17 Again, given the limited number of units in this scheme, it will not preclude phase 2 from compliance with the market housing mix anticipated by the legal agreement.

8.18 As such, the proposed housing is considered to accord with Local Plan Policies LN1 and LN3 and the planning obligation for the consented outline application.

Vehicular Parking

8.19 Vehicle and cycle parking details have been provided in accordance with the requirement of conditions 19 and 20 of the outline consent. The Design and Access Statement notes that parking spaces have been designed with acceptable dimensions of 2.5m by 5. Shared driveways are at least 6m wide and vehicle tracking for parking spaces has been provided to demonstrate usability.

8.20 Concerns have been raised by objectors that insufficient parking is offered, however the parking spaces shown accord with Dorset Council parking standards. Each market property has a garage and at least one off street parking space with the majority having two or more. Each of the affordable houses and the apartment block has a cycle store and at least one off-street parking space is provided, with those serving the apartments unallocated to improve efficiency of use. The provision is set out in the table below:

	Number of spaces
Garages	28
Allocated parking spaces	61
Unallocated spaces	12
Visitor spaces	15
Total parking provision	116

- 8.21 The proposed quantum of vehicular parking satisfies the requirements of the Dorset Parking Standards for allocated, unallocated and visitor parking. Provision and retention of the parking layout is secured by condition 12 of the outline consent but an additional condition is judged necessary to ensure that garaging remains available for the express purpose of parking.
- 8.22 Subject to the imposition of a condition to secure the retention of the parking spaces (condition 6), the proposed vehicular parking accords with Local Plan Policies HE2, KS12 and the detailed design advice set out in the national Planning Practice Guidance.

Servicing

- 8.23 The majority of properties on the site face onto the highway which has been designed to adoptable standards; the layout has been tracked to allow appropriate access by refuse and emergency vehicles. Where properties are served by private roads, four Bin Collection Points have been identified which accord with the distance requirements of Dorset Waste Partnership. The dwellings have been designed with scope to accommodate bins within their curtilages and the apartment block has an accessible bin store.
- 8.24 The proposed layout can achieve appropriate servicing in accordance with Local Plan policy HE2.

Layout and scale summary

- 8.25 The proposed site layout and building scale responds appropriately to the edge of settlement location. Residential blocks have been used to provide secure front and backs of properties and the layout facilitates servicing. Buildings are appropriately oriented and spaced to provide suitable enclosure and surveillance. The built density balances efficient use of land with an appropriate response to the character of the area. Sufficient parking opportunities are provided to serve the needs of future residents. Whilst the

affordable housing is concentrated in a specific area this is acceptable on this size of site and will not adversely impact social cohesion.

- 8.26 Overall, then, the proposed site layout and scale is considered acceptable in accordance with Local Plan policies HE2, HE3, LN2, LN3, KS12 and the NPPF para 127 and design guidance within the PPG.

C. Appearance and Landscaping

Building Materials

- 8.27 Red brick is the predominant proposed building material. A mixed red brick used on properties in the centre of the site will provide contrast with the lighter, soft blend to be used on the majority of the dwellings. Dwellings on the southern edge of the development together with the apartment block and two of the northern bungalows are to have dark slate effect tiles but the majority will be roofed with plain tiles in Old Burgandy colour similar to those evident on the properties at Rosebank. As there are a variety of plain and slate roofs evident along Edmondsham Road this mixture is judged acceptable.

Boundary Treatments

- 8.28 No hard boundary treatment is proposed to the front of dwellings which will be open plan with planting. Formal beech hedge planting is shown along more exposed frontages and elsewhere hedges are to be a mixture of native species. In the main, rear gardens are to be demarcated by 1.8m closeboard boundary fencing for security and privacy, but where gardens lie adjacent to the highway then 1.8m brick walls to match the associated dwellings will be constructed, contributing to the aesthetics of the scheme. The front boundary of the apartments will be demarcated by black railings over a retaining wall which rises from 0.6m in height to 1m as the wall runs northwards.
- 8.29 Along the site boundaries native hedging is to be planted. The north boundary with the SANG is currently demarcated by a post and wire fence and it is anticipated that this fencing will be upgraded when the SANG is created. The western boundary with the Public Right of Way is similarly post and barbed wire fencing. The hedging will provide an appropriate soft boundary treatment in this rural area.
- 8.30 To the east of the stream no change is required to the existing appropriate post and rail and hedging boundary with the school. Along the boundary with Rosemead properties it is recognised that there is a need to introduce screening as the existing deciduous hedging is yet to mature so there are open views through the post and rail fencing from the site into the garden of no. 3 Rosemead. Hedge planting of mature stock hornbeam, field maple, hazel and beech with holly, 1.5-1.8m in height will assist in progressing the screening effect offered by the hedging and maintain a softer visual impact for existing residents than alternative boundary enclosure.

- 8.31 Condition 23 of the outline permission secures the implementation of the proposed landscaping including boundary treatment and associated planting which will achieve and maintain an attractive landscape as required by Local Plan policy HE2.

Landscaping and Trees

- 8.32 Hard landscaping treatments of the roads, pavements and parking areas are yet to be identified but these will be secured via the discharge of condition 23 of the outline permission.
- 8.33 The submitted landscaping plans have been amended in light of consultation responses to remove any locally invasive species. The proposed planting includes native hedging, ornamental species within front gardens and tree species which are appropriate for the urban environment but which will contribute to softening the built environment. Tree planting specifications, including tree ties and spacers, have been revised in the light of comments from East Dorset Environmental Partnership (EDEP) so that they are now environmentally sound (sourced) and bio-degradable and guards will protect saplings from deer. Amended plans have incorporated 0.5m high timber bollards along the western edge of the eastern landscape buffer in response to concerns raised by Verwood Town Council and EDEP. These are an acceptable means of protecting this area from vehicle parking; a condition is necessary to secure these in perpetuity (condition 4).
- 8.34 Significant existing trees to the south west of the site are to be retained and the proposed bungalows to the north of the site are sited an adequate distance from the protected Oaks to avoid harm to the trees which make a significant contribution to the amenity of the area. The garage serving the bungalow at unit 16 is closer to the trees but subject to a condition to secure appropriate construction methods this is acceptable (condition 2). The Council's Arboricultural Officer has confirmed that the proposal accords with Local Plan policies in terms of trees. Conditions 12, 13 and 14 of the outline consent govern development in accordance with tree protection. A supplementary condition to refer to the latest tree protection plan is required (condition 3) and it is necessary to remove permitted development rights for extensions or outbuildings for plots 11-16 to protect the trees to the north (condition 5).
- 8.35 As such, the proposed soft landscaping and boundary treatment is considered to be acceptable and therefore the proposal accords with Local Plan policies HE2, HE3 and DES6.

Local Area of Play

- 8.36 The Local Area of Play (LAP) is sited on the western edge of the development adjacent to the route through to the SANG as identified in the Outline

parameter plan. It will be overlooked by the two storey houses to the south which provide appropriate natural surveillance.

- 8.37 The main equipped area of play will lie to the south of Edmondsham Road. Phase 1 includes a small play area with a natural appearance; artificial concrete boulders on grass mounds linked by timber log stepping stones and two log benches are proposed. A tarmac path adjacent to the LAP will link the highway to the Public Right of Way providing access to the SANG.
- 8.38 The legal agreement secures the LAP provision and future maintenance.

Summary

- 8.39 The proposed materials, hard and soft landscaping and play space will contribute to the creation of a good quality environment for residents and are acceptable within their context in accordance with Local Plan policy HE2.

D. Other Material Considerations

Impact on Residential Amenity

- 8.40 Within the site, the proposed layout and property design will offer acceptable levels of residential amenity for future occupants; dwellings typically have window-to-window distances of approx. 20m and 15m is maintained between the three storey apartment block and adjacent dwellings. Although the parking court to the rear of the apartment block lies in close proximity to the ground floor accommodation, this has been designed so that the main living rooms face south. A hedge will provide screening between the unallocated parking and the window of bedroom 1 of ground floor unit 26, mitigating the potential impact from vehicle lights.
- 8.41 Beyond the site, to the west of the site lies a cluster of cottages formerly associated with Edmondsham Farm (no. 52). The Public Right of Way runs along the western boundary between the site and Stable Cottage. Existing hedgerow screening in the south west of the site is to be reinforced and extended along the boundary. The nearest dwellings, on plots 4 and 5, are bungalows and the two storey dwelling at plot so no harm to the amenity of residents to the west from the proposed layout is anticipated.

To the south the application site is bound by a development of 5, two storey houses known as Rosemead and Trinity First School. The scheme will have a more perceptible impact for the residents of properties in Rosemead due to the proximity of the development and the openness of their gardens currently demarcated by post and rail fencing and young planting.

- 8.42 2 Rosemead lies adjacent to Edmondsham Road and the application site and faces northeast towards no. 3 Rosemead. Permission was recently granted

for a rear (southwest) extension to replace the original conservatory. Two ground floor windows in northwest elevation of the property face the application site; the front bay window serves the lounge and the flank window is shown on the approved plans as serving a games area. The proposed dwelling on plot 43 will lie approx. 4m to the north of no. 2 but is set back in its plot so the impact on the outlook from the flank window of no. 2 will not be harmful. Several windows are proposed in the southern elevation of unit 43 facing no. 2 but the impact of ground floor windows can be mitigated by boundary treatment. Obscure glazing of the proposed first floor stairwell window is judged necessary by condition because the window is approximately in line with the front building line of no. 2 which includes a bay window.

- 8.43 3 Rosemead lies adjacent to the application site and faces south west. It has an integral garage with living accommodation above and the first floor rear window above the garage is obscure glazed. There are no flank wall windows but two sets of French doors and first floor windows face northeast towards the application site. The garden of no. 3 tapers to the north and is bound to the east by the stream; the property has previously benefited from outlook over the current application site. The proposal will introduce a two storey semi-detached pair of dwellings, the closest part of which will lie approx. 15m north of no. 3, but the proposed dwellings are oriented to the northeast so that the rear elevation is angled away from the garden of no. 3 avoiding a harmful degree of overlooking. Although existing open outlook from the rear of no. 3 will be affected, the new development will not be demonstrably harmful so as to warrant refusal on these grounds because unit 37 is positioned sufficient west to avoid complete loss of the outlook; no. 3 will continue to benefit from views north over the landscape buffer adjacent to the stream and towards the countryside beyond.
- 8.44 4 Rosemead faces south with the main outlook north towards the application site. It lies east of the stream but, together with no. 3, is set to be most affected by the application as its outlook changes from rural to urban. The wildlife buffer along the western boundary plays a dual role in limiting the proximity of development to these existing properties but concerns have been raised about the positioning of semi-detached properties 37-38 approx. 25m to the north west. The flank wall in unit 37 facing no. 4 Rosemead, which lies to the southeast, will be blank and current permitted development rights would prevent the insertion of first floor windows other than those that are obscure glazed thereby avoiding harm from overlooking or a perception of overlooking. The size and height of proposed unit 37 is comparable with the properties at Rosemead and the building to building distance is sufficient to avoid demonstrable harm to the amenity of the occupants of no. 4 by reason of an overbearing impact. The proposed hedge and tree planting along the boundary between no. 3 and unit 37 will provide screening for the new parking area and, over time, assist in softening the impact of the built form.

- 8.45 Overall it is judged that the proposal accords with the requirements of Local Plan policy HE2 that development should be compatible with nearby properties, including minimising general disturbance to amenity.

Impact on Biodiversity

- 8.46 Condition 34 of the outline permission reads:

The residential development in each phase shall not be first occupied until the provisions of the submitted 'Biodiversity Mitigation Plan' dated 24th November 2016, as certified approved by Dorset County Council - Natural Environment Team on 24th November 2016, relevant to that phase have been brought into effect. The works and specifications outlined in this approved plan must be completed in full, unless any modifications to the agreed mitigation have first been agreed in writing by the Local Planning Authority. Thereafter, the approved mitigation measures shall be permanently maintained and retained in accordance with these approved details.

- 8.47 The current application is accompanied by the same Biodiversity Mitigation Plan signed 1/8/16 for the whole site (phases 1 and 2) which was certified by Dorset Natural Environment Team on 24th November 2016. The East Dorset Environmental Partnership has drawn the Council's attention to the updated lighting guidance (September 2018) from the Institution of Lighting Professionals and The Bat Conservation Trust but this is a matter which can feed into the assessment of the lighting strategy required by condition 24 prior to any external lighting works. An informative note to this effect is appropriate (informative 1).
- 8.48 The proposed landscaping is in accordance with the relevant elements of the biodiversity mitigation plan which seeks to provide appropriate foraging habitat for badgers within open space, native hedging and native planting along the eastern boundary and use of flowering grassland seed mixes.
- 8.49 The proposed details accord with the aims of Local Plan policy ME1.

E. Conditions

Condition requirements (summarised)	Details submitted	Outcome
3. Design Code compliance statement	Design statement submitted which explains how the proposal conforms to the Design Code	The design statement and plans discharge the requirements of condition 3 for phase 1
18. Site levels	Details provided of topography, neighbouring	The plans discharge the pre-commencement

	development and finished floor levels of the dwellings	submission requirements of condition 18 for the residential phase 1
19. Parking	Parking space details provided on site plan, dimensions stated in DAS.	The plans discharge the pre-commencement submission requirements of condition 19 for the residential phase 1
20. Cycle parking	Submitted plans and DAS	The plans discharge the pre-commencement submission requirements of condition 19 for the residential phase 1
21. LAP	Plans and Section 5 of Implementation Management Implementation	Details submitted discharge the pre-commencement submission with the exception of the implementation scheme which is outstanding.
22. Renewables	Proposals contained in e-mail dated 7/1/19	It is noted that the required 10% energy generation from renewable sources will be achieved on phase 2.
23. Hard and soft landscaping	Details submitted in Design and Access Statement and submitted plans	The submitted details discharge the pre-commencement submission requirements of condition 23 in respect of soft landscaping and boundary treatment for the residential phase 1 only. Hard surfacing details remain outstanding.

25. Refuse and recycling storage	Details of bin stores and collection points	The submitted details discharge the pre-commencement submission requirements of condition 25 for the residential phase 1
26. Boundary treatment	Details of boundary treatment submitted	The submitted details discharge the pre-commencement submission requirements of condition 26 for the residential phase 1
27. Materials	Details on submitted plans	The submitted details discharge the reserved matters submission requirements of condition 27 for the residential phase 1
28. Affordable housing	Submitted details	The submitted details discharge the reserved matters submission requirements of condition 28 for the residential phase 1
29. Entrance to N SANG	Details on submitted plans	The proposal offers an alternative route through the development to the SANG; a tarmac path will link the road network to the PRow from which access to the SANG will be provided. The PRow is privately owned and outside of the applicant's control

CONCLUSION

- 8.50 Overall, the Reserved Matters application suitably accords with relevant Local Plan Policies and National Planning Guidance. The proposed housing is well-designed, functional, visually attractive and will assist in deliverable sustainable residential development. The proposal will not give rise to any significant amenity impacts on existing local residents or future site occupiers.

- 8.51 Therefore, subject to suitable conditions, the proposal accords with Local Plan Core Strategy policies VTSW4, KS1, KS11, KS12, HE1, HE2, HE3, LN1, LN2, LN3 and ME1 together with East Dorset Local Plan (2002) policies DES6 and DES11, the policies contained in the National Planning Policy Framework and the detailed housing design guidance set out in the national Planning Practice Guidance.

9.0 RECOMMENDATION - Grant, subject to the following:

Conditions:

1. The development hereby approved shall be constructed in accordance with the following plans:

Layouts

LP.02	Location Plan
SL.01 rev B5	Site Plan
DBML.01 rev B2	Dwelling Boundary Material Layout
SE.01	Street elevations
1582-SK-020 rev A	Indicative Levels Drawing

House Types

HT.980.p rev A	980 Floor Plan
HT.980.e rev A	980 Elevations
HT.1189 V1.p rev A	1189 V1 Floor Plans
HT.1189 V1.e rev A	1189 V1 Elevations
HT.BOL V2,V4-A.p rev A	Bolderbury V2&V4 Floor Plans
HT.BOL V2-A.e1 rev B	Bolderbury Elevations V2-A
HT.BOL V2-A.e2 rev B	Bolderbury Elevations V4-A
HT.KINGS V0.p rev A	Kingsdale V0-Floor Plans
HT.KINGS V0.e rev A	Kingsdale V0-Elevations
HT.NORTH V0.p rev B	Northerbury- Floor Plan
HT.NORTH V0.e rev B	Northerbury- Elevations
HT.OVER V1-V4.p rev B	Overwood V1,V4- Floor Plans
HT.OVER V1.e1 rev B	Overwood V1- Elevations
HT.OVER V4.e2 rev B	Overwood V3- Elevations

Plots

P22-23.p rev A	Plots 22-23 Floor Plans
P22-23.e rev A	Plots 22-23 Elevations
P24-25.p rev A	Plots 24-25 Floor Plans
P24-25.e rev A	Plots 24-25 Elevations
P37-38.p rev A	Plots 37-38 Floor Plans
P37-38.e rev A	Plots 37-38 Elevations

Ancillary

S-GAR.01.pe rev A	Single Garage- Floor Plans & Elevations
S-GAR.02.pe rev A	Single Garage- Floor Plans & Elevations

T-GAR.01.pe rev A Twin Garage- Floor Plans & Elevations
SHED-01.pe A Shed- Floor Plans & Elevations

Flat Blocks

FB-A.e1 rev B Flat Block A: Elevations 1
FB-A.e2 rev B1 Flat Block A: Elevations 2
FB-A.p1 rev A Flat Block A: Floor Plan 1
FB-A.p2 rev A Flat Block A: Floor Plan 2
FB-A.p3 rev A Flat Block A: Floor Plan 3
FB-A.s rev A Flat Block A: Floor Plan 1

Landscaping & Highways

EPD2465_d036 rev H Soft Landscaping Design
14241-BT9 Tree Protection Plan
4642-003 rev K Suggested footway crossing
4642/008 Cross section of Pedestrian safe zone

2. Notwithstanding details already submitted with the Arboricultural Method Statement, prior to construction of the garage serving plot 16 a construction method statement and engineering drawings for the foundation design of the garage shall be submitted to and approved in writing by the Local Planning Authority. The garage shall thereafter be constructed in accordance with the approved details.

Reason: To avoid damage to existing trees during the construction phase

3. Notwithstanding the requirements of condition 12 of permission 3/16/1291/OUT, any equipment, materials or machinery are brought onto the site north of Edmondsham Road for the purposes of development in phase 1, a pre-commencement site meeting between the Tree Officer, Arboricultural Consultant and Site Manager shall take place to confirm the protection of trees on and adjacent to the site in accordance with the Arboricultural Report prepared by Barrell Tree Consultancy, ref: 14241 – AA4 - Edmondsham Phase1- DC dated the 28.09.18. The tree protection measures shall be positioned as shown on the Tree Protection Plan, ref: 14241- BT9 and to the standard for the protective fencing referred to in BS5837.2012 section 6 figure 2. The tree protection measures shall be retained until the development in phase 1 is completed and nothing shall be placed within the fencing, nor shall any ground levels be altered or excavations made without the written consent of the Local Planning Authority.

Reason: To protect trees on the site in the interest of the amenity of the area.

4. The bollards shown on the approved landscaping plan shall be installed prior to the first occupation of the site and shall thereafter be maintained and retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the wildlife buffer from vehicle parking.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting, or modifying that Order), there shall be no extensions to the dwellings on plots 11-16 under Part 1, Classes A or B, nor shall any outbuildings be constructed under Part 1, Class E.

Reason: To control matters which would affect the relationship of the properties to protected trees and the estate design concept

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting, or modifying that Order), the garaging and parking spaces hereby approved shall be retained and kept available for vehicular parking.

Reason: To secure appropriate parking provision in the interests of highway safety.

Informatives:

1. Notwithstanding the lighting intentions identified in the approved Biodiversity Mitigation Plan dated 1/8/16 and certified on 24/11/16, the applicant's attention is drawn to the updated lighting guidance (September 2018) from the Institution of Lighting Professionals and The Bat Conservation Trust in respect of the requirement of condition 24 of permission 3/16/0291/OUT for the submission of a lighting strategy prior to lighting works.

Background Documents:

Case Officer: Elizabeth Adams

- NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.

The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.

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REPORT SUMMARY

REFERENCE NO.	3/18/3305/FUL
APPLICATION PROPOSAL	<p>A hybrid application comprising:</p> <ol style="list-style-type: none"> 1) An outline application for the erection of 174 dwellings, with all matters reserved save for means of access. 2) A full planning application for the erection of a community sports facility comprising club house, playing pitches, parking and landscaping together with the change of use of the land to leisure.
ADDRESS	Land South of Leigh Road, Wimborne Minster, Dorset BH21 2DA
RECOMMENDATION	Approve subject to conditions and S106 legal agreement (see Section 9 of the report for the full recommendation)
REASON FOR REFERRAL TO COMMITTEE	In accordance with the Council's Constitution: significant major application recommended for approval.
SUMMARY OF REASONS FOR RECOMMENDATION	<ul style="list-style-type: none"> • It is considered that the proposal comprises the efficient and effective use of the housing land within the Leigh Road Local Plan Allocation Site, improving the East Dorset housing land supply, taking account of the recently published Government Housing Delivery Target figures for East Dorset, <u>outweighs</u> the fact the consented number of dwellings (560) is in clear excess of the Local Plan Allocation Policy figure (350). • Hence, the delivery of 174 additional dwellings within the Leigh Road Local Plan Allocation site to support the District's needs and assist in maintaining a five year housing land supply; • 49 dwellings (28%) are affordable, of which 34 are affordable rent and 15 affordable home ownership, which the District Valuer has confirmed is viable; • The provision of a 'sports village' in line Local Plan Policy WMC8 in the form of a new 'Community Sports Facility' which will provide high quality pitches, parking and a shared modern clubhouse for use by local rugby, football and athletics clubs is a very significant step change in the provision of high quality sports facilities in the local area upon, which subject to material considerations, the benefit of which significant weight should be placed in the planning balance; • The Community Sports Facility whilst inappropriate development in Green Belt planning policy terms, does comprise 'very special circumstances' given the significant social benefit and that this clearly outweighs all the identified harm to the Green Belt;

- The new vehicular and pedestrian access also comprises 'very special circumstances' that outweigh all the identified any harm to the Green Belt, with capacity to serve both this application site and potentially all of the residential development in the Leigh Road Local Plan Allocation Site;
- The proposed new access is an alternative to the consented access to the west of Park Farm Cottages and would be secured with a legal agreement which sets out the option of using either this proposed access or that consented in 3/15/0789/COU, rather than both given their clear incompatibility in highways safety terms;
- The proposed new vehicular access onto Leigh Road is acceptable in highways terms subject to detailed design;
- The siting, scale, and design of the Community Sports Facility clubhouse, pitches and supporting infrastructure is considered appropriate, subject to conditions, for the Local Plan Allocation Site;
- Satisfactory access and parking provision will be provided to serve the Community Sports Facility;
- The development would not be significantly harmful to the residential amenities of nearby dwellings by reason of loss of privacy, overshadowing or overbearing impact, and an acceptable level of residential amenity is capable of being provided for occupiers of the proposed dwellings;
- Heathland mitigation in accordance with Local Plan Policies WMC8 and ME2;
- The offer of appropriate financial contributions to off-set the proposal's impact in relation to local education, health services and potentially off-site highway junctions;
- The development would not result in significant harm to local general amenity by virtue of noise, lighting, flies or odour subject to suitable conditions;
- The proposal would not result in significant harm to heritage assets subject to suitable conditions;
- Adequate mitigation can be secured through planning conditions to offset any harm to the ecological and biodiversity value of the site;
- The proposal has a suitable landscape and arboricultural strategies subject to suitable conditions;
- Subject to suitable conditions and informatives the drainage strategy is acceptable in principal and would not lead to increased flood risk;
- Other environmental impacts have been assessed and there are not any which are potentially significant and which cannot be controlled by conditions;
- The proposal has been subject to satisfactory public engagement prior to submission of the application;
- Other issues raised by consultees have been assessed and there are not any which would warrant refusal of the application;
- The Community Sports Facility is to be offered to Wimborne Minster Town Council in the first instance, at such time that the facility is fully completed, on a permanent freehold basis; and

- The proposal is therefore considered to comprise sustainable development in accordance with Local Plan Core Strategy Policy KS1.

INFORMATION ABOUT FINANCIAL BENEFITS OF PROPOSAL

The following are considered to be material to the application:

Contributions to be secured through a s106 Legal agreement:-

- Affordable Housing comprising 49 Class C3 Residential Dwellings;
- Sustainable Alternative Natural Greenspace (SANG) Strategic Access Management and Monitoring (SAMM) contribution of £42,142;
- NHS contribution of £13,920;
- Off-site Highways and Education contributions of up to a joint total of £943,938
- Community Sports Facility s106 contribution towards natural pitches, artificial turf pitch, pitch drainage and floodlights of £1,410,000;
- Developer provided infrastructure on the Community Sports Facility at an estimated cost of £3,600,000. This includes the provision of the Clubhouse at an estimated cost of £2.5m.

Net increase in numbers of jobs (exc. construction): 1 full-time position at clubhouse

The following are not considered to be material to the application:

Estimated annual council tax benefit total: £294,774

Estimated annual new homes bonus per residential unit, per year (for first 4 years): £1,000 approx. *(NB. based on current payment scheme, the assumption that the 0.4% housing growth baseline is exceeded and assuming this baseline is reached through the delivery of other new homes)*

APPLICANT	Gleesons Strategic Land Ltd.	AGENT	Ms Katherine Miles
WARDS	Colehill East and Colehill West	PARISH/TOWN COUNCIL	Wimborne Town Council and Colehill Parish Council
PUBLICITY EXPIRY DATE	17/01/2019	OFFICER SITE VISIT DATE	17/01/2019
DECISION DUE DATE	25/02/2019	EXT. OF TIME	17/05/2019

RELEVANT PLANNING HISTORY

Within Leigh Road Allocation Site Gleesons and/or Barratts

App. No.	Proposal	Decision	Date
3/18/2262/RM	Approval of reserved matters application in respect of appearance, layout scale and landscaping (including pumping station and SUD's) following outline	Granted	23/01/2019

	planning application 3/15/0789/COU for residential development of 305 dwellings with associated roads, parking, turning and amenity areas; provision of local centre; provision of public open space and landscaped areas at Land at Park Farm, Leigh Road, Wimborne, Dorset, BH21 2DA		
3/15/0789/FUL	<p>Hybrid Planning Application comprising</p> <p>1) Outline planning application for residential development with associated roads, parking, turning and amenity areas; provision of local centre; provision of public open space, landscaped areas and allotments; provision of Rugby Club including clubhouse, parking and pitches; and 2) Full Planning application for change of use of agricultural land to (SANG) Suitable Alternative Natural Greenspace.</p> <p>Accompanied by a legal agreement securing a package of contributions, both financial and associated development:</p> <ul style="list-style-type: none"> • 28% Affordable Housing (85 dwellings) • Funding towards local education • Funding towards highway improvements • Funding to secure the creation and management of the Suitable Alternative Natural Greenspace (SANG) • Provision and management of public open space. 	Granted	05/01/2018
3/18/2544/ADV	Retrospective application to retain sales arena signage for free standing board and two flag poles (Amended description)	To be Determined	n/a
3/18/2472/ADV	2 No Printed ACM Panels with flag poles, 1 No V-Board with Development Name	To be Determined	n/a
<i>Other applications within Leigh Road Local Plan Allocation Site</i>			

3/18/2320/CON DR	Variation of Condition 2 & 20 of application 3/15/0839/FUL to show a double garage and chimney to plot 1 and to increase the footprint to plots 59 and 60. Update landscaping layout to reflect DCC Highways comments.	To be determined	n/a
3/17/0848/FUL	Hybrid planning application comprising 1) Full application for 44 dwellings with associated roads, footways, amenity areas, parking, open space, a drainage pumping station and a sustainable urban drainage system with surface water attenuation ponds in the eastern sector of the site as well as the provision of a principal access road from Leigh road as per the scheme approved under ref 3/14/1097/FUL other than the amended surface water drainage arrangements and 2) Outline planning application for a First School of 1.2 hectares in extent with means of access via the road and footway system incorporated in the accompanying full application and other matters reserved :- all as part of the development provided for under Policy WVMC8 of the Christchurch and East Dorset Local Plan Part 1 - Core Strategy (2014).	To be Determined	n/a
3/15/0839/FUL	Construction of New Football Pitches with Clubhouse, Stands, Changing Facilities and Parking; 81 Dwellings; Allotments and Teenage Activity Space with Associated Open Space, Landscaping and Highways and Change of Use of Agricultural Land to Sang.	Granted	20/4/2018
3/14/1097/FUL	Formation of new highway junction as amended by plans received 30/04/2015	Granted	26/05/2015

MAIN REPORT

1.0 DESCRIPTION OF SITE AND SURROUNDINGS

- 1.01 The Application Site is approximately 18.6 ha and is irregularly shaped. The site essentially comprises the eastern and southernmost portions of the Local Plan Allocation Site WMC8 (South of Leigh Road New Neighbourhood and Sports Village, Wimborne). The Application site can be considered as two broad contiguous areas. The eastern portion comprises current agricultural

land with an existing consent for leisure pitches and surface water drainage. The western portion also comprises current agricultural land with an existing consent for sports pitches. For reference, both consents were granted under application reference 3/15/0789/COU in January 2018.

- 1.02 The Application Site is part of a larger area of open land surrounded by existing urban development to the west (Wimborne Minster), north (Colehill) and east (Canford Bottom). The Application Site is located broadly between the B3073 (Leigh Road) to the north and the A31(T) (Wimborne By-Pass) to the south. To the south of the Application Site, beyond the A31, is the River Stour valley which includes open countryside and the settlements of Canford Magna and Oakley.
- 1.03 The northern site boundary adjoins Leigh Road at the eastern side and the consented housing area (3/15/0789/COU) at the western side. On the western site boundary there is a hedgerow and footpath between the site and an additional housing development currently being constructed (Application reference 3/15/0839/FUL). The southern site boundaries (for both the eastern and western portions of the site) are formed by the A31 and existing mature vegetation. The eastern boundary is open in the southern part, with open fields to the east, between Canford Bottom and the A31. At the northern end it adjoins housing on Farm Court, on the southern edge of Colehill.
- 1.04 The Application Site lies within the broad flat valley of the River Stour. To the north the land rises to an approximately height of 65m AOD in the higher residential parts of Colehill and Wimborne Minster. To the west and to the east, within the river valley, the land is fairly level. South of the A31 the land has a gentle gradient to River Stour. The Application Site comprises two parts of a very large field of mostly arable land, and some paddocks in the north-east adjacent to Leigh Road and Farm Close.
- 1.05 Within the Application Site is an existing high (5m), long hawthorn hedge sited on a north-east to south-west axis parallel to an existing farm track. There is a line of approximately 39 mature hybrid black poplar trees extending along the southern edge of the proposed Community Sports Facility. There are also tree belts on either side of Leigh Road. On the boundary of Leigh Road there is an 8-11m high Leyland Cypress hedge east of Park Farm Cottages. There is also a line of nine high quality semi-mature lime trees south of Park Farm Cottages.
- 1.06 The application site includes the historic line of a Roman Road. In the eastern portion of the site this is a Scheduled Monument. There is a public footpath (E2/22) which crosses the western corner of the site and follows the southern site boundary crossing the A31 via the existing footbridge and continuing south, through the consented SANG, to join the long-distance Castleman

Trailway. The application site has no existing lighting installed within its boundaries.

- 1.07 The site does not lie within, or adjacent to, any statutory designated sites of nature conservation importance. Three Special Protection Areas (SPAs), one Special Area of Conservation (SAC) and three Ramsar sites lie within 10km of the site, including Dorset Heathlands SPA and Dorset Heaths SAC which both lie approximately 2.2km south-west of the site at their nearest point. These are designated for their heathland bird populations and heathland habitats respectively.
- 1.08 There are also seven Sites of Special Scientific Interest (SSSIs), one National Nature Reserve (NNR) and 12 Local Nature Reserves (LNRs) within 2km of the site, the closest of which is Leigh Common LNR which lies adjacent to the northern boundary of the site on the opposite side of Leigh Road. Leigh Common Site of Nature Conservation Interest (SNCI), a non-statutory site, overlaps the northern edge of the site and includes the grassland verge to the south of Leigh Road. Leigh Common SNCI is described as containing semi-improved neutral grassland and an area of secondary woodland, although the portion that occurs within the site contained amenity grassland.

2.0 PROPOSAL

- 2.01 The proposal is a hybrid application comprising:-

- 1) An outline application for the erection of 174 dwellings, with all matters reserved (save for means of access); and
- 2) A full planning application for the erection of a community sports facility comprising club house, playing pitches, parking and landscaping together with the change of use of the land to leisure.

- 2.02 The proposed mixed-use development provides:-

- Approximately 4.15ha of residential land to accommodate 174 dwellings comprising:
 - A mix of 1, 2, 3 and 4 bed dwellings
 - Flats and houses in different typologies including detached, semi-detached, terraced and flatted blocks
 - 30% affordable housing and 70% market housing
 - Parking for approximately 373 cars
- Approximately 8.27ha of land for the creation of a Community Sports Facility (CSF) including:
 - 2 no. natural grass rugby pitch (approx. 145m x 80m)

- 1 no. natural grass football pitch (approx. 105m x 78m)
 - 1 no. artificial turf pitch (130m x 80m)
 - 1 no. junior natural grass pitch (approx. 60m x 40m)
 - Floodlighting for one natural grass rugby pitch & the artificial pitch
 - A two-storey community sports facility clubhouse comprising changing rooms, equipment store, clubroom, bar and catering facilities and a first floor viewing terrace; and
 - Parking for approximately 250 cars
- A secondary area of open space to the west of the proposed housing
 - New vehicular and pedestrian access arrangements onto Leigh Road in the North East of the Application Site as an alternative to the consented access in 3/15/0789/COU. The new access was proposed in an Amended Plan submitted during the determination of the Application to resolve issues relating to Common Land and Highway Safety identified with the former (post that decision).

3.0 SUMMARY OF INFORMATION

Application Site (3/18/3305/FUL)

	Proposed
Site Area	18.56ha
Site Total Nos. of Residential Units	174
Nos. of Market Units	122
Nos. of Affordable Units	49
<i>Of which, Affordable Rent:</i>	34
<i>Of which, Affordable Home Ownership:</i>	15
Storey Heights	Between 1 and 3
Residential Density (Dwellings Per Hectare)	50 dph

Community Sports Facility and Clubhouse facilities:

Parking Spaces	Approximately 250
Natural Grass Pitches	3 Full Size (2 rugby; 1 football) & 1 junior (half size) pitch
Artificial Turf Pitch (ATP)	1 Full Size (130m x 80m) designed to RFU and FIFA specifications
Floodlit pitches	2: ATP & one rugby pitch
Non-floodlit pitches	3: one rugby, football, junior pitch
Clubhouse floorspace	1,240 sq/m over two floors
Changing Rooms	6 (between 19 and 25 sq/m)
Other features	reception desk, gym room, officials rooms (x2), physio room, baby changing room, meeting room, kitchen and store, bar, social

	spaces totalling 243 sq/m, ground and first floor WCs, plant room, kit store.
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Local Plan Allocation Site (Policy WMC8 South of Leigh Road)

Housing	App. Ref.	Number of Dwellings
Land South of Parmiter Drive	3/15/0839/FUL	81
Park Farm	3/15/0789/COU	305
<i>Sub Total - Consented</i>		<u>386</u>
Land at Leigh Road	3/17/0848/FUL	44
Land South of Leigh Road	3/18/3305/FUL	174
<i>Sub Total – Live Applications</i>		218
Total		604

4.0 RELEVANT PLANNING CONSTRAINTS

Scheduled Monument (Roman Road) (List Entry Number: 1018028)

Intermediate Pressure Gas Pipeline

Foul Water Easements

Environment Agency Fluvial Flood Zone 2

Grade 3 Agricultural Land

Leigh Common Site Nature Conservation Interest

Groundwater Protection Zone

South East Dorset Green Belt

Heathland 5km zone

Right of Way (Route 19)

Airport Safeguarding

Urban Area

Heritage Assets (Outside Application Site) (*statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990*)

Canford School – Grade I Listed Building (List Entry Nos: 1217460)

Nineveh Court, Attached Carriage Arch and Screen Wall, Canford School – Grade I Listed Building (List Entry Nos: 1217464)

John of Gaunt's Kitchen, Canford School – Grade I (List Entry Nos: 1217462)

Lodge of Canford School – Grade II Listed Building (List Entry Nos: 1217463)

Parish Church of Canford Magna – Grade I Building (List Entry Nos: 1217465)

Headstone, South Porch, Parish Church Canford Magna – Grade II Building (List Entry Nos: 1217466)

Chest Tombs South East of Parish Church Canford Magna – Grade II Building (List Entry Nos: 1217467)

Admiral Russell Chest Tomb East of Parish Church Canford Magna – Grade II Building (List Entry Nos: 1275405)

Canford Magna Conservation Area (Poole Borough)

By The Way House – Grade II Listed Building (List Entry Nos: 1323531)

5.0 POLICY AND OTHER CONSIDERATIONS

- 5.1 In accordance with Section 70(2) of the Town & Country Planning Act 1990 (as amended) and Section 38 (6) of the Planning and Compulsory Purchase Act 2004, the application is to be determined in accordance with the development plan, unless material considerations indicate otherwise.

Environmental Impact Assessment (EIA)

- 5.2 The site was screened for Environmental Impact Assessment (EIA) when being considered for allocation as a New Neighbourhood site and re-screened with an EIA Screening Opinion issued to the developer on the 30 October 2018. No EIA was deemed necessary as the effects of the development, in combination with the effects arising from other adopted development sites in the Local Plan, are considered unlikely to be significant in terms of the requirements of Regulation 5 of the Town and Country Planning (EIA) Regulations 2011. The development is therefore not considered to be EIA development.

Development Plan

- 5.3 The site is identified in the Christchurch and East Dorset Local Plan – Part 1 Core Strategy (April 2014) (Local Plan) as a New Neighbourhood under Policy WMC8. The Local Plan was formally adopted in 2014 having been found sound by a Planning Inspector and is the development plan for the district. As a recent document it has substantial weight, and has established the principle of development on the site.

Policy WMC8: South of Leigh Road New Neighbourhood & Sports Village, Wimborne

- 5.4 WMC8 states: About 75 hectares of land is allocated for a New Neighbourhood to the south of Leigh Road, east of Wimborne Minster. This will include the following:

1. 350 new homes.

2. A Sports Village with a new home for Wimborne Minster Football and Rugby Clubs, 8 hectares of other active sports pitches, with changing facilities and an area for teenage activity.
3. New allotments.
4. A local centre providing for day to day needs.
5. Land for a First School.
6. About 37 hectares as a country park to the north and south of the A31(T).

Green Belt

The Green Belt boundary is amended to remove the land required for the new housing. The boundary runs directly south from Brookside Manor and its amendment is not to narrow the sensitive gap between Wimborne Minster and Colehill/Little Canford. Additionally, the buildings associated with the rugby and football clubs are removed from the Green Belt.

Layout and Design

- The New Neighbourhood will be set out according to the principles of the Masterplan reports.
- A design code is to be agreed by the Council, setting out the required standards.

Green Infrastructure

- A Suitable Alternative Natural Greenspace strategy is to be implemented as part of the provision of the new housing, as required by Policy ME2 and Appendix 5.
- Suitable land is to be made available to enable the relocation of Wimborne football and rugby clubs. This will include clubhouse facilities, pitches and associated car parking.
- Lighting of pitches is to be carefully designed to have the minimal possible impact on dark skies.

Transport and Access

- Vehicular access is to come from Leigh Road to the east of Brookside Manor. Emergency vehicular access only will be made available from Parmiter Drive. However, until the new access is provided from Leigh Road a temporary access will be allowed to enable the football club to relocate. Pedestrian and cycling access is to be provided throughout the New Neighbourhood, including the country park.
- Improvements for walking/cycling to link the development to the existing network towards the town centre and the Castleman Trailway.

Masterplan

- 5.5 The New Neighbourhoods Masterplan Final Report (January 2012) prepared by Broadway Malyan is relevant as it is referenced in the Local Plan which also includes the masterplan that is set out at Map 8.8 adjacent to Policy WMC8.

Relevant policies from the Development Plan

- 5.6 The relevant policies from the Local Plan for the proposal are:
- KS1: Presumption in favour of Sustainable Development
 - KS2: Settlement Hierarchy
 - KS3: Green Belt
 - KS9: Transport Strategy and Prime Transport Corridors
 - KS10: Strategic Transport Improvements
 - KS11: Transport and development
 - KS12: Parking provision
 - WMC8: South of Leigh Road New Neighbourhood & Sports Village, Wimborne
 - WMC9: Leigh Park Area of Potential Change, Wimborne
 - HE1: Valuing and Conserving our Historic Environment
 - HE2: Design of new development
 - HE3: Landscape Quality
 - HE4: Open Space Provision
 - LN1: The size and type of new dwellings
 - LN2: Design, layout and density of new housing development
 - LN3: Provision of affordable housing
 - LN7: Community Facilities and Services
 - ME1: Safeguarding biodiversity and geodiversity
 - ME2: Protection of the Dorset Heathlands
 - ME3: Sustainable development standards for new development

- ME6: Flood Management, Mitigation and Defence

5.7 The Local Plan has retained certain ‘saved policies’ from the East Dorset Local Plan 2002 (the previous development plan for the district) and the relevant saved policies from this document are:

- LTDEV1: External lighting
- DES2: Unacceptable impact from pollution
- DES6: Landscaping
- DES11: Design enhances surroundings

Other relevant planning policy

- 5.8 Planning policy contained in the National Planning Policy Framework (February 2019) and national Planning Practice Guidance is relevant and is a material consideration to be considered in the planning judgement.
- 5.9 Of particular relevance to the proposal in respect of the NPPF are Section 2 (Achieving Sustainable Development), Section 4 (Decision-making), Section 5 (Delivering a wide choice of high quality homes), Section 8 (Promoting healthy and safe communities), Section 11 (Making effective use of land), Section 12 (Achieving well-designed places), Section 13 (Protecting Green Belt land), Section 14 (Meeting the challenge of climate change, flooding and coastal change), Section 15 (Conserving and enhancing the natural environment), and Section 16 (Conserving and enhancing the historic environment).
- 5.10 Where any development may affect certain designated heritage assets there is a framework to ensure proposed works are developed and considered with due regard to their impact on the historic environment. This extends from primary legislation under the Planning (Listed Buildings and Conservation Areas) Act 1990. Section 66 of the 1990 Act states that special regard must be given by the decision maker, in the exercise of planning functions, to the desirability of preserving or enhancing listed buildings and their setting.
- 5.11 Other relevant legislation includes the Conservation of Habitats and Species Regulations (2017), the Equalities Act (2010) and the Localism Act (2011).

Supplementary Planning Documents:-

- Dorset Heathlands Planning Framework SPD (2015)
- Affordable Housing SPD (December 2018)

Developer Contributions

- 5.12 As a new neighbourhood, the site is zero rated for Community Infrastructure Levy (CIL) charges. This is due to the need to avoid double counting of contributions required to mitigate the impact of residential development on protected European Heathlands where significant sites are required to provide SANGs, where heathland mitigation is also part of the monies collected via CIL. Developer contributions will instead be sought through a s106 agreement.

6.0 LOCAL REPRESENTATIONS

- 6.01 In addition to letters to neighbouring properties, a site notice was posted outside the site on 4 December 2018 with an expiry date for consultation of 27 December 2018. A further letter consultation was carried out on 3 January 2019 and 8 January 2018 following amended plans and documents.
- 6.02 13 representations have been received, 6 raising objection; 4 supporting the proposal and 3 making comments. The issues raised comprise the following:-

Objection

- Shrinkage of sports facilities, less than hitherto
- Threat of fly infestation
- Odour from sewage farm
- Adverse visual impacts
- Impact from floodlighting
- Sever impact on traffic flow on local highway network
- Impact on local infrastructure (GPs/Hospitals/Schools)
- Impact of lighting generally and increase of street lighting
- Proposed new access with loss of mature trees, increased flood risk, bat corridor, security and privacy of Farm Court properties, coalescence between Wimborne and Colehill
- Reduction in the athletes training area
- The Council should work with the developers to provide one access
- Amended access arrangement impacts local resident's quality of life
- Number of proposed dwellings in allocation site in excess of Local Plan figure

Support

- The proposal would deliver much needed sport and leisure infrastructure in Wimborne

- WRFC has outgrown its present home and a new facility would benefit local youngsters
- Provides a suitable new home for WRFC and other local clubs
- Proposal provides safe parking
- It is important that the management of the clubhouse and other facilities is properly organised. Costs of replacement surface for ATP are a concern.

Comments

- WRFC desperately needs a new facility; this proposal will enable it to grow.
- Current site is subject to anti-social behaviour including dog-fouling
- Clubhouse would provide better facilities
- Benefit of both new facilities and extra housing
- Extra funding needed for local road and cycle network

Local Sports Club Representations

6.03 Wimborne Rugby Football Club (received 31/12/2018 and 30/1/2019)

31/12/2018

- Wimborne RFC is of the view that the current proposal potentially provides a better solution to meeting the operational requirements of the club than the consented scheme (*Note: 3/15/0789/COU*) and therefore supports the application subject to the following comments.
- Having considered the submitted plans we are supportive in principle of the proposed development of a new community sports facility and clubhouse building as shown on application, subject to the rugby element of the sports facility and the clubhouse building being available for the use of, and occupation by the Rugby Club together with the appropriate user agreements necessary to manage the facility.
- The current application is a departure from the policy requirements of the East Dorset and Christchurch Core Strategy and in order to be acceptable therefore, we consider that there need to be clear and significant benefits that justify such a departure from the Local Plan. Such benefits would in this case include where the sports facility and clubhouse building will be constructed to an appropriate standard, at the Applicant's expense and once completed transferred to the ownership of the Council. That would be a clear enhancement of the facility as compared with what was previously approved under

3/15/0789/COU and deliver significant community benefits that were previously missed.

- The Rugby Club has not had sight of any heads of terms for the requisite S106 legal agreement and we would wish to ensure that that makes provision for the completion of the sports facility in full, including for construction of the clubhouse building at a reasonable juncture and prior to the completion of the housing component of the application. The application that has been submitted proposes the construction of housing on land previously reserved for a sports facility (specifically for the Rugby Club) and the club sees the justification for that as being intrinsically linked with the full provision of the new sports facility and clubhouse building, which would deliver community benefits over and above the existing planning permission.

30/1/2019

- Whilst we understand the rationale for relocating the access to the existing highway we do consider that this will have a number of implications on the layout of the site and configuration of the pitch provision. Reduces car parking area and configuration of space. The original layout referred to 330 spaces. It is not specified by how many this will now be reduced.
- Annexes a significant area of land immediately to the west of the new road junction with the existing highway. With the already tight constraints of the site as a whole we are disappointed that any land will effectively be sterilised for meaningful use.
- Brings the new estate road significantly closer to north eastern end of rugby pitch 2. We believe this is reverting back to one of the issues we have worked hard to eradicate by potentially increasing the risk of balls being kicked from the playing area on to the road increasing the potential hazards that might therefore arise. It might therefore require higher retaining fencing at this point which we would expect to see included in the specification of works to provide the pitches.
- Reduces athletics area and renders it a much less usable shape. It is difficult to understand how this area might reasonably be utilised as a result of the new estate road line other than as a casual training area and potential overspill car parking space.
- We understand that Natural England (*Officer Note*: Historic England) have registered some concerns about the setting of the sports site development in close proximity to the scheduled monument site of the Roman Road but in general terms these can be mitigated with appropriate planning conditions.

- We do not easily see how Rugby Pitch 1 can be provided without overlapping the Roman Road at the very south eastern corner of the playing area but would be supportive of the provision of appropriate interpretive recognition of the road at this point together with appropriate surfacing of the car parking adjoining the road. Ideally we would not want to lose this area of parking in close proximity to the clubhouse and central core of the site, particularly with the potential loss of other car parking as set out above.
- We are sure Wimborne RFC will be more than willing to allow the proposed interpretation displays to be erected in appropriately agreed locations. We believe the proposed Planning Conditions outlined by Natural England will be an acceptable way forward.
- We agree with the Sport England comment that the site is too cramped but given the other sporting requirements within the limited site and in addition to the rugby club's base needs it is very difficult to see how this can be alleviated.
- We do not believe that the reference to changes in the layout of the changing rooms and the provision of shower cubicles is necessary or indeed achievable. The design of the facility has as far as we are aware been carried out with full reference to the Rugby Football Union Design Guidelines which are the current best practice in the provision of such facilities. In addition Wimborne RFC has our own fully trained Safeguarding Officer, again in line with RFU requirements and guidelines, with responsibility to manage any matters relating to protection of club members and visitors. We also have an operating Health & Safety Policy to support the use of our facilities.
- We fully support to proposal to ensure that a sports turf specialist/agronomist is appointed to manage the scheme to provide the playing pitches as we believe this to be of fundamental importance in ensuring ALL playing areas are constructed to meet the required Sport England/ RFU guidance.

7.0 CONSULTATIONS

7.01 Wimborne Minster Town Council (WMTC) (received 12/12/2018 and 5/3/2019)

- Supports the proposal in principle
- WMTC would like to be assured that the club building will be designed for community use and seeks clarification on land uses
- WMTC would like to engage re drafting of s106

WMTC confirmed the following to LA Officers on 5/3/2019:

Following our recent discussions regarding the future provision and management of the proposed Community Sports Facilities at the land south of Leigh Road please accept this letter as confirmation of Wimborne Minster Town Councils agreement to accept in principle the freehold transfer of the land once the Community Sports Facility is constructed and signed off by the Local Authority (Dorset Council) in line with the S106 agreement. This decision was ratified by full Council on 20 November 2018.

The Town Council has been working closely with officers from EDDC and local sports clubs over the last few months and is content that a management and maintenance model can be developed that delivers the outcomes intended from the facility.

7.02 Colehill Parish Council (CPC) (received 16/01/2019)

- CPC would like EDDC to take account of the comments of Sport England, in relation to the community sports facility.

7.03 Natural England (NE) (received 5/1/2019)

- Objection, further information required but does not object in principle
- The SANG does not form part of the application redline area
- There should be a condition which requires the full area of SANG (including the car park) to be available at first occupation
- Should 3/15/0789/COU not have commenced and delivered an approved SANG, then NE require a condition signing off the SANG following a site visit by the authorities officers and Natural England.
- It is not clear in the application the mechanism through which the development will secure its “affiliation and contribution” towards securing and maintaining the SANG.
- The applicant will need to confirm the duration for which the SANG will be secured
- 3/15/0789/COU secured a SANG of 16.9ha with the agreement of NE. However, the original assessment was based upon a local plan allocation of 305 which this proposal raises to 479 which raises significant concerns.
- It is now evident that the overall area of land already receives a level of visitor access arising both from its position relative to Poole and Wimborne but also in relation to access along a section of the Castleman Trailway and existing rights of way.

- NE is not therefore in a position to confirm to the authority that this application will have the benefit of sufficient un-utilised capacity relative to what level of access is already occurring. This means that the authority cannot be certain that the mitigation will be effective for both applications.
- NE therefore advises that the applicant will need to carry out a visitor survey to establish a baseline level of use against which capacity can be assessed.
- NE is consistent in its advice that the allocated SANG land on the river Stour is *likely* to have sufficient capacity for the Local Plan allocation as well as the existing applications of 305, 175, 81 and 44 because of the natural features of the two parcels of SANG land.
- NE is not in a position to take an evidence based view that we can advise the authority that it can safely conclude no adverse effect on integrity at this time.
- The provision of a survey will enable a transparent baseline level of current access to be established.
- The design and layout of the carpark should be subject to a planning condition which allows for it to expand to circa 20 spaces.
- The loss of Common Land along the road verges of Leigh Road is appropriately considered.
- Bats and lighting addressed through a condition.
- Bat mitigation should be provided in the Wimborne WTW.
- Contribution towards a leat on the River Stour.
- Advises LPA to undertake Appropriate Assessment (AA) and requested review of this.

7.04 Historic England (HE) (received 28/12/2018)

- The site includes the scheduled section of the Road along with the non-designated but nevertheless important adjoining historic road line to the west.
- The proposed housing development on the western part of the application site is located off the historic Roman Road heritage asset but would affect its setting and might also potentially affect the setting of high grade listed buildings centred on the country house now occupied by Canford School.

- HE welcomes proposals for the conservation and display of the scheduled Roman Road but has concerns about the treatment of the adjoining historic road line to the west, between the sports pitches. We recommend some modifications to the proposed Sports Grounds development to mitigate the impact of new development and secure public heritage benefits to offset the harm to the setting of the Roman Road heritage asset.
- For the proposed housing HE recommends that an assessment is undertaken of potential impacts on the setting of heritage assets at Canford, in order to guide the massing and design of any housing that significantly impacts on heritage settings.

7.05 Sport England (SE) (received 13/12/2018)

- SE supports the proposal.
- SE recommends that a ground conditions assessment is undertaken by a sports turf specialist/agronomist who can recommend a scheme for preparing the playing fields to the required specification.
- SE set out further detailed comments on the site layout, justification for the Artificial Grass Pitch, need for a Business Plan, location and quantum of parking, and internal layout of the clubhouse.

7.06 Highways England (received 17/12/2018 & 11/3/2019)

- Highways England recommends conditions should be attached to any planning permission with regard to drainage and acoustics.
- Results show that the proposed development does not have a severe impact on the operation of the junction. We are therefore satisfied that the proposed mitigation scheme (*Officer Note*: as put forward by the applicants) is not required to mitigate the traffic impact in terms of the Strategic Road Network (SRN).

7.06 Dorset Wildlife Trust (DWT) (received 19/12/2018)

- DWT set out comments on the impact of the proposal on the Leigh Common Site of Nature Conservation Interest (SNCI) and invasive species.

7.07 East Dorset Environmental Partnership (EDEP) (received 31/12/2018)

- EDEP set out detailed comments on noise impact assessment, lighting strategy, lighting impact assessment, ecological impact assessment, SANG and Planting Plan.

7.08 Wessex Water (WW) (received 29/1/2019)

- The (CSF) site is crossed by strategic pumped sewers; development in proximity of public sewers is restricted;
- The sports pitch layout is acceptable but the potential conflict with pitch land drainage system, upright goal posts and floodlighting will need to be considered at detailed design stage and should be agreed with Wessex Water;
- WW will require unrestricted access to repair and maintain the rising mains. The ATP and clubhouse should be sited away from the rising main easement as this infrastructure would impede access and maintenance;
- Remain concerned over proximity of new development to sewage works and a fly management plan is operating;
- There is potential for the new development to be at risk from odour;
- The drainage strategy proposes a connection to an adoptable foul pumping station to be installed as part of adjacent consent (3/15/0789/COU); WW have previously advised that we will agree this strategy;
- The rising main route has yet to be agreed and will require unrestricted access either side of the main where located outside of adopted highway;
- Surface water drainage to be agreed with Lead Local Flood Authority

7.09 Bournemouth Airport (received 6/12/2018)

- No safeguarding objections subject to a Bird Strike Management Plan (BSMP) being adhered to
- Note that a BSMP was agreed for adjacent scheme 3/15/0789/COU

7.10 Rugby Football Union (RFU) (received 6/12/2018)

- The CSF clubhouse changing facilities including the showers are an acceptable design

7.11 EDDC Tree and Landscape (received 08/01/2019)

- EDDC Trees and Landscape has no objection.
- There should be a larger gap (additional 3m) between Lime Trees (T6-T11) (south of Park Farm Cottages) and proposed informal parking.
- The line of Poplar Trees could be felled, given their age and condition, and replaced with new landscaping.

With regard to the revised access arrangements:-

- The revised access position is acceptable. The LVIA document accurately describes the site and includes a strategic landscaping masterplan (December 2018). The landscape scheme is acceptable and the submission of the detail should be subject to a condition.

- The arboricultural development study (TF/DR/1091 RevB) has been revised to include the felling of the line of conifers to create the new access.

7.12 EDDC Environmental Health (received 22/01/2019)

- Generally agree with findings of Noise Impact Assessment (13/11/2018) and recommend condition;
- Recommend lighting condition;
- The amount of odour the residents are exposed to is unlikely to be a statutory nuisance, but will cause some adverse impact;
- Flies are likely to have some adverse impact on the proposed adjacent residential properties but given the distances (approx. 180m), and the fact that there needs to be correct climatic conditions for the flies to hatch and get blown towards the residents, it is unlikely to cause a statutory nuisance;
- The Clubhouse with respect to opening hours and playing of amplified music will likely be conditioned through their Alcohol licence application at a later date;
- Several similar sites including sports pitches and similar have been used for occasional small to medium music festivals or similar events. There should be included in the s106 agreement stating that this site is not suitable for music festivals or similar;
- Conditions for construction management and contaminated land recommended.

7.13 EDDC Community and Open Spaces (received 30/1/2019 and 4/3/2019)

- The Community and Open Spaces Service at East Dorset District Council support the proposals on the basis that there is a known shortfall in the provision of winter sports pitches. This was originally evidenced by the demand identified in the East Dorset LPA component of the joint Christchurch and East Dorset PPG 17 Assessment published in 2007. This was used to inform the adopted Core Strategy 2015 and remains adopted planning policy. There remains proven need for purpose built sports pitches in the Wimborne area (Policy WMC8), and this is growing with the addition of substantial new housing projects elsewhere in the development allocation and development in Western (Policy WMC5) and North Wimborne (Policy WMC7).
- The new proposals secure access to public facilities under a more viable business model which sees the replacement of the proposed Leisure Pitches and the Rugby Pitches consented under 3/15/0789/COU. The new proposals provide:-

- A new home facility for local rugby, football and athletics clubs modern high quality sports facilities to appropriate National Governing Body (NGB) accredited community game standards;
- The provision of the Artificial Grass Pitch, allowing higher intensity activity for the two primary sports (rugby and football);
- Floodlit training;
- Informal and recreational activities;
- Modern shared community building serving the interests of a number of different sports;
- Potential for other sports clubs to use the building in the future;
- Potential for the building to be expanded in the future (subject to funding);
- More focused playing areas;
- Better optimisation of land and greater certainty over the site's sustainability

Further comments received on 4/3/2019

- I have considered the arguments provided to substantiate the view that existing usage of the area is very low, as evidenced by the Wyatts Visitor Survey, and noted that Gleeson's have a contractual right to use the 16.9h of SANG being fully funded in perpetuity for 85 years under application 3/15/0789.
- The Landscape & Countryside Team has been providing input into and has agreed the build out of the SANG land by Barratts. We are satisfied that:
 - it meets the requirements for strategic SANG, as long as the quality of the build-out meets agreed standards. In the s106 we have required in-works monitoring and reserved approval of works to ensure compliance.
 - Gleeson's are signatories to the S106 Agreement which was confirmed as part of that application which received Planning Consent in 5th January 2018, and the reserved matters were approved (application 3/18/2262/RM) on 23rd January 2019.
 - There is the arrangement for Gleeson to receive payment for SANG capacity allocated to others should this be allocated.
 - The strategic SANG's capital and revenue costs were fully assessed and signed off at acceptable rates so that the LPA could be satisfied that the requirement to maintain the site in perpetuity was secured. The minimum period of 80 years was extended to 85 years to permit use of the strategic capacity which was included for the wider allocation site.

- The SANG will be available from first occupation and have sufficient longevity to meet the in perpetuity principles for Application 3/18/3305 under the Councils direct management.
- In terms of the SANG's availability, at present, this site has not yet been transferred to the Council, so the applicant will need to be sure they will receive the spare capacity and not anyone else.
- The sufficiency of the SANG land for a capacity of up to 502 dwellings, and the knowledge that the SANG allocation for the consented application 15/0789 and 18/2262 is 305 dwellings, there is a valid argument that there is 197 dwellings of spare capacity, and any new development related to Application 3/18/3305 - Leigh Road, may use the Strategic SANG.
- In our opinion the figures support Gleeson's consultants contention that the quantum of available SANG land already approved and fully funded would be sufficient without further assessment. In addition and to add weight to that sufficiency, we agree with Natural England's subsequent conclusion on a related (Wyatts) S Wimborne Allocation Site application:
 - NE also concluded that "the additional SANG area to the east which will provide the users with a much wider access to natural greenspace in the near future and which for users will represent a single area, this offers a further level of comfort that the proposal will function as desired".
 - We believe that the argument used by Natural England in the Wyatts application can also be applied here in reverse. This is basically that the overall value of the SANG allocation of c20 ha for strategic SANG has greater capacity than would otherwise be the case otherwise than had these SANGs be separate. This is because it creates greater overall scale, mutual value, and greater quality of environment. This is not to say that we believe the calculations for capacity should not be individually made, but that once the calculations are completed there should be discretion for Natural England or the LPA to consider wider issues including 'the added value' created by having neighbouring SANG land.
 - Thus in the Wyatt's scheme (application ref) this related to the c3.5ha of SANG being sufficient mitigation to offset up to 125 dwellings (allocation site of 81 units approved and live application of 44 units) on this basis. Certainly the Gleeson's proposals are more generous (CF 479 dwellings = 352.8 m² per dwelling (or even at 502 dwellings more generous at 336.6 m² per dwelling), compared to the equivalent of 125 dwellings = 280m² per dwelling.

7.14 DCC Archaeology (received 13/12/2019)

- No comment

7.15 DCC Right of Way (received 28/11/2019)

- Footpath E2/22 would need to be legally diverted before works began but would support this (on condition that the new route was surfaced with an agreed material) as the path marked on the plans does not appear to significantly alter the route or its convenience to users.

7.16 DCC Education (received 6/2/2019)

- Requests a contribution of £899,694 towards local schools.

7.17 DCC Highways (received 1/3/2019 and 12/3/2019)

- Comments received relating to ongoing Section 278 proposals for the sites main point(s) of access onto Leigh Road are noted and the principle of the traffic signal controlled junction at the eastern location of this application to serve all the sites including the adjacent sites is acceptable.
- As proposed, the development meets the requirements of the council's 'Adopted Highways' Policy and, therefore, will be considered for adoption.
- The County Highway Authority considers the TA acceptable for its purpose in relation to the County Highway's network. However, this doesn't include the A31 and the roundabout and it's signalised junctions for which H.E. have responsibility. I note they have been consulted and the LPA is awaiting their response.
- If the proposed estate roads are to be kept as private (i.e. not offered for adoption), provision should be made for an adequately sized bin store out of any adopted highway areas or some form of agreement should be sought with the local refuse collection operator to permit refuse vehicles access to the private areas.
- Conditions relating to estate road construction and parking set out.

Additional comments (12/3/2019)

- The County Highway Authority considered the original Transport Assessment acceptable for its purpose in relation to the County Highway's network but noted that it didn't include the A31 and the roundabout and it's signalised junctions for which H.E. have responsibility. An addendum to the T.A. has been provided to Highways England (HE) and copied to DCC which HE have now commented upon. This is based on modelling of the whole Canford Bottom junction and includes a proposal for mitigation

works due to the expected effect on the queue length from the junction of Wimborne Road West where it enters the Canford Bottom circulatory path. Highways England has tested both the base model and the operation of the whole of the Canford Bottom junction both with and without the proposed mitigation. Whilst HE considers the proposed development isn't predicted to adversely affect the A31; both Authorities consider the proposed mitigation is required to reduce the impact on Leigh Road queuing. H.E. requests that an informative be issued and DCC recommend the following Grampian condition (*LA Officer note*: as set out) be added to those previously recommended if the development is recommended for approval:

7.18 DCC Flood Risk – Updated comments received 5/3/2019

- As previously highlighted (our ref: PLN18-170), BGS data suggests that the site sits above a bedrock of a London Clay Formation (clay, silt & sand), with a superficial overburden of River Terrace Deposits (sand & gravel). Equally, ground water levels are anticipated to be relatively high, subject to seasonal variation and to have connectivity to the neighbouring river system. On this basis we have accepted that the use of infiltration for the management of surface water is likely to be limited and will be subject to further investigation.
- We have previously commented (our ref: PLN18-170) that whilst DCC/FRM do not hold records of surface water flooding directly relevant to the site, all (major) development proposals are to be supported by adequate consideration of both the site characteristics and prevailing flood risk from all potential sources, and must offer a viable & deliverable surface water drainage strategy that does not place either the proposed scheme at risk, or generate off-site / downstream worsening, in accordance with the requirements of the revised National Planning Policy Framework (NPPF - July 2018).
- We have previously acknowledged the submission of a supporting Flood Risk Assessment and Drainage Strategy (FRA/DS) document (ref: Odyssey - 18239-02 Rev A - dated November 2018) and made specific reference to the Preliminary Drainage Strategy drawings (ref: 18-239-002 Rev A & 003 Rev A) included within Appendix J of this document. Although this FRA/DS document did outline a conceptual drainage strategy in respect of both the residential (Outline) and sports facility (Full) elements of the combined (Hybrid) scheme, it was noted that these proposals were reliant upon the delivery of a shared attenuation feature and discharge point, proposed in respect of an adjoining site / development (EDDC ref: 3/15/0789/COU). As such there appeared to be some conflict / confusion regarding the deliverability of the conceptual drainage strategy that had

been proposed. It was unclear / unconfirmed whether the proposed attenuation feature was to be designed and delivered as a shared asset. On this basis we (DCC/FRM) adopted a precautionary approach and objected to the initial submission, pending the submission and acceptance of further clarification from both the applicant and planning authority.

- Further to the above we have received clarification and guidance from the yourselves (EDDC) with regard to planning procedure, the deliverability of the proposed drainage strategy and practicalities of SuDS infrastructure (i.e. proposed attenuation pond) being shared by two adjacent developments. In addition, the applicant has supplied amended and supplementary information, namely:-
 - CGL compiled Geoenvironmental & Geotechnical Interpretative Report document ref: CGL - 06769B Rev 1, dated Jan.2019.
 - Odyssey drawn Preliminary Drainage Strategy plans (1 & 2) ref: Odyssey 18-239-002 Rev E and 18-239-003 Rev E, both dated 04/03/2019.
- The proposed conceptual drainage strategy set out within these documents and the supporting FRA/DS document previously referenced, is understood to be consistent with the detailed arrangement currently under consideration in respect of the adjacent development (EDDC ref: 3/15/0789/COU). The revised drainage plans listed above (ref: Odyssey 18-239-002 Rev E and 18-239-003 Rev E) are understood to have been submitted in respect of both relevant proposals (EDDC ref: 3/18/3305/FUL & 3/15/0789/COU), thereby ensuring / confirming continuity between the two developments, which will share the attenuation element of their respective drainage strategies. It should be noted however that the recently revised and annotated drainage plans (Rev E) supersede those (Rev A) included within Appendix J of the supporting FRA/DS document.
- On the basis of the additional information & clarification supplied, we DCC/FRM retract our previous Objection in this matter, subject to the attachment of the following pre-commencement conditions and informative (LPA Officer note: as set out) to any decision granted;

8.0 APPRAISAL

8.01 The main considerations involved with this application are:

- Principle of the Development and Green Belt
- Housing Delivery, Housing Mix and Affordable Housing
- Design, Landscaping and Trees

- Heritage Assets
- Amenity
- Access and Parking
- Heathland Mitigation
- Biodiversity
- Flood Risk and Drainage
- Infrastructure
- Community Engagement and Equalities
- Other Matters
- Planning Balance

Principle of Development and Green Belt

- 8.02 Local Plan Policy WMC8 identifies the area South of Leigh Road as an Allocation Site for a New Neighbourhood. WMC8 sets out that this will include 350 new homes, a Sports Village with new homes for Wimborne Town FC and Wimborne RFC, 8 hectares of other active sports pitches, changing facilities, teenage activity area, allotments, a local centre, land for a First School, and about 37 hectares for a country park. Through Policy WMC8, the South East Dorset Green Belt ('Green Belt') boundary was amended to enable the residential development proposed through the neighbourhood allocation to be on land outside of the Green Belt. The 8ha of land set aside for sports pitches was to remain in the Green Belt as public open space to maintain the gap between Wimborne and Colehill.
- 8.03 Local Plan Policy KS3 sets out that development in East Dorset will be contained by the Green Belt and that the most important purposes of it are to:
- Protect the separate physical identity of individual settlements in the area by maintaining wedges and corridors of open land between them; and
 - To maintain an area of open land around the conurbation.

Policy KS3 also sets out that significant open space and SANGs will be within the Green Belt.

- 8.04 Local Plan Policy HE4 (Open Space Provision) sets out that when considering sites for new open space and leisure provision, priority will be given to sites which are easily accessible by a range of transport modes and which can be integrated into a network of green infrastructure. Where appropriate, elements of green infrastructure will be incorporated into the design of new open space

provision such as permeability with green footpaths and cycle paths running through the development connecting with existing routes wherever possible.

- 8.05 Local Plan Policy LN7 (Community Facilities and Services) sets out that facilities and services will be provided to support existing and future population growth and changes in the age profile. New facilities should be concentrated in the settlements of Wimborne Minster and Colehill, amongst others. This is where access can be by public transport, bike and on foot. The Council will work with partners and service providers to ensure the timely provision of high quality, convenient, local and accessible facilities and services for community and cultural use. Priority will be given to any proposals to allow the multi-use of existing facilities, followed by the expansion of existing, well-located facilities to allow for the co-location of facilities and services. The loss of existing community facilities and services will be resisted unless it is clearly demonstrated there is insufficient demand and it is not feasible and viable to support their continued existence and the loss would not result in a substantial decline in the range and quality of facilities and services for local people.
- 8.06 NPPF (February 2019) Section 13 (Protecting Green Belt land) sets out that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
- 8.07 NPPF Paragraph 134 sets out five purposes:
- a) To check the unrestricted sprawl of large built-up areas;
 - b) To prevent neighbouring town merging into one another;
 - c) To assist in safeguarding the countryside from encroachment;
 - d) To preserve the setting and special character of historic towns; and
 - e) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land
- 8.08 NPPF Paragraphs 143-144 set out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

- 8.09 NPPF Paragraph 145 sets out that Local Planning Authorities should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions include (criterion b):

the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, inter alia, as long as the facilities (i) preserve the openness of the Green Belt and (ii) do not conflict with the purposes of including land within it.

As such, NPPF 145 requires the decision-maker to consider the visual and spatial impacts of the proposed development in considering whether the development would “*preserve the openness of the Green Belt*” (not defined in the NPPF but subject to Case Law) and “*does not conflict with the purposes*” (as defined in NPPF Paragraph 134).

- 8.10 NPPF Paragraph 146 sets out that certain forms of development are also not inappropriate in the Green Belt provided that likewise they preserve its openness and do not conflict with the purposes of including land within it. This includes criteria (b) *engineering operations* and (e) *material changes in the use of land such as changes of use for outdoor sport or recreation*.

Residential Development

- 8.11 The proposed residential dwellings are sited adjacent (to the south of) of the previously consented housing area (Application Reference: 3/15/0789/COU), which itself consented (in the same application) for open space to provide pitches to facilitate the relocation of Wimborne Rugby Club from its existing home at Leigh Park. The housing area is identified on the submitted Land Use Plan (Ref: P1-16) (pink shaded area).
- 8.12 Local Plan Map 8.8 (South of Leigh Road New Neighbourhood and Sports Village, Wimborne) sets out the boundary of the Green Belt within the Allocation Site WMC8. The residential element of the proposal is entirely outside the Green Belt and hence within the urban area of Wimborne as defined in the Local Plan. As such, the principle of residential development within the eastern portion of the Application Site, which is entirely outside the Green Belt, is established.

Community Sports Facility

- 8.13 The proposed Community Sports Facility (CSF) is located within the eastern portion of the Application Site on the area identified in WMC8 and supporting Map 8.8 as the broad location of a sports pitches and training areas. The CSF area is identified on the submitted Land Use Plan (Ref: P1-16) (pale green shaded area). For reference, the land on which the CSF is proposed was consented under 3/15/0789/COU as ‘Leisure Pitches’.

- 8.14 The proposed CSF has the support, in principle, of Wimborne Minster Town Council (WMTC), EDDC Community and Open Spaces Service, Wimborne Rugby Football Club (WRFC), and Sport England (SE) which has also incorporated comments in their representation from the Rugby Football Union (RFU).
- 8.15 The CSF proposal would therefore facilitate a “Sports Village” which has in principle support of both consultees and local sports groups, and would provide a new home for Wimborne’s rugby club and local football teams, changing facilities and sports pitches. The CSF site would be well served by existing and proposed vehicular routes and generally accessible to residents of both Wimborne and Colehill by foot or cycle. Accessibility by public transport is more constrained given that bus services in Wimborne generally divert through Colehill to the north than along Leigh Road. The proposal integrates into a wider network of green infrastructure including public rights of way, the Castleman Trail, and the consented areas of SANG to the south of the A31. On balance it is considered that the site is generally the most accessible possible location for the CSF to the local community.
- 8.16 The proposal would, in principle, provide a multi-use and modern facility that would be open to all of the community. The proposal would, in principle, provide a suitable replacement facility for existing sports clubs and also provides capacity for their future growth. Essentially, whilst the CSF is focussed on sports provision, it has the potential to be seen as broader community facility which can both assist in creating a focal point for the planned New Neighbourhood at the Leigh Road Allocation Site and for and that of the Wimborne & Colehill areas generally. As such, the proposal, in principle, provides a suitable community sports facility which addresses the relevant criteria of Local Plan Policy LN7.
- 8.17 As such, subject to addressing relevant Green Belt policies (set out below) the proposal addresses the requirements for locating new open space provision and community facilities in broadly accessible locations in accordance with Local Plan Policies HE4, LN7 and WMC8.
- 8.18 Notwithstanding this, the proposal is for a more intensive use of open space for sports use than hitherto consented, and includes a large clubhouse facility. As such, it is considered appropriate to review the use of the land for the proposed CSF within the Green Belt.

Community Sports Facility and Green Belt

- 8.19 As set out, NPPF Paragraph 146 criterion (e) sets out that material changes in the use of land such as changes of use for outdoor sport are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it.

- 8.20 The proposal will maintain the use of the land as recreational open space but in a more intensive form than hitherto consented. The pitches will be formally laid out, a large two-storey clubhouse building is proposed, areas of hard surface vehicular parking, two formal sports pitches will be served by floodlighting which themselves will provide significant illumination, the site will be enclosed with boundary treatments and the Artificial Turf Pitch (ATP) will be enclosed with a sports fence.
- 8.21 The CSF area is sited on essentially flat land between the River Stour to the south and the more elevated residential area of Colehill to the north. To the east is a mix of existing housing and agricultural fields. To the west is a mix of existing and consented housing. There are views into the site from the surrounding area, including public rights of way, but these views are mostly short in distance and glimpsed through a mostly enclosed local landscape comprising belts of trees and hedgerows.
- 8.22 There is only one proposed building, the CSF clubhouse. Essentially, it is considered that the clubhouse is, in principle, an appropriate facility necessary for outdoor sport. The design of the clubhouse has been informed by its location in the Green Belt comprising a simple mono-pitch roof-form, regressive coloured materials and orientated on a north south axis to reduce the impact from the more elevated land to the north. These design features can be secured through the approved plans and suitable conditions (Condition 38 - External Materials).
- 8.23 Views from the east would be against a backdrop of consented housing sited up to the Green Belt boundary. There would be a minor impact on the views of the Green Belt (to the east) from residents in the consented housing to the west but this would itself be restricted to an extent by proposed landscaping. The impact on views from the south, given the orientation of the building and the enclosed landscape, are considered to be less than significant. The impact on views from the north and north-east would be mitigated to extent by the separation distance and existing mature vegetation from more elevated land in Colehill but filtered glimpses of the clubhouse building from open spaces may be possible.
- 8.24 However, notwithstanding these essentially modest impacts, the presence of the clubhouse building in the Green Belt would in principle impact on its openness irrespective of the modest scale of identified impacts.
- 8.25 The proposed clubhouse would not result in unrestricted sprawl, neighbouring towns merging into one another, nor impact on the setting and special character of historic Wimborne Minster. The clubhouse, as a two-storey building, would however encroach upon the countryside to a modest degree.

- 8.26 The proposed boundary treatments include traditional estate-style fencing and new landscape planting, both of which it is considered would not impact on the openness of the Green Belt through undue urbanising enclosure. Both are considered to be essentially characteristic of the rural landscape in Southern England. The proposed sports fencing for the ATP will be higher but concentrated in one limited portion of the CSF site. New structural landscaping, which could in time mask the ATP, with the capacity for notable future growth could be incompatible with the engineered base and carpet of the ATP and hence visual mitigation would be essentially limited to the design of the sports fencing.
- 8.27 In this instance, it is considered necessary to condition the ATP sports fencing to a specific mesh design that should be coloured dark green to minimise the visual incongruence of the fencing on the openness of the Green Belt. The ATP will also be sited within the eastern portion of the CSF and therefore views from the east would see it against a backdrop of housing. The ATP carpet (artificial playing surface) should also be a suitable regressive and visually compatible colour (light or mid-green) rather than a more urbanising and/or discordant colour (for example, the blue and pink carpet used for Field Hockey at the 2012 London Olympics). The colour of the ATP carpet can be secured through a suitable condition (Condition 20).
- 8.28 The proposed ATP would not result in unrestricted sprawl, neighbouring towns merging into one another, nor impact on the setting and special character of historic Wimborne Minster. The ATP, as an enclosed space, would however encroach upon the countryside to a very modest degree.
- 8.29 The impact of other sports pitch paraphernalia, such as rugby posts and low-level natural grass pitch boundary fencing, on the openness of the Green Belt, from a distance is considered to be minimal due to their overall slim massing and being subject to a suitable condition stipulating they are only to be coloured white or similarly regressive and neutral colour (for example, light grey) (Condition 21).
- 8.30 The proposed floodlighting masts are 15m high and hence could be seen from Leigh Road, the public right of way and areas to the west and east. However, in profile the modern masts are notable slim, which limits their visual impact and as such would not represent structures of discordant massing that would impact on the openness of the Green Belt.
- 8.31 The light spillage from the floodlights could, in principle, be managed through conditions so that it is concentrated on the sports pitches and hence would not illuminate the wider night sky and is restricted to certain times of the day. Other proposed light sources within the CSF (such as the clubhouse and parking areas) could also be similarly managed. As such, subject to suitable

conditions, sources of light associated with the CSF would on balance of considerations only have a minor impact on the openness of the Green Belt. For reference, the report considers the issue of lighting in more detail later.

- 8.32 The proposed car-parking and internal access route, whilst utilising hard surfaces, would not itself impact on the openness of the Green Belt given the absence of any buildings or significantly scaled structures. However, the proposed car park and internal access route lighting could have a minor urbanising impact which whilst managed by suitable conditions (Condition 25 could impact on the perception of the openness of the application site).
- 8.33 The residual elements of the CSF proposal (ATP, car parking, lighting) would likewise not result in unrestricted sprawl, neighbouring towns merging into one another, nor impact on the setting and special character of historic Wimborne Minster. The proposal would assist in safeguarding the countryside from encroachment in line with the principle of using this land for sports pitch and training areas which itself was subject to public scrutiny at the Local Plan examination and subsequently established in principle upon its subsequent adoption by the Local Authority. The proposed CSF could assist in urban regeneration by potentially facilitating the recycling of the existing rugby club site at Leigh Park.
- 8.34 Therefore, in summary, the proposed clubhouse, ATP fencing, parking lighting and floodlights (not as a structure but as a light source) could all have some minor localised impact on the openness of the Green Belt. The clubhouse, ATP and lighting could all to an extent encroach upon the countryside.
- 8.35 As such, the proposal, on balance of considerations, is considered to be inappropriate development and as such 'very special circumstances' need to be considered in order to determine if the proposal is acceptable under NPPF Paragraph 144.
- 8.36 Essentially, the LPA considers that the provision of a Community Sports Facility which includes a clubhouse, ATP fencing and floodlighting amounts to a '*very special circumstance*' that would clearly outweigh any potential harm to the Green Belt as a result of this proposal. The proposal has the clear potential for significant social benefits in the Wimborne area with a modern and inclusive sports facility. The current site is subject to anti-social behaviour, for example persistent dog fouling, which is a health issue for sports players. The proposed site is designed to exclude those seeking to exercise dogs. The relocation of that club would release it from its existing urban site which is subject to a regeneration policy in the Local Plan. The living conditions of residents in the area adjacent to the existing rugby club site could possibly improve by virtue of less conflict on match days, particularly with regard to parking. The LPA agrees with the conclusion drawn in the supporting Planning

Statement (Pro Vision, November 2018) that the benefits of this development are clearly widespread and cannot be achieved on any identified alternative sites either within or outside the Local Plan Allocation Site.

- 8.37 As such, having regard to the above, there are clearly very special circumstances which should carry substantial weight in favour of the Community Sports Facility and which clearly outweighs any identified potential harm to the Green Belt in terms of its openness and purposes. Some elements of the CSF including the clubhouse, ATP fencing and floodlighting are inappropriate but the very special circumstances case outweighs the inappropriateness of the proposed Community Sports Facility. Other harm resulting (as set out in NPPF Paragraph 144) from the Community Sports Facility is addressed later in this section of the report.

Access and Green Belt

- 8.38 The third and final element of the proposal is the proposed new amended vehicular access. The proposed access would involve the material change of use of agricultural land to transport infrastructure. Material changes of use are not listed in the NPPF as constituting appropriate Green Belt development and therefore, on the basis as well, the proposal is considered to constitute in principle inappropriate development in the Green Belt.
- 8.39 Broadly, the proposed vehicular access differs from that consented in 3/15/0789/COU through a change in the location of the entrance and egress onto Leigh Road, which is approximately 130 metres to the east, and the length of the vehicular route which connects to the housing area, which is extended to the south and east of Park Farm Cottages across the northernmost portion of the Leisure Pitches.
- 8.40 The Addendum Planning Statement (Pro Vision, December 2018) sets out (Paragraph 2.10) that:

The access has a requirement for a Green Belt location because irrespective of where along Leigh Road the access to the new neighbourhood is located, it has to be within the Green Belt because the Local Plan Policy WMC8 stipulates that the access must be situated to the east of Brookside Manor, where the Green Belt boundary is located. (Note: This point is illustrated in Local Plan Map 8.8).

Officers concur with this conclusion that by definition any access onto Leigh Road would by definition be in the Green Belt.

- 8.41 It is considered that the proposed loss of existing trees on the northern boundary of the site to facilitate the new access could open up views through to the south from the north. However, given the proposed landscaping, the enclosed north/south view on Leigh Road and the low quality of the existing

conifer trees it is considered that this would not constitute a specific harm in Green Belt terms, but would amount to other harm which would need to be weighed in the overall planning balance.

- 8.42 The report to East Dorset District Council Planning Committee (28/9/2016) for Application Reference 3/15/0789/COU set out with regard to the proposed site vehicular access in that application:-

The proposed access, by its very nature, could be construed as local transport infrastructure. The provision of hard surfacing and any changes to ground levels would constitute engineering operations. In both cases, Paragraph 90 (Note: now Paragraph 146) of the NPPF states that such development are not inappropriate in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

It is considered that the proposed access would, to some extent, diminish the openness of the Green Belt owing to its use by a range of vehicles, in addition to the inclusion of associated paraphernalia, such as the building works described above. The purposes of including land in the Green Belt are listed at paragraph 80 (Note: now Paragraph 134) of the NPPF.

It is considered that, given the nature and use of the proposed access road, and that it would result in an intensification of the development and use of the land under consideration, that it would conflict with the third of the listed purposes. Given its siting, scale, and design it is considered that it would not conflict with any of the other purposes listed. Given the proposal's likely, if very modest, impact on the openness of the Green Belt, and that it would, albeit to a very minor extent, conflict with the purposes of including land within it, it is considered that the proposed engineering operations and local transport infrastructure would constitute inappropriate development in the Green Belt.

- 8.43 A subsequent report to East Dorset District Council Planning Committee (26/7/2017), which was retaken to Members to address additional matters brought to the Council's attention since the previous committee meeting in September 2016. Paragraph 8.15 of the report set out:

It is considered that, given the nature and use of the proposed access road, and that it would result in an intensification of the development and use of the land under consideration, that it would conflict with the third of the listed purposes (to assist in safeguarding the countryside from encroachment). Given its siting, scale and design it is considered that it would not conflict with any of the other purposes listed. Given the proposal's likely, if albeit to a very minor extent, conflict with the purposes of including land within it, it is

considered that the proposed engineering operations and local transport infrastructure would constitute inappropriate development in the Green Belt.

- 8.44 As such, it is considered that whilst the location of the access point has changed, the same conclusions could be drawn with regard to this proposed access. It is considered likely that the proposal's design and the use of soft landscaping could significantly reduce the proposal's visual harm. The likely visual harm would be limited by the flat nature of the proposed road and relatively unobtrusive nature of any associated features such as street lights and signs. The road's use by vehicles would add to its visual impact, although it is not anticipated that vehicles would be permanently present on the road. Furthermore, it would be possible, at the reserved matters stage, to mitigate some of the identified visual impacts through the use of landscaping and design.
- 8.45 The vehicular access element of the proposal would likewise not result in unrestricted sprawl, neighbouring towns merging into one another, nor impact on the setting and special character of historic Wimborne Minster. The proposed access would have a minor impact on assisting in safeguarding the countryside from encroachment. The access could potential assist urban regeneration as through enabling development within the Local Plan Allocation Site, the existing Leigh Road rugby site could be regenerated.
- 8.46 As such, it is considered that the proposed access would result in some minor harm to the openness of the Green Belt (in line with the LPAs stance with regard to 3/15/0789/COU) and would not satisfy NPPF criterion (c) given the minor impact on assisting in safeguarding the countryside from encroachment.
- 8.47 Accordingly, it is however considered necessary to consider the whether the access element of the proposal demonstrates 'very special circumstances', in line with NPPF Paragraphs 143 and 144, given that the access element of the proposal is inappropriate (by definition).
- 8.48 Essentially, it is considered that there are clearly a number of benefits from the proposed alternative access, and hence the proposal as a whole. The principal benefit is that of securing a suitable vehicular access to and from the wider highway network, which overcomes highway safety concerns identified by the Local Highway Authority in the relationship between the two existing consented accesses in the Local Plan Allocation Site. The revised access could serve both the application site individually, and potentially all of the Local Plan Allocation Site, including proposals consented and still to be determined. Secondly, the proposal avoids the need for the access to take into account restrictive covenants which the LPA understands exist on parcels of land elsewhere in the Local Plan Allocation Site and Common Land south of Leigh Road. Thirdly, it enables the delivery of additional housing (this

consideration is addressed in detail later in the Committee report) and the proposed CSF.

- 8.49 In summary, on the balance of considerations, Officers consider that in this instance, the identified harm to the openness and purposes of the Green Belt is very clearly outweighed by the benefits of the CSF and access components of the proposal (*see the Planning Balance section of this Committee Report*). As such, 'very special circumstances' do apply with regard to the clubhouse, ATP fencing, floodlighting and the access element of the proposal and therefore, in principle, the identified harm to the Green Belt does not preclude the approval of the application, subject to addressing '*any other harm resulting from the proposal*' as set out in NPPF 144. This is addressed below considering the revised access and the CSF as a whole.

Other Harm

- 8.50 The EDDC Planning Committee Reports for the previous Outline consent on this application site (3/15/0789/COU) concluded that the proposed development, as a whole, would result in a degree of visual harm but concluded that this would not be sufficient to warrant the refusal of the proposal. This proposal is a more intensive sports facility than that hitherto consented and as such this position should be reviewed.
- 8.51 All of the proposed CSF and access route are located within the Local Plan Allocation Site WMC8. The impact of the CSF on the local landscape and general local amenity is considered in detail later in this report. The proposal includes a Landscape Visual Impact Assessment (LVIA) which includes a strategic landscaping masterplan for the CSF part of the Application Site. Essentially, it is considered that the proposed landscaping masterplan, which can be secured through a condition (Condition 30), would acceptably mitigate the visual impact of the CSF through suitable hard and soft landscaping.
- 8.52 The clubhouse would clearly be a building of notable massing in the Green Belt. The Design and Access Statement (DAS) (Paragraphs 7.23-7.26) sets out that the proposed clubhouse building materials, which can be secured through a suitable condition (Condition 38), have been chosen to reduce (soften) the impact of the building on the landscape. The LPA (as set out in detailed later in this report) accepts this approach subject to a materials condition. Essentially, taking into account the proposed materials and the simple form of the clubhouse, it is considered that the building would not be an unduly incongruous presence in the Green Belt and would result in only limited harm to the local landscape.
- 8.53 The proposed boundary treatments are considered compatible with a rural landscape. The exception is the ATP boundary fencing which it is considered could have a more urbanising impact. Nonetheless, it is considered that

subject to a suitable colour, which can be secured through a condition (Condition 20), the impact of the ATP fencing could be suitably mitigated.

- 8.54 The proposed lighting, including the floodlighting, would also result in some harm to the local landscape and general amenity, but that this could be mitigated to significant degree through suitable conditions (Conditions 25, 26, 27, 28, 29) which controls time of use, intensity, direction and specifications.
- 8.55 The exact detail of the proposed access road is not known at this time and would be subject of subsequent detailed design. However, the illustrative material provided has satisfied officers that any impacts would be acceptable. The applicant is aware of the need to ensure that the revised access route would be as unobtrusive in the landscape as possible, and it is considered likely that suitable design, including landscaping, could reduce the proposal's visual harm. Taking into account the local context, the likely visual harm would be limited by the flat nature of the proposed road and relatively unobtrusive nature of any associated features such as street lights and signs. The road's use by vehicles would add to its visual impact, although it is not anticipated that vehicles would be permanently present on the access route.
- 8.56 Historic England considers that the harm (to the Roman Road heritage asset) is less than substantial and could be mitigated and offset by measures for protecting and maintaining its historic line. It is considered that the proposed access and CSF would have less than substantial impact on other heritage assets outside the Application Site including the setting of the Grade I listed Canford School. This issue is addressed in more detail later in the report.
- 8.57 As such, subject to conditions, and in line with the detailed analysis set out later in the report, the identified limited harm from the Community Sports Facility and Access on the Green Belt, would not be of such scale that it would outweigh the identified 'very special circumstances'.
- 8.58 In summary, whilst the elements of the proposal within the Green Belt (the Community Sports Facility and the Access) would in principle comprise inappropriate development in the Green Belt, in this instance it is considered that 'very special circumstances' have been identified and that this outweighs both this inappropriate development and the 'other harm' identified.
- 8.59 Therefore, subject to suitable conditions(Conditions 16, 19, 20, 21, 25, 26, 27, 29, 30, 33, 34 and 38) the proposal is acceptable in principle and as such accords with Local Plan Policies WMC8, LN7, HE4, and KS3 and NPPF Paragraphs 143, 144, 145 and 146.

Housing Delivery, Housing Mix and Affordable Housing

- 8.60 Local Plan Policy KS2 (Settlement Hierarchy) sets out that Wimborne Minster is one of the plan area's main settlements and hence will provide a major focus for new development including residential units. Local Plan Policy KS4 (Housing Provision in Christchurch and East Dorset) sets out that approximately 8,500 new homes will be provided in the plan area between 2013 and 2028. This will comprise 5,000 homes within the existing urban areas and a further 3,465 provided as new neighbourhoods.
- 8.61 Policy LN1 of the Local Plan requires sites for housing to reflect local housing needs as identified in the Strategic Housing Market Assessment (SHMA), subject to site specific circumstances and the character of the local area. The Eastern Dorset SHMA (2015) (Tables 50 and 51, p.139) sets out that for market housing in East Dorset the estimated housing mix is circa 8% (1 bed), 49% (2 bed), 43% (3 bed) and 0% (4 bed). For affordable housing in East Dorset the estimated housing mix is circa 33% (1 bed), 42% (2 bed), 23% (3 bed) and 2% (4 bed). The SHMA therefore sets a clear requirement in East Dorset for market housing to provide a predominant (80%+) mix of 2 and 3 bedroom dwellings, and for affordable housing to provide a predominant (75%) mix of 1 and 2 bedroom dwellings.
- 8.62 Local Plan Policy LN3 requires the provision of up to 50% affordable housing on 'greenfield' sites such as Allocation Site WMC8. Where a lower level of affordable housing is offered, this must be supported by clear and robust evidence that will be subject to verification. Objective 6 of the Core strategy allows for 35% affordable as an average across the plan area and para 4.17 of the CS states that: The need to provide affordable housing is a key objective of the Core Strategy and a target that 35% of all housing should be affordable is set. This is below the percentage requirements for affordable housing set in Policy LN3 as an acknowledgement that not all sites will be able to meet these requirements due to financial viability.
- 8.63 NPPF Section 5 (Paragraph 59) sets out to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed. NPPF Section 11 is clear that planning should make effective use of land. Paragraph 117 sets out that planning decisions should promote an effective use of land in meeting the need for homes. Paragraph 118 sets out that planning decisions should encourage multiple benefits from both urban and rural land including through mixed-use schemes. Paragraph 119 sets out that LPAs should take a proactive role in identifying and helping to bring forward land that may be suitable for meeting development needs. This should include identifying opportunities to, inter alia, secure better development outcomes. Paragraph 122 sets out that planning decisions should support development that makes efficient use of land, taking into account the availability of land suitable for accommodating it. Paragraph 123 sets out that where there is an

existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.

- 8.64 The proposed quantum of residential development within the Allocation Site, by virtue of this application and others yet to be determined, would clearly be in excess of the 350 new homes set out in the supporting criteria of Local Plan Policy WMC8. As set out in Section 3.0 of this report, the total consented (386) and proposed (218) number of dwellings is 604 units. However, Local Plan Policy WMC8 imposed no overall maximum cap on the number of residential dwellings to be provided within the Allocation Site. Essentially, this needs to be balanced against other material planning policy considerations.
- 8.65 The LPA set out in the Housing Land Supply (HLS) Interim Version (December 2018) a supply of housing land of 5.45 years¹. By virtue of a slight shortfall in overall provision per annum the identified shortfall in residential completions in the period 2013-2018 is 1,002 dwellings. Rolling this forward, in conjunction with a 5% buffer, gives an overall requirement of 4,024 dwellings in the period 2016-2021, hence an annual requirement of 805 dwellings. The LPAs identified deliverable supply is 4,384 dwellings. The HLS identifies a modest surplus of deliverable supply in the period 2018-2023 of 360 dwellings.
- 8.66 Further to this, on 19 February 2019, CLG published the 2018 Housing Delivery Test measurement which is an annual figure setting out housing delivery in Local Authority areas. In high level terms the Housing Delivery Test compares the net homes delivered over three years to the homes that should have been built over the same period (their housing requirement). East Dorset had a target of 1,528 dwellings to be delivered over the period 2015-2018. The actual number of completions was 1,141 dwellings and hence a 20% buffer has been applied in line with NPPF Paragraph 73.
- 8.67 As a result of the 20% buffer, the housing land supply for Christchurch and East Dorset drops to 4.77 years, with a 5 year requirement of 4,598 dwellings and a shortfall of 214 dwellings. As such, the delivery of 174 additional dwellings would assist the LA in moving the housing supply towards a 5 year supply (4.95 years), although this is clearly with the caveat that the figures are likely to be revised again post the Local Government Review as a new figure for Dorset Council is produced.
- 8.68 The proposal would effectively utilise land within part of the Local Plan Allocation Site outside of the Green Belt for meeting the need for housing, and

¹ <https://www.dorsetforyou.gov.uk/planning-buildings-land/planning-policy/christchurch/local-development-framework/pdfs/ldf/five-year-housing-land-supply/christchurch-east-dorset-5-yr-supply-interim-2018-2023-web.pdf>

of open land within the Green Belt for a new Community Sports Facility. In this instance the LPA has taken a proactive role in considering an alternative use for the open land consented for Sports Pitched in 3/15/0789/COU. The residential development density (addressed in detail in Paragraph 8.116 of this report) is circa 50 dwellings per hectare which is considered to be an efficient and optimal use of land, taking into account the need to maintain a suitable housing land supply. It could also provide, in principle, a better development outcome in terms of, in addition to the housing land supply, additional affordable housing and a new community sports facility for the local area. The proposal could also assist in facilitating urban regeneration through the potential re-use of the existing rugby club site at Leigh Road (which is in the urban area).

- 8.69 In summary, it is considered that the site provides a suitable opportunity to facilitate additional housing at a suitable density within the Local Plan Allocation Site; housing which would otherwise have to be found in due course elsewhere taking into account the Government's Housing Delivery Test figures for East Dorset in February 2019. The proposal would therefore boost the LPAs housing land supply on a site where the principle of development is established, would efficiently use land and could provide a better development outcome than that hitherto consented. Whilst it is acknowledged that the consented number of residential dwellings would clearly be in excess of that set out in Local Plan Policy WMC8, in line with the commentary set out in Paragraphs 8.64 to 8.68 of this report, it is considered that the benefits of providing this housing clearly outweighs the step change beyond the policy. Given that Policy WMC8 does not set out that the figure of 350 dwellings is a ceiling it is considered that the proposal does not represent a departure from the Local Plan in terms of housing delivery.
- 8.70 The proposal sets out an Affordable Housing provision of 28% (49 dwellings). The proposal has been subject to independent review by the District Valuation Office who concluded that the proposal is acceptable in terms of development viability. The proposed Affordable Housing can be secured through suitable conditions and a legal agreement. The amended Housing Mix for both Affordable and Market tenures is as follows:

Unit Type	Market Housing (Nos. of Units; %)	Affordable Housing (Nos. of Units; %)	Total Site Numbers (Nos. of Units; %)
1 bed house	1 (0.5%)	4 (2%)	5 (3%)
1 bed flat	0	16 (9%)	16 (9%)
2 bed house	31 (18%)	7 (4%)	38 (22%)
2 bed flat	21 (12%)	18 (10%)	39 (22%)
3 bed house	55 (32%)	4 (2%)	59 (34%)
3 bed bungalow	1 (0.5%)	0	1 (0.5%)
4 bed house	16 (9%)	0	16 (9%)

Total	125 (72%)	49 (28%)	174 (100%)
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Note: Percentage of total housing (all tenures)

8.71 The amended Affordable Housing mix (in line with the above) is as follows:

Unit Type	Social, Affordable or Intermediate Rent	Affordable Home Ownership	Total
1 bed house	4	0	4
1 bed flat	16	0	16
2 bed house	0	7	7
2 bed flat	10	8	18
3 bed house	4	0	4
Total	34	15	49

8.72 The proposed market housing mix broadly accords with the SHMA in terms of providing 87% 2 and 3 bedroom dwellings. Whilst the provision of 1 bedroom dwellings is less than SHMA sets out, given that the site is on the edge of the settlement, the provision of medium size family housing is considered appropriate. Likewise, the provision of larger 4 bedroom dwellings whilst in excess of the SHMA requirement is not considered to be excessive and again is a suitable typology for an edge of settlement location.

8.73 The proposed affordable housing mix sets out a provision of smaller 1 and 2 bed units broadly in line with the SHMA. Whilst the provision of larger (3/4 bed) affordable dwellings is slightly below the optimal mix sought, on balance of considerations the proposed affordable housing mix is considered acceptable. As such, subject to securing affordable housing and the housing mix in a legal agreement, the proposal accords with Local Plan policies LN1 and LN3.

8.74 In summary, whilst the proposed housing is in excess of the 350 dwelling figure in Local Plan, the proposed housing site is within the Allocation Site WMC8 but outside the Green Belt and hence is considered to be an effective and efficient use of land in line with NPPF Paragraphs 117, 118 and 122. The proposal would moderately boost the LPA housing land supply and also provide, in principle, a better development outcome in terms of additional affordable housing, a new community sports facility for the local area and the possible future re-use of the existing rugby club site at Leigh Park in line with NPPF Paragraphs 59 and 119. The proposed quantum of affordable housing and the affordable and market housing mix is considered acceptable.

8.75 Given that the delivery of the CSF, specifically the clubhouse, is tied to the construction and occupation of the 174 dwellings, it is considered appropriate and necessary in this instance for a clause in the legal agreement not to occupy or cause or permit occupation of more than 111 open market dwellings until all (49 dwellings) of the Affordable Housing have been

completed and transferred to an Affordable Housing Provider together with the land upon which the Affordable Housing are to be built, in a clean condition and fully serviced.

- 8.76 As such, subject to a suitable s106 legal agreement securing the agreed housing mix (all tenures) and Affordable Housing tenure splits, quantum, delivery triggers and typologies, the proposal would clearly assist the LPA in maintaining a housing land supply, would effectively and efficiently utilise land within a Local Plan Allocation Site at an appropriate residential density, could assist in the regeneration of the urban site outside the application site subject to a 'potential change' Local Plan Policy (WMC9 Leigh Park Area of Potential Change, Wimborne), would provide SHMA compliant mix of housing for all tenures and provide a significant boost to local affordable housing delivery. The benefits of the proposal accord with the direction of travel set out in NPPF (February 2019) Sections 5 and 11 with regard to boosting housing land supply and efficiently using land, and that this outweighs the fact the cumulative number of consented residential dwellings in the Local Plan Allocation Site would be in excess of that set out in Local Plan Policy WMC8.
- 8.77 Therefore, the proposal accords with Local Plan policies LN1 and LN3 and NPPF Paragraphs 59, 117, 118, 119 and 122.

Heritage Assets

- 8.78 Local Plan Policy HE1 (Valuing and Conserving our Historic Environment) sets out that heritage assets are an irreplaceable resource and will be conserved and where appropriate enhanced for their historic significance and importance locally to the wider social, cultural and economic environment. The significance of all heritage assets and their settings (both designated and non-designated) will be protected and enhanced especially elements of the historic environment which contribute to the distinct identity of East Dorset.
- 8.79 NPPF Annex 2: Glossary sets out that the setting of a heritage asset is: *The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.*
- 8.80 Historic England (HE) has provided detailed comments on the proposal. With regard to the impact on heritage assets through the proposed Community Sports Facility, HE consider that in order to avoid harmful impact on the setting of the Scheduled Monument (Roman Road) and to provide the heritage benefits necessary to offset the adverse impacts of the new developments then it is essential that:-

- The historic line of the Roman Road throughout the Sports Ground site should remain clear of built development;
 - The scheduled section and as much as possible of the adjoining section should be presented and maintained as a legible surface feature reflecting the dimensions of the original Roman Road roadway;
 - Details of the surface treatment of the historic Roman Road line should take account of the treatment of the road line in the neighbouring development to the west in order to achieve continuity in the legibility and visual appreciation of the historic Roman Road line across the adjoining development sites;
 - The surface treatment of the access drive between the car parks (shown in the application as crossing the historic Roman Road line), and the surface treatment of the western car parking area, should avoid intrusive or distracting visual impact on the historic road line, for instance by using coloured or textured surfacing that blends with, rather than contrasts with, the surrounding grassed areas;
 - Public interpretation displays should be incorporated in the development and any development should be accompanied by a Heritage Management Plan
- 8.81 The historic line of the Roman Road extends across the Community Sports Facility on an east-west axis. The easternmost portion of the line is also a Scheduled Monument. The proposed access route across the historic line is outside the boundary of the Scheduled Monument. The historic line, within the Scheduled Monument and to the west of the access route, is free of built development in terms of buildings and parking spaces.
- 8.82 The dimensions of the historic line can be maintained as a legible feature. The section within the Scheduled Monument is proposed to have a suitable hard surface. The section outside the Scheduled Monument will be laid to grass with suitable safety markers setting out the course of the historic line. This landscaping can be secured through suitable conditions. A suitable hard surface material for the single file access route across the historic line that blends with adjacent soft landscaping can be secured through a suitable condition (Condition 30).
- 8.83 Public interpretation displays can be secured through a suitable condition (Condition 22). This includes boards to be displayed in the open area adjacent to the Roman Road and within the clubhouse. A Heritage Management Plan can also be secured through a suitable condition as recommended by Historic England (HE) (Condition 9).

- 8.84 With regard to the impact on heritage assets through the proposed housing, HE considers that the level of potential harm, by virtue of the urbanisation of the current open area, on the setting of the historic line of the Roman Road is less than substantial in line with NPPF Paragraph 196.
- 8.85 HE has set out detailed comments on the potential impact of the proposed housing on the setting of heritage assets to the south of the application site at Canford. The 'Canford' heritage assets comprise the group of Grade I and Grade II listed buildings at Canford School, comprising the Grade I main school building (formerly the country house of Lord De Mauley) together with Grade I Nineveh Court and other Grade II Listed buildings (John of Gaunt's Kitchen; and accompanying structures, and the parish church of Canford Magna). In addition, the LPA considers that the Canford Magna Conservation Area is also a local heritage asset that could potentially be impacted by the proposal, and hence included within the scope of the 'Canford' heritage assets².
- 8.86 HE recommends that a full visual assessment is undertaken on the potential impacts of the housing development on the setting of the Canford heritage assets in order to determine the capacity for change here and guide the form (scale, layout, appearance) of the housing development at the Reserved Matters stage. Essentially, it is considered that a full visual assessment of views and impacts should inform the detailed design of the housing and any necessary landscaping.
- 8.87 The housing element of the proposal is Outline with access only at this stage, and as such would require a further Reserved Matters application in the event of a planning consent. These Reserved Matters include scale, landscaping, appearance and layout, which are all relevant to the issues HE has set out. HE set out that the recommended full visual assessment is undertaken at either the Full or Reserved Matters stage. In this instance, given this is an Outline housing proposal that would be the latter. As such, a suitable informative (add in the number) will address this issue.
- 8.88 The proposed new vehicular access into the Allocation Site east of Park Farm Cottages is sited opposite 9 Wimborne Road West (*note*: incorrectly identified as 9 Hayes Close in the Built Heritage Addendum) which the applicants consider is a non-designated heritage asset. In line with the Addendum findings it is considered that whilst the proposed access would result in a change in the setting of 9 Wimborne Road West, given it is already sited adjacent to Leigh Road/Wimborne Road West, the main route to the east from Wimborne, the proposal would not affect the significance of the non-

² For reference, the Canford Magna Conservation Area comprises Canford Magna village, Canford School and part of the former grounds of Canford house.

designated heritage asset given its existing context of the main road and modern housing to the rear.

- 8.89 To the north of the Application Site is a Grade II Listed three-storey, early nineteenth century house, *By The Way* (formerly Leigh House) which has a significant amount of retained historic built fabric. The house is set back from Leigh Road in large gardens with mature trees and planting. Essentially, it is considered that the proposal would not affect the significance of the building and its setting beyond that already found through consented proposals within the Local Plan Allocation Site and as such the impact is effectively neutral.
- 8.90 HE has recommended an archaeology condition which is supported in principle by the County archaeologist (Condition 8).
- 8.91 HE has also recommended suitable conditions with regard to a Heritage Management Plan and updated defined boundaries for the Scheduled Monument. These conditions are considered necessary to ensure that heritage assets are suitably protected during construction and post-construction phases.
- 8.92 HE also set out that in addition to planning permission, those developments in the CSF site which directly affect the area of the scheduled monument (e.g. use of vehicles, groundworks, surfacing etc.) will also require Scheduled Monument Consent (SMC) from the Department of Digital, Culture, Media and Sport, which is administered by Historic England. As of December 2018, no SMC application has yet been received. A suitable informative has been added to the proposal setting out the need for the site promoters to secure Scheduled Monument Consent.
- 8.93 In summary, the proposal would have a harmful impact on the setting and significance of the Scheduled Monument and associated Roman Road heritage asset, and the heritage assets at Canford, but that this would be outweighed by some identified heritage benefits and the other identified public benefits associated with the Community Sports Facility, and as such subject to appropriate mitigation, which can be secured through suitable conditions (Conditions 8, 9, 22, 30 and 52), the proposal would accord with the NPPF Paragraph 196. It is also considered that the impact of the proposal on designated and undesignated heritage assets sited north of the application would be less than substantial and thus also acceptable when balanced against identified public benefits in line with NPPF Paragraph 196.
- 8.94 However, HE has set out that it is essential that the detailed design of the proposed housing area is informed by suitable assessments of the potential impacts on the settings of designated heritage assets at Canford. An informative has been added to address this specific issue.

- 8.95 Therefore, subject to suitable conditions and informatives, and taking into account the public benefits of the proposal (*see the Planning Balance section of this Committee Report*), the proposal accords with Local Plan Policy HE1, NPPF Paragraphs 189-190, 192-194, 196-197 and 200 and Sections 66(1) and 72(1) of the Planning (Listed Building and Conservation Areas) Act.

Design, Landscaping and Trees

- 8.96 Local Plan Policy HE2 (Design of New Development) sets out the design of development must be of a high quality, reflecting and enhancing areas of recognised local distinctiveness. To achieve this, development will be permitted if it is compatible with or improves its surroundings in terms of design criteria (as set out).
- 8.97 Local Plan Policy HE3 (Landscape Quality) sets out that development will need to protect and seek to enhance the landscape character of the area. Proposals will need to demonstrate that the following factors (as set out) have been taken into account.
- 8.98 The design of each of the two main elements of the proposal (the Community Sports Facility and the Housing) will each be considered in turn.

i. Community Sports Facility

- 8.99 The layout of the CSF went through a significant number of iterations in the pre-application process. This included ongoing and detailed dialogue between the applicants, the LPA, local organisations including Wimborne Rugby Football Club (WRFC), statutory consultees such as Historic England (HE) and the Rugby Football Union (RFU). WRFC commissioned their own architects who provided constructive comment on the draft CSF site layouts and clubhouse plans in the pre-application process. Officers consider it appropriate in this instance to acknowledge their positive input in the report.
- 8.100 The CSF area is subject to a number of significant topographical constraints. This includes the historic line of the Roman Road and the Scheduled Monument in the eastern portion of the site. It also includes two broadly parallel foul water easements which bisect the site on a North East/South West axis and an intermediate pressure gas pipeline on a broad North/South axis across the centre of the site. Each of these constraints significantly limits where a clubhouse building and an ATP could be located as neither, for different reasons, could be built above these subterranean features and within their easements. As such, the siting of the CSF layout is driven largely by these constraints.

- 8.101 The proposed clubhouse is located in a central position within the CSF away from existing and proposed residential occupiers. The clubhouse also has capacity to expand in the future, if it were to be deemed necessary, onto land immediately to the north, which is unconstrained. The main rugby pitch is located to the west of the clubhouse on a north/south axis which RFU guidance sets out is the optimal orientation for a pitch³.
- 8.102 The proposed ATP is located in the south-west corner of the CSF site as it is the only remaining large enough area in the CSF site not impacted by either foul water or gas pipeline easements which are incompatible with its permanent and engineered base. The ATP is likely to be the most heavily utilised of the proposed pitches. It is considered to be in sufficiently close proximity to the clubhouse. The detailed design, including the colour of the pitch (carpet) and boundary fencing can be secured through suitable conditions (Conditions 19 and 20).
- 8.103 The second rugby pitch is located immediately north of and parallel to the Roman Road. The football pitch is located immediately south of and parallel to the Roman Road. Essentially, it is considered that both of these pitches are also within reasonable proximity to the facilities in the clubhouse building. The maximum height of the rugby posts can be secured through a suitable condition (Condition 21). The proposed junior pitch is located east of the second rugby pitch in the east of the CSF site. It would however only be used by youngsters during the day at weekends and as such there is less of a need for proximity to the clubhouse.
- 8.104 As a consequence of the need to provide alternative access arrangements, the area set aside for athletics training in the NE corner of the site has effectively been lost. However, this does not imply that the athletics club could not have a future at the CSF. The clubhouse and ATP would be open to them to use, and the existing SANG south of the A31 could still be used for cross-country running. In addition, Officers are exploring options to bring forward additional land within the Local Plan Allocation Site for potential athletics use through further applications.
- 8.105 The most intensively used parking areas, the hard surface parking adjacent to the clubhouse, has likewise been appropriately sited in the broad centre of the site a suitable distance away from existing, consented and proposed residential dwellings. The informal parking area provides separation between the second rugby pitch and the three existing dwellings to the north.
- 8.106 Sport England has commented, but not specifically objected, that the current site layout is too cramped and consideration should be given to amending the

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https://www.englandrugby.com/mm/Document/Governance/ClubSupport/01/30/86/97/Naturalurf pitches_Neutral.pdf p.9

layout to make it more flexible. Officers, whilst noting Sport England's comments, do not agree with this view. Essentially, the proposed CSF site is sub-optimal in terms of the physical constraints it has (proximity to housing, Roman Road, utility easements etc.) but it is considered that the proposed site layout satisfactorily accommodates the proposed pitches, parking and clubhouse in a satisfactory layout.

- 8.107 Moreover, Sport England did not set out how the layout could be made more flexible. LPA officers consider that the proposal does have a degree of flexibility through the provision of the ATP (Sport England comments that there is no justification for the ATP) and the potential for the clubhouse to be extended to the north in the future. As such, LA Officers consider that Sport England's comments, whilst welcome and constructive, are to an extent contradictory given that one of the key roles of the ATP is to provide *flexibility* through having an all-weather, multi-sport playing surface.
- 8.108 The CSF site coverage is considered to be a very efficient use of constrained land. Essentially, it is considered that the proposal maximises the possible capacity of the site to accommodate formal sports pitches, the clubhouse and vehicular parking whilst accounting for physical and topographical constraints, and local general amenity. The site coverage of the clubhouse, the only building within the CSF, is less than 1% of the overall CSF site area. The rest of the CSF would mostly remain open space, with only the ATP being an enclosed space.
- 8.109 The proposed clubhouse is rectangular shaped, large two-storey building with a mono-pitch roofline. It has, essentially, a simple form. The building footprint is 44m (length) x 18m (width) and a maximum height of 8.8m. Essentially, it is considered that the clubhouse has an acceptable height and massing given the requirements such a building has in terms of the need for social spaces, changing rooms, ancillary rooms and internal storage. The proposed mono-pitch roof form is considered to be suitable, reducing the height that would likely accrue from a pitched roof and is more practical, in terms of run-off, than a flat roof. At the upper floor level extensive glazing and terraces are provided for spectators and orientated to maximise aspect over the main rugby pitch and the ATP to the south. Given the separation distances (in excess of 100m at least) to residential dwellings to the west, this would not give rise to any significant overlooking.
- 8.110 The proposed architectural vernacular of the clubhouse is modern and functional. The proposed clubhouse is considered to have crisp and regressive appearance that appropriately reduces the impact of its overall massing on the Green Belt. The proposed clubhouse materials (light-grey composite panels, timber cladding, neutral colour blockwork) have been chosen to soften the impact of the building within an open. Essentially, it is

considered that the proposed materials are suitable for a large building in the Green Belt as they are regressive and will assist in reducing the impact of the building on the openness of the site. The proposed CSF clubhouse external materials can be secured through a suitable condition (Condition 38).

- 8.111 Essentially, it is considered that, taking its location in open countryside, the architectural style, massing, height and materials are, subject to suitable conditions, suitable for the proposed clubhouse. However, in this instance it is considered appropriate to remove Permitted Development rights for the proposed clubhouse given its location in the Green Belt (Condition 5). Any future expansion of the clubhouse can then be managed through the development process.
- 8.112 Whilst the internal layout of a building is not usually a material planning consideration, in this instance it is considered appropriate to set out relevant issues in the report, as the clubhouse, as a key part of the CSF, represents a significant public investment (through developer contributions).
- 8.113 The internal floorplan of the clubhouse includes two levels. The ground comprises, amongst other things, WCs (female, male, accessible), two official changing rooms, and six changing rooms with sizes between 19m² and 23m², each with a shower area and WCs. The first floor includes servicing rooms (kitchen, WCs etc.), separate meeting room and a large social space (243m²) which opens onto a large balcony and terrace on the western and southern elevations. The two floors are connected by two stairwells and a lift. As such, the first floor social spaces are accessible to those unable to use stairs.
- 8.114 The number of proposed changing rooms is considered to be sufficient in number for home and away teams, for both rugby and football, even in the event that they were playing matches simultaneously. It is considered that both the changing rooms, and the official's rooms, meet both the Rugby Football Union (RFU) and Football Association (FA) requirements in terms of their sizes and the supporting facilities.
- 8.115 The provision of WCs for non-playing visitors and/or those with accessibility needs is considered suitable with suitable facilities on both the ground and first floor. The provision of a baby changing room on the first floor is also welcome. The provision of a lift to the first floor ensures that the needs of those with accessibility requirements are suitably addressed. The proposed kit room, plant room, physio room, gym and reception are considered to be adequate for their respective requirements based on discussions with other sports clubs with similarly scaled facilities. The proposed outside servery is a welcome addition for both match spectators and parents watching junior training sessions.

- 8.116 The size and design of the first floor social space and outdoor spaces has been informed by pre-application discussions, particularly with WRFC. Essentially, it is considered that the overall internal floorspace is satisfactory and that the addition of sliding internal panels which can potentially facilitate three differently configured sub-divided areas (main lounge, side rooms 1 and side room 2) of 211m² and 32m² or 167m² and 76m², or 167m², 44m² and 32m² respectively provide a suitably high level of flexibility for different club needs. The kitchen servery would be accessed by patrons from the main lounge area. The bar area is L-shaped and could serve patrons in both the main lounge and side. The kitchen, bar and attached store area are considered to be suitably sized for a large clubhouse. The balcony and outside terrace are a positive addition to the facility and provide flexibility for clubhouse users, particularly in warmer months.
- 8.117 The internal configuration of the proposed clubhouse has been revised slightly following the Sport England consultation response. Officers consider that the security of officials is best achieved by moving their changing rooms (and the outside servery) closer to the kit room and plant room and moving the last changing room so that there is a contiguous row of three player changing rooms on each side of the main corridor. Officials could then access the building via the door between the kit room and plant room.
- 8.118 Officers do not agree with the comments from Sport England on the design of the changing rooms. The RFU has confirmed via a separate email that the proposed design of the shower rooms would be acceptable to them. No objections have been received from local sports clubs. For reference, the impact of the proposed CSF on equalities is addressed later in this report.
- 8.119 The proposed clubhouse includes an open storage area for tables and chairs of 16m² on the first floor and a kit room of 37m² on the ground floor. The proposal is considered to be adequate in terms of internal storage. The CSF may need additional outside storage in the future. It is considered that there is clearly sufficient scope within the CSF site to facilitate this without detriment to the local landscape and general amenity.
- 8.120 The long-term success of the clubhouse will depend in part in being fitted with durable internal materials. A schedule of necessary internal specifications informed by guidance published by the RFU will be included with any supporting legal agreement.
- 8.121 The proposed CSF clearly provides a better facility than that which was consented under 3/15/0789/COU. In that application, the proposed sports pitches were closely bounded by housing to the north and the A31 to the south, given rising to amenity and highways concerns with regard to floodlighting and the flight of balls into the private spaces. Large nets would

also be needed to trap balls before they were kicked onto the A31. The consented scheme did not include a clubhouse, prepare pitches nor deliver the proposed vehicular parking (170 spaces in the illustrative layout).

- 8.122 In contrast, this proposal has a more spacious, yet still efficiently used, layout which negates any possible impact on the A31. Given the separation distances and the proposed landscaping it is considered improbable that balls kicked out from the pitches could pose a significant amenity or highway safety issue to residents and motorists within the Application Site. Approximately 80 extra car parking spaces could be provided in this scheme.

Landscape and Trees

- 8.123 The applicants have submitted a Landscape and Visual Impact Assessment (LVIA) (November 2018) and LVIA Supplementary Assessment (December 2018) (both Enderby Associates). The Supplementary Assessment (LVIASA) takes account of the change to the proposed vehicular access onto Leigh Road. The LVIA/LVIASA identifies key visual characteristics and sets out a Landscape Strategy with a number of aims.
- 8.124 In line with the comments from EDDC Trees and Landscape, the LVIA document accurately describes the Application Site and the visual impacts of the proposal. The LVIA includes a strategic landscaping masterplan which is considered acceptable and detailed elements of which should be subject to suitable conditions for the Community Sports Facility (Condition 30).
- 8.125 The LVIA does set out that the proposal will significantly change the views of the site from houses in Farm Court and The Acorns but that this could be mitigated to a degree to new screening planting. Floodlights, when in use, will be intrusive in views from Park Farm Cottages and Park Farm. The impact of the proposal on the amenity of existing residential occupiers is addressed in detail later in the report.
- 8.126 EDDC Trees and Landscape have set out no objection with regard to arboricultural issues subject to a suitable condition (Condition 31). The proposed removal of the existing conifers on the northern boundary adjacent to Leigh Road to facilitate the revised vehicular access is acceptable. The retention of the existing line of aging Black Poplars in the eastern portion of the Application Site is considered acceptable but their removal would have been acceptable and preferable. A suitable informative has been added to which addresses the need to remove the aging Black Poplars to facilitate the ATP and natural grass football pitch.
- 8.127 The proposed floodlight masts, twelve in total, would each be a maximum of 15m high and constructed of steel or another appropriate material. The masts are considered to be of a suitable but not excessive height and have

appropriate materials. Due to their slim profile the proposed masts would not have an overbearing visual impact on the open countryside within which they are sited. The proposed masts can be secured through a suitable condition (Condition 26). For reference, the amenity impacts of the proposed floodlighting are addressed later in the Committee report.

- 8.128 The CSF site includes four main areas of hard surfaces: tarmac for the access route and hard surface vehicular parking, resin bonded gravel for the route across the historic line of the Roman Road (both as set out in the Design and Access Statement), hoggin or a similar material for the informal parking area (as set out in the Viability Assessment material), and a suitable hard surface for the historic line of the Roman Road east of the access route. These can be secured through a suitable condition (Condition 30).
- 8.129 Historic England (HE) has requested that the surfacing for the access route across and adjacent to the historic line is not visually intrusive or distracting. This can be secured through a suitable landscaping condition (Condition 30). HE also set out that the scheduled section and as much as possible of the adjoining section should be presented and maintained as a legible surface feature. The Site Plan sets out that extent of the Scheduled Monument and portions of the historic line to the west would have a distinct surface material to the adjacent pitches and hard surfaces. No suggestions as to what this surface material may be are set out in the application but LA Officers consider that some form of dark grey gravel could be appropriate.
- 8.130 The proposed CSF boundary treatments include estate fencing, clipex fencing, sports fencing, and bunding. The estate fencing would be approximately 1.5m high and comprised of galvanised and pewter metal. It would be located on the site boundary to prevent public access when the facility is not open with the aim of avoiding social nuisances such as dog-fouling which clearly conflict with the operation of the site as a sports facility for all. Estate fencing style pedestrian gates are proposed on the northern and western extents of the CSF site. Low level fencing would be provided around the two natural grass rugby pitches and one natural grass football pitch. These boundary treatments can be secured through suitable conditions (Conditions 20, 33, 34, 45). Security gates would be sited at the internal vehicular route access and exit points and be secured through a suitable condition (Condition 44).
- 8.131 As set out in Paragraph 8.21 of this Committee report, it is considered necessary to condition the 1.8m high ATP sports fencing to a specific mesh design that must be coloured dark green to minimise the visual incongruence of it. New landscape bunding is proposed to the north of the CSF site along the boundary with the access road. This can be secured through a suitable condition (Condition 30).

- 8.132 In summary, the proposed boundary treatments are considered appropriate for the CSF site, would not have a deleterious impact on the open countryside by virtue of their design, colour or massing and can be secured through suitable conditions.

Design Summary – Community Sports Facility

- 8.133 In summary, the CSF site layout has been subject to an iterative design process before and after submission and is considered to be an effective and efficient use of land. Essentially, it is considered that the CSF provides suitably designed facilities in line with guidance of national governing bodies for rugby, football and athletics.
- 8.134 The size and orientation of the proposed formal sports pitches are driven to a significant extent by existing site constraints but nonetheless their configuration is considered to be satisfactory. The main rugby pitch is orientated on north/south axis in line with RFU guidance and the ATP is sited to avoid pipelines, easements and heritage assets. The clubhouse, notwithstanding its massing, is suitably designed for a Green Belt and would not comprise an incongruous presence. The detailed design of the ATP can be managed through conditions. The loss of the athletics training area set out in earlier site layout iterations is unfortunate but on balance of consideration necessary to provide a suitable site access. The internal layout of the clubhouse has also been informed by significant dialogue with third parties and is considered to represent an inclusive environment which can cater for all. Suitable internal specifications can be secured through a legal agreement. The proposal is considered to represent a significantly better designed facility than the existing Leigh Road site and that consented under 3/15/0789/COU. Appropriate hard and soft landscaping can be secured through suitable conditions. Boundary treatments, bunds and fencing can also be secured through suitable conditions (15, 33 & 34).

Housing – Illustrative Layout & Designs

- 8.135 The proposed housing area is an Outline application except for access. As such, the issues of scale, layout, appearance and landscaping within the housing area are Reserved Matters and hence would need to be subject to a subsequent application. An Illustrative Layout has been provided for the housing area and is supported by additional detail in the Design and Access Statement (DAS) and the Planning Statement (PS). Comment is provided below on the indicative designs provided. For reference, the issue of Access is addressed later in this Committee report.
- 8.136 The illustrative housing site layout is connected to the consented housing scheme to the north through two vehicular routes and to the Allocation Site access onto Leigh Road through the consented SANG route between the

housing and the proposed CSF. Pedestrian routes to adjacent housing and open spaces are also set out. The site layout is essentially on a grid layout which reflects the neighbouring character area in the consented housing scheme to the north. The grid layout therefore both integrates with the adjacent housing and would provide a distinct contrast to the more serpentine layouts in the north and centre of the adjacent housing area.

- 8.137 The housing site layout comprises eight residential blocks of varying sizes connected by a main spine route sited on a broad east-west axis. The residential block designs are considered suitably sized with defensible spaces at the front and rear of individual curtilages. The orientation of dwellings is mixed, reflecting the more formal grid layout, providing well defined boundaries at the western and eastern ends of the housing site. Essentially, the illustrative housing site layout sets out a suitable street hierarchy. Secondary roads are sited off of the spine road. Pedestrians route provide access to neighbouring area including other consented residential areas.
- 8.138 The western end of the housing site includes an area of open space. This precludes housing development being sited within 145 metres of the Wessex Water waste water plant to the west in line with the approach taken on previous application within the Local Plan Allocation Site. As such, the Illustrative Layout is considered to take suitable account of the need to address this material consideration. Nonetheless it is considered appropriate in line with the comments from Wessex Water to add a suitable condition on this issue (Condition 39) to inform any subsequent reserved matters layouts.
- 8.139 The illustrative housing site layout is comparatively dense at approximately 50 dwellings per hectare. However, the proposal suitably provides a mix of affordable and market housing sizes and as such it would be expected that the housing would be provided at such a density. Each house has a suitably sized rear garden commensurate with the size of the house. Each flat is sited with communal open spaces. Every resident would have access to some form of private or semi-private open space. Moreover, the proposed housing site is very closely located to a mix of open spaces on the wider Local Plan Allocation Site including the SANG located south of the A31 and the CSF itself.
- 8.140 The proposal therefore sets out a notable transition in density and character from north to south (DAS, p.65-66). This has been illustrated clearly in the aerial perspectives provided in the DAS, p. 70 and 73-74). The majority of the housing units are two-storey houses. The southernmost residential units are within three-storey blocks which provide most of the site's smaller homes. Essentially, it is considered that the southernmost blocks are acceptably scaled and would provide a suitable juncture to, and transition from, the built form of the wider Allocation Site.

- 8.141 The illustrations in the DAS set out that the colour of the three-storey residential blocks (pale grey/buff) would be quite distinct from that of the two-storey houses in the housing site (red/orange). Both brick colours are considered acceptable. The essentially regressive colour of the three-storey blocks is considered necessary given the comments from Historic England with regard to the development needing to provide suitable form and fabric given the setting of the Grade I Listed Canford School. The need for the detailed design to be informed by suitable evidence in line with Historic England's comments is set out in an informative.
- 8.142 The indicative landscaping for the housing area includes two significant areas of landscaping: the open area at the western boundary and site boundary adjacent to the A31. The detailed design landscaping strategy for these two areas will need to be informed by the final strategies necessary to address other material considerations such as surface water drainage and noise attenuation. The proposed pedestrian route in the western open space which demonstrates suitable connectivity with adjacent consented development parcels will need to be carried over into the reserved matters plans.
- 8.143 In summary, the Illustrative Residential Layout confirms that it is possible to achieve up to 174 residential dwellings taking account of the need for private and semi-private amenity spaces, access routes and vehicular parking. This conclusion is set out in an informative.

Overall Design Summary

- 8.144 The proposed CSF design and layout is efficient and functional, satisfactorily taking account of the identified constraints. The proposed clubhouse is suitably located and orientated within the site and has an acceptable height, footprint, massing, roof form, architectural vernacular and materials. The proposed landscaping strategy, including the hard surfaces, is considered to be suitable for the site. The proposed floodlight masts and boundary treatments are, subject to conditions, considered to be acceptable design for the site. Suitable design mitigation for heritage assets can be secured through conditions. The facilities are designed to be in accordance with national governing body requirements. It is considered that the proposal does not represent a departure from the Local Plan by virtue of a more intensive use of the land for leisure and outdoor sport than that hitherto consented.
- 8.145 The proposed housing area would be subject to a future Reserved Matters application which would address the detailed design issues of layout, scale, appearance and landscaping. As set out, the illustrative design provided is considered to be generally suitable in terms of layout, block size, dwelling orientation, amenity spaces, built density, building scale and materials. This is set out in an informative. Essentially, the Illustrative Residential Layout

confirms that it is possible to achieve up to 174 residential dwellings taking account of the need for private and semi-private amenity spaces, access routes and vehicular parking.

- 8.146 As such, subject to suitable conditions and informatives, the proposal has a satisfactory design and therefore accords with Local Plan Policies HE1, HE2 DES6 and DES11 and NPPF Paragraph 128.

Amenity

- 8.147 Local Plan Policy HE2 (Design of New Development) sets out the design of development must be of a high quality, reflecting and enhancing areas of recognised local distinctiveness. To achieve this, development will be permitted if it is compatible with or improves its surroundings in terms of relationship to nearby properties including minimising general disturbance to amenity.
- 8.148 NPPF Paragraph 127 sets out that development should create places with, inter alia, a high standard of amenity for existing and future users. NPPF Paragraph 170 sets out planning decisions should contribute to and enhance the local environment by inter alia preventing new and existing development from unacceptable levels of noise. NPPF Paragraph 180 sets out, inter alia, that planning decisions should ensure that new development inter alia mitigates and limits the impact of light and noise pollution on local amenity. The national Planning Practice Guidance sets out detailed planning guidance on amenity issues including light and noise.

Lighting

- 8.149 The applicant has provided an amended Lighting Impact Assessment (LIA) and Lighting Strategy (LS) (both Designs for Lighting, January 2019). The proposed CSF includes three main sources of potential light pollution: the floodlights, the clubhouse and within the parking areas. The EDDC Environmental Health Officer recommends a lighting strategy condition(s).
- 8.150 The LS (Paragraph 3.6.2) sets out that the proposed lighting for the parking area will be sufficient for a medium density of slow moving traffic and pedestrian usage for sports complexes⁴. The LS sets out that to reduce the potential for obtrusive light to occur, lighting of the car park will comply with the following criteria:

⁴ as defined in BS EN 12464:2014

- Luminaires will be column mounted at a height not exceeding 6 metres; this will limit the potential levels of obtrusive light contributed towards sensitive receptors to the north and west of the proposed development.
- All Luminaires must be installed with a tilt angle of no more than 5°;
- To ensure that the car park lighting is not switched on when it is not required, luminaires will be controlled electronically through a time clock system and a photocell-based control system; and
- The correlated colour temperature (CCT) of the lighting will not exceed 3000 Kelvin.

8.151 The LS sets out with regard to lighting for the artificial pitch that in accordance with the Football Association Guide to Floodlighting there is a need for a minimum average illumination of 180 lux. Floodlight columns should be no higher than 15m and that ultraviolet light (UV) filters will be fitted to all sports floodlighting luminaires. Lamps will be of the metal halide type or LED type.

8.152 The lighting for the ATP is acceptable for football. However, it is likely that it will be more intensively used by rugby players and as such the technical specifications will need to be in accordance with the relevant RFU guidelines. Rugby requires a lux level of 200 for matches at levels 2-5. However, the column height of 15m, the metal halide type or LED and UV filters are also suitable for rugby matches. The floodlight design can be secured through a suitable condition (Condition 26).

8.153 The LS sets out (Paragraph 3.7.5) that to minimise running costs and for flexibility of use, the lighting system should allow part illumination of the artificial pitch (half pitch and/or thirds) and a lower level of lighting for training which is a minimum maintained average illumination of 120 lux. If the pitch is not in full use, the lighting will only operate for the areas of the pitch that are in use, this is to prevent light wastage and unnecessary depreciation of the lamp life. This can be secured through a suitable condition (Condition 28).

8.154 It is considered that the modest increase in the lux levels for the artificial pitch would not in itself have a harmful impact on local general amenity during the periods in which it is operational.

8.155 The LS sets out (Paragraphs 3.8.1-3.8.4) that a natural grass rugby training pitch requires a lux level of 100. It is understood that the floodlighted natural grass rugby pitch will be used primarily for training particularly during weekday evenings. During these periods a lux level of 100 is considered appropriate. However, to provide a degree of flexibility in the use of the facility is considered reasonable to condition the lighting so that a lux level of 200 can be provided on Saturdays and Sundays only to 18:00 hours to enable full matches (at RFU levels 2 to 5) to be played on a natural surface in the

possible event that the main pitch is unavailable. This can be secured through a suitable condition (Condition 29).

- 8.156 The LS sets out (Paragraph 3.10.1) that lighting of the artificial pitch and the rugby natural grass pitch will be controlled via a control system that allows the floodlighting to be switched on between dusk and 22:00 hrs, outside of these hours, the floodlighting will not operate. Essentially, this is considered an appropriate strategy subject to the earlier weekend hours stipulated by the EDDC Environmental Health Officer. This can be secured through a suitable condition (Condition 27).
- 8.157 The LS sets out (Paragraph 3.10.3) that lighting of the access road and within the CSF car park will be controlled via a time clock and photocell system which switches the lighting on at suitable hours. The hours recommended in the LS are considered broadly acceptable. However, no outdoor lighting between 00:00 and 06:00 would accord with national planning guidance (PPG Paragraph 004 Ref: 31-004-20140306) and in this instance there appears little or no need for car park lighting before 06:30am. An extra half hour of car park light on Friday and Saturdays until 00:30 hours reflects the CSF clubhouse most likely intensive days of use for social activities. This issue can be addressed through a suitable condition (Condition 25).
- 8.158 The LS sets out (Paragraphs 4.1.1-4.1.4) that the indicative light spill from the CSF lighting, modelling the maximum adverse scenario, and subject to suitable conditions, would not have an adverse impact on existing local residents to the east and north of the site. There could however be a minor adverse impact on the future occupiers of one consented dwelling immediately to the west of the artificial pitch (unit 144).
- 8.159 The LS recommends (Paragraphs 6.1.1-6.1.4) that monitoring of the lighting is required to ensure compliance with the lighting strategy and to ensure that the light spill from the exterior lighting of the site does not exceed the predetermined light spill limits. Within one month of the first public use of the CSF, the exterior lighting will be assessed for compliance with the lighting strategy by a competent and suitably qualified lighting professional. This can be secured through a legal agreement clause.
- 8.160 Essentially, it is considered that subject to these conditions the proposed CSF lighting would be managed suitably so that local residents, with the exception of unit 144 on the consented but unbuilt scheme to the west of the CSF, would not be subject to potentially significant adverse impacts. It is considered that this issue could potentially be resolved through specific but as yet unidentified mitigation measures and/or amending the fenestration and orientation of the dwelling.

- 8.161 The landscaping strategy could have a modest but positive impact through reducing light through planting belts. It is considered that the proposed lighting, sited within a wider river valley subject to significant existing areas of urban development, and located at least 2.8km from the boundary of the designation, would not have a significant adverse impact on the protected areas of dark sky in the Cranborne Chase Area of Outstanding Natural Beauty. Broadly in line with the conclusion in the LIA (Paragraph 10.1.2), it is considered that it is unlikely that residents with views of the application site from the north (such as Colehill for example) would be subjected to an unacceptable increase in obtrusive light due to the separation distances and depending on the seasons, the extent of foliage, when considered in conjunction with the lighting strategy to be conditioned. The proposal does not include buildings with smooth, reflective building materials or water bodies, which could create polarised local light pollution.
- 8.162 The relationship between the proposed lighting and local ecology is addressed in the Biodiversity section of this Committee Report.
- 8.163 As such, the proposed CSF lighting strategy, subject to suitable conditions and a legal agreement, accords with Local Plan Policies HE2 and LTDEV1, Paragraphs 127 and 180 and the detailed planning guidance in the national PPG.

Noise

- 8.164 The proposed housing area within the Application Site is located adjacent to the A31 Wimborne Bypass (to the south) which is a significant source of white noise from vehicular movements.
- 8.165 The applicants have provided a Noise Impact Assessment (NIA) (24 Acoustics, 13 November 2018). The EDDC Environmental Health Officer generally agrees with the findings of the NIA and recommends a condition setting out suitable internal mitigation, including an external acoustic fence, for the housing area (Conditions 40 and 46).
- 8.166 The primary sources of noise within the CSF site, car parking and the clubhouse, are both sited centrally with sufficient separation distance from both existing and consented residential dwellings. EDDC Environment Health also comment on the clubhouse opening hours and potential for amplified music, highlighting that several similar sites have been used for occasional small to medium music festivals. These issues can be addressed through suitable conditions (Conditions 23 and 24).
- 8.167 Essentially, it is considered that the CSF site is not suitable for music festivals nor other potentially noisy activities not directly related to rugby, football, athletics or other similar sports, given the proximity of existing and consented

residential areas. A suitable clause in the legal agreement is recommended prohibiting the following activities within the CSF site in order to maintain local general amenity:

- Music Festivals
- Motorsports, Air Sports and Watersports
- Equestrian Sports including Polo
- Field Sports
- Shooting, Paintballing and Archery (and other similar events involving use of projectiles)
- Athletic Field events involving use of projectiles (javelin, discus, shot put and hammer)
- Golf and Golf practice
- Activities and events involving dogs (except registered guide dogs)and/or livestock
- Circuses, Carnivals and Funfairs
- Bonfires and Firework displays
- Outdoor Commercial Exhibitions or Auctions
- Car Boot Sales
- Camping and Caravanning

8.168 However, given the separation distances, it is considered that the clubhouse could be used for third party activities not related to rugby, football and athletics during weekdays and weekend evenings, at the discretion of the site freeholder and any main sporting tenant. The CSF site, including outdoor spaces, could also be used for third party non-sporting activities not listed above at weekends outside the rugby and football seasons at the discretion of the site freeholder, main tenant and any other sports club tenants. This could include for example daytime 'village' fetes and daytime/evening wedding receptions.

8.169 For the avoidance of doubt, the following outdoor sports, including both matches and training, are considered acceptable in principle for the CSF at all times and will be set out in a clause in the supporting Legal agreement:-

- Rugby Union and Rugby League (including Rugby Sevens and variants thereof)
- Association Football (including 5 or 7 aside and variants thereof)
- Athletics (except field events using projectiles), Cross Country Running, Triathlon and Orienteering

- Other potential outdoor Team Sports (Australian Rules Football, American Football, Gaelic Football, Basketball, Volleyball, Korfbal, Handball, Field Hockey, Lacrosse, Hurling and Shinty⁵)
- Other potential outdoor sports, subject to additional facilities being provided (Tennis, Lawn Bowls, Croquet)

The use of the natural and artificial pitches for sports use only can be secured through suitable conditions (Conditions 6 and 7).

8.170 As such, subject to condition setting out suitable noise mitigation in line with the NIA findings, the proposed housing and CSF accords with Local Plan Policy HE2 and the detailed planning guidance in the national PPG.

Privacy, Light and Overbearing Impact

8.171 The housing element of the proposal is an Outline application with siting and scale as reserved matters. Notwithstanding this, the LPA has the following comments on the Illustrative Residential Layout (IRL) Rev. B with regard to the amenity issues of privacy, light and over-bearing impact, which could inform the subsequent Reserved Matters application in the event of an Outline consent.

8.172 With regard to privacy, the IRL sets out a layout which generally provides sufficient separation distances between the front and rear elevations of dwellings. The rear private amenity spaces of units 158-161 (one bedroom houses) are small, essentially courtyards with a depth of approximately 5m. It is understood that the rear roof-light window serves bathrooms only. This internal first floor configuration would need to be carried forward into the detailed design in conjunction with close attention to the fenestration on the south facing elevation of unit 162 (a single storey dwelling). Close attention will also need to be paid to the fenestration for units 81, 82, 108 and 120 given the proximity of the adjacent three storeys flatted blocks. It is also considered that no significant privacy issues arise when considering the adjacent consented layouts

8.173 With regard to overbearing impact, it is considered that all of the proposed units are essentially domestic in scale ranging between 1, 1.5, 2, 2.5 and 3 storeys. Essentially, given this scale of development, there is no over-bearing impact from buildings with excessive height and/or massing, both within the site and when considering the adjacent consented layouts.

⁵ The CSF is not considered to be suitable for 11 a-side Cricket by virtue of the proposed layout which includes hard surfaces for parking and the line of the Roman Road

- 8.174 With regard to loss of light, it is considered that no significant issues have been identified. All the amenity issues will be reviewed in detail in the event of a subsequent detailed design application.

Odour

- 8.175 The application has an Odour Impact Assessment (OIA) included in the supporting documentation. The OIA concludes that residents in the proposed residential development would be likely to experience odours from the sewage works on occasions. EDDC Environmental Health considers that the odours residents are exposed to is unlikely to be a statutory nuisance but will cause some adverse impact. Wessex Water (the local foul water provider) set out in their representation that they believe there is the potential for the new development to be at risk from odour.
- 8.176 However, neither Wessex Water nor EDDC Environmental Health set out any suitable conditions to manage odour. Essentially, it is considered that the proposal reflects the design approach taken in the adjacent residential developments which sited residential dwellings at 145m or beyond from the wastewater treatment facility to the south-west. As set out (Paragraph 8.109 of this report) a suitable condition (as used for 3/15/0789/COU for example) can secure housing an appropriate distance from the facility to ensure odour would not be a regular statutory nuisance (Condition 39).

Flies

- 8.177 The application has a Sewage Fly Nuisance Assessment (SFNA) included in the supporting documentation. EDDC Environmental Health set out that whilst flies originating from the Wimborne Sewage Treatment Works (WSTW) are likely to have some adverse impact, given the separation distance (180m) and the suitable climatic conditions, it is unlikely to be a statutory nuisance. Wessex Water set out in their representation that they believe there is the potential for the new development to be at high risk from potential fly nuisance.
- 8.178 The proximity of potential helical fly swarms originating from the WSTW is a material constraint. However, as set out the proposed housing areas are located at least 145m from the WSTW site boundary and approximately 180m from the filter beds within the WSTW. It is also considered that the detailed landscaping (to be determined in a subsequent Reserved Matters application) for the western open space has potential for new planting which could assist in mitigating the impact of flies.
- 8.179 The distance between the WSTW site boundary and the proposed CSF is approximately 470m (to the nearest floodlit pitch). The supporting Sewage Fly Nuisance Assessment sets out (Paragraph 3.13) that the proposal would not

have significant impacts upon sports pitch (users) during those times when all conditions conspire to maximise the movement of flies during floodlit periods (evenings during Spring and Autumn). EDDC Environmental Health nor Wessex Water raised any specific concerns in relation to the impact of flies on users of the proposed CSF. EDDC Environmental Health made no comment on air quality generally.

Other Amenity Issues

- 8.180 It is also considered appropriate in the interests of local general amenity to add conditions relating to hours of construction works (all of the Application Site), hours of CSF maintenance works, obscure glazing for the CSF clubhouse WC windows and mechanical ventilation for the CSF clubhouse ground and first floors (Conditions 35, 36, 42, and 43).
- 8.181 There is also a need to secure suitable management of construction vehicles. This can be secured through two suitable conditions which distinguish between the construction management of vehicles for the housing and those elements of the CSF to be delivered by the site promoters, and that to be delivered by the LPA (natural/artificial pitches). By having two distinct conditions neither party could be stymied in progressing the relevant works by the failure of the other to discharge the condition (Conditions 37 and 47).
- 8.182 Therefore, subject to suitable conditions and legal agreements, the proposal has an acceptable impact on local general amenity, and as such accords with Local Plan Policies HE2 and LTDEV1, NPPF Paragraphs 127 criterion (f), 170 and 180.

Highways, Access and Parking

- 8.183 Local Plan Policy WMC8 sets out that vehicular access (for the Allocation Site) is to come from Leigh Road to the east of Brookside Manor. Pedestrian and cycling access is to be provided throughout the New Neighbourhood. Pedestrian and cycle improvements should be provided to the town centre and Castleman Trailway.
- 8.184 Local Plan Policy KS9 sets out that in accordance with the Local Transport Plan (LTP3) development will be located along and at the end of the Prime Transport Corridors (PTC) in the most accessible locations and supported by transport improvements that will benefit existing and future communities. Improvements will be made to PTC to include junction improvements, traffic management, enhanced public transport services and improvements to walking and cycling. PTC proposed for improvement include the B3073 (Leigh Road) from Wimborne town centre to Ferndown via Wimborne Road East and West. Local Plan Policy KS11 sets out a number of general requirements in

relation to new development, including that it be designed to provide safe access onto the highway network. Local Plan Policy KS12 sets out that adequate vehicle and bicycle parking should be provided to serve new development.

- 8.185 Dorset County Council Highways has raised no objection to the proposal subject to suitable conditions. DCC Highways has confirmed that this new access onto Leigh Road is acceptable in principle. The proposed revised site access has been relocated eastwards to the extent that approximately half of the access is located outside the Green Belt and within the urban area at Canford Bottom as defined in the Local Plan. Detailed highway design can be secured through a suitable condition (Condition 16). Vehicular parking in the CSF can be secured in principle for that use (Condition 32).
- 8.186 The proposal includes a revised vehicular and pedestrian/access onto Leigh Road to the east of Park Farm Cottages. The Access area is identified on the submitted Land Use Plan (Ref: P1-16) (turquoise shaded area). This would provide an alternative arrangement to the consented access in 3/15/0789/COU. The proposed access would very likely resolve the outstanding highway safety issues identified in November 2018 by Local Highway Authority Officers with regard to the two existing consented accesses proposed to serve development within the Local Plan Allocation Site. Any theoretical conflict between the consented and proposed accesses either side of Park Farm Cottages would be resolved through a suitable 'Option 1' (consented access) or 'Option 2' (new access) clause within a legal agreement. It is the view of LPA Officers that Option 2 would more likely resolve the identified highway safety conflicts (as identified by DCC Highways) between all of the Allocation Site accesses than Option 1.
- 8.187 The CSF internal access road is an entrance and exit route only. It has sufficient capacity for large vehicles (coach, refuse lorry) to enter and exit. The exit would be onto the 'SANG' lane consented in 3/15/0789/COU. Both the entrance and exit would be controlled with electronic gates to preclude unauthorised entry (Condition 45). Vehicular speeds within the CSF can be controlled through traffic calming which can be secured through suitable condition (Condition 41).
- 8.188 The vehicular parking for the CSF 207 dedicated spaces on a mix of hardtop and hoggin surfaces, an additional 26 spaces on the footprint of the future clubhouse expansion area and two dedicated hard surface coach bays rear the site exit. In the event of no coaches, this could approximately provide an additional 20 parking spaces. As such, the CSF has approximately 250 parking spaces, which is considered to be a satisfactory provision and approximately 80 additional spaces over that set out in the Illustrative Plans for the consented sports pitches under 3/15/0789/COU. Suitable conditions

can deliver an appropriate level of disabled parking spaces within the CSF site prior to first use of the clubhouse (Condition 45).

- 8.189 The CSF includes a network of internal hard surface footpaths which it is considered provide a suitable safe network for all users. Where footpaths cross the internal access route, they would have priority. The amended Site Layout also includes a 3m wide hard surface pedestrian and cycle route outside the CSF parallel to the SANG lane.
- 8.190 DCC PROW has stated that the existing right of way would need to be legally diverted before works began and suitably surfaced. This can be secured through a suitable condition (Condition 10). For reference, with regard to the proposed new access onto Leigh Road, the issues of the Green Belt and Common Land are addressed elsewhere in the Committee Report.
- 8.191 Highways England confirmed to LA Officers on the 11 March 2019 that the proposal does not have a severe impact on the operation of the Canford Bottom junction and are therefore satisfied that the proposed mitigation scheme proposed by the applicants is not required to mitigate the traffic impact on the Strategic Road Network. However, DCC Highways confirmed on 12 March 2019 that the proposed off-site highway improvements would be needed to mitigate the impact on the Local Highway Network. These works will be secured through a suitable Condition (Condition 15).
- 8.192 As such, subject to suitable conditions and informatives, the proposal accords with Local Plan Policies WMC8, KS11 and KS9.

Heathland Mitigation

- 8.193 Local Plan Policy ME2 sets out inter alia that any residential development between 400m and 5km of these areas will provide mitigation through a range of measures as set out in the Core Strategy and Dorset Heathlands Planning Framework Supplementary Planning Document including provision of on-site and off-site suitable alternative natural greenspace or provision of other appropriate avoidance/mitigation measures.
- 8.194 The Dorset Heathlands SPD Appendix E contains guidelines for the quality of SANGs and includes a checklist of requirements. This includes the provision of vehicular parking arrangements, pedestrian access, design and length of walking routes, signage provision, advertising of the SANG to ensure members of the public are aware of it, inclusion of habitats, at least semi-natural character, connections to the public right of way and adequate space for dogs.
- 8.195 The heathland mitigation proposed in this application relies on the SANG consented in the Outline Application 3/15/0789/COU. The legal agreement for

3/15/0789/COU sets out that the SANG would have capacity to serve that development and would have residual capacity to serve further units. As such, the applicants need to demonstrate that the SANG has capacity for the mitigation necessary for 479 dwellings (305 consented plus 174 proposed).

- 8.196 NE has objected to the proposal given the need for additional information in the form of a site specific Visitor Survey. This was subsequently undertaken the applicants in February 2019 and submitted to the LPA on 25 February 2019. Natural England was re-consulted accordingly. As of 1 March 2019 no response had been received from NE.
- 8.197 LPA Officers consider it is necessary to disaggregate the capacity for the SANG consented in 3/15/0789/COU from that for the adjacent, smaller SANG consented for another development parcel in the Leigh Road Allocation Site (3/15/0839/FUL). As each of the site promoters are not signatories to the others legal agreements there is no requirement for each to provide heathland mitigation to the other; they both essentially seek to 'consume their own smoke'. As such, there is no requirement, contrary that suggested in the NE January 2019 representation, that the SANG consented in 3/15/0789/COU should also accommodate development sought by the promoters of the other SANG within the Allocation Site (Wyatt Homes).
- 8.198 The applicants have provided an updated Visitor Survey (February 2019) in line with the request from NE. The Visitor Survey methodology is considered to be satisfactory and in line with prior NE advice. The survey confirms baseline visitor levels within the SANG as requested by NE. NE previously identified (letter from Natural England, February 2015) parameters on which the 3/15/0789/COU SANG capacity could be calculated, namely that SANG should be delivered using the delivery formula of 14ha/1000 new residents. This formula was based on the understanding that the SANG was subject to existing walker/dog-walker use, both on Statutory Public Rights of Way located within the approved SANG area, and informal tracks within the approved SANG area.
- 8.199 The applicants have concluded (Ead Ecology; 25 February 2019) that the Visitor Survey has identified that public access still occurs and therefore supports NE previous position in terms of delivery formula. As such, the residential-unit capacity of the approved Stour SANG (3/15/0789/COU), which covers an area of 16.9ha, is 502 residential units (based on 14ha/1000 residents and an EDDC unit-occupancy rate of 2.4).
- 8.200 Essentially, Officers concur with this conclusion drawn. The Visitor Survey has demonstrated that there is sufficient capacity for both the consented 305 unit scheme and the proposed 174 unit scheme given that there is still a residual

capacity of 28 units and that there is no need to accommodate mitigation from other development parcels in the Local Plan Allocation Site.

- 8.201 With regard to the latter point above, NE have confirmed in their updated consultation response to another application within the Allocation Site (3/17/0848/FUL) and its heathland mitigation, the following:

NE can confirm that the quantum of mitigation provided within the SANG land being made available by this phase of the developments enabled by the Local Plan Allocation policy WMC8 will have sufficient capacity to absorb the additional visitor pressure. NE is cogniscent of the additional SANG area to the east (Note: that consented in 3/15/0789/COU) which will provide the users with a much wider access to natural greenspace in the near future and which for users will represent a single area, this offers a further level of comfort that the proposal will function as desired.

- 8.202 As such, NE has confirmed that the other development applications in the Allocation Site have sufficient mitigation capacity for their schemes and that given that the two SANG are adjacent to each other, and in the public's perception will likely be seen as one open space, there is also a degree of informal comfort that sufficient mitigation has been provided.
- 8.203 NE comment that the approved SANG does not form part of the application red line site area. However, it does not need to be since the SANG has been approved in full under application 3/15/0789/COU.
- 8.204 NE also suggest a legally binding condition is necessary which requires the full area of SANG (including the car park) to be available at first occupation. As set out, there is already a s106 legal agreement attached to 3/15/0789/COU which requires this stipulation. This includes provisions for the SANG to be signed off and there is also an agreed management plan in place. The s106 legal agreement attached to this applicant in the event of a consent will require the SANG to be in place and have been offered to the Council prior to the first occupation of this proposed development.
- 8.205 The SANG Maintenance Contribution under the existing s106 covers the maintenance of the whole SANG. If the SANG is delivered by Gleeson, as currently anticipated, it will be done under the existing permission and pursuant to the existing S106 Agreement and so the obligations therein to offer to the Council and to pay the maintenance contributions will apply. As such, in line with the comments from EDDC Countryside there is no need or justification for any further SANG maintenance contributions.
- 8.206 There is a land transfer lease appended to the 3/15/0789/COU S106 which supports the delivery and management of the SANG. The terms of the lease to the Local Authority include inter alia 85 years, and this was agreed

specifically to cover the possibility that 80 years may not remain post last occupation (from 5 January 2018). Essentially, it is considered that reasonable to conclude that this proposal will be constructed and occupied by 5 January 2023 notwithstanding the need for reserved matters consent.

- 8.207 The proposed SANG is within close walking distance of the proposed development, and beyond, and for those may choose to drive, the consented scheme 3/15/0789/COU includes a small car park with 10 spaces for SANG users. NE has requested additional parking spaces, but given the proximity of the proposed housing to the consented SANG, it is considered that there is no requirement to do so in this instance.
- 8.208 The Application Site lies within 5km but beyond 400m of Dorset Heathland which is designated as a Site of Special Scientific Interest (SSSI) and as a European wildlife site. The proposal is for a 174 net increase in residential dwellings, which in combination with other plans and projects and in the absence of avoidance and mitigation measures, is likely to have a significant effect on the site. It has therefore been necessary for the LPA, as the appropriate authority, to undertake an Appropriate Assessment (AA) of the implications for the protected site, in view of the site's conservation objectives.
- 8.209 The Appropriate Assessment (AA) has concluded that the mitigation measures set out in the Dorset Heathlands 2015-2020 SPD and Local Plan Policy WMC8 can prevent adverse impacts on the integrity of the site. Natural England was consulted on the AA and advised the LA on 12/3/2019 that the AA was satisfactory.
- 8.210 The SPD strategy includes Sustainable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM) as required by Local Plan Policies WMC8 and ME2. SAMM, which forms the second strand of the mitigation strategy, requires that contributions be secured via s106 from all development where there is a net increase in dwellings. The strategic approach to access management is necessary to ensure that displacement does not occur across boundaries. As of January 2019, the SAMM contributions are £263 per house and £179 per flat. Given the housing mix in the Application Form, this equates to a total of £41,142, which in addition to a £1000 administration fee, totals £42,142 to be secured through a s106 legal agreement.

Summary

- 8.211 The applicants have demonstrated that there is sufficient capacity within the SANG consented in 3/15/0789/COU to mitigate the proposed residential development. Suitable provisions are in place to secure the SANG. There is no need for further maintenance contributions. An Appropriate Assessment of the proposal concluded that, with the above mitigation secured the

development will not result in an adverse effect on the integrity of the designated sites. As such, it considered that the applicant has addressed all of the outstanding issues identified by Natural England in their representation of 4 February 2019.

- 8.212 Therefore, subject to suitable conditions and a legal agreement, the proposal accords with Local Plan policy ME2.

Biodiversity

- 8.213 Local Plan Policy ME1 sets out to protect, maintain, and enhance the condition of nature conservation sites, habitats and species.
- 8.214 The application includes an Ecological Impact Assessment (EciA) (November 2018), Assessment Addendum (21 December 2018) and Biodiversity Mitigation and Enhancement Plan (BMEP) (20/2/2019). The BMEP has been certified by DCC Natural Environment Team. Necessary mitigation can be secured through suitable conditions securing a Landscape and Ecological Management Plan (LEMP) and Landscape and Ecological Management Strategy (LEMS) (Conditions 13 and 14).
- 8.215 Natural England set out in their representation (4/2/2019) that the issue of bats and lighting requires a planning condition which requires the applicant to submit a strategy indicating the specification and location of appropriate lighting to avoid impact on bats. This is considered acceptable and can be secured through a suitable condition (Condition 48).
- 8.216 The EciA (Paragraph 4.1) sets out that any retained grassland verge associated with Leigh Common SNCI would be protected from potential damage and transgression of machinery during construction by the use of temporary barriers. Measures to control dust and run-off would be specified within a Construction Environmental Management Plan (CEMP) for the site; ecological protection measures would be detailed in a Construction Ecological Management Plan (CECoMP), which would be appended to the CEMP. A CEMP can be secured through a suitable condition (Condition 49).
- 8.217 As such, the proposal subject to suitable conditions accords with Local Plan Policy ME1.

Flood Risk and Drainage

- 8.218 Local Plan Policy ME6 sets out inter alia that all developments will be required to demonstrate that flood risk does not increase as a result of the development proposed, and that options have been taken to reduce overall flood risk. Post-development surface water run-off must not exceed pre-development levels and options should have been sought to reduce levels of

run-off overall. This will primarily be through the use of Sustainable Drainage Systems (SUDS) and a range of flood resistance and resilience measures. Space for such measures should be set aside within larger developments.

- 8.219 The National Planning Practice Guidance (PPG) sets out detailed considerations for wastewater in planning applications.
- 8.220 The Lead Local Flood Authority (LLFA) (Dorset County Council) set out in their representation that the wider site area is seen to fall within Flood Zone 1 (low risk) as indicated by the Environment Agency's (EA) indicative mapping of fluvial flood risk. However, there is thought to be some theoretical risk of surface water flooding to elements of the site during severe rainfall events (1:1000 year). This theoretical flood risk is shown by available mapping to generate significant ponding within both the north-eastern corner of the residential element (outline) and to the south of the proposed sports facilities (full) which form this hybrid application. South of the application site, and beyond the adjoining A31 bypass, are extensive areas within Flood Zones 2 & 3 (moderate / high risk), known to be at significant risk of fluvial flooding associated with the River Stour which is aligned approximately 250m to the south.
- 8.221 The applicant has provided amended and additional drainage information to the LLFA which removed their initial objection (17/1/2019). The revised information sets out that the proposed surface water drainage area to the south of the CSF which has consent under 3/15/0789/COU for that purpose. As such, the LLFA has no objection to the proposed drainage strategy subject to two pre-commencement conditions and informative (Conditions 50 and 51).
- 8.222 Wessex Water (WW) has provided detailed comments on the existing sewerage infrastructure, foul drainage and surface water drainage. The comments on the easements on the CSF site are acknowledged and accepted as a site constraint. LA Officers investigated the potential to relocate the existing strategic pumped sewers away from the natural grass pitches but this was of such an estimated cost as to make the entire proposal unviable. The LA can confirm that the siting of the clubhouse is away from pipelines and easements. The siting of the ATP is such that it has only a very slight (approximately 0.5m) intrusion into the easement for one sewer and it has been verbally agreed with WW that this would not comprise a significant constraint to their operations.
- 8.223 WW has confirmed that they will seek to work with the LA and the applicants in the wider Allocation Site to agree an overall foul water drainage strategy and will programme any improvements works that are required to accommodate new development. The proposed foul water strategy depends in part on infrastructure associated with the adjacent scheme 3/15/0789/COU.

This is acceptable in principal as it avoids unnecessary duplication of infrastructure but will necessitate a suitable pre-commencement condition given the possibility that the latter does not come forward (Condition 12).

- 8.224 As such, the proposed surface water and foul drainage strategies are acceptable in principal subject to suitable conditions (Conditions 12, 50 and 51), would not give rise to unacceptable flood risk, and therefore in accordance with Local Plan Policy ME6 and the relevant national guidance in the PPG.

Infrastructure

- 8.225 The Local Plan Core Strategy Vision (Paragraph 3.5) set out that developments will make appropriate contributions to infrastructure.

- 8.226 NPPF Paragraph 34 sets out that plans should set out the contributions expected from development. This should include setting out the levels and types of affordable housing provision required, along with other infrastructure (such as that needed for education, health, transport, flood and water management, green and digital infrastructure).

Community Sports Facility

- 8.227 A legal agreement and where appropriate, suitable conditions, will secure the development of the CSF. The total cost of the CSF is approximately £5.0m. This includes a contribution to the Local Authority of £1.41m to provide the natural grass pitches, the artificial pitch and the floodlighting. The delivery of these elements will then be the responsibility of the Local Authority. The contribution will be staggered at the 35th (610k) and 100th (800k) residential occupation. The first portion of the contribution will fund the natural grass pitches, their drainage and floodlights. The second portion of the contribution will fund the artificial turf pitch. A plan will be included within the Legal agreement which demarcates the extent of the pitch areas to be delivered through the contribution of £1.41m.
- 8.228 The residual elements of the CSF, at an estimated cost of £3.6m, including the hard surfaces, vehicular parking, service provision and the clubhouse will be provided by the site developer. As set out, these elements will be secured and delivered through a combination of suitable conditions and a legal agreement.
- 8.229 The delivery of all pitches will be project managed by the Local Authority in broad conformity with the supporting Agronomy Report. For reference, it is anticipated that the natural pitches will take at least 12 months to completion given the need for landscaping, pitch drainage and grass growth. The artificial pitch is, essentially, an engineering project that would take approximately 4-5

months to complete. The pitches can be secured through a s106 contribution and a suitable condition (Condition 18).

- 8.230 The legal agreement will include a schedule of delivery for the significant identified elements of the CSF tied to the occupation of the proposed 174 residential dwellings. These elements include the clubhouse and hard surfaces including car parking. These will be delivered in phases by the site promoter in parallel with the construction of the residential dwellings. It is envisaged that the clubhouse will be delivered at approximately the occupation of the 160th residential dwelling. The legal agreement will also include building specifications for the clubhouse. Secondary elements tied to the occupation of the proposed 174 residential dwellings including fencing, security gates and bunds can be secured through suitable conditions (as set out in this report).
- 8.231 However, interest in the future freehold acquisition of the CSF by Wimborne Minster Town Council (WMTC) has been formally set out to LA Officers. It is therefore proposed that the supporting legal agreement will include a clause offering the option of the freehold of the CSF to WMTC in the first instance, subject to the land being retained as open space, not being redeveloped for commercial uses and in perpetuity, and subject to an agreed Service Level Agreement with the LA (see below).
- 8.232 The future detailed operation of the proposed CSF will likely be subject to separate Service Level Agreement (SLA) to be determined outside of Planning. Discussions on this issue with local stakeholders are ongoing and are being led by the Christchurch and East Dorset Community and Open Spaces Manager. The artificial turf pitch will have no restrictions on how many times it can be used during an average week (unlike natural grass pitches). However, it will be intensively used and there could be a degree of competition for its use, particular weekends and evenings, between WRFC, other tenanted CSF clubs and local 5/6 a-side football. WRFC would likely manage inter alia the first floor social spaces in the CSF clubhouse.
- 8.233 As such, the following are recommended as broad principles to be included within a subsequent service level agreement between the LA and other interested parties that parties seeking the freehold of the CSF would have to abide by:-
- WRFC will have the first opportunity to be the lead tenant of the CSF with responsibility to manage all of the facility, subject to a Service Level Agreement (SLA) and Business Plan;
 - That WRFC can retain revenue derived from the facility;

- That WRFC will have first refusal on unrestricted access to the ATP for at least two evenings (18:00 hrs onwards) per week and on Sundays (for junior rugby);
- All other CSF tenanted clubs will have first refusal on unrestricted access to the ATP for at least one evening per week;
- That the ATP is free for at least one evening per week for local 5/6/7 a-side football matches;
- That WRFC and all other tenanted clubs work constructively together to facilitate a flexible approach, to be agreed in an SLA, to using the ATP on Saturdays with matches taking precedence over training;
- That the clubhouse changing rooms shall be non-gender specific and can be used by all at all times.

Other Contributions

- 8.234 An additional s106 contribution of £1.0m has also been agreed towards local infrastructure, which will be index linked. This includes contributions towards SAMM (£42,142) and local surgeries (£13,920). The SAMM contribution is in line with the proposed typology (houses or flats) mix and the January 2019 contribution levels set out on the Dorset for You website⁶. The NHS Dorset Clinical Commissioning Group estimates that the proposal would result in an impact on the local primary and community care and as such have requested a financial contribution towards a new surgery consulting room in the local area. This will have a clause in the s106 legal agreement setting out that the funds must be invested in local health infrastructure within five years or the funds will be returned.
- 8.235 The residual quantum after these contributions is therefore a contribution £943,938 which will be divided between Education and Highways.
- 8.236 The need for off-site highway works at Canford Bottom was confirmed by DCC Highways on 12 March 2019 in light of the consultation response from Highways England on 11 March 2019.
- 8.237 As such, there are two potential options for the residual non-CSF s106 funds. Option A is to fund the off-site highway works at a cost of up to £500k, with the residual funds (£453,938) being allocated to Education. The applicant's consultant has estimated the cost of the off-site highway works at £460k. A suitable clause will be added to the s106, so that in the event of a project underspend (from a maximum of £500k) on the potential off-site highways works, these funds are then given to the Local Education Authority to invest in local school projects.

⁶ <https://www.dorsetforyou.gov.uk/planning-buildings-land/planning-policy/joint-planning-policy-work/heathlands/dorset-heathlands-planning-framework.aspx>

- 8.238 In the event that it is determined that any off-site highway improvement works are not necessary, then the residual non-CSF funds (£943,938) will be invested in local education.
- 8.239 In the event that Highways England and/or DCC Highways set out in their representations that off-site highways works are necessary to enable the proposal to be acceptable in planning terms then the Officers clear recommendation is to secure suitable contributions for them in a s106 legal agreement. In the event of this being secured the contribution to schools will be substantially less than that sought by the Local Education Authority. However, in this instance this is considered on balance to be acceptable as without the off-site highways works the proposal could potentially not be acceptable in principle. An update will be provided at the meeting
- 8.240 Natural England suggested that funding towards a project to restore a leat associated with the River Stour. No robust evidence has been provided to the LPA to justify a contribution towards this projection. Nor has the scope of any possible engineering works been provided. As such, this proposed project does not meet the NPPF Paragraph 56 tests for developer contributions.

Community Engagement and Equalities Act

- 8.241 The Christchurch and East Dorset Statement of Community Involvement (SCI) (2016) primarily applies to Local Plan preparation but the broad principles are also applicable to major planning applications.
- 8.242 The NPPF Paragraph 39 sets out that early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Paragraph 40 sets out that LPA should encourage any applicants to engage with the local community and consultees before submitting their applications. Paragraph 41 sets out that the more issues that can be resolved at pre-application stage including the need to deliver improvements in infrastructure and affordable housing, the greater the benefits. Paragraph 42 sets out that the participation of other consenting bodies in pre-application discussions should enable early consideration of all the fundamental issues relating to whether a particular development will be acceptable in principle.
- 8.243 The Localism Act 2011 makes pre-application consultation a statutory obligation for certain developments. It requires developers to inform nearby residents and businesses of their proposals, allowing local people a chance to comment at a stage when there is genuine scope to amend the proposal.

8.244 The Equalities Act 2010 sets out the Public Sector Equalities Duty. All public bodies in discharging their functions must have due regard to the duty. There are three main aims of the duty:

- removing or minimising disadvantages suffered by people due to their protected characteristics;
- taking steps to meet the needs of those in protected groups where the needs are different from others;
- encouraging participation in public life or activities where participation is disproportionately low

8.245 The Applicants have provided a Statement of Community Involvement (November 2018) which summarises pre-application discussions and community engagement undertaken including a public consultation event held on 21 September 2018 in Wimborne.

8.246 Essentially, it is considered that the Applicants have pro-actively engaged with the local community in line with the Christchurch and East Dorset Statement of Community Involvement 2016, NPPF Paragraphs 39 and 40, and the Localism Act. LPA Officers have also engaged with the local community including ongoing discussions with local sports clubs over the design and specification of the CSF, presentations to local sports club members and meetings with Wimborne Town Council.

8.247 Sport England provided comment on the concern they would have if there were no cubicles to be included in the shower area, as communal showers being in the 20th century and do not actively promote sport in a number of areas in the community including BME groups, transgender communities and people with body image issues.

8.248 The Clubhouse Plans (Ref: P1-05 Rev. A) do not set out a level of detail which includes the specification of the shower areas of the 6 ground floor changing rooms. However, the specifications of the clubhouse will be set out in a Legal agreement and this could include for 2 of the 6 changing rooms to have individual shower cubicles. This could ensure that there would be suitable facilities to shower for both male and female patrons who are within the community groups identified in the Sport England representation. The RFU have subsequently confirmed that they are content with this element of the proposal.

8.249 Following LA Officer discussions with local sports clubs, it was decided that the 6 changing rooms would all be gender neutral i.e. there would be no specific male and female changing rooms, and that this would be managed on a day-to-day basis. For example, if the site hosted a ladies rugby tournament with multiple teams, they would not necessarily be limited to 2 or 3 changing

rooms and instead could potentially have up to the full quota of 6 changing rooms available. This can be secured through the legal agreement.

8.250 Wimborne RFCs representation highlighted that their club has a fully trained Safeguarding Officer in line with RFU requirements and guidelines, and an operating Health and Safety Policy to support the use of facilities. Officers consider that the clubhouse plans support this through the following:

- lift to provide access to the first floor social spaces
- dedicated baby changing room on first floor
- ground and first floor accessible WCs
- security door between player changing rooms and official changing rooms
- capacity for accessible parking adjacent to the clubhouse

The proposed clubhouse will also be required to comply with Building Regulations which have their own criteria to apply for the design of buildings which also has due regard to the Act.

8.251 The CSF outside spaces also includes accessible pedestrian routes and disabled parking spaces.

8.252 As such, it is considered that the proposal has demonstrated satisfactory community engagement and the LPA has made due regard to the Public Sector Equalities Duty. Therefore, subject to suitable conditions and legal agreements, the proposal accords with the Christchurch and East Dorset SCI, the NPPF Paragraphs 39-42, the Localism Act 2011 and the Equalities Act 2010.

Other Matters

8.253 Bournemouth Airport does not object to the proposal subject to a Bird Strike Management Plan (BSMP) in line with that consented under 3/15/0789/COU. As such, subject to a condition (Condition 11) providing a suitable BSMP, which would inform the detailed design in any subsequent, reserved matters application, the proposal accords with NPPF Paragraph 95.

8.254 Natural England set out in their representation that the LA must be satisfied that the loss of Common Land along the road verges of Leigh Road is appropriately considered and addressed by the applicant. Dorset County Council Regulatory Committee (6 December 2018) approved an application under S.19 of the Commons Act 2006. Notwithstanding any successful challenge to this decision, this would mean that the land to the south side of Leigh Road, and between the approved access (Ref: 3/15/0789/COU) and the

Wyatt Homes access (Ref: 3/14/1097/FUL) is no longer designated Common Land.

- 8.255 In this instance, there is a wide highway verge in this location and this falls entirely within the highway and outside common land. The revised access road within the Local Plan Allocation Site would only result in the loss of land hitherto consented for recreational open space. As such, the LA is satisfied that the proposal would not result in the loss of any common land in this instance.
- 8.256 EDDC Environmental Health acknowledges that the site is essentially greenfield but nonetheless recommends a suitable condition (Condition 17). As such, subject to a suitable condition, the proposal accords with NPPF Paragraph 179.
- 8.257 The supporting Air Quality Assessment (December 2018) sets out that the impacts associated with additional vehicle emissions produced by the development are predicted to be negligible at the majority of receptors. As such, mitigation to reduce potential impacts is not considered necessary. EDDC Environmental Health had no comment on this issue. As such, the proposal does not conflict with the NPPF or policy DES2 of the East Dorset District Local Plan 2002.

Planning Balance

- 8.258 Core Strategy Policy KS1 (Presumption in Favour of Sustainable Development) sets out that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.
- 8.259 The CSF and access elements of the proposal is considered to be inappropriate development in the Green Belt by virtue of the impact on openness, some encroachment into the countryside by the proposed access and community sports facility clubhouse and ATP, and some limited 'other harm'. However, it is considered that the very significant social benefits of the CSF, the revised access arrangements which serves the application site and potentially all of the Local Plan Allocation Site without covenant or common land constraints, and the potential through relocation of the local rugby club to instigate the regeneration of urban land at Leigh Road are 'very special circumstances' which outweigh the inappropriateness of the proposal. No suitable alternative sites outside of the Green Belt in the local area have been identified which could alternatively home the proposed Community Sports Facility.

- 8.260 The proposed housing is located outside the Green Belt and within a Local Plan Allocation Site. The proposal would represent an efficient and effective use of land for mixed-use development in line with the clear direction set out in NPPF Section 11. The proposal would provide a significant boost to the housing land supply in East Dorset at a time when the Government considers that the recent reported under-delivery of housing in the area is such that a 20% buffer should be applied in line with NPPF Section 5. The benefits of providing significant additional housing within a Local Plan Allocation Site, taking into account the Housing Delivery Test figures for East Dorset in February 2019, outweighs the fact that the consented total as of March 2019 (540 dwellings), would clearly be in excess of the non-ceiling figure (350 dwellings) set out in Local Plan Policy WMC8.
- 8.261 The proposed housing includes a significant number of affordable dwellings (49 units at 28%). The housing mix, for all tenures, is generally in line with the East Dorset Strategic Housing Market Assessment (SHMA).
- 8.262 The illustrative design for the proposed housing provides a suitable basis for a subsequent Reserved Matters application. The proposed density (50 dwellings per hectare) is considered an efficient use of land and to be expected given that the proposal accords with the SHMA in terms of the meeting the need for smaller dwellings.
- 8.263 The proposal would provide a significant benefit to the local community in the form of the Community Sports Facility (CSF). The CSF will be delivered solely through developer contributions arising from this proposal, and as such is indivisible from the delivery of the housing, and has the potential to home at least three local sports clubs in a modern, inclusive and accessible facility. The proposal represents a significant step change in the intensity of use of the land in line with the comments from EDDC Countryside. The release of the existing rugby club site at Leigh Road could facilitate its future regeneration for alternative uses in line with Local Plan Policy WMC9. The proposal could therefore have very significant social benefits in terms of supporting healthy and active communities in East Dorset.
- 8.264 The application site has a number of constraints and sensitivities which have had to have been addressed in the proposal. For example, the internal configuration of the CSF has been driven by a significant extent by the presence of existing utility infrastructure, easements and heritage assets, which it successfully addresses. The CSF is sited in reasonably close proximity to existing, consented and proposed housing and the proposal does give rise to some amenity and environmental issues. The CSF will be a new source of lighting and its use will result in some additional noise given its social function. However, it is considered that the proposal can be suitably mitigated through conditions which limit the times of use and sets out

management of lighting. The Wimborne Sewage Treatment Works remains a potential source of odours and flies (as they have for other residential consents in the Local Plan Allocation Site). The A31 will be source of noise for future residents. However, it is considered that this can be mitigated through a mix of acoustic treatments. A number of potential uses for the CSF site deemed to be unacceptable in terms of the impact on local general amenity has been identified in this Committee report and will subject to a suitable clause in the Legal agreement.

- 8.265 Historic England has set out a mitigation strategy, to be delivered through suitable conditions, which would offset the harm caused by the development in accordance with national planning guidance. Subject to suitable conditions, the proposal would also be acceptable in terms of highways, biodiversity, land contamination, trees and flood risk. Suitable heathland mitigation through the use of the existing SANG to the south of the A31 can be secured in a legal agreement. Additional developer contributions to local infrastructure can also be secured in a legal agreement.
- 8.266 The proposed design of the CSF is considered to be satisfactory for its context. Suitable materials and landscaping can be secured through conditions. The proposal has been subject to pre-application public consultation and ongoing discussions with local organisations during determination of the application. The local community and potential future users of the site have positively engaged with community consultation events and the iterative design reviews undertaken as part of the move from pre-application discussions to the proposal in front of Planning Committee Members. It is considered that the LPA has made due regard to the Public Sector Equalities Duty in the determination of the application.
- 8.267 Although outside planning, Wimborne Minster Town Council has expressed in writing to LA Officers to agreement to accept in principle the freehold transfer of the land once the Community Sports Facility is constructed and signed off by the Local Authority (Dorset Council from 1 April 2019) in line with the s106 agreement, which it is considered illustrates that the proposal has wider community support.
- 8.268 As such, on the balance of considerations, and subject to suitable conditions and legal agreements, the proposal is considered to comprise sustainable development and therefore accords with Local Plan Policy KS1 and NPPF Paragraph 8.

CONCLUSION

- 8.269 The proposal is in conformity with Local Plan Allocation Policy WMC8 which seeks the delivery of a mixed-use housing and sports 'village' led scheme. The proposal is not, on balance of considerations, considered to be EIA development and the LPA has no known reasons to amend the screening opinion provided to the applicants in October 2018. Very special circumstances, as defined, exist with regard to the significant social benefits to the local community of providing the CSF which outweigh the inappropriateness of the harm to the openness of the area, one Green belt purpose (encroachment into the countryside) and the other limited identified harm. The proposal would provide a significant boost to the supply of new housing, including affordable housing, in East Dorset. It is considered that the benefits of providing significant additional housing within a Local Plan Allocation Site, taking into account the Housing Delivery Test figures for East Dorset in February 2019, outweighs the fact that the consented total as of March 2019, would clearly be in excess of the (non-ceiling) figure set out in Local Plan Policy WMC8. The CSF is suitably designed and would provide a modern and inclusive facility for Wimborne. The impact on local general amenity of additional lighting and noise could be managed through suitable conditions.
- 8.270 Having assessed all of the other outstanding relevant economic, social and environmental material considerations, as outlined within the report above, there are not considered to be any matters which, subject to suitable relevant conditions and the completion of a satisfactory legal agreement, would warrant a refusal of planning permission in this case.
- 8.271 As such, the proposal is considered to comprise sustainable development, and therefore, subject to suitable conditions and a legal agreement, the proposal accords with Local Plan Core Strategy (2014) Policies KS1, KS2, KS3, KS9, KS10, KS11, KS12, ME1, ME2, ME3, ME6, HE1, HE2, HE3, HE4, LN1, LN2, LN3, LN7 and WMC8, East Dorset Local Plan (2002) Policies DES2, DES6, DES11 and LTDEV1, National Planning Policy Framework Paragraphs 29, 39, 40, 41, 42, 95, 117, 119, 127, 128, 143, 144, 145b, 146b & e, 170, 179, 180, 189, 190, 192, 194, 196, 197 and 200, Sections 66(1) and 72(1) of the Planning (Listed Building and Conservation Areas) Act, Localism Act 2011 and Equalities Act 2010.

A) GRANT, SUBJECT TO THE COMPLETION OF A LEGAL AGREEMENT UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) IN A FORM TO BE AGREED BY THE HEAD OF PLANNING TO SECURE THE FOLLOWING:

1. A suitable clause setting out **EITHER** [A] the vehicular and Pedestrian Access consented in 3/15/0789/OUT **OR** [B] the vehicular and pedestrian access consented in 3/18/3305/FUL. If the access [A] in 3/15/0789/OUT is constructed then the land provided to facilitate the proposed access in 3/18/3305/FUL shall revert to land to be included within the Community Sports Facility.
2. 28% gross Affordable Residential Dwellings (Class C3 use) (52 dwellings) to be provided in the following mix or as subsequently agreed by Local Authority Officers:-

Unit Type	Social, Affordable or Intermediate Rent	Affordable Home Ownership	Total
1 bed house	4	0	4
1 bed flat	16	0	16
2 bed house	0	7	7
2 bed flat	10	8	18
3 bed house	4	0	4
Total	34	15	49

3. Not to occupy or cause to permit occupation of more than 111 open market dwellings until all (49 dwellings) of the Affordable Housing have been completed and transferred to a registered Affordable Housing Provider together with the land upon which the Affordable Housing are to be built, in a clean condition and fully serviced.
4. Housing Mix (market housing) to be provided in the following mix or as subsequently agreed by Local Authority Officers:-

Unit Type	Market Housing (Nos. of Units; %)
1 bed house	1 (0.5%)
2 bed house	31 (18%)
2 bed flat	21 (12%)
3 bed house	55 (32%)
3 bed bungalow	1 (0.5%)
4 bed house	16 (9%)
Total	125 (72%)

5. A SAMM contribution of £42,142 index linked from the date of this Committee Report using RPI from the date of this Committee Report and paid in two instalments prior to the 1st occupation and at 50% (87th) occupation.
6. A local health facility contribution of £13,920 index linked from the date of this Committee Report using RPI to fund physical improvement in the provision of consulting rooms in local health facilities in Wimborne. Any unused monies to be repaid within 5 years of receipt.
7. A contribution of £943,938 index linked using RPI from the date of this Committee Report to fund [A] both Highways and Education:-
 - i. proportionate contributions towards expansion of Primary School, Middle School and Upper School provision in East Dorset; and
 - ii. Off-site highways improvements at the junction of Wimborne Road West and Canford Bottom roundabout

With, irrespective of [A] or [B], to be provided as follows:-

- iii. £500,000, or the final total cost of the off-site Highways Works (to be determined by the Local Highway Authority) at Canford Bottom & Wimborne Road West, paid prior to commencement of private market dwellings and the remainder (whatever that sum is) at 50% (87th) residential occupation (all tenures);
 - iv. Any unused monies to be repaid within 10 years of receipt.
8. Provision of new Community Sports Facility at Land South of Leigh Road as approved in application 3/18/3305/FUL (with sole exception of that set out in criterion 7 below), the delivery of which shall be phased, with clauses preventing further residential development in the event of non-completion, as follows:-
 - i. Commencement of the Community Sports Facility Clubhouse no later than the occupation of the 90th residential dwelling (all tenures);
 - ii. Community Sports Facility Clubhouse foundations complete by 100th (all tenures) residential occupation;
 - iii. The Site Promoter to provide the Local Authority with a Clubhouse Progress Report on or before the 130th residential occupation (all tenures);
 - iv. Full completion of the Community Sports Facility Clubhouse to an agreed specification and standard including full utility servicing and completion of all necessary works, subject to a

reasonable snagging clause, on or before the 160th residential occupation (all tenures);

- v. Commencement of the Community Sports Facility access routes, hard surfaces and car parking no later than the occupation of 60th residential dwelling (all tenures);
- vi. Full completion of all Community Sports Facility access routes, hard surfaces and car parking on or before the 100th residential occupation (all tenures); and
- vii. Suitable Bond covering the delivery of the Community Sports Facility (in the event that the site developer went bankrupt at early stage of development).

Note: Community Sports Facility earthworks (bunds), fencing, gates, security gates and landscaping to be secured through suitable planning conditions.

9. A contribution of £1.41m index linked using RPI from the date of this Committee Report to fund new natural grass and artificial pitches, pitch drainage and floodlighting, the delivery of which shall be project managed by the Local Planning Authority only, within the Community Sports Facility subject to the following:-

- i. £610k to be paid to the Local Planning Authority at the 30th residential occupation (all tenures) to fund provision of 3.5 natural grass pitches;
- ii. £800k to be paid to the Local Planning Authority at the 100th residential occupation (all tenures) to fund provision of the artificial turf pitch;
- iii. An agreed Plan (to be included within the Legal agreement) setting out the extent of the natural and artificial pitch areas to be provided through this contribution; and
- iv. The agreed location (to be included within the Legal agreement) of any necessary service runs (to serve the pitches and floodlights) and constructors compound within the residual area of the Community Sports Facility;

10. Upon full completion of the Community Sports Facility site (with the exception of the natural pitches and ATP) to the satisfaction of the Local Authority, the transfer of the Freehold of the Community Sports Facility site shall be made to:-

- a) Wimborne Minster Town Council (in the First Instance subject to a defined time period limit); or
- b) Dorset Council (in the Second Instance)

11. Suitable clauses in relation to the broad principles of management and priority use of the CSF including the ATP and clubhouse to inform a future Service Level Agreement.
12. Clauses setting out the strict prohibition of activities (as set out in this report) on the Community Sports Facility only.
13. Clauses setting out the permitted outdoor sports (as set out in this report) that can be played within the Community Sports Facility.
14. Suitable clauses in a legal agreement to link this consent to the s106 legal agreement attached to the Outline consent 3/15/0789/FUL in order to facilitate appropriate heathland mitigation of the scheme and to ensure consistency.
15. Suitable clause prohibiting the future commercial redevelopment of the CSF in perpetuity.
16. Clause requiring use for community purposes only.
17. Internal Specifications for Clubhouse.
18. External Specifications for Clubhouse excluding building materials.
19. Dispute Resolution Clause.

And the following conditions (NB. The Applicant has agreed to pre-commencement conditions):

1. The development phase hereby permitted in full, namely the Community Sports Facility (as defined) and the Access located to the south of Leigh Road, shall be begun before the expiration of three years from the date of this permission.

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

2. The development phase hereby permitted in outline, namely the erection of 174 Class C3 residential dwellings located north of the A31, shall be begun either before the expiration of three years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters.

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

3. (a) Before any development is commenced details of 'Reserved Matters', (that is any matters in respect of which details have not been given in the application and which concern the siting, design or external appearance of the building(s) to which this permission and the application relates, or to the means of access to the building(s) or the landscaping of the site) shall be submitted to and approved in writing by the Local Planning Authority.

(b) An 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.

(c) The development to which this permission relates must be begun not later than 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: (a) This condition is required to be imposed by the provisions of Article 5(1) of the Town and Country Planning (Development Management Procedure) Order 2015: (1) of the (b) and (c) These conditions are required to be imposed by Section 92 of the Town and Country Planning Act 1990.

4. The development hereby permitted shall be carried out strictly in accordance with the following approved plans:
- Site Masterplan Ref: P1-02 Rev. I (September 2018) (received 13/2/2019)
 - Land Use Plan (February 2019) (Ref: P1-16)
 - Illustrative Residential Layout Ref: P1-03 Rev. F (September 2018) (received 13/2/2019)
 - Community Sports Facility Site Plan Rev. H (September 2018) (received 13/2/2019)
 - Pavilion Plans Ref: P1-05 Rev. A (November 2018) (received 13/2/2019)
 - Pavilion Elevations, Section and 3D View Ref: P3-01 Rev. A(November 2018) (received 13/2/2019)
 - Lighting Column Ref: 0881-DFL-1300-001 Rev. A (13/2/2019)
 - Location Plan Ref: P1-01 Rev. D (September 2018)

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

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any subsequent enactment or re-enactment thereto, no enlargements, improvements or other alterations (including the insertion of a mezzanine floor) shall be undertaken to the

Community Sports Facility clubhouse building without express planning permission first being obtained.

Reason: To ensure a balance is maintained between floorspace and car parking and that the site is capable of accommodating the proposed building.

6. The natural grass sports pitches fields shall be used for outdoor sport and sports training, and for no other purpose (including without limitation any other purpose in Class D2 Use Classes Order 2005, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To protect the natural grass playing fields from loss and/or damage.

7. The artificial turf pitch shall be used for either outdoor sport, sports training or physical education and for no other purpose (including without limitation any other purpose in Class D2, Use Classes Order 2005, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To protect the artificial turf pitch from loss and/or damage.

8. No works shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant to, and approved by the Planning Authority. This scheme shall cover archaeological fieldwork, together with post-excavation work and publication of the results.

Reason: To record and advance understanding of the significance of any heritage assets in the application site which are to be lost (wholly or in part) as a result of the development, in a manner proportionate to their importance and the impact of the development, and to make this evidence (and any archive generated) publicly accessible

9. No development within the Community Sports Facility site, including any ground works, shall take place until a Heritage Management Plan for the Roman Road scheduled monument has been submitted to and approved in writing by the Local Planning Authority. The Management Plan shall include:

- (i) The creation of an effective fenced boundary around the Management Plan area.
- (ii) A baseline record of the area of the Roman Road scheduled monument to confirm the location of its archaeological features and record the current condition of the site.
- (iii) Maintaining the site of the Roman Road and its surroundings under suitable surface treatment and managing it so as to prevent the growth of trees and scrub or damage by vehicles or burrowing animals.

(iv) Regular monitoring and reporting of site condition at agreed intervals, with arrangements for remedial action to address any site conservation management problems (e.g. dealing with encroaching weeds, burrowing animals or other damage).

(v) A programme for implementation, with agreed timescales.

Development shall be carried out in accordance with the agreed Heritage Management Plan.

Reason: in interests of heritage asset in accordance with Local Plan Policy HE1 and having regard to the relevant policies in the National Planning Policy Framework.

10. Prior to the commencement of development within the residential development the developer shall apply and thereafter diligently pursue the submission and approval of an application under Section 257 of the Town and Country Planning Act 1990 for the diversion of Footpath 19 - Corfe Mullen as recorded on the Dorset County Council Definitive Map and Statement of rights of way in accordance with a draft diversion scheme first agreed in writing by the Local Planning Authority. Should the footpath diversion order be approved the scheme shall be subsequently implemented in full in accordance with a timetable first agreed with the Local Planning Authority. The footpath should have a suitable hard surface.

Reason: To give effect to the development for which outline planning permission is hereby granted.

11. No development shall take place until a Bird Strike Hazard Management Plan which demonstrates that the scheme has been designed to reduce the potential for bird-strikes in relation to passing air-traffic. The bird strike hazard management plan by the developer for both the proposed housing, access and community sports facility. The bird strike hazard management plan must be approved in writing by the Local Planning Authority in consultation with the Aerodrome Safeguarding Authority for Bournemouth Airport. The development of the housing, access and community sports facility shall be undertaken in accordance with the approved bird strike hazard management plan and shall be retained as such indefinitely unless otherwise agreed in writing by the Local Planning Authority after formal consultation with the operators of Bournemouth Airport.

Reason: To reduce the attractiveness of potential feeding, nesting, breeding and roosting opportunities for hazardous bird species in the vicinity of the Airport in order to avoid the interception of bird and aircraft flight lines in the interest of aviation safety.

12. No development shall take place until details of a foul water drainage scheme for the Full and Outline development based on the foul water drainage strategy (drawing ref: 08-066-011 Rev A) has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall:

i) include appropriate arrangements for the agreed points of connection to the main sewer and any capacity improvements required to serve the proposed development phasing,

ii) be completed in accordance with the approved details,

No dwelling shall be occupied, or the Clubhouse used by the public, unless and until there is a direct connection from it to the foul water drainage system, in accordance with the approved details.

Reason: To ensure that proper provision is made for sewerage of the site and that development does not increase the risk foul discharge to downstream properties.

13. No development shall commence until a Landscape and Ecological Management Strategy (LEMS) has been submitted to and approved in writing by the Local Planning Authority. The LEMS shall detail all mitigation and enhancement measures detailed in the following documents:

- The Ecological Impact Assessment report (EAD Ecology, November 2018); and
- The Biodiversity Mitigation and Enhancement Plan (20/2/2019) approved by Dorset County Council's Natural Environment Team on 27 February 2019;

The LEMS shall set out landscape and ecological management objectives for the Outline Application Site; pre-construction, construction and post-construction management actions; monitoring actions and action responsibility. All development within the Outline Application Site shall be carried out in accordance with the approved LEMS.

Reason: In the interests of ecological and landscape protection and enhancement.

14. Prior to commencement of works within the Housing and Access Road, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP shall be based on the approved LEMS (condition 24) and the development in each phase shall be carried out in accordance with it.

Reason: To provide for ecological and landscape protection and enhancements.

15. No occupation of the residential units hereby approved shall commence unless and until the following works have been constructed to the specification of the Local Planning Authority:

The alterations shown in principle in accordance with the preliminary design as set out in drawing ITB13176-GA-013 Rev B.

Reason: These specified works are seen as a pre-requisite for allowing the development to proceed.

16. No development shall 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. The agreed scheme to be completed in strict accordance with the approved details.

Reason: In the interests of highway safety.

17. No development shall take place within any phase until there has been submitted to and approved in writing by the Local Planning Authority for that phase:-

(a) a desk top study carried out by a competent person documenting all the previous and existing land uses of the site and adjacent land;

and, unless otherwise agreed in writing by the Local Planning Authority,

(b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as being appropriate by the desk study;

and, unless otherwise agreed in writing by the Local Planning Authority,

(c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a competent person to oversee the implementation of the works.

If during any works contamination is encountered which has not been previously identified then the additional contamination shall be fully assessed and an appropriate remediation scheme, agreed in writing with the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the

development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

18. The natural and artificial sports pitches shall be constructed and laid out in accordance with the approved Agronomy Assessment (Traction Sports, January 2019) and Drainage Strategy, and with the relevant standards and methodologies set out in the Rugby Football Union, World Rugby Union, Football Association, Football Foundation and Sport England guidance notes.

Reason: To ensure the quality of all pitches is satisfactory

19. Detailed drawings (plans and elevations) in colour and at the scale of either 1:50 or 1:100 of the Artificial Turf Pitch shall be submitted to and be approved in writing by the Local Planning Authority before construction of the relevant part of the Community Sports Facility is begun. The detail thereby approved shall be carried out in accordance with that approval.

Reason: In the interests of visual amenity and to ensure the quality of all pitches is satisfactory

20. The Artificial Turf Pitch boundary fencing shall only be coloured dark green and the Artificial Turf Pitch playing surface shall only be coloured light or mid green (excluding any sports pitch playing lines).

Reason: In the interests of visual amenity.

21. Low-level sports fencing, goal posts, rugby posts and any other relevant sports infrastructure used in play shall be only coloured white or another suitably pale and/or regressive colour. The maximum height of rugby posts is 17.0 metres. The maximum height of low-level pitch side fencing is 1.5 metres.

Reason: In the interests of visual amenity.

22. The Community Sports Facility shall include at least two external interpretation boards detailing the history of the Roman Road, and one internal interpretation board within a communal area within the Community Sports Facility clubhouse. Details shall be submitted to and be approved in writing by the Local Planning Authority. Any approved details shall be implemented prior to the occupation of the final 5% of the approved dwellings and shall be retained as such in perpetuity.

Reason: In the interests of proper planning and to accord with NPPF Paragraph 200.

23. The use of the Community Sports Facility Clubhouse shall not be carried out outside the hours of 06:30 to 23:30 Sunday to Thursday, and all statutory

holidays, and 06:30 to 00:30 Friday and Saturday. The use of the Community Sports Facility Artificial Turf Pitch shall not be carried out outside the hours of 08:30 to 22:00 Monday to Friday, 08:30 to 20:00 Saturdays and Sundays. .

Reason: To safeguard the residential amenity of nearby occupiers.

24. No amplified or other music shall be played, nor shall any public address system to be used, in the Community Sports Facility at any time.

Reason: To safeguard the amenities of the occupiers of neighbouring residential properties.

25. Lighting of the Community Sports Facility car park will comply with the following criteria as set out in the Lighting Strategy (Designs for Lighting, December 2018, Ref: 0881-DFL-LS-001 Rev. B):

- Luminaries will be column mounted at a height not exceeding 6 metres which will limit the potential levels of obtrusive light contributed towards sensitive receptors to the north and west of the proposed development;
- All luminaries must be installed with a tilt angle of no more than 5 degree;
- To ensure that the car park lighting is not switched on when it is not required luminaries will be controlled electronically through a time clock system and a photocell-based control system; and
- The correlated colour temperature (CCT) of the lighting will not exceed 3000 kelvin

Lighting of the CSF access road and within the CSF car parks will be controlled via a time clock and photocell system which switches the lighting on at:

- 06:30 - 07:00 hrs - up to 50% of its maximum output
- 07:00 hrs until dawn - 100% of its maximum output
- During the hours between Dawn and Dusk – Off
- Dusk - 22:30 hrs - 100% of its maximum output
- 22:30 hrs – 00:30 hrs - up to 50% of its maximum output (Friday and Saturday only)
- 00:30 hrs until 06:30 hrs the lighting will be switched off (Friday and Saturday only)
- 22:30 hrs – 23:30 hrs - up to 50% of its maximum output (Sunday to Thursday)
- 23:30 hrs until 06:30 hrs the lighting will be switched off (Sunday to Thursday)

Reason: To safeguard visual amenity and the amenities of the occupiers of neighbouring residential properties.

26. With regard to the Community Sports Facility Artificial Turf Pitch and the secondary natural grass rugby pitch, to limit the potential levels of obtrusive light towards local receptors to the north and west, luminaries (floodlighting) shall be column mounted at heights not exceeding 15 metres. Ultraviolet light (UV) filters will be fitted to all of the Community Sports Facility floodlight luminaries where metal halide lamps are installed to reduce the potential for ultraviolet light to detrimentally effect users of the facility and potentially ecological receptors. Designs will comply with the criteria as set out in the Lighting Strategy (Designs for Lighting, December 2018, Ref: 0881-DFL-LS-001 Rev. B):

- Lamps will be of the Metal Halide type or LED type and the initial lumen output shall not exceed 230,000 lumens;
- The correlated colour temperature (CCT) of the light sources shall not exceed 4000 kelvins;
- The luminaire type shall be asymmetric or double asymmetric;
- All sports floodlight luminaries must be installed with a tilt angle of no more than 5°;

The sports floodlighting light spill must be in accordance with the light spill charts appended to this Lighting Strategy and adhered to thereafter.

Reason: To safeguard visual amenity and the amenities of the occupiers of neighbouring residential properties.

27. For both the Community Sports Facility Artificial Turf Pitch and the secondary natural grass rugby pitch, the floodlighting will be controlled from the clubhouse via a system that allows the floodlighting to be switched on only between dusk and 22:00 hours Monday to Friday, dusk to 20:00 Saturdays and dusk to 18:30 Sundays. The floodlighting must not be used at any other times and must not be used at any time on Christmas Day, Boxing Day, New Year's Day and Easter Sunday, and 24 and 31 December (Christmas Eve and New Year's Eve). No floodlighting shall be facilitated on the main rugby pitch (west of the clubhouse).

Reason: To safeguard visual amenity and the amenities of the occupiers of neighbouring residential properties.

28. To minimise running costs and increase flexibility of use, the floodlighting system for the Community Sports Facility Artificial Turf Pitch should allow part illumination of the pitch (half pitch and/or thirds) and a lower level of lighting for training which is a minimum average illumination of 120 lux.

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

29. For the Community Sports Facility Artificial Turf Pitch, the lux levels shall be a maximum of 200 lux. For the Community Sports Facility secondary natural

grass rugby pitch, the lux levels shall be a maximum of 100 lux at all times with the exception of formal matches at RFU Levels 2 to 5 only (Saturday and Sunday only) where up to a maximum of 200 lux is permitted up to 18:00 hours.

Reason: To safeguard the amenities of the occupiers of neighbouring residential properties.

30. No residential dwelling shall be occupied until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping for the Community Sports Facility Area (as defined in the s106) only, in the residual areas outside the boundaries of the Natural and Artificial pitches (as defined in the s106) only, in conformity with the submitted Landscape Strategy with Alternative Access (Plan 5) (Enderby Associates, December 2018, Drawing No. 439/05).

The hard landscaping details shall include the highway traffic management features, proposed finished levels or contours, car parking layouts and materials, other vehicle and pedestrian access routes and circulation areas, together with hard surfacing materials in general. The access road will be 6m wide and constructed in tarmac except where it crosses the Roman Road alignment, where the road will be made from resin bonded gravel. The hard landscaping details shall include the construction of an appropriate traffic calming scheme for the internal vehicular access route. The approved hard landscaping details shall be completed prior to the occupation of the 100th residential dwelling.

Details of the Community Sports Facility earthworks (bunds) to be undertaken outside of the Natural and Artificial Pitch Areas, as illustrated in Plan 5 Landscape Strategy with Alternative Access (December 2018) in the Landscape and Visual Impact Assessment Supplementary Assessment (Enderby Associates, December 2018) should be submitted to and approved in writing by the local planning authority on or before the 15th residential occupation. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform. Development shall be carried out strictly in accordance with the approved details and shall be completed on or before the occupation of the 30th residential dwelling (all tenures).

The soft landscaping details shall include the locations of trees and shrubs to be retained and proposed planting, schedules of proposed plants noting species, plant sizes, and proposed numbers and/or densities. In addition, full details of the use of 'Silva Cell' or similar features for tree planting and appropriate irrigation shall be provided. All planting, seeding or turfing relating

to a phase of development shall be carried out in the first planting season following the completion of development within that phase, and any trees or plants which within a period of 5 years from completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

Both the hard and soft landscaping should take suitable account of the Roman Road Scheduled Monument and historic line, in line with Historic England's comments. All soft landscaping within the Community Sports Facility must be completed by the 165th residential occupation.

Reason: To protect and enhance the appearance and character of the site, heritage assets, local landscape and local visual amenity. In order to avoid the proposed development adversely affecting the existing vegetation on or near the site

31. The installation of protection for retained trees shall be undertaken in accordance with the approved plans (tf 1091/AIA/200 and 201 revision B) and particulars (ADS TF/DR/1091 Rev B dated December 2018) before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason: In order to prevent damage during construction to trees that are shown to be retained on the site.

32. Before the development hereby approved is first occupied or utilised the turning and parking shown on the submitted plans 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.

33. Estate fencing of a minimum height of 1.5 metres made from galvanised and pewter coated metal will run parallel to the full extent of the northern and western boundaries of the Community Sports Facility in an exact location to be agreed with the Local Planning Authority to prevent public access when the Community Sports Facility is not open. Development shall be carried out strictly in accordance with the approved details and shall be completed on or before the occupation of the 30th residential dwelling (all tenures).

Reason: To accord with Policies HE2 and HE3 of the Local Plan.

34. Clipex fencing of a minimum height of 1.5 metres will run parallel to the full extent of the southern and eastern boundaries of the Community Sports Facility in an exact location to be agreed with the Local Planning Authority to prevent public access when the Community Sports Facility is not open. Development shall be carried out strictly in accordance with the approved details and shall be completed on or before the occupation of the 30th residential dwelling (all tenures).

Reason: To accord with Policies HE2 and HE3 of the Local Plan.

35. No use of the Community Sports Facility clubhouse shall take place until details of the means of ventilation for the extraction and dispersal of cooking smells/fumes, including details of its method of construction, odour control measures, noise levels, its appearance and finish have been submitted to and been approved in writing by the Local Planning Authority. The approved scheme shall be installed before the use hereby permitted commences and thereafter shall be permanently retained.

Reason: These details need careful consideration and formal approval and to safeguard the amenity of adjoining properties and to protect the general environment. The details are needed prior to the start of work so that measures can be incorporated into the build.

36. No construction work in relation to the development, including preparation prior to operations, shall take place other than between the hours of 07.30 hours to 18.00 hours Monday to Friday and 07.30 hours to 13.00 hours on Saturdays and at no time on Sundays or Public or Bank Holidays.

Reason: To safeguard the amenity of existing residents

37. No development hereby permitted shall commence, except for works for the natural and artificial pitches (Condition 47) until a Construction Traffic Management Plan (CTMP) has first been submitted to and approved in writing by the Local Planning Authority. The CTMP shall exclude any construction traffic associated with the necessary works for the natural and artificial sports pitches within the Community Sports Facility but will include all residual areas within the Community Sports Facility the delivery of which is the responsibility of the Site Developer as set out in the s106 legal agreement.

The CTMP shall include details of:

- a) full details of the layout for the parking and manoeuvring on site of contractor's and delivery vehicles during the construction period;
- b) construction traffic access;
- c) the turning of delivery vehicles;

- d) lorry routing of vehicles going to and from the site;
- e) provisions for removing mud from vehicles; and
- f) a programme of works

The approved details shall be implemented before the development hereby permitted is commenced and retained throughout the duration of construction.

Reason: The CTMP is required prior to commencement of development to ensure that all site clearance, site investigation and construction operations make appropriate provisions to prevent conflict with or hazards to other highway users in the interest of highway safety

38. No works shall commence on the either the Residential Dwellings or Community Sports Facility hereby approved until a schedule and samples of all the external materials to be used on the external surfaces and roofs of the Community Sports Facility Clubhouse (pavilion) have first been submitted to and approved by the Local Planning Authority. For the avoidance of doubt samples should be provided for all blocks, bricks, glazing, roller shutters, roofing materials, joinery, timber cladding, rainwater goods, mortar and other external finishes. The materials shall all be of suitable regressive colours given its location in the Green Belt. The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of local visual amenity

39. No dwellings or associated private amenity spaces authorised by this permission shall be situated within 145 metres of the boundary to Wimborne Sewage Treatment Works.

Reason: In the interests of the residential amenity future households.

40. Acoustically rated glazing and alternative ventilation to some properties (to enable residents to occupy them with windows closed) is required. Residential development must therefore be strictly constructed in accordance with the submitted Noise Impact Assessment (24 Acoustics Technical Report: R7520-1 Rev 1 13th November 2018) recommendations (summarised in Paragraph 5.4) for plots 15-44 and 83-117 (all facades facing A31) and plots 1-8 (rear only), plots 9-14, 48, 70, 71, 120 and 121 (front and rear plots) and plots 108-118 (front only), so that the modelled noise climate is achieved. In line with Paragraph 5.5 of the above report, full acoustic specifications for the glazing and ventilation systems should be provided on a plot by plot basis as a detailed design matter (these are contingent on the volume of each space and the area of each window). In the event of the Housing Layout changing in a subsequent Reserved Matters application, the Local Planning Authority may

amend the extent and/or location of dwellings which require these specifications.

Reason: To safeguard the amenities of the occupiers of residential properties.

41. Physical speed restraints shall be incorporated into the design of the Community Sports Facility internal access route in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be constructed before the Community Sports Facility Clubhouse is brought into use. Thereafter, the speed restraint shall be maintained and available for the purpose intended.

Reason: This information is required prior to the first use of the development in the interests of highway safety.

42. Both in the first instance and upon all subsequent occasions the six window(s) on the east facing first floor elevation of the Community Sports Facility Clubhouse serving the female WCs shall be glazed with obscure glass and shall either be a fixed light or hung in such a way as to prevent the effect of obscure glazing being negated by reason of overlooking.

Reason: To preserve local general amenity.

43. No Community Sports Facility grounds or sports pitch maintenance (such as grass cutting) shall take place other than between the hours of 07.00 - 18.00 Monday to Friday and 08.00 - 13.00 on Saturdays and at no time on Sundays or Bank Holidays.

Reason: To safeguard the amenity of neighbouring residents

44. A detailed design for the vehicular access and egress security gates shall be submitted to and approved in writing by the Local Planning Authority. The security gates shall be electronically operable from the Community Sports Facility Clubhouse. The plan shall include a method statement for the works and future maintenance. All works shall be undertaken in accordance with the agreed design and method statement and maintained as such thereafter. The approved hard landscaping details shall be completed prior to the occupation of the 30th residential dwelling.

Reason: To safeguard the amenity of the Community Sports Facility and neighbouring residents.

45. The vehicular parking for the Community Sports Facility shall include a minimum of 5 (FIVE) disabled parking spaces on tarmac hard surface in close proximity to the Clubhouse. The disabled parking spaces shall be completed prior to the occupation of the 100th residential dwelling (all tenures). The disabled parking spaces shall be retained thereafter in perpetuity.

Reason: To support the social sustainability and accessibility for all of the Community Sports Facility

46. A detailed boundary treatment plan, to include the provision of acoustic barrier (minimum 3 metre height) for the boundary with the A31 trunk road and part of the western boundary, shall be submitted to and approved in writing by the Local Planning Authority (in consultation with Highways England). The plan shall include a method statement for the works and future maintenance. All works shall be undertaken in accordance with the agreed design and method statement and maintained as such thereafter.

Reason: in the interest of the safe and efficient operation of the A31 trunk road.

47. No development hereby permitted with regard to the proposed CSF natural pitches and artificial pitch shall commence until a Construction Traffic Management Plan (CTMP) has first been submitted to and approved in writing by the Local Planning Authority. The CTMP shall exclude all construction traffic associated with any works, except the necessary works for the natural and artificial sports pitches within the Community Sports Facility.

The CTMP shall include details of:

- a) full details of the layout for the parking and manoeuvring on site of contractor's and delivery vehicles during the construction period;
- b) construction traffic access;
- c) the turning of delivery vehicles;
- d) lorry routing of vehicles going to and from the site;
- e) provisions for removing mud from vehicles; and
- f) a programme of works

The approved details shall be implemented before the development hereby permitted is commenced and retained throughout the duration of construction.

Reason: The CTMP is required prior to commencement of development to ensure that site investigation and construction operations make appropriate provisions to prevent conflict with or hazards to other highway users in the interest of highway safety in accordance with Local Plan Policy KS11.

48. No external lighting shall be installed on the Community Sports Facility or any residential building hereby installed approved unless in accordance with details that have been first been submitted to and approved by the Local Planning Authority.

Reason: To safeguard local visual amenity and protected species (bats) in accordance with Local Plan policies HE2 and ME1.

49. No development shall take place until a site specific Construction Environmental Management Plan has been submitted to and been approved in writing by the Local Planning Authority. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan should include, but not be limited to:-

- Procedures for maintaining good public relations including complaint management, public consultation and liaison
- Arrangements for liaison with the Council's Pollution Control Team
- Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above
- Mitigation measures as defined in BS 5528: Parts 1 and 2 : 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works
- Procedures for emergency deviation of the agreed working hours
- Control measures for dust and other air-borne pollutants. This must also take into account the need to protect any local resident who may have a particular susceptibility to air-borne pollutants
- Measures for controlling the use of site lighting whether required for safe working or for security purposes. Completed and retained in accordance with plans.

Reason: In the interests of the amenities of surrounding occupiers during the construction of the development.

50. No development shall take place until a detailed surface water management scheme for all elements of the proposed development, based upon the hydrological & hydrogeological context of the development, and including clarification of how surface water is to be managed during construction of all 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, to improve and protect water quality, and to improve habitat and amenity.

51. No development shall take place 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.

52. The limit of the Roman Road site shall be defined on the ground with a suitable boundary feature details of which should be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall then be implemented in full.

Reason: To protect the Roman Road Scheduled Monument and adjoining historic road line from damage arising from construction work and having regard to the relevant policies in the NPPF and the LDP.

INFORMATIVES

1. SERVICE DUCTING
2. WORKING PROACTIVELY
3. HIGHWAYS
4. INVASIVE PLANTS
5. POLLUTION PREVENTION
6. BATS
7. SUSTAINABLE CONSTRUCTION
8. WASTE REDUCTION
9. ARTIFICIAL TURF PITCH (1)
10. ARTIFICIAL TURF PITCH (2)
11. ARTIFICIAL TURF PITCH (3)
12. SURFACE WATER DRAINAGE
13. FULL VISUAL APPRAISAL: CANFORD
14. NEED FOR SCHEDULED MONUMENT CONSENT
15. RESERVED MATTERS HOUSING DESIGN
16. BLACK HYBRID POPLAR TREES ON CSF

OR

B) REFUSE PERMISSION FOR THE REASONS SET OUT BELOW IF THE AGREEMENT IS NOT COMPLETED BY 31 SEPTEMBER 2019 OR SUCH EXTENDED TIME AS AGREED BY THE HEAD OF PLANNING SERVICES OR RELEVANT LEAD OFFICER:-

Reasons for refusal:

1. The proposal does not make provision through a S106 legal agreement for the delivery of policy compliant affordable housing on the site, contrary to Policy LN3 of the Local Plan Part 1 (2014) and the Affordable Housing SPD.
2. The site lies within 5km of a number of Sites of Special Scientific Interest (SSSIs) which are also designated European wildlife sites, namely Dorset Heathlands Special Protection Area, Dorset Heaths Special Area of Conservation and Dorset Heathlands Ramsar. The proximity of these European sites means that determination of the application should be undertaken with regard to the requirements of the Conservation of Habitats and Species Regulations 2017, in particular Regulation 63. The proposal fails to secure the avoidance measures, including Strategic Access Management and Monitoring, identified as necessary to mitigate the impact of the development, in combination with other plans and projects, on the integrity of the designated site as set out in the Dorset Heathlands Planning Framework Supplementary Planning Document (SPD) 2015-2020 and there are no imperative reasons of overriding public interest in support of the proposal. The development is therefore contrary to policy ME2 of the Christchurch and East Dorset Local Plan, Part 1 - Core Strategy adopted April 2014, the provisions of the National Planning Policy Framework, particularly paragraphs 175-177 and the Conservation of Habitats and Species Regulations 2017.
3. The provision of a financial contribution towards education provision is required to ensure sufficient provision of school places to support the development. In the absence of a completed legal agreement to secure the necessary education contribution, the proposal is contrary to paragraphs 34 and 94 of the NPPF.
4. The provision of a financial contribution towards local health facility provision is required to ensure sufficient provision of adequate facilities to support the development. In the absence of a completed legal agreement to secure the necessary health contribution, the proposal is contrary to paragraph 34 of the NPPF.
5. The provision of a financial contribution towards Community Sports Facility natural and artificial sports pitches, drainage and floodlighting is required to ensure sufficient provision of adequate facilities to support the development in the absence of Local Plan Policy compliant affordable housing. In the absence of a completed legal agreement to secure the Community Sports Facility the proposal is contrary to Local Plan Policies WMC8 and HE4 and NPPF Paragraphs 34 and 96
6. The provision of a Community Sports Facility access, parking and clubhouse is required to ensure sufficient provision of adequate facilities to support the development in the absence of Local Plan Policy compliant affordable housing. In the absence of a completed legal agreement to secure the necessary community sports facility the proposal is contrary to Local Plan Policies WMC8 and HE4 and NPPF Paragraphs 34 and 96.

7. The provision of a suitable clause is required which precludes in the interest of highway safety the use of either the consented highways access in EDDC Ref: 3/15/0789/COU or the highway access in EDDC Ref: 3/18/3305/FUL. In the absence of a completed legal agreement to secure the necessary clause the proposal is contrary to Local Plan Policy KS11.

8. The provision of a suitable clause is required which set out the agreed Market Housing Mix. In the absence of a completed legal agreement to secure the necessary clause the proposal is contrary to Local Plan Policy LN1.

BACKGROUND DOCUMENTS

1. Transport Assessment and Addendum
2. Statement of Community Involvement
3. Services Appraisal
4. Planning Statement & Addendum
5. Noise Impact Assessment
6. Landscape Visual Impact Assessment & Appendices
7. Lighting Strategy & Lighting Impact Assessment
8. Travel Plan
9. Sewage Fly Nuisance Assessment
10. Detailed Odour Impact Assessment
11. Design and Access Statement & Addendum
12. Built Heritage Statement & Addendum
13. Biodiversity Mitigation & Enhancement Plan
14. Archaeology Assessment
15. Ecological Impact Assessment & Addendum
16. Air Quality Report
17. Arboricultural Survey Impact Assessment
18. Flood Risk Assessment Strategy
19. Viability Assessment & Appendices
20. Agronomy Report
21. Geoenvironmental & Geotechnical Report
22. A31 Canford Bottom Junction Assessment
23. Biodiversity Mitigation and Enhancement Plan

PLANNING COMMITTEE

20 March 2019

Appeal Decisions

1. PURPOSE AND RECOMMENDATIONS

Purpose of Report:	To inform Members of notified appeals and appeal decisions and to take them into account as a material consideration in the Planning Committee's future decisions.
Recommendations:	It is RECOMMENDED that: (This report is for Information)
Lead Member:	Councillor Cook - Planning
Wards:	Council-wide
Contact Officer:	Jane Lynch - Development Management Manager

3.0 APPEAL DECISIONS

3.1 Appeal Reference: APP/U1240/D/3220521

Planning Reference: 3/18/2660/HOU

Proposal: demolish existing garage, replace with double garage and room over. New dormers and new porch (revised scheme)

Address: 68 Beaucroft Lane, Colehill BH21 2PA

Split Decision

- double garage and room over, and new dormers dismissed
- permission granted for porch

Planning permission was determined in accordance with the Council's scheme of Delegation.

Located within proximity of the junction between Beaucroft Lane with Northleigh Lane, the appeal site comprises a chalet bungalow with cropped gables to the side elevations and includes an attached garage with a flat roof. The property forms part of an established residential area on the edge of Wimborne, which is characterised by detached properties in a variety of styles set back behind front gardens and driveways, within spacious plots. This, together with the mature trees and hedges, gives the area a pleasant, verdant semi-rural feel.

In his letter dismissing the appeal, the Inspector considered the main issue to be the effect of the proposal upon the character and appearance of the area.

'As a result of the proposal, the width of the existing property would be increased and project almost as far as the side boundary of the appeal site. This would be exacerbated by the excessive bulk and scale added to the upper floor, resulting from the continuation of the ridge line and

absence of set back in relation to the host property. The proposal would lack adequate articulation to reduce the considerable scale and massing created by the proposed extension. Consequently, the extended property would appear noticeably wider and bulkier than neighbouring dwellings.

I note that the appellant has attempted to address the concerns raised by the local planning authority as part of a previously refused application¹. However, in my view, the formation of additional dormer windows would not be sufficient to adequately articulate and relieve the considerable massing of the extension when considered as a whole. For these reasons, despite the sloping nature of the roof, the proposal would appear as a dominant and incongruous addition, which would not appear subservient to the original dwelling.

The adverse effect caused by the proposal would be emphasised further by the changes in level within the site, as land drops significantly to the side and rear of the property, revealing the three-storey aspect of the proposal. The mature trees and landscaping would to some extent screen the visual impact of the proposal along Northleigh Lane, when trees are in leaf. However, the proposal would largely remain visible when viewed from Beaufort Lane. Therefore, the limited degree of screening would not sufficiently mitigate against the harm which I have identified above’.

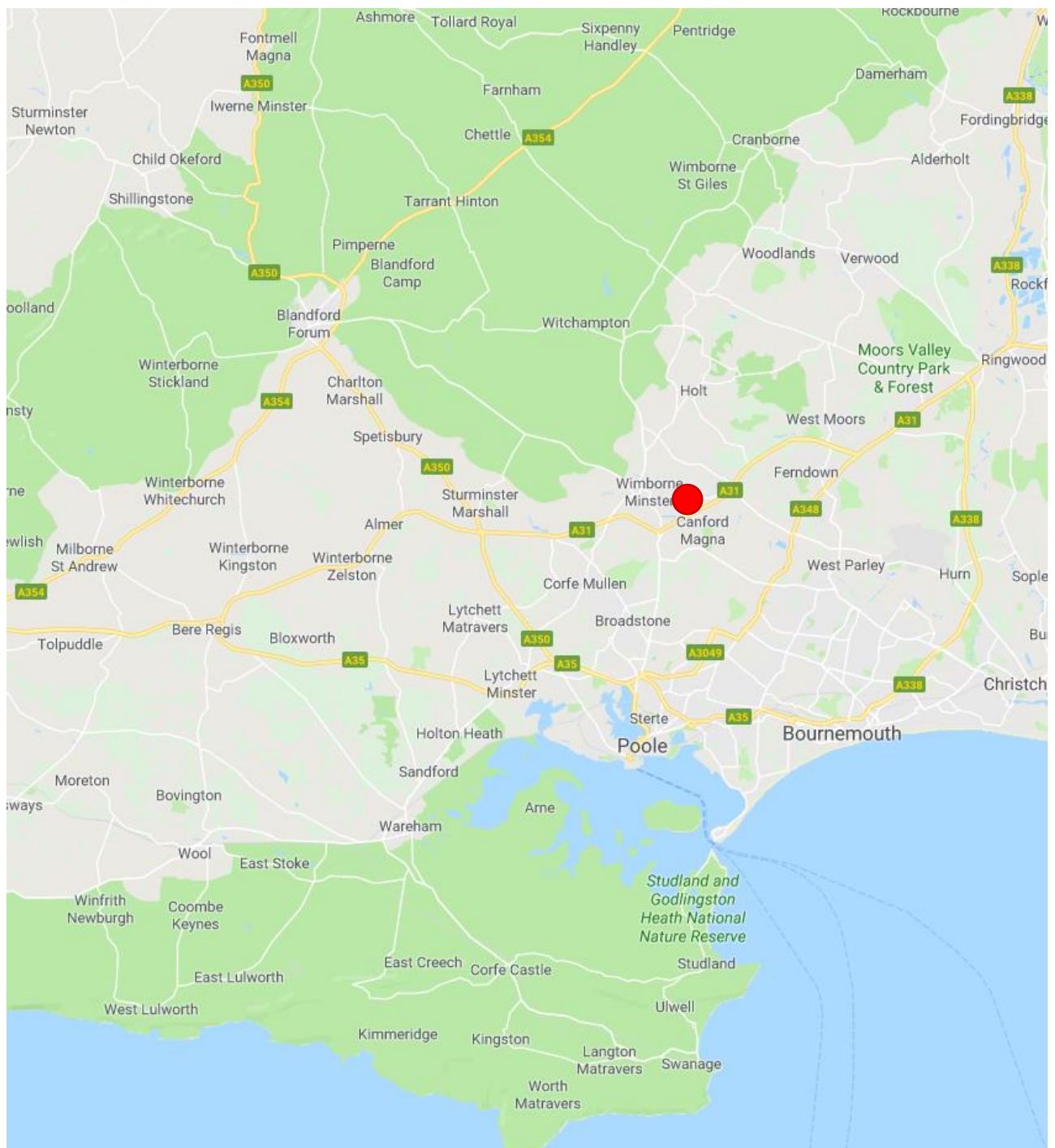
There was no objection to the proposed porch on the character and appearance of the area and the Inspector allowed this aspect of the proposal concluding ‘that whilst the impact of the porch would be acceptable, the proposed roof extension would cause significant harm to the character and appearance of the area’.

Approximate Site Location ●

3/18/3305/FUL - Land South of Leigh Road, Wimborne, Dorset, BH21 2DA

Proposal: A hybrid application comprising:

- 1) An outline application for the erection of 174 dwellings, with all matters reserved save for means of access.
- 2) A full planning application for the erection of a community sports facility comprising club house, playing pitches, parking and landscaping together with the change of use of the land to leisure.



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Eastern Planning Committee
25 September 2019

EASTERN PLANNING COMMITTEE

Appeal Decisions

1. PURPOSE AND RECOMMENDATIONS

Purpose of Report: To inform Members of notified appeals and appeal decisions and to take them into account as a material consideration in the Planning Committee's future decisions.

Recommendations: It is **RECOMMENDED** that:
(This report is for Information)

Wards: Council-wide

3.0 APPEAL DECISIONS

3.1 Appeal Reference: APP/U1240/C/18/3204771 & 3207038

Planning Reference: 3/17/1982/FUL

Enforcement Reference: ENF/16/0335

Proposal: Unauthorised construction of a timber constructed building used for residential purposes and retrospective permission for residential curtilage

Address: Trotters Plot,

Decision: Appeals allowed, Costs dismissed

The appeal was against an Enforcement Notice requiring the removal of the unauthorised residential structure which Officers had judged did not fall within the definition of a caravan and against refusal of an application for a residential curtilage.

The site, which lies in the Green Belt, already benefitted from a Certificate of Lawfulness for the siting of a caravan for residential purposes.

The Caravan Sites Act 1968 defines twin unit caravans under section 13 as

"A structure designed or adapted for human habitation which — (a) is composed of not more than two sections separately constructed and designed to be assembled on a site by means of bolts, clamps or other devices; and (b) is, when assembled, physically capable of being moved by road from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer)".

The Act also includes maximum dimensions and the maximum width is 6.8m.”

The Inspector, having considered the available evidence decided that although the construction process was ‘somewhat artificial’, the design and construction of the two halves of the caravan did meet the requirements of section 13(a). He dismissed the Council’s concerns that the beams supporting the structure formed an essential third part which would affect compliance with the definition in relation to (a) and (b) mobility, judging instead that the structure was internally structurally sound without the props so they did not form part of the structure which could therefore be moved in accordance with section 13(b). In relation to the dimensions of the structure, the Inspector noted that the eaves were wider than the dimensions allowed by the Act but followed a previous court decision that it was normal to take the wall-to-wall rather than roof measurements as his guide.

Turning to the proposed curtilage, the Inspector judged that as the limited residential curtilage and modest shed were required for a use that was already lawful, and as the turning and parking area were already in existence and the caravan could not benefit from permitted development rights the development would not harm the openness of the Green Belt and was not inappropriate development.

An application for costs against the Council was refused. The Inspector considered that the Council had an arguable case even though he didn’t agree with it, and that Officers had properly engaged with the appellant so there had been no unreasonable behaviour.

- 3.2 Appeal Reference: APP/U1240/D/19/3227898**
Planning Reference: 3/18/3048/HOU
Proposal: Removal Of Roof; Increase In Height Of The Ridge And Eaves For First Floor Habitable Accommodation
Address: Ronoake, Lower Rowe, Holt, Wimborne BH21 7DZ
- Decision: Appeal dismissed**

The proposal involved raising the ridge of the roof by 1.5 metres, the incorporation of dormers and an end gable addition to a single storey dwelling. The site lies within the South East Dorset Green Belt.

The Inspector considered that the main issues in this case were: (i) whether the proposal would be ‘inappropriate development’ in the Green Belt and (ii) whether the harm by reason of inappropriateness and loss of openness would be clearly outweighed by ‘other considerations’, and if so whether this would amount to the ‘very special circumstances’ required to justify the proposal.

With regard to the planning history of the site, the Inspector noted that the original building had previously been substantially extended. He came to the view that ‘the existing cumulative increase in its size would be noticeably increased by the addition of a first floor. The raising of the ridge by about 1.5m

and the incorporation of dormers and an end gable would further change the form and character of the original building and increase its bulk.'

The Inspector came to the view that :

'the individual and cumulative effect of the appeal scheme would be one of the building being disproportionately extended in conflict with the Framework. Moreover, the raising of the roof and the construction of the dormers would by definition dominate the existing building and result in a material loss of openness, especially bearing in mind that the building is set some distance apart from neighbouring buildings on slightly elevated land in a rural landscape with a predominantly open character.'

The Inspector therefore concluded that the addition of the first floor would be inappropriate development in the Green Belt contrary to the Framework and Local Plan Policy GB3, which is harmful by definition. He was also of the view that there were no very special circumstances in this instance to justify the development and the appeal was dismissed on that basis.

3.3 Appeal Reference: APP/U1240/W/19/3222451
Planning Reference: 3/18/2220/HOU
Proposal: Loft Conversion with front dormers
Address: 19 Little Dewlands, Verwood, Dorset, BH31 6QA

Decision: Appeal Allowed

The proposal was granted permission by the Council for a loft conversion with dormer windows to the front (north), window to the side (east), and roof lights to the rear (south).

Condition 5 of the planning permission granted by the Council for 3/18/2220/HOU imposed that the rear facing roof lights should be glazed with obscure glass and be hung in such a way as to prevent the effect of obscure glazing being negated. The Inspector considered whether condition 5 was necessary to protect the living conditions and privacy of neighbouring occupants. It was noted that the appellant's property sits on higher ground than 6 Stagswood to the rear, with the neighbouring property located over 30 metres from the rear elevation of the dwelling on the application site.

Despite the changes in level, the separation distance, the existing mature trees, boundary fence and hedge to the rear boundary of 6 Stagswood, the Inspector considered that the harm from the proposed roof lights would not amount to significant harm to the living conditions of the rear neighbour.

The Inspector concluded that the disputed condition (condition 5), as well as the alternative suggested by the Council was not necessary to protect neighbouring amenity, with particular regards to privacy. Therefore the Inspector decided that the appeal should be allowed, by varying the planning permission by deleting the disputed condition (condition 5).

3.4 Appeal References (linked appeal):

- A) APP/B1225/W/19/3220927 and**
- B) APP/B1225/W/19/3220929**

Planning References:

- A) 6/2018/0296 & B) 6/2018/0459**

- Proposal:**
- A) Erect four new dwellings**
 - B) Erect two new dwellings**

Address: Land adjoining 11 Bell Street, Swanage, BH19 2RY

Decision: **Appeal A) dismissed**
Appeal B) allowed with a separate application for costs awarded

This linked appeal involved two proposals, the first to erect four new dwellings on an infill plot to the rear of properties fronting Bell Street and Steer Road in Swanage (A). The second (B) was to erect two new dwellings on the site.

The site is within the Herston Conservation Area and there is a Grade II listed building immediately to the south west of the site (17 Bell Street). On the site is a pair of semi-detached houses. The first application (A), for four houses, was refused under the Purbeck District Council's scheme of delegation. Two of the four houses (labelled as Units A&B) would be situated adjacent to an existing pair of houses.

The Inspector considered that the main issues were whether the proposal would preserve or enhance the character or appearance of the Herston Conservation Area and whether the proposal would preserve the setting of 17 Bell Street, a Listed Building.

The Inspector determined that Units A & B would not be a prominent feature in the Conservation Area, they would not intrude into the sense of spaciousness behind 11, 17 and 19 Bell Street. The Inspector felt that these two would sit comfortably alongside the pair of existing houses.

In contrast, the other two houses proposed (labelled as Units C&D) would block important views within the Conservation Area and therefore cause harm to its character. The Inspector determined that this harm was less than substantial within the meaning of Paragraph 193 of the National Planning Policy Framework; however the limited benefits gained from providing two additional houses were outweighed by the harm caused.

The Inspector also determined that Units C & D, which would be very close to the listed building, would rob it of its open setting and therefore be harmful to its setting. The harm to the setting of the listed building is not outweighed by the benefits of additional housing.

The second of the linked appeals (B) was for a revised scheme for Units A & B only. The application was refused at Planning Committee contrary to officer recommendation. The Inspector considered that Units A & B do not have a harmful impact on the Conservation Area and allowed the appeal.

Award of Costs

In awarding costs against the Council, the Inspector found that Council had been inconsistent in its assessment of the applications as there had been no change to planning policy in the intervening time.

3.5 Appeal Reference: APP/B1225/W/19/3228318

Planning Reference: 6/2018/0504

Proposal: Demolition of existing dwellings and erection of two detached dwellings with garaging and car parking.

Address: 1&2 Park Farm Cottages, Poole Road, Upton BH16 5LW

Appeal dismissed

The site is situated outside of the settlement boundary of Upton, within the South East Dorset Green Belt.

The Inspector considered the main issues to be whether the proposal would be inappropriate development in the Green Belt, the effect of the proposal on the character and appearance of the area and if inappropriate, whether the harm to the Green Belt is outweighed by other considerations, amounting to very special circumstances.

The Inspector concluded that the replacement buildings would be materially larger than the original; contrary to paragraph 145 of the National Planning Policy Framework (NPPF) and therefore amounts to inappropriate development in the Green Belt.

Due to the replacement buildings being set further into the plot, the cumulative impact of the built development being dispersed across the site, and a new access point, it was judged that the proposal would cause visual harm to the openness of the Green Belt and represent encroachment of additional built form into the countryside, contrary to paragraph 134 of the NPPF.

Given the relatively minor scale of the proposal, moderate harm would be caused to the openness of the Green Belt.

The Inspector considered that the proposal would have a detrimental impact upon the character and appearance of the area, due to the change from a modest scale, traditional form workers cottage to a sizeable detached dwelling with an imposing appearance due to its scale, increase in height and use of significant areas of glazing. The second dwelling was considered to be more modest however the design was considered by the Inspector to be more commonly associated with suburban areas and deemed contrary to Policy D of

the Purbeck Local Plan Part 1 which states that development should positively integrate with its surroundings.

The Inspector considered the appellants argument that the existing houses could be extended using permitted development allowances but did not give this significant weight. The existing cottages are derelict and there is little basis to suppose that the appellant would realistically seek to carry out these works. Moreover these extensions would be primarily single storey and would have less of an impact.

The Inspector also addressed the appellant's assertion that the site should be considered as brownfield land, clarifying that the definition does not assume that the whole curtilage of the houses should be developed. Development on brownfield land must not have a greater impact on the openness of the Green Belt than the existing development. Although the appellant was looking at making their development sustainable, the Inspector concluded that this does not outweigh the harm to the Green Belt.