



Northern Area Planning Committee

Date: Thursday, 14 May 2020
Time: 10.00 am
Venue: MS Team Live Event MS Teams Live Event [please see link below]

Membership: (Quorum 6)

Sherry Jespersen (Chairman), Mary Penfold (Vice-Chairman), Jon Andrews, Tim Cook, Les Fry, Matthew Hall, Carole Jones, Robin Legg, Bill Pipe, Val Potheary, Belinda Ridout and David Taylor

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

For more information about this agenda please contact Fiona King 01305 224186 fiona.king@dorsetcouncil.gov.uk



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Members of the public are invited to access this meeting with the exception of any items listed in the exempt part of this agenda.

MS Teams Live Event:-

https://teams.microsoft.com/l/meetup-join/19%3ameeting_OWUyNWRiZjctNjNmNC00NDgxLTljYTQyOTM1ZDAwZTU4YzYzMw%40thread.v2/0?context=%7b%22Tid%22%3a%220a4edf35-f0d2-4e23-98f6-b0900b4ea1e6%22%2c%22Oid%22%3a%221b44fce-fc3a-4938-a8be-abbbc58daf3c%22%2c%22IsBroadcastMeeting%22%3atrue%7d

Members of the public are invited to make written representations provided that they are submitted to the Democratic Services Officer no later than **8.30am on Tuesday 12 May 2020**. This must include your name, together with a summary of your comments and contain no more than 450 words.

If a councillor who is not on the Planning Committee wishes to address the committee, they will be allowed 3 minutes to do so and will be invited to speak before the applicant or their representative provided that they have notified the Democratic Services Officer by **8.30am Tuesday 12 May 2020**.

Please note that if you submit a representation to be read out on your behalf at the committee meeting, your name, together with a summary of your comments will be recorded in the minutes of the meeting.

Please refer to the guide to public participation at committee meetings for general information about speaking at meetings [Guidance to Public Speaking at a Planning Committee](#) and specifically the "***Covid-19 Pandemic – Addendum to the Guide to Public Speaking Protocol for Planning Committee meetings***" included as part of this agenda (see agenda item 4 - Public Participation).

Using social media at virtual meetings

Anyone can use social media such as tweeting and blogging to report the meeting when it is open to the public.

A G E N D A

Page No.

1 APOLOGIES

To receive any apologies for absence

2 DECLARATIONS OF INTEREST

To receive any declarations of interest

3 MINUTES

5 - 16

To confirm the minutes of the meeting held on 25 February 2020.

4 PUBLIC PARTICIPATION

17 - 18

Members of the public wishing to submit a written representation 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 note that the deadline for written submissions to the Northern Area Planning Committee is at 8.30am on Tuesday 12 May 2020.

Please refer to the [Guide to Public Speaking at Planning Committee](#) and specifically the "***Covid-19 Pandemic – Addendum to the Guide to Public Speaking Protocol for Planning Committee meetings***" included with this agenda.

5 PLANNING APPLICATIONS

To consider the applications listed below for planning permission

a **West Of Shaftesbury Road At Land South Of Gillingham, Shaftesbury Road, Gillingham, Dorset - 2/2018/0036/OUT**

19 - 52

To consider a report by the Head of Planning.

Link to the February 2019 planning report:-

<https://moderngov.dorsetcouncil.gov.uk/CeListDocuments.aspx?CommitteeId=378&MeetingId=4194&DF=26%2f02%2f2019&V>

[er=2](#)

- b Land at Park Farm Kingsmead Business Park, Gillingham, Dorset - 2018/0077/OUT** 53 - 76

To consider a report by the Head of Planning.

Link to the February 2019 planning report:-

<https://moderngov.dorsetcouncil.gov.uk/CeListDocuments.aspx?Committeeld=378&MeetingId=4194&DF=26%2f02%2f2019&Ver=2>

6 TRAFFIC REGULATION ORDER

To consider the Order listed below.

- a Gillingham Road and Transport Improvements** 77 - 90

To consider a report by the Executive Director for Place.

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.



DORSET COUNCIL - NORTHERN AREA PLANNING COMMITTEE

MINUTES OF MEETING HELD ON TUESDAY 25 FEBRUARY 2020

Present: Cllrs Sherry Jespersen (Chairman), Mary Penfold (Vice-Chairman), Jon Andrews, Les Fry, Matthew Hall, Carole Jones, Robin Legg, Val Potheary, Belinda Ridout and David Taylor

Apologies: Cllrs Tim Cook and Bill Pipe

Also present: Cllr Nocturin Lacey-Clarke, Cllr Andrew Kerby, Cllr Byron Quayle and Cllr David Walsh

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

Andrew Brown (Management Engineer, Highways Improvements), Philip Crowther (Senior Solicitor - Planning), Anna Lee (Service Manager for Development Management and Enforcement), Robert Lennis (Area Lead (Major Projects) Eastern), Christopher Poad (Planning Officer), Steve Savage (Transport Development Manager) and Fiona King (Democratic Services Officer)

85. Apologies

Apologies for absence were received from Tim Cook and Bill Pipe.

86. Declarations of Interest

No declarations of disclosable pecuniary interests were made at the meeting.

Cllr Matt Hall and Cllr Jon Andrews declared an interest in the item, in respect of pre-determination regarding item 5a, Sherborne – Various Parking Traffic Regulation Orders. The members undertook to not take part in the debate and agreed to speak as Local Members.

87. Minutes

The minutes of the meeting held on 21 January 2020 were confirmed and signed.

88. 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.

89. Planning Applications

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

Sherborne - Various Parking Traffic Regulation Orders

a) **Cllrs Andrews and Hall left the table and joined members of the public in the gallery.**

The Management Engineer, Highway Improvements introduced proposals for a number of parking restrictions in Sherborne. The proposals aimed to address several parking concerns in Sherborne and in some cases increase parking for residents by removing parking restrictions that were no longer required.

Three objections out of the 15 proposals considered were received and one proposal, for Cheap Street, was withdrawn for further consultation with local businesses. The officers' report focused on the objection to the proposals at Fairfield Heights and Horsecastles.

Cllr Jon Andrews

Highlighted that this work had been ongoing for the past 4 years and had resulted in the making the proposals being put forward. The Fairfield issue was not just about emergency vehicles being able to get through but refuse lorries also. He also highlighted the issues in Portman Road. He felt the proposal in respect of Coldharbour tidied it up quite well. Everyone that had wanted to be involved in the proposals had been and support for the proposals had been gained from the Town and Parish Councils.

Cllr Matt Hall

He highlighted that Sherborne was a very historic town with narrow roads, and many of the residential roads had parking on both sides of the roads. There were a number of strange parking restrictions within the town. The extra parking on South Street was most welcome and needed. He recognised that the restriction would not please everyone but felt it was a huge step forward.

Following a question from a member about the possibility of changing the time limits from 1 hour to 2 hours, the Management Engineer advised that the change in the timing was to make it easier for enforcement officers but accepted it could be a bit confusing but it did help keep the traffic moving. Following a full consultation process there no objections and if members wished to make any further changes it would mean the whole consultation process would have to be redone.

Members felt that the proposals had gone through thorough investigation and consultation and had been in the making for a long time and it would not be ideal to delay any further.

Proposed: Cllr Belinda Ridout

Seconded: Cllr Robin Legg

Decision: That the Portfolio Holder be asked to approve the proposals to introduce, formalise or amend no waiting at any time, no waiting, no loading or unloading, or limited waiting, or limited waiting except permit holder restriction in the following roads in Sherborne:-

Abbey Road	Newland
Back Lane	Portman Road (replacing previous proposals)
Cold Harbour	The Green
Digby Road	South Street
Fairfield Heights	Station Road
Higher Cheap Street	Westbury
Horsecastles	
Hospital Lane	

Application no. WD/D/19/002376/FUL - Burleston Farmhouse

- b) The Planning Officer introduced the application for the installation of ground mounted solar PV array at Burleston Farmhouse.

He highlighted there were 3 amendments to the report: Condition 3 should read - S13078/03, Condition 4 to include additional text that planting shall be carried out with approved details. In respect of CCTV, he confirmed that the installation of CCTV was not included as part of the proposed development. The solar PV array would include 66 panels in 11 panel rows. There would be a planted Dorset hedgerow to screen the panels which would be covered by Condition 4. The main planning issues – Landscape, Heritage and Amenity were highlighted by objectors.

Speakers:

Agent: Stefan Pitman

He highlighted that the application complied with NPFF and felt should be approved. It did not conflict with any policies or sites and was not located in a flood zone. The further screening proposed was highlighted. The concern about road safety was not recognised by the Highways Authority and the development was in line with the green energy policies of Dorset Council.

Applicant: Mr Mason

Members were advised that he had built the house in 2001 and was now in a position now to install the solar units. The house was 3 times the size of a normal family house. Efficiency was what the application was all about. He runs 4 businesses from the farmhouse and when the technology was in place he also aimed to have battery storage.

One member sought clarification regarding the time limit of Condition 4 and the Senior Planning Officer felt that a longer condition requiring several years could be put in place. He suggested wording to the effect that as long as the solar array was there the hedging should be maintained, to which members agreed.

In respect of Condition 5 one member questioned the 'no longer functioning' comment and it was felt this referred to when they were no longer used rather than when they were not working. The condition was reworded to read the solar PV array hereby approved, when no longer required or no longer functioning shall be removed from the land.

Following a discussion about the access onto the highway, the Senior Planning Officer advised that the requirement of a track would require planning permission and this was not part of this application.

Proposed: Cllr Les Fry
Seconded: Cllr Jon Andrews

Decision: That the application be approved subject to the conditions outlined in the Annex attached to these minutes.

90. **Urgent items**

The following items of business were considered by the Chairman as urgent pursuant to section 100B (4) b) of the Local Government Act 1972. These items had always been planning to come to this meeting. However, the items were considered to be urgent as there were IT issues on Monday 17 February 2020 which meant it was not possible for them to be included on agenda published on 17 February 2020. It did not seem equitable to delay consideration of the applications simply because of the Council's IT issues and so **exceptionally** these are being reported as urgent items.

91. **Land at Nyali, Tin Pot Lane, Blandford Forum**

The Area Lead Senior Planning Officer started by introducing these two proposals for development both of which would be accessed off Tin Pot Lane. In addition to issues relating to the Lane, both had mature trees that would be affected by the proposed development. The sites were on the Cranborne Chase Area of Outstanding Natural Beauty, and would be affected by the Blandford Industrial Estate immediately to the south of the Lane. These sites were not selected in the Blandford Neighbourhood Plan for potential housing. In respect of the landfill situation this could potentially be overcome as there was always an engineering solution.

He also highlighted that Tin Pot Lane had no record of accidents and was fit for the purpose of providing access to the Clump Farm Industrial estate which had no prospect of expanding. It was only the proposal of additional traffic on the Lane that required the improvements being proposed in these two applications.

Application Number: 2/2018/0379/OUT

The proposal was to develop the land by the erection of 28no. dwellings including a Local Area of Play, surface water attenuation feature and highway improvements to Tin Pot Lane.

It was considered to be a high density development that would have a cramped layout. Three storey houses were required along the south-eastern boundary to prevent noise disturbance as set out in the applicant's noise assessment. This also would require all windows on this elevation to be fixed shut.

A quote from the Tree Officer regarding the two sites was read out to members.

The Area Lead Officer concluded by saying that in the Planning Balance exercise it was considered that the detrimental impact to the environment was so great as to outweigh any social or economic benefits from the scheme.

The Highways Authority noted that there were no safety issues on Tin Pot Lane to require it to be upgraded, it served its purpose to require access to the units. The proposed upgrades did not include any more laybys or pull ups.

The Highways Officer advised that Tin Pot Lane was a light traffic road serving a relatively small industrial estate and access into the site could be secured. He felt they could accept the plan on highways matters. It was highlighted that without the proposed houses Tin Pot Lane would not need to be improved. There was no scheme within Dorset Council to carry out any improvements to Tin Pot Lane.

Speakers:

Traci Hanford, on behalf of the businesses on the Clump Industrial Estate

Ms Hanford was a former district councillor for the area, and the proposed development had always had her full support. She read out a couple of letters from local businesses on the Clump Farm Industrial Estate who had support for the application. She highlighted the state of the lane and a number of potential misses in respect of accidents. Dog walks on a narrow lane were also highlighted. There was support from local businesses and members of the public, they needed the road to be upgraded and they feel it was particularly dangerous.

Mr M Page

A resident of Blandford Forum. He felt it was important to see sympathetic development. He highlighted the desire to improve the lane and felt it was an accident waiting to happen. He did feel that the planning officer had over exaggerated the points and felt the development would be a small cost to the environment.

Cllr Byron Quayle

Highlighted that he had taken on board what the planning officer had put forward. In 2018 he objected to this application but now felt that Tin Pot Lane was an absolute disaster, caused by a previous planning debacle by the then North Dorset District Council. The development had the support of local businesses and residents. He was now totally in support of this application following discussions with the applicant. Children used this route to get to school. He was struggling to understand how this lane was adopted. He felt

the proposed development would be a benefit to the people of Blandford and asked members to support this application.

Agent: Jo Tasker from Ken Parke Planning Consultants

Both sites were alongside each other in a sustainable location, close to local services. Officer report recommends refusal primarily as in an AONB but was in fact on the edge of this area. The character of the AONB was both open and residential. She made reference to a letter which had been sent to members and felt confident that the development would be a benefit to the area rather than harmful. The site was very well screened. There would be some loss of trees to create access but there were plans to provide more. The shortage of housing land in the area was highlighted. She felt there were significant benefits in terms of the development and this was only an outline application so there would be an opportunity for amendment.

The Area Lead Officer highlighted the planning balance in respect of the AONB which was correct as stated in the report. He described the proposal as a very dense proposal and reiterated that Tin Pot Lane, as an adopted highway, was the responsibility of the Highway Authority.

In respect of the Neighbourhood Plan, officers advised it had been through examination and the examiner's report had been received. The Neighbourhood Plan could now be given more than moderate weight as it was proceeding to referendum subject to the Portfolio Holder setting a date.

Cllr Jones felt that he speakers supported this as they wanted improvement to Tin Pot Lane and asked why this had not been done. Officers advised that Tin Pot Lane was an adopted highway and was therefore the responsibility of the Highways Authority. The highways officer confirmed they were not seeking to widen the whole of the lane but could justify mitigation measures in terms of footfall and the number of vehicles. Lack of finances was highlighted as a reason for why the lane had not been improved.

Following a question about whether a pedestrian count had been carried out, the highways officer advised it had been and that a manual survey was carried out previously.

Cllr Potheary felt that the occupants of Clump Farm industrial Estate were victims of their own success and were mostly concerned about the road. She felt the prospect of the development goes against anything members were here for and could not support approval of this application. The thought of closed windows was not ideal.

Cllr Ridout understood the argument about highways improvement but this must not impact on the AONB and would not support approval.

The Vice Chairman expressed concern about noise and having to live with permanently closed windows.

Cllr Fry had sympathy with the people struggling with the lane and hoped that something could be done to rectify this but could not support the development.

Cllr Jones felt that something could happen on this site but not to this density.

Members felt that the road improvements needed to be taken elsewhere to address.

Proposed: Cllr Les Fry

Seconded: Cllr David Taylor

Decision: Accept the Officer recommendation to refuse planning permission. Members requested that officers from the Highways Authority look at the issues on Tin Pot Lane.

92. **Land at Nyali, Tin Pot Lane, Blandford Forum**

Application Number: 2/2018/03181/OUT

The Area Lead Officer introduced the proposal to develop the land by the erection of 15no. dwellings and 2no. Class B1 units, carry out surface water attenuation feature and highway improvements to Tin Pot Lane. He also highlighted that this site was notably higher to the road level of the lane as it was a landfill site in the past. This would result in buildings being more conspicuous in the landscape.

This site was heavily influenced by the number of trees on the boundaries. As such, it was considered that the net developable area would result in a high density development that would have a cramped layout. There was also a poor relationship between the dwellings and 2no. Class B1 units. Again, three storey houses were required along the south-eastern boundary to prevent noise disturbance as set out in the applicant's noise assessment. This also would require all windows on this elevation to be fixed shut.

The quote from the Tree Officer was highlighted regarding the likely loss of trees.

The Area Lead Officer concluded by saying that in the Planning Balance exercise it was considered that the detrimental impact to the environment was so great as to outweigh any social or economic benefits from the scheme.

One member made reference to the raised kerb and felt this was dependent on height and would deter vehicles from mounting the kerbs.

Cllr Legg was particularly concerned about the height of the buildings. He felt this site would be exceptionally prominent and highly intrusive to the AONB.

The Vice- Chairman was concerned about the loss of habitat and vegetation.

Proposed: Cllr Robin Legg

Seconded: Cllr Belinda Ridout

Decision: Accept the Officer recommendation to refuse planning permission.

93. Exempt Business

There were no exempt items of business.

Duration of meeting: 2.00 - 4.00 pm

Chairman

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APPLICATION NUMBER: WD/D/19/002376/FUL

APPLICATION SITE: Burleston Farmhouse, Burleston, Dorchester, DT2 7EG

PROPOSAL: Installation of ground mounted solar PV array

Decision: Approved, subject to conditions.

CONDITIONS:

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

 Location Plan - Drawing Number S-1378-02 received on 23/09/2019
 Site Plan - Drawing Number S-1378-03 received on 23/09/2019
 Site Sections - Drawing Number S-1378-04 received on 23/09/2019
 REASON: For the avoidance of doubt and in the interests of proper planning.
- 2 The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.
 REASON: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).
- 3 All existing trees and hedges shown on approved plan Site Plan S-1378-03 to be retained, shall be fully safeguarded during the course of site works and building operations in accordance with BS 5837:2012 (Trees in relation to construction - recommendations) or any new Standard that may be in force at the time that development commences. No unauthorised access or placement of goods, fuels or chemicals, soil or other material shall take place within the tree protection zone(s). Any trees or hedges removed without the written consent of the Local Planning Authority, or dying or being severely damaged or becoming seriously diseased before the completion of development or up to 12 months after occupation of the last dwelling shall be replaced with trees or hedging of such size, species in a timescale and in positions as may be approved in writing by the Local Planning Authority.

 REASON: To ensure that trees and hedges to be retained are adequately protected from damage to health and stability throughout the construction period and in the interests of amenity.
- 4 Prior to the first use of the development hereby approved, precise details of all tree, shrub and/or hedge planting (including positions and/or density, species and planting size) with an accompanying management plan shall be submitted to and approved in writing by the Local Planning Authority. Planting shall be carried out in

accordance with the approved precise details and planted before the end of the first available planting season following approval having been obtained in writing. The measures as outlined within the management plan shall be adhered to for the lifetime of the solar PV array hereby approved.

REASON: In the interests of continued visual public amenity.

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The solar PV array hereby approved when no longer required or no longer functioning, whichever is sooner, shall be removed and the land made good to the satisfaction of the Local Planning Authority.

REASON: To safeguard the long term future of the landscape requiring the removal of redundant infrastructure.

Reasons for the Decision:

- Para 14 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise.
- The proposal is acceptable in its terms of its siting and design.
- There would be no harm to the natural or historic environment.
- There are no material considerations which would warrant refusal of this application.

APPLICATION NUMBER 2/2018/0379/OUT

APPLICATION SITE: Land at Nyali, Tin Pot Lane, Blandford Forum, Dorset

PROPOSAL: Develop the land by the erection of 28no. dwellings including a Local Area of Play, surface water attenuation feature and highway improvements to Tin Pot Lane (outline application to determine access and layout).

Decision: Planning Permission refused

Reason for the recommendation:

- There are in principle objections to this proposal due to its location in the countryside and within the Cranborne Chase Area of Outstanding Natural Beauty.
- The proposed layout of the development is considered to be a cramped form of development that would result in the loss of trees and landscaping out of keeping with the character of the area and having a detrimental impact on the intrinsic character and beauty of the countryside.
- The buildings would have to be conditioned to be three storeys in height (~11m) and windows fixed shut on the south-east elevation to mitigate noise disturbance.

APPLICATION NUMBER 2/2018/0381/OUT

APPLICATION SITE: Land at Nyali, Tin Pot Lane, Blandford Forum, Dorset

PROPOSAL: Develop the land by the erection of 15no. dwellings and 2no. Class B1 units, carry out surface water attenuation feature and highway improvements to Tin Pot Lane (outline application to determine access and layout).

Decision: Planning Permission refused

Reasons for the recommendation:

- There are in principle objections to this proposal due to its location in the countryside and within the Cranborne Chase Area of Outstanding Natural Beauty.
- The proposed layout of the development is considered to be a cramped form of development that would result in the loss of trees and landscaping out of keeping with the character of the area and having a detrimental impact on the intrinsic character and beauty of the countryside.
- The buildings would have to be conditioned to be three storeys in height (~11m) and windows fixed shut on the south-east elevation to mitigate noise disturbance.

Dorset Council

Covid-19 Pandemic – Addendum to the Guide to Public Speaking Protocol for Planning Committee meetings

Due to the Covid-19 pandemic the council has had to put in place measures to enable the council's decision making processes to continue whilst keeping safe members of the public, councillors and council staff in accordance with the Government's guidance on social distancing by applying new regulations for holding committee meetings from remote locations.

The following procedures will apply to planning committee meetings until further notice, replacing where appropriate the relevant sections of the Guide to Public Speaking at Planning Committees:

1. While planning committee meetings are held remotely during the Coronavirus outbreak public participation will take the form of written statements (and not public speaking) to the committee.
2. If you wish to make a written statement it must be no more than 450 words with no attached documents and be sent to the Democratic Services Team by 8.30am two working days prior to the date of the committee – i.e. for a committee meeting on a Wednesday written statements must be received by 8.30am on the Monday. The deadline date and the email contact details of the relevant democratic services officer can be found on the front page of the committee agenda. The agendas for each meeting can be found on the Dorset Council website
<https://moderngov.dorsetcouncil.gov.uk/mgListCommittees.aspx?bcr=1>
3. During this period the council can only accept written statements via email and you should continue to bear in mind the guidance in the public speaking guide when preparing your representation.
4. The representations made by members of the public will be read out, in the order in which they were received, by the Chairman or an officer (but not the case officer), after the case officer has presented their report and before the application is debated by members of the Committee. It may be that not all of your representation will be read out if the same point has been made by another representation and already read to the Committee.' The time period for the receipt of the written representations will remain at 15 minutes, although the Chairman of the Committee will retain discretion over this time period as she/he sees fit.
5. This addendum applies to members of public (whether objecting or supporting an application, town and parish councils, planning agents and applicants).

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Planning Committee Report

1.0 Application Number – [2/2018/0036/OUT](#)

Site address - West Of Shaftesbury Road At Land South Of Gillingham, Shaftesbury Road, Gillingham, Dorset.

Proposal - Develop land by construction of an urban extension to the south of Gillingham between Shaftesbury Road (B3081) and New Road (B3092). The urban extension would comprise up to 961 dwellings. Up to 2,642 sq. m. in a new local centre providing retail, community, health and leisure uses, new and enhanced pedestrian/cycle routes, open spaces, roads, car parking and vehicular access. To include all ancillary works and associated infrastructure (Outline application to determine access only).

Applicant name - Welbeck Strategic Land LLP

Case Officer – Simon McFarlane

Ward Members - Val Potheary, Belinda Rideout, David Walsh

2.0 Summary of Recommendation:

Recommendation A: Delegate authority to the Head of Planning to grant conditional planning permission subject to the completion of a Section 106 legal agreement, as specified in The Town and Country Planning Act 1990 (as amended), in a form to be agreed by the legal services manager to secure the following

- 50/50% tenure split for all affordable housing
- Minimum of 10% affordable housing in the first phase of development
- A viability review 'mechanism'/clause to review development viability in subsequent phases, seeking to secure policy compliant 25% affordable housing across the development as a whole
- Provision of transport infrastructure compliant with Local Plan Policy 21 requirements
- Provision of green infrastructure compliant with Local Plan Policy 21 requirements
- Provision of Social infrastructure (including education, health, community hall, household recycling, sports field and leisure and library) compliant with Local Plan Policy 21 requirements

And the conditions (and their reasons) listed at the end of the report.

Recommendation B: If the S106 legal agreement is not completed by 14 November 2020, refuse permission for failing to secure the planning obligations (as set out above) which are considered to be necessary to mitigate the adverse impacts, and secure an adequate provision of affordable housing, of the proposed development.

3.0 Reason for the recommendation:

At the February 2019 North Dorset Planning Committee this application was recommended for approval by officers and was subsequently delegated by members for approval to the Head of Planning subject to pre-conditions and completion of a Section 106 agreement. This application is now back before the Committee as concerns had been raised by the applicant about the wording of some of the proposed planning conditions. The set of conditions below have been amended to ensure they meet the relevant tests set out in the National Planning Policy Framework.

The following reasons were set out previously in the Officer's Report and are still relevant:

- The site is allocated in the North Dorset Local Plan
- The Council cannot demonstrate a five year housing land supply
- The proposal would contribute towards the Council's 5 year housing land supply
- Para 11 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise. None have been identified
- The location is considered to be sustainable
- The development would secure significant economic and social benefits.
- There are no material considerations which would warrant refusal of this application

4.0 Table of key planning issues

Issue	Conclusion
Principle of development	The principle of development was agreed through the strategic Local Plan allocation and supported by the Gillingham Neighbourhood Plan.
Scale, design, impact on character and appearance	The application is Outline for access consideration only. However detailed parameter plans on density, building heights, landscaping, access & movement have been agreed which will guide the future reserved matters applications.

Access	There are three identified three points of access - Shaftesbury Road, New Road, and limited access for up to 100 dwellings off Woodpecker Meadow.
Transport	Due to the Principal Street and offsite transport improvements proposed there will be beneficial effects on the local highway system.
Flooding/Drainage	The development has been design sequentially avoiding areas of flood risk. Drainage details can be adequately secured by condition.
Impact on Heritage	Extensive Archaeological investigations have taken place to the satisfaction of the councils Senior Archaeologist and Historic England. Further work is to be secured by condition.
Impact on landscape	Primary and secondary mitigation measures will reduce the potential landscape impacts. After 15 years the visual effects could be reduced to slight/not significant.
Ecology	Full surveys have been undertaken and impact upon protected species can be mitigated to avoid significant effects.
s.106	Contributions will be secured towards affordable housing, transport infrastructure, green infrastructure, and social infrastructure.
Economic benefits	Significant benefits would come from the provision of jobs during construction, and future residential expenditure.
EIA	An assessment has been undertaken in respect to the scoped areas of potential environmental concern. This has shown that if the identified additional mitigation is implemented during the design, construction and operational stages of the development, the majority of operational and construction stage effects identified can be appropriately mitigated or

	compensated and reduced to a level which is not considered to be significant.
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5.0 Description of Site

The site comprises an area of approximately 52.23 hectares, which is wholly within the Strategic Site Allocation – Gillingham Southern Extension (Policy 21).

Gillingham is located to the north of North Dorset District Boundary, approximately 35km to the west of Salisbury. It is recognised as one of the main towns in NDDC which serves a wide catchment of surrounding villages and settlements.

The application site is located to the south east of Gillingham town, to the immediate south of Ham. It comprises the land identified as Ham Farm and Newhouse Farm which is currently characterised by open fields, divided by a series of mature trees and hedgerows. The land is identified as 'Land to the South of Ham' in Policy 21 of the Local Plan Part 1 (2016). To the eastern boundary is the B3081 Shaftesbury Road and to the west is the B3092 New Road. To the south is Cole Street Lane, with open fields beyond.

The River Lodden runs along the north-western boundary of the site, and to the immediate north is the existing settlement of Ham, including the St Mary the Virgin Primary School.

To the east and west of the Site, beyond New Road and Shaftesbury Road are other Sites which form part of the Gillingham Southern Extension SSA.

These sites will be subject to individual outline planning applications. There are no existing buildings within the application site.

6.0 Description of Development

Develop land by construction of an urban extension to the south of Gillingham between Shaftesbury Road (B3081) and New Road (B3092). The urban extension would comprise up to 961 dwellings. Up to 2,642 sq. m. in a new local centre providing retail, community, health and leisure uses, new and enhanced pedestrian/cycle routes, open spaces, roads, car parking and vehicular access. To include all ancillary works and associated infrastructure (Outline application to determine access only).

The planning application seeks outline planning permission with all matters reserved for later approval save for main points of access from the adjacent highway (with internal access routes reserved for later approval).

The majority of the site is open land which is used for agricultural purposes. There are no existing buildings within the application site boundary.

The application seeks to establish the principles of use, amount, scale, massing and access. All matters, except for the main vehicular access points, are reserved for future consideration. The principal points of vehicular access are from New Road B3092, Shaftesbury Road B3081, and also Woodpecker Meadow to the north of the Site, which are for determination as part of the application. The access parameter plans also identify locations for pedestrian and cycle access. These specific points of access into and out of the Site are fixed but within the Site where access routes are identified on the parameter plans the alignment of the principal street may deviate within the limits of the 30m corridor.

All other access routes (vehicular/cycle and pedestrian) to be formed within the Site are reserved for later approval and are not fixed by the parameter plans but are shown illustratively in order to allow assessment of the impacts. This approach allows flexibility in terms of the relationship between access routes and development plots as both will be determined at reserved matters stage.

In addition layout, scale, appearance and landscaping are reserved for later approval. With regard to appearance and landscaping, the illustrative design set out within the illustrative drawings and Design and Access Statement (DAS) submitted in support of the application show one way in which the development could be brought forward within the parameters set. This approach, whilst allowing control over subsequent reserved matters, also allows for a degree of flexibility in the final design so that the scheme can evolve over time to take account of relevant factors including possible changes to the surrounding built environment and market conditions.

Permission is sought for the following uses across the Site as set out below:

Gross External Floorspace (GEA) Uses Maximum Quantum (GEA) Mixed Use Areas to include:

- Total maximum area – 2,642 sqm
- Retail (including convenience store) – Use Classes A1 – A5
- Non-Residential Uses (Use Class D1)

Individual use classes subject to a maximum cap of:

- A1 (Convenience Retail) – 760 sq.m
- A1 – A5 (excluding convenience retail)– 893 sq.m
- D1 – 989 sq.m
- Residential (Use Class C3) Up to 961 net residential units
- Extension to Primary School 1 Form Entry
- Car Parking Residential and Non-Residential parking

Details will be defined within reserved matters applications (Notes and assumptions for the figures above exclude open spaces).

7.0 Relevant Planning History

2/2018/0036/OUT - This application was recommended for approval by officers and was subsequently delegated by members at the February 2019 North Dorset Planning Committee to the Head of Planning, subject to the following pre conditions and completion of a Section 106 agreement.

Pre-Conditions:

To allow the applicant and Environment Agency one month to continuing their dialogue with the aim for the applicant to provide additional flood risk assessment information and / or amend their proposals for the western point of access, to secure removal of the present EA holding objection, or

1. Failing that, the Council's minded to resolution to grant outline planning permission be referred to the Secretary of State to determine whether they wish to call-in the application for determination;
2. The applicant completing the required archaeological trial trench surveying within four months of the Council's resolution to grant outline planning permission and, if required, agreeing with the County Archaeologist a programme of consequential additional surveying, works and recording, prior to the issue of outline planning permission;
3. Delegate to the Head of Planning completion of a Section 106 legal agreement to secure;
 - 50/50% tenure split for all affordable housing
 - TBC% affordable housing in the first phase of development
 - A viability review 'mechanism'/clause to review development viability in subsequent phases, seeking to secure policy compliant 25% affordable housing across the development as a whole
 - Provision of transport infrastructure compliant with Local Plan Policy 21 requirements
 - Provision of green infrastructure compliant with Local Plan Policy 21 requirements
 - Provision of Social infrastructure (including education, health, community hall, household recycling, sports field and leisure and library) compliant with Local Plan Policy 21 requirements

and then approve subject to the conditions and informatives.

The primary reason that this application is back before the Committee is that the Archaeological trial trenching was not completed within 4 months of the resolution

to grant planning permission. There has also been rewording and addition of further planning conditions.

8.0 List of Constraints

Agricultural Land Grade: 4

Agricultural Land Grade: 3

Flood zone Type: Flood Zone 1, 2, and 3

HSE Hazardous Installations: Brickfields Business Park, New Road, Gillingham

HSE Hazardous Installations: Brickfields Business Park, New Road, Gillingham

Parish Name: Gillingham CP

Parish Name: East Stour CP

Public Rights of Way - Route Code: N64/35

Path Type: Footpath

Public Rights of Way - Route Code: N64/78

Path Type: Footpath

Public Rights of Way - Route Code: N62/1

Path Type: Footpath

Public Rights of Way - Route Code: N64/33

Path Type: Footpath

Public Rights of Way - Route Code: N64/34

Path Type: Footpath

TPO's - 12 individual trees including 9 Ash, 2 Oak & 2 Field Maple TPO 20/25/05
Land south and south east of Higher Ham roundabout, Gillingham.

Settlement Boundary: Gillingham

9.0 Consultations

All consultee responses can be viewed in full on the website.

Gillingham Town Council

- No objection, subject to Highway department being satisfied.

Highways England - Network Strategy Division

- No objection, subject to conditions and informatives

Transport Development Management - Dorset Council

- No objection, subject to S106 and conditions.

Planning Policy

- No objection

Sport England

- No objection and request to be involved in the configuration of new playing fields and ancillary facilities.

Drainage (Flood Risk Management) – Dorset Council

- No objection, subject to conditions and informatives

Wessex Water

- No objection.

Natural England

- No objection, subject to conditions.

Natural Environment Team

- No objection, subject to conditions.

Dorset Police - Architectural Liaison Officer

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

Health & Safety Executive

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

Environment Agency (detail explained below)

- No objection subject to conditions.

Archaeology (detail explained below)

- No objection, subject to a condition.

NHS Property Services Limited

- No objection, subject to financial contributions to fund additional NHS infrastructure.

NHS Property Services Limited

- The request for financial contributions to fund additional NHS infrastructure was withdrawn on the 03 June 2019 in order to build a more robust strategy and working relationship with Dorset Council and developers going forward.

10.0 Representations

23 letters of representation were received prior to the February 2019 Committee, of which 2 offered comments which neither supported nor objected to the proposal, 20 objected to the proposal and 1 supported the proposal.

One further representation has been received in March 2020 from a resident of Woodpecker Close raising a number of points and objecting to the proposal. The main issues raised can be briefly summarised as follows;

1. Concerns over the Highways consultee comments, vehicular access through Woodpecker Close and resident safety
2. The purported need to take the Paris Agreement into account, referencing the recent Court of Appeal judgement on the Government's decision to allow the third runway at Heathrow.
3. The 'Housing Design Audit for England' and issues with regards to the dominance of roads/cars in new developments.
4. The publication of the 'Building Better Beautiful Commission' and the emphasis on the requirement for Healthy Streets and the expansion of cycle networks and planning car routes away from schools.

Officers note in response to these points:

1. The highway consultee comments were received on the 14th February 2019. In their opinion the Transport Assessment and evidence submitted was satisfactory and robust. The issue of safety in Woodpecker Close was addressed with regard to vehicular access. A Stage 1 Road Safety Audit had been undertaken and it raised no overriding safety issues with the proposal. There are a significant suite of measures secured as part of this proposal which mitigate the transport impacts. These include; the provision of offsite local highway improvements and financial contributions towards the Principal Street/associated infrastructure, additional bus stops, community transport, the Enmore green link road, Gillingham rail station improvements, pedestrian and cycle improvements, travel plans, sustainable travel vouchers and town wide personalised travel planning contributions. It should be noted that the test set out in the NPPF is that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts upon the road network would be severe. The conclusion was that the proposed development did not give rise to any severe impacts and thus they raised no objections, subject to conditions. Officers support this stance.
2. The Paris agreement central aim is to strengthen the global response to the threat of climate change by keeping a global temperature rise this century well below 2 degrees Celsius above pre-industrial levels and to pursue efforts to limit the temperature increase even further to 1.5 degrees Celsius. It came into force in November 2016. The recent court of appeal ruling referred to 'R (*Friends of the Earth*) -v- Secretary of State for Transport and others' was in relation to a failing that the SOS made in designating the Airports National Policy Statement. The court found that the Secretary of State had acted unlawfully in not taking into account "its own firm policy

commitments on climate change under the Paris Agreement”. However this application (or misapplication) of law does not relate to making decisions on planning applications in the same way. There is no statutory duty when it comes to the Town and Country Planning Act.

When it comes to plan-making, section 19(1A) of the Planning and Compulsory Purchase Act 2004 imposes a statutory duty on local planning authorities that development plan documents must include policies that contribute to mitigation and adaptation to climate change, and this duty is reflected in paragraph 149 of the National Planning Policy Framework, stating in footnote 48 that policies should be “in line with the objectives and provisions of the Climate Change Act 2008”.

There are no specific equivalent requirements in relation to decision making, just the general statement in paragraph 148, stating that the “planning system should support the transition to a low carbon future in a changing climate” and “should help to: shape places in ways that contribute to radical reductions in greenhouse emissions”.

The National Planning Policy Framework has a clear emphasis on meeting the challenge of climate change (Section 14 is dedicated to it) and significant emphasis is placed on decision making to ensure that development is ‘sustainable’. It states that at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11). Therefore planning decisions must always be derived through a consideration of the sustainability of the proposals. In this case the officers believe that this development does accord with the definition of sustainable development and have therefore recommended approval.

3. The ‘Housing Design Audit for England’ was published in January 2020. The report was conducted by University College London (UCL) for the Place Alliance and the Campaign to Protect Rural England. This new audit evaluates the design of 142 large-scale housing-led development projects across England against seventeen design considerations. It provides enough data for comparisons to be made regionally and against the results of previous housing design audits conducted over a decade ago. It establishes a new baseline from which to measure progress on housing design quality in the future.

One of the key recommendations to Local Planning Authorities to enable better design outcomes is to ‘*set very clear aspirations for sites (in advance)*’. The council has clearly followed this approach in adopting a site specific Policy in the adopted North Dorset Local Plan. The site was allocated and clear aspirations set out in Policy 21. The council has worked closely with the developers to arrive at an outline application which can be fully supported.

The points raised in the representation relate to some issues in regard to the dominance of roads/cars in new developments, poor quality design, the need to build with popular consent and the requirement to expand cycle networks.

The application before the Committee is for Outline consent and detailed access provision only. The detailed design and layout of this proposal will be secured at a later stage through the submission of reserved matters applications. Nevertheless, there has of course been very careful consideration regarding design parameters and principles of this proposal. It should be noted that there are very few local objections to this major development. As mentioned above there is also a suite of sustainable travel mitigation measures proposed, including the expansion of cycle networks. It is hoped that in the future this site may be included in a similar audit which highlights this development as a positive case study.

4. The 'Building Better Beautiful Commission' is an independent body that advise government on how to promote and increase the use of high quality design for new build homes and neighbourhoods. The commission published its final report 'living with beauty' on the 30 January 2020. It has 45 Policy propositions and is 190 pages long with many key findings which will no doubt be beneficial in increasing the design quality of new neighbourhoods throughout the UK. Officers believe that the current outline proposals and subsequent reserved matters applications will result in a successful new community of high quality design.

11.0 Relevant Policies

Local Plan -

The North Dorset Local Plan Part 1 (LPP1) was adopted by North Dorset District Council (NDDC) on 15 January 2016. It, along with policies retained from the 2003 North Dorset District-Wide Local Plan, 1 and the 'made' Gillingham Neighbourhood Plan, form the development plan for North Dorset. Planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

Relevant applicable policies from LPP1 are as follows:

Policy 1: Presumption in Favour of Sustainable Development
Policy 2: Core Spatial Strategy
Policy 3: Climate Change
Policy 4: The Natural Environment
Policy 5: The Historic Environment

Policy 6: Housing Distribution
Policy 7: Delivering Homes
Policy 8: Affordable Housing
Policy 11: The Economy
Policy 12: Retail, Leisure and Other Commercial Developments
Policy 13: Grey Infrastructure
Policy 14: Social Infrastructure
Policy 15: Green Infrastructure
Policy 17: Gillingham
Policy 21: Gillingham Strategic Site Allocation
Policy 23: Parking
Policy 24: Design
Policy 25: Amenity

The relevant saved policies from the North Dorset District Wide Local Plan (1st Revision) Adopted 2002, are as follows:

Policy 1.20 - Contaminated Land
Policy 4.3 - New Community Buildings, Village Halls and Libraries
Policy 4.5 - Provision of Outdoor Sports Pitches and other Recreational Open Space
Policy GH8 - Gillingham (allocation of employment land)
Policy GH15 - Gillingham (retain, enhance and extend sports pitches at a and around the secondary school)
Policy GH16-20 - Gillingham (policies for recreation, sport and cycling schemes)
Policy GH23 – Gillingham (land safeguarded for extension of existing sewage treatment works)
Policy GH 25-28 - Gillingham (minor highway improvements and cycling schemes)

Gillingham Neighbourhood Plan -

The Gillingham Neighbourhood Plan was ‘made’ on 27 July, 2018 and forms part of the Development Plan for North Dorset. Relevant policies applicable to these outline applications are:

Policy 1. Custom and self-build housing
Policy 4. Support improvements in existing employment sites
Policy 12. Pedestrian and cycle links
Policy 13. Road designs in new development
Policy 14. New and improved health and social care provision
Policy 15. New and improved education and training facilities
Policy 16. New and improved community, leisure and cultural venues
Policy 17. Formal outdoor sports provision
Policy 18. Equipped play areas and informal recreation / amenity spaces
Policy 19. Allotments
Policy 20. Accessible natural green space and river corridors

Policy 23. The pattern and shape of development
Policy 24. Plots and buildings
Policy 25. Hard and soft landscaping

Current housing land supply

Officers note that where a 5-year supply of housing land cannot be demonstrated paragraph 11d i) and ii) of the Framework outlines the implications for how development proposals should be determined. It states that where the (local) development plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless the adverse impact of doing so would significantly and demonstrably outweigh the benefits.

North Dorset District Council published its latest Annual Monitoring Report (AMR) last year:

<https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/north-dorset/additional-planning-policy-documents/annual-monitoring-report-development-stats/pdfs/annual-monitoring-report-2019-final.pdf>

It confirms that there is still a lack of an identifiable 5 year housing land supply. One reason that the 5 year supply has fallen (despite an increase in approvals) is that there is an amended definition of 'deliverable' in the latest NPPF, which means that the Council can no longer automatically include major development with outline permission in its 5 year supply. The definition states that Councils can only include such sites "where there is clear evidence that housing completions will begin on site within five years."

This means that the approval of outline applications such as the ones for the Gillingham SSA will not immediately improve the Council's 5 year supply.

National Planning Policy Framework (NPPF):

The NPPF has been updated with a revised version published February 2019. The following sections and paragraphs are relevant to this outline application:

1. Introduction
2. Achieving sustainable development
4. Decision-making
5. Delivering a sufficient supply of homes
6. Building a strong, competitive economy
8. Promoting healthy and safe communities
9. Promoting sustainable transport
10. Supporting high quality communications

- 11. Making effective use of land
- 12. Achieving well designed places
- 14. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural environment
- 16. Conserving and enhancing the historic environment

Note: NPPF paragraph 11 sets out the presumption in favour of sustainable development. This states, in part, that 'Plans and decisions should apply a presumption in favour of sustainable development. ... For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay...'

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Current housing land supply

The Council at present can only demonstrate 4.0 years of housing land supply of the requisite 5.0 years of housing land supply as set out in the NPPF. North Dorset District Council published its latest Annual Monitoring Report (AMR) last year:

<https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/north-dorset/additional-planning-policy-documents/annual-monitoring-report-development-stats/pdfs/annual-monitoring-report-2019-final.pdf>

It confirms that there is still a lack of an identifiable 5 year housing land supply. One reason that the 5 year supply has fallen (despite an increase in approvals) is that there is an amended definition of 'deliverable' in the latest NPPF, which means that the Council can no longer automatically include major development with outline permission in its 5 year supply. The definition states that Councils can only include such sites "where there is clear evidence that housing completions will begin on site within five years."

This means that the approval of outline applications such as the ones for the Gillingham SSA would not immediately improve the Council's 5 year supply.

12.0 Human rights

Article 6 - Right to a fair trial.

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

The first protocol of Article 1 Protection of property

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

13.0 Public Sector Equalities Duty

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

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

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

14.0 Financial benefits

Benefit	Quantum
Affordable Housing	Minimum of 10 % in Phase 1 and up to 25% depending upon development viability over the lifetime of the project.
Principal Street contributions	£3,540,526.32
Bus Service contributions	£434.04 per dwelling
Bus stop contributions	£52.63 per dwelling
Community Transport contributions	£29.23 per dwelling
Enmore Green Link Road/contributions	£329.47 per dwelling

Gillingham Rail Station Improvements Contribution	£94.15 per dwelling
Off-site Pedestrian and Cycle Improvements	Secured by s.106
Rail Station Cycle Parking Contributions	£1,186
Sustainable Transport Improvements Contributions	£137.43 per dwelling
Sustainable Travel Voucher	£100 provided to the first occupant of each dwelling
Town-wide Personalised Travel Planning Contributions	£99.85 per dwelling
Community Hall contributions	£936.32 per dwelling
Library contributions	£252.00 per dwelling
Heath facilities contributions	£112.28 per dwelling
Household recycling contributions	£271.94 per dwelling
Green Infrastructure	Public Open Space Play facilities Sports pitches with floodlighting/Pavilion - £800,000.
Primary Education Contribution	£2017 per qualifying dwelling
Secondary Education Contribution	£4077 per qualifying dwelling
Construction Jobs	Lasting approximately 21 years
Council Tax Revenue	Generated by upto 961 dwellings
New Homes Bonus	Approximately £4million

15.0 Planning Assessment

Given that the substantive issues remain the same and planning policy has not changed to any extent that would warrant a different recommendation, this report seeks only to clarify matters which have occurred since February 2019. Please

refer to the February 2019 Committee Report for the full details of the analysis of the planning issues (appended).

In summary Officers remain of the view that the application accords with the adopted Development Plan and the National Planning Policy Framework and should therefore be approved without any further delay.

Planning update since February 2019 Committee

Amendment to Red Line:

The applicant has submitted a revised Red Line Site Plan, ref - 01050_PP_01, Rev P3. This was necessary due to an error within the original Title Plan for Newhouse Farm which incorrectly placed the garden of part of the cottage within the Title. The Red Line has been amended to exclude this land.

Flood risk matters:

Following the committee resolution in February 2019, additional information was submitted to the Environment Agency (EA), which included correspondence from the applicants flood risk consultant and an updated flood risk assessment (AWP, Revision C).

The EA had previously been concerned that part of the Principle Street access joining the B3092 New Road was located with the flood plain and would not be operational in times of flood. They also requested clarification over the vulnerability classification of this element of infrastructure.

The EA were advised by the LPA and flood risk consultant that the Principle Street is considered to fall under the 'Essential Infrastructure' flood risk vulnerability classification. In this respect, with regards to whether it remains operational, the argument was put forward by the developer that a significant length of Principle Street would be operational in times of flood and available for use by the whole development to access onto Shaftesbury Road.

The Principle Street would 'remain operational' as an access route in times of flood, even if only in full from one end. Providing that access is available for all phases of the development onto the B3081 Shaftesbury Road, (or any other access located within low risk of flooding) at all stages as the development phases come forward there would always be a dry route of access/egress for residents and emergency services.

On this basis the Environment Agency withdrew their objection to this application subject to planning conditions and informatives.

Archaeology:

The applicant was required to carry out archaeological trial trench surveying within four months of the Council's resolution to grant outline planning permission and, if required, agreeing with the Council's Archaeologist a programme of consequential additional surveying, works and recording, prior to the issue of outline planning permission.

It was not possible to complete the trenching works within the stipulated four month period due to the cattle grazing on the land. An archaeological evaluation was undertaken between July-September 2019. The investigations were undertaken in accordance with a Written Scheme of Investigation prepared by WYG (2017) and approved prior to commencement on site.

This involved the excavation over 183 trenches and across the site. All spoil removal was undertaken under the control and direction of the Site Archaeologist. Topsoil and overburden were removed by mechanical excavator, using a wide toothless bucket, and ceased at the level at which archaeological deposits or natural subsoil was exposed.

Each trench was recorded using the full range of the standard AC archaeology *pro forma* recording system. In addition to this an analytical earthwork survey was also undertaken during the evaluation in five areas of the site.

The full results of these investigations were recorded and provided in a report dated November 2019, 'Results of archaeological site evaluation', ref – ACW1142/1/0.

This work has satisfied the Council's Senior Archaeologist and a planning condition has been recommended that will secure the implementation of a programme of further archaeological work/recording which shall be submitted to and agreed prior to commencement of any works on site.

Section 106 legal agreement:

The S106 has now been agreed between all parties and will secure the items previously requested, namely;

- 50/50% tenure split for all affordable housing
- 10% affordable housing in the first phase of development
- A viability review 'mechanism'/clause to review development viability in subsequent phases, seeking to secure policy compliant 25% affordable housing across the development as a whole
- Provision of transport infrastructure compliant with Local Plan Policy 21 requirements
- Provision of green infrastructure compliant with Local Plan Policy 21 requirements

- Provision of Social infrastructure (including education, health, community hall, household recycling, sports field and leisure and library) compliant with Local Plan Policy 21 requirements

Planning Balance

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

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

This Council's Policies in the adopted Local Plan follow the approach of the presumption in favour of sustainable development. It has been noted above that this Council can only demonstrate 4.0 years of housing land supply as such the relevant policies for the supply of housing should not be considered up-to-date.

This invokes NPPF paragraph 11 which states, in part, that when policies most important for determining the application are out-of-date, the Council should granting permission unless:

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

The development broadly follows the agreed principles of the Policy 21 strategic site allocation, related draft Master Plan Framework and accords with relevant planning considerations, including the National Planning Policy Framework, with the exception of being policy compliant for the level of affordable housing proposed.

That said the application needs to be considered 'in the round' weighing all material issues in the planning balance, including:

- Local support for the development

- Lack of an identifiable 5 year housing land supply and the presumption in favour of sustainable development
- Prospect of delivery of up to a combined total of upto 961 homes and a new local centre providing retail, community, health and leisure uses
- Financial benefits through construction and the creation of local jobs
- Increased spending in the Town centre and other local businesses from future residents
- New Home Bonus payments and increased Council tax revenue
- Section 106 agreement which supports overall objectives to secure enhanced community infrastructure within Gillingham and which also underpin the Strategic Site Allocation Policy requirements with the following;
 - Community Hall contributions
 - Library contributions
 - Heath facilities contributions
 - Public Open Space
 - Play facilities
 - Sports pitches with floodlighting
 - Household recycling contributions
 - Principal Street contributions
 - Bus Service contributions
 - Bus stop contributions
 - Community Transport contributions
 - Enmore Green Link Road/contributions
 - Gillingham Rail Station Improvements Contribution
 - Master Plan and Residential Travel Plans
 - Off-site Pedestrian and Cycle Improvements
 - Rail Station Cycle Parking Contributions
 - Sustainable Transport Improvements Contributions
 - Town-wide Personalised Travel Planning Contributions
- A minimum of 10% affordable housing will be provided in the initial stages
- A 'Viability Review Mechanism' has been agreed with the applicants and Council's legal advisor drafting the Section 106 agreement that will allow the Council potential to recover a policy compliant level of affordable housing over the lifetime of this large scale phased development

When all the material planning issues are considered in the planning balance, your Officer's conclusion is that the benefits of the development warrant approval of the outline application. This is despite the initial 15% shortfall in the initial development phases being policy compliant in delivering affordable housing coupled with agreeing to a S106 agreement to deliver 10% affordable housing with a 50/50% tenure mix.

16.0 Conclusion

The development broadly follows the agreed principles of the Policy 21 strategic site allocation, related draft Master Plan Framework and accords with relevant planning considerations, including the Government's National Planning Policy Framework, with the exception of being policy compliant for the level of affordable housing proposed.

It remains the view of Officer's that benefits of the development warrant approval of the outline application.

17.0 RECOMMENDATION

Recommendation A

Delegate authority to the Head of Planning to grant conditional planning permission subject to the completion of a Section 106 legal agreement, as specified in The Town and Country Planning Act 1990 (as amended), in a form to be agreed by the legal services manager to secure the following:

- 50/50% tenure split for all affordable housing
- Minimum of 10% affordable housing in the first phase of development
- A viability review 'mechanism'/clause to review development viability in subsequent phases, seeking to secure policy compliant 25% affordable housing across the development as a whole
- Provision of transport infrastructure compliant with Local Plan Policy 21 requirements
- Provision of green infrastructure compliant with Local Plan Policy 21 requirements
- Provision of Social infrastructure (including education, health, community hall, household recycling, sports field and leisure and library) compliant with Local Plan Policy 21 requirements

And the conditions (and their reasons) listed at the end of the report.

Recommendation B

If the Section 106 legal agreement is not completed by 14 November 2020, refuse permission for failing to secure the planning obligations (as set out above) which are considered to be necessary to mitigate the adverse impacts, and secure an adequate provision of affordable housing, of the proposed development.

CONDITIONS

Time Limits

1. Approval of details of the layout, scale, appearance and landscaping ("the reserved matters") for each development phase (or a parcel or parcels

therein) shall be submitted to and approved in writing by the Local Planning Authority before development on that phase begins.

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

2. An application for approval of reserved matters for the first phase of development (or a parcel or parcels therein) shall be made to the Local Planning Authority within two years of the date of this permission. All applications for approval of reserved matters for each subsequent phase shall be submitted to the Local Planning Authority within 12 years of the date of this permission.

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

3. The first phase of development hereby permitted shall be commenced before the expiration of four years from the date of this permission. Thereafter, all subsequent phases shall be commenced within two years of the Local Planning Authority's approval of the last reserved matter for that phase.

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

Approved Plans

4. The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Parameter Plan 01: Red Line Plan, 01050_PP_01, Rev P3
 - Parameter Plan 02: Land Use Plan, 01050_PP_02, Rev P4
 - Parameter Plan 03: Density Plan, 01050_PP_03 Rev P5
 - Parameter Plan 04: Building Heights Plan, 01050_PP_04, Rev P3
 - Parameter Plan 05: Access and Movement Plan, 01050_PP_05, Rev P5
 - Parameter Plan 06: Landscape Strategy Plan, 01050_PP_06, Rev P2
 - Parameter Plan 07: Phasing Plan, 01050_PP_07, Rev P5
 - Illustrative Masterplan, 01050_MP02, Rev P2
 - Proposed B3081 Shaftesbury Road/Principal Street Signals, Ref - ITB4057-GA-073 Rev G
 - Principal Street - Proposed Ghost Island Junction With B3092 New Road, Ref - ITB4057-GA-104 Rev C

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

Quantum of Development

5. The development hereby approved shall be limited to a maximum of 961 dwellings only and up to 2,642 sqm of built floor space to include only retail, community, health, and leisure uses in a new local centre.

Reason: To define the extent of the permission and to recognise the calculations to define infrastructure contributions have been calculated on the basis of a minimum of 961 dwellings.

Phasing

6. Prior to the commencement of any works on site, (excluding the Principal Street) a phasing plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved phasing plan unless otherwise agreed in writing by the Local Planning Authority.

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

Materials

7. The submission of reserved matters for appearance for each development phase (or a parcel or parcels therein) shall reflect a palette of materials referenced in the Design & Access Statement, Design Coding Section 8.16 (Material Palettes).

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

Trees/Landscaping

8. The reserved matters for each phase (or a parcel or parcels therein) of the development shall include an updated Arboricultural Impact Assessment for that area. This document shall include details of how the existing trees are to be protected and managed before, during and after development. The development shall thereafter accord with the approved Assessment.

Reason: To ensure retention and appropriate protection of trees and other vegetation that are important to the character of the proposed development.

9. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the 1st occupation of each phase of development (or a parcel or parcels therein); and any trees or plants which, within a period of 5 years from the completion of that phase of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed with the Local Planning Authority.

Reason: In the interest of the amenity and appearance of the location

10. The reserved matters for each phase of the development (or a parcel or parcels therein) shall include a landscape management plan. This shall include long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens. The subsequent management of the development's landscaping shall accord with the approved plan.

Reason: To ensure the landscape scheme secured by reserved matters is implemented and satisfactorily maintained in the interests of the character and amenity of the completed development.

Hours of Operation

11. Before occupation of each unit of non-residential development, details of the hours of operation of those premises, hours of outside use of the premises, and hours of deliveries, shall be submitted to and approved in writing by the Local Planning Authority. The unit(s) shall thereafter only be occupied in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard residential amenities and to ensure that the development is not unneighbourly

Flooding/Drainage

12. Prior to the commencement of any development (excluding the Principal Street), on any phase a scheme for the disposal of foul drainage, based on sustainable drainage principles in accordance with the AWP Flood Risk Assessment & preliminary Surface Water Drainage Strategy and an assessment of the hydrological and hydrogeological context of the development, shall be submitted to and approved in writing by the Local Planning Authority. Amongst other relevant details the Foul drainage scheme shall include appropriate arrangements for the agreed points of connection required to serve the proposed development phasing, ownership of the scheme and how it will be maintained and managed after completion. The drainage scheme shall be completed in accordance with the approved details and to a timetable agreed with the local planning authority.

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

13. Prior to the commencement of any development (excluding the Principal Street), a scheme to ensure all new development finished floor levels are set at least 600mm above the future Flood Zone 3 flood level (based on the hydraulic model updated to include the associated Principal Street where it falls within the Flood Zones and any associated floodplain compensation) shall be submitted to, and approved in writing by, the local planning authority.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To reduce the impact of flooding to the proposed development and future occupants

14. Prior to the commencement of any development (excluding the Principal Street), a scheme that ensures no development or raising of ground levels (permanent or temporary) within Flood Zone 3b, 3a or future Flood Zone 3a derived by the hydraulic model updated to include the associated Principal Street where it falls within the Flood Zones, and any associated floodplain compensation, shall be submitted to, and approved in writing by the local planning authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To reduce the impact of flooding to the development and surrounding area.

15. Prior to the commencement of any development (excluding the Principal Street) on any phase (which includes the River Lodden within its boundary) a scheme for maintenance access to the River Lodden and associated flood risk management infrastructure, shall be submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent the increased risk of flooding and ensure future maintenance of the River Lodden.

16. Prior to submission of any Reserved Matters (RM) application on any phase of development, and prior to any application to discharge condition (17), finalised and detailed designs for necessary crossing(s) of any Ordinary Watercourses (including details of culverts, structures, road height and embankments), required by the Principal Street, must be submitted to and approved by the local planning authority. These crossings must be designed such that;
 - a. They remain fully operational and safe during a 1 in 100-year fluvial flood event (Flood Zone 3/ 1% Annual Exceedance Probability).
 - b. They are passable by emergency vehicles during a 1 in 1000-year fluvial flood event (Flood Zone 2 / 0.1% Annual Exceedance Probability).

- c. Make necessary allowances for Climate Change.
- d. Be acceptable in wider planning terms i.e. scale, appearance and height.

Construction of the Principal Street must incorporate the necessary crossings and must be built in strict accordance with the approved design(s).

Reason: To ensure that the design of the road meets national planning policy requirements and that culvert designs can be incorporated into any modelling required under condition (20).

17. Prior to submission of any Reserved Matters (RM) application on any phase of development, a High-Level Drainage Strategy (HLDS) & Flood Risk Assessment (FRA) for the entire development must be submitted to and approved by the local planning authority and must:
 - a. Use hydraulic modelling (or other reputable method) to consider the land take impact(s), in terms of fluvial flood risk, of culverting any on-site Ordinary Watercourses (OWC) required as a result of the proposed distributor road and finalised crossing design(s) submitted as per condition (2).
 - b. Consider the effect of winter Ground Water levels (and any revised fluvial modelling) upon the proposed drainage basins.
 - c. Show drainage and housing density layouts, that consider the revised modelling submitted and any increased (or reduced) land take required for attenuation.
 - d. Detail the location and specification for any necessary drainage infrastructure required to attenuate fluvial flooding and surface water

All Reserved Matters application(s) must be made in accordance with the approved HLDS & FRA

Reason: To ensure that strategic housing numbers / allocations for each phase, are made on the basis of appropriate flood risk mapping and Ground Water constraints, so as to allow proper implementation of the sequential approach for any subsequent Reserved Matters application, as required within the National Planning Policy Framework 2019.

18. Prior to the commencement of any development on any phase, a detailed Surface Water Management Scheme, including consideration of any construction period, for that phase shall be submitted and approved by the LPA. It shall;
 - a. Accord with the approved High-Level Drainage Strategy.

- b. Fully consider the effect of development within that phase upon any land drainage or Surface Water flow paths, not identified within the high-level strategy.
- c. Provide detailed designs concerning the proposed drainage infrastructure and makes necessary allowances for climate change.
- d. Fully consider the effect of development within that phase on each of the other phases
- e. Include a surface water construction management plan (SWCMP)
- f. Include details of the maintenance and management of both the surface water sustainable drainage system and existing watercourse(s) within that phase,
- g. Include measures for the lifetime of the development, arrangements for adoption by any public body or statutory undertaker, and any other arrangements to secure the operation of the surface water drainage system throughout its lifetime.

The development of each and every phase shall be carried out in strict accordance with the approved Surface Water Management Scheme for that phase and maintained in accordance with the approved details for the lifetime of the development.

Reason: To reduce and manage the risk of flooding from watercourses, ensure that development follows the sequential approach as outlined in national policy, ensure that drainage infrastructure causes no worsening, reduces flood risk, improves water quality, ecology and amenity wherever possible.

19. GRAMPIAN CONDITION

Prior to the commencement of any development (excluding the principal street) on any phase, the infrastructure required for that phase (or a parcel or parcels therein), pursuant to the approved High-Level Drainage Strategy shall be constructed and available for use whether or not that infrastructure is located within that phase.

Reason: To ensure that any offsite infrastructure, beyond any future applicant's ownership, which is critical to the successful, policy compliant, delivery of drainage infrastructure, has been delivered prior to construction of the phase in question.

Heritage

- 20. Prior to the commencement of any development (excluding the Principal Street) the applicant shall secure the implementation of a programme of archaeological work in accordance with a written scheme of investigation which shall be submitted to and approved in writing by the Local Planning

Authority. This scheme shall cover archaeological fieldwork together with post-excavation work and publication of the results.

Reason: To ensure that features of archaeological interest are properly examined and recorded.

Ecology

21. Prior to the commencement of any development (excluding the Principal Street), a scheme for the provision and management of an 8 metre wide buffer zone alongside the watercourse (River Lodden) and any wetland shall be submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping; and should form part of green infrastructure provision. The schemes shall include:

- a) plans showing the extent and layout of the buffer zone
- b) details of any proposed planting scheme (for example, native species)
- c) details demonstrating how the buffer zone will be protected during development and
- d) managed/maintained over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan
- e) details of any proposed footpaths, fencing, lighting etc.

Reason: To protect from potentially severe impacts of the development associated with the ecological value of lands alongside the watercourse which are particularly valuable for wildlife and worthy of protection

22. Prior to the commencement of any phase of the development, or a parcel or parcels therein (excluding the Principal Street), no construction or clearance works shall take place within 50 metres of the River Lodden until a plan detailing the protection to populations of water voles and otters and their associated habitats within the site, during construction works through to completion has been submitted and agreed in writing by the local planning authority. Details shall include a timetable for implementation and mitigation of any potential damage.

Reason: To protect the river corridor habitat from potentially severe impacts of the development.

23. Prior to the commencement of any development comprised in a phase (or a parcel or parcels therein) a landscape and ecological management plan

(LEMP) relating to the relevant phase shall be submitted to, and be approved in writing by, the Local Planning Authority. The content of the LEMP shall include the following;

- a) Strategic landscaping proposals to deliver the mitigation identified in Chapter 6 (Landscape and Visual) of the WYG Environmental Statement submitted in support of this application, and specifically;
 - Clarifying the length and quality of hedgerow to be removed and the amount and location of onsite replanting to be undertaken.
- b) Proposals to deliver the biodiversity mitigation identified in Chapter 7 (Ecology) of the WYG Environmental Statement submitted in support of this application, and specifically;
 - A method statement for the maintenance and enhancement of the Great Crested Newt population.
 - Details of otter holts to be provided along the river Lodden corridor

Unless approved otherwise in writing by the local planning authority, development of the site shall proceed in accordance with the approved LEMP.

Reason: To ensure that the development conserves and enhance the landscape and biodiversity

Highways/Transport/Construction

24. Prior to the commencement of any development, (excluding the Principal Street) of each phase of the development (or a parcel or parcels therein), details of the access, geometric highway layout, turning and parking areas for each phase (or part therein) shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: To reduce the risk of accidents

25. Prior to the commencement of any development (excluding the Principal Street), of each phase of the development (or a parcel or parcels therein), the first 15 metres of the access crossing, measured from the nearside edge of the carriageway, shall be laid out and constructed to a specification submitted to and approved in writing by the Local Planning Authority.

Reason: To reduce the risk of accidents

26. Prior to the commencement of any development (excluding the Principal Street), of each phase of the development (or a parcel or parcels therein) the visibility splay areas as required for each access point shall be cleared/excavated to a level not exceeding 0.6 metres above the relative level of the adjacent carriageway. The splay areas shall thereafter be maintained and kept free from all obstructions.

Reason: To reduce the risk of accidents

27. Prior to the commencement of each phase of the development (or a parcel or parcels therein), a scheme showing precise details of the proposed cycle parking facilities must be submitted and approved in writing by the LPA. The approved scheme must be constructed prior to the occupation of the relevant building in that phase, and thereafter must be maintained, kept free from obstruction and available for the purpose specified.

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

28. Grampian condition – off-site highway works Before the 253rd dwelling is occupied the following works must have been constructed;

- The B3081 Shaftesbury Road/B3092 New Road junction improvement scheme, as shown on Dwg No ITB4057-GA-027 Rev G (scheme to be submitted and agreed in writing with the Local Planning Authority or implemented directly by Dorset Council).
- A scheme to convert the existing mini-roundabout at the B3081 Le Neubourg Way/Newbury (High Street) to a signalised junction, as shown on Dwg No ITB4057-GA- 066 Rev E (scheme to be submitted and agreed in writing with the Local Planning Authority or implemented directly by Dorset Council).
- The implementation of a SCOOT (Split Cycle Offset Optimisation Technique) urban traffic control (UTC) system on the central section of the B3081/B3092 corridor (scheme to be submitted and agreed in writing with the Local Planning Authority, or implemented directly by Dorset Council).

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

29. Grampian condition – Principal Street

Prior to the occupation of the 692nd dwelling the following works must have been constructed to the specification of the Local Planning Authority:

- The provision of the principal street, linking the B3081 Shaftesbury Road to the B3092 New Road.

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

30. Grampian condition – site access

No dwelling hereby permitted shall be occupied (within the relevant phase of development in which the infrastructure listed below is located) until the following works have been constructed to the specification of the Local Authority;

- The provision of a signal-controlled junction on the B3081 Shaftesbury Road, as shown on Dwg No ITB4057-GA-073 Rev G) (scheme to be submitted and agreed in writing with the Local Planning Authority or implemented directly by Dorset Council).
- The realignment and extension of the existing B3092 New Road to the south of Lodden Lakes to form the minor arm of a ghost island right turn lane junction with the principal street, as shown on Dwg No ITB4057-GA-104 Rev C(details to be submitted and agreed in writing with the Local Planning Authority or implemented directly by Dorset Council).
- The extension of Woodpecker Meadow, as shown on Dwg No ITB13010-GA-008 (details to be submitted and agreed in writing with the Local Planning Authority or implemented directly by Dorset Council).
- The provision of a pedestrian/cycle access via Pheasant Way via the existing Footpath N64/33, as shown on Drawing no. ITB13010-GA-010 (to be submitted and agreed in writing with the Local Planning Authority or implemented directly by Dorset Council.).

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

31. Prior to the commencement of any phase of the development, or a parcel or parcels therein, details of a scheme to install infrastructure to facilitate charging for plug-in and other ultra-low emission vehicles within that phase of the development shall be submitted to and agreed in writing by the local planning authority. The scheme shall include a timetable for implementation. Thereafter the development shall be carried out in accordance with the agreed details as have been approved by the Local Planning Authority including the timetable for implementation.

Reason: To ensure that adequate provision is made to enable charging of plug-in and ultra-low emission vehicles

Construction

32. Prior to the commencement of each phase of the development (or a parcel or parcels therein), a Construction Environmental Management Plan (CEMP) for that phase shall be submitted to and approved in writing by the local planning authority. The CEMP shall detail the treatment of any environmentally sensitive areas, their aftercare and maintenance as well as a plan detailing the works to be carried out showing how the environment will be protected during the works. The CEMP shall include details of the following:

- details of the layout of the site including generators, pumps, silos, site office, staff car parks and storage;
- storage of plant, materials and waste;
- the erection and maintenance or security hoarding;
- details of a scheme for the prevention of disturbance/nuisance caused by noise, vibration, dust and dirt to sensitive properties during construction;
- a scheme for recycling/disposing of waste resulting from construction works;
- the operation of plant and machinery associated with engineering operations;
- site security;
- fuel, oil and chemicals storage, bunding, delivery and use;
- how both minor and major spillage will be dealt with; containment of silt/soil contaminated run-off;
- disposal of contaminated drainage, including water pumped from excavations;
- site induction for workforce highlighting pollution prevention and awareness;
- a scheme to dispose of surface water run-off during the construction phase;
- construction operating hours;
- details of intrusive construction practices and methods such as piling and the subsequent control measures that will be implemented;
- the type of plant to be used;
- details of construction methods
- construction vehicle details (number, size, type and frequency of movement)
- a programme of construction works and anticipated deliveries
- timings of deliveries so as to avoid, where possible, peak traffic periods
- a framework for managing abnormal loads

- contractors' arrangement plan showing; compound, storage, parking, turning, surfacing and drainage
- wheel cleaning facilities
- vehicle cleaning facilities
- Inspection of the highways serving the site (by the developer (or his contractor) and Dorset Highways) prior to work commencing and at regular, agreed intervals during the construction phase
- a scheme of appropriate signing of vehicle route to the site
- a route plan for all contractors and suppliers to be advised on
- temporary traffic management measures where necessary

The works shall be carried out in accordance with the approved CEMP.

Reason: To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site

33. There shall be no access to the development site for construction vehicles or associated contractors and suppliers' vehicles from Woodpecker Meadow.

Reason: To prevent vehicular access by construction vehicles.

Broadband

34. Prior to the commencement of any development (excluding the Principal Street), a scheme for facilitating infrastructure to support superfast broadband technology to serve the development shall be submitted to, and approved in writing by, the local planning authority. The scheme shall include a timetable for implementation, including triggers for a phased implementation if appropriate. Thereafter, the development shall proceed in accordance with the agreed scheme.

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

Informatives

TBC

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Planning Committee Report

1.0 Application Number – [2/2018/0077/OUT](#)

Site address - Land at Park Farm Kingsmead Business Park, Gillingham, Dorset

Proposal - Develop land by the erection of up to 634 dwellings (use class C3), a primary school (use class D1), sports pitches with floodlighting, public open space, play facilities, access and internal estate roads, internal footpaths and cycleways, sustainable drainage system with ponds, landscaping, utility connections and associated/infrastructure. (Outline application to determine access only).

Applicant name - C G Fry & Son Ltd

Case Officer - Simon McFarlane

Ward Members – Val Potheary, Belinda Rideout, David Walsh

2.0 Summary of Recommendation:

Recommendation A: Delegate authority to the Head of Planning to grant conditional planning permission subject to the completion of a Section 106 legal agreement, as specified in The Town and Country Planning Act 1990 (as amended), in a form to be agreed by the legal services manager to secure the following

- 50/50% tenure split for all affordable housing
- Minimum of 10% affordable housing in the first phase of development
- A viability review 'mechanism'/clause to review development viability in subsequent phases, seeking to secure policy compliant 25% affordable housing across the development as a whole
- Provision of transport infrastructure compliant with Local Plan Policy 21 requirements
- Provision of green infrastructure compliant with Local Plan Policy 21 requirements
- Provision of Social infrastructure (including education, health, community hall, household recycling, sports field and leisure and library) compliant with Local Plan Policy 21 requirements

And the conditions (and their reasons) listed at the end of the report.

Recommendation B; If the S106 legal agreement is not completed by 14 November 2020, refuse permission for failing to secure the planning obligations (as set out

above) which are considered to be necessary to mitigate the adverse impacts, and secure an adequate provision of affordable housing, of the proposed development.

3.0 Reason for the recommendation:

At the February 2019 North Dorset Planning Committee this application was recommended for approval by officers and was subsequently delegated by members for approval to the Head of Planning subject to pre-conditions and completion of a Section 106 agreement. This application is now back before the Committee as concerns had been raised by the applicant about the wording of some of the proposed planning conditions. The set of conditions below have been amended to ensure they meet the relevant tests set out in the National Planning Policy Framework.

The following reasons were set out previously in the Officer's Report and are still relevant:

- The site is allocated for a mixed use development as set out in Policy 21 'Gillingham Strategic Site Allocation' of the North Dorset Local Plan Part 1 (January 2016);
- The Council cannot at present demonstrate a five year housing land supply;
- The proposal would contribute towards the Council's 5 year housing land supply;
- Para 11 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise. None have been identified
- The proposed development site is considered to be in a sustainable location;
- The development would secure significant economic and social benefits;
- There are no material considerations which would warrant refusal of this application.

4.0 Table of key planning issues

Issue	Conclusion
Principle of development	The principle of development was agreed through the strategic Local Plan allocation and supported by the Gillingham Neighbourhood Plan.
Scale, design, impact on character and appearance	The application is Outline for access consideration only. However detailed parameter plans on density, building heights, landscaping, access & movement have been provided which would guide the future reserved matters applications.

Access	The existing and proposed vehicular access into the site is considered by DC Transport Development Management to be acceptable; this would be from the eastern arm of the Park Farm roundabout, through the Kingsmead Business Park, via adopted highway.
Transport	The Principal Street and offsite transport improvements proposed would have a beneficial effect on the local highway system.
Flooding/Drainage	The site is wholly within Flood Zone 1 (low risk). Surface water drainage details would be adequately secured by condition.
Impact on Heritage	The proposed development is considered to result in 'less than substantial harm' to the significance of both King's Court Palace Moated Site Scheduled Monument and Park Farmhouse Grade II Listed Building. This harm would be outweighed by the public benefits of the proposal. Historic England raise no objections.
Impact on landscape	Primary and secondary mitigation measures would reduce the potential landscape impacts. After 15 years the visual effects would be reduced to slight/not significant.
Ecology	Full surveys have been undertaken and impact upon protected species can be mitigated to avoid significant effects.
S106 – Planning Obligations	Contributions would be secured towards affordable housing, transport infrastructure, green infrastructure, and social infrastructure.
Economic benefits	Significant benefits would come from the provision of jobs during construction, jobs in the proposed local centre, and future residential expenditure.
EIA	An assessment has been undertaken in respect to the scoped areas of potential environmental concern. This

	has shown that if the identified additional mitigation is implemented during the design, construction and operational stages of the development, the majority of operational and construction stage effects identified can be appropriately mitigated or compensated and reduced to a level which is not considered to be significant.
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5.0 Description of Site

The application site comprises land at Park Farm, Gillingham. The site is located approximately 1 mile to the south east of Gillingham town centre and east of Road. The application site extends to some 35.03 ha (86.56 acres) and is bordered by the Fern Brook in the north and east and Park Farm in the south. Orchard Garden Centre, Kingsmead Business Park and existing residential development border the site in the south west and west respectively. Kings Court Scheduled Ancient Monument is situated to the north of the site. Park Farm comprises a farmhouse and associated agricultural buildings.

The site is currently in agricultural use and comprises four paddocks which slope from around 84m AOD to 72m in a north-easterly direction. These paddocks are defined by mature, well-managed hedgerows. Along the northern boundary, there is a belt of young broadleaved trees and a series of ponds. The Ham estate, which forms part of the existing eastern edge of the built-up area of Gillingham, adjoins the application site to the west and includes recently built residential by Persimmon Homes. The application site is separated from the existing properties by tall, dense hedgerow.

The existing and proposed vehicular access into the site is from the eastern arm of the Park Farm roundabout, through the Kingsmead Business Park, via adopted highway. Further west, on the other side of Shaftesbury Road is land comprising the wider SSA which has yet to be developed.

6.0 Description of Development

This application seeks outline planning permission with all matters reserved except for access, for the following comprehensive mixed-use development:

- Up to 634 dwellings (Use Class C3)
- A two-form entry primary school (Use Class D1)
- Sports pitches with floodlighting
- Informal public open space

- Play facilities
- Access
- Internal estate roads
- Internal footpaths and cycleways
- SuDs with ponds
- Landscaping
- Utility connections
- Pipe and cable laying and associated ground works
- Infrastructure works.

The residential element would deliver a mix of 1, 2, 3 and 4 bed properties between two and two and a half storeys in height, with heights potentially exceeding this at key focal locations. Densities would vary from 25 dwellings per hectare (dph) at the rural edges of the site adjacent to the Fern Brook, up to 45 dph in the more central areas.

In accordance with the requirements of Policy 21, the application site would deliver a proportion of affordable housing, with the precise level, bedroom numbers and tenure to be established through a site wide viability appraisal process.

The design strategy is explained in the submitted Design & Access Statement. Land at Park Farm, Gillingham: Planning Statement Page 11. As described above, the existing vehicular site access is via Kingsmead Business Park from the west. This estate road would form a single vehicular access into the proposed development. Internal road junctions would be provided within the development with sufficient space for parking and turning of vehicles.

The aim is to create a new, legible, walking and cycling neighbourhood. Two pedestrian and cycle linkages would also be provided along the western boundary, connecting the proposed development to the adjacent Ham estate. These routes are not proposed to be used by vehicles, although they could be made available for emergency vehicle access only.

The existing hedgerow on the western boundary is proposed to be retained to maintain the residential amenity of existing occupants west of the site. This feature would also form part of a green walk way connecting the existing play facility south of Cale Way to the proposed development, and providing a coherent walking and cycling network throughout the site, as well as connections with the town centre and railway station.

The development would provide both formal and informal public open space in accordance with the requirements of NDLP Policy 21 and the Master Plan Framework (MPF), including the/enhancement of the existing play area south of Cale Way along with new site equipped areas, allotments and informal green space alongside the River Fern. These facilities would be connected by pedestrian and cycle links throughout the site.

The application proposal makes land available for a new two-form entry primary school, which is proposed to be located within the southern portion of the application site alongside the sports pitches to encourage flexibility and sharing of facilities where appropriate.

As part of the site-specific design strategy process and consultation, particular aspects of the proposals have been evolved such as the relationship between existing properties on the Ham estate and the proposed development, and the location of the school.

Nonetheless, the proposed development, as shown on the submitted illustrative masterplan and parameter plans, is considered to accord with the provisions of Policy 21, the associated Concept Plan and the MPF.

It is envisaged that the Park Farm site would take some 14 years to build out; assuming a completion rate of 45 dwellings per annum.

This proposal has been planned comprehensively having regard to the planning application (ref 2/2018/0036/OUT) for 'land to the west of Shaftesbury Road at Ham and Newhouse Farms' to accord with the aims of Policy 21.

7.0 Relevant Planning History

2/2018/0077/OUT - This application was recommended for approval by officers and was subsequently delegated by members at the February 2019 North Dorset Planning Committee to the Head of Planning, subject to the completion of a Section 106 agreement to secure:

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

and then approve subject to the conditions and informatives.

The primary reason that this application is back before the Committee is that the proposed planning conditions have been thoroughly reviewed and amended to ensure the meet the relevant tests.

8.0 List of Constraints

Agricultural Land Grade: 4
Agricultural Land Grade: 3

Flood zone Type: Flood Zone 1, 2, and 3

Parish Name: Gillingham CP
Parish Name: Motcombe CP

Settlement Boundary - Name: Gillingham

9.0 Consultations

All consultee responses can be viewed in full on the website.

Gillingham Town Council
- No objection.

Highways England - Network Strategy Division
- No objection.

Transport Development Management - Dorset Council
- No objection, subject to S106 and conditions.

Planning Policy
- No objection.

Historic England
- No objection.

County archaeological Office
- No objection.

Sport England
- No objection and request to be involved in the configuration of new playing fields and ancillary facilities.

Drainage (Flood Risk Management) – Dorset Council
- No objection, subject to conditions and informatives

Wessex Water

- No objection.

Natural England

- No objection, subject to conditions.

Natural Environment Team

- No objection, subject to conditions.

Environmental Health

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

Dorset Police - Architectural Liaison Officer

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

Health & Safety Executive

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

NHS Property Services Limited

- No objection, subject to financial contributions to fund additional NHS infrastructure.

NHS Property Services Limited

- The request for financial contributions to fund additional NHS infrastructure was withdrawn on the 03 June 2019 in order to build a more robust strategy and working relationship with Dorset Council and developers going forward.

10.0 Representations

Three letters of representation were received prior to the February 2019 Committee, of which 1 offered comments which neither supported nor objected to the proposal, and 2 objected to the proposal. Concerns raised relate to:

- Access (point of)
- Road safety
- Traffic or highway
- Flooding
- Landscape
- Appearance of the area

11.0 Relevant Policies

Local Plan -

The North Dorset Local Plan Part 1 (LPP1) was adopted by North Dorset District Council (NDDC) on 15 January 2016. It, along with policies retained from the 2003

North Dorset District-Wide Local Plan, 1 and the 'made' Gillingham Neighbourhood Plan, form the development plan for North Dorset. Planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

Relevant applicable policies from LPP1 are as follows:

Policy 1: Presumption in Favour of Sustainable Development
Policy 2: Core Spatial Strategy
Policy 3: Climate Change
Policy 4: The Natural Environment
Policy 5: The Historic Environment
Policy 6: Housing Distribution
Policy 7: Delivering Homes
Policy 8: Affordable Housing
Policy 11: The Economy
Policy 12: Retail, Leisure and Other Commercial Developments
Policy 13: Grey Infrastructure
Policy 14: Social Infrastructure
Policy 15: Green Infrastructure
Policy 17: Gillingham
Policy 21: Gillingham Strategic Site Allocation
Policy 23: Parking
Policy 24: Design
Policy 25: Amenity

The relevant saved policies from the North Dorset District Wide Local Plan (1st Revision) Adopted 2002, are as follows:

Policy 1.20 - Contaminated Land
Policy 4.3 - New Community Buildings, Village Halls and Libraries
Policy 4.5 - Provision of Outdoor Sports Pitches and other Recreational Open Space
Policy GH8 - Gillingham (allocation of employment land)
Policy GH15 - Gillingham (retain, enhance and extend sports pitches at a and around the secondary school)
Policy GH16-20 - Gillingham (policies for recreation, sport and cycling schemes)
Policy GH23 – Gillingham (land safeguarded for extension of existing sewage treatment works)
Policy GH 25-28 - Gillingham (minor highway improvements and cycling schemes)

Gillingham Neighbourhood Plan -

The Gillingham Neighbourhood Plan was 'made' on 27 July, 2018 and forms part of the Development Plan for North Dorset. Relevant policies applicable to these outline applications are:

Policy 1. Custom and self-build housing
Policy 4. Support improvements in existing employment sites
Policy 12. Pedestrian and cycle links
Policy 13. Road designs in new development
Policy 14. New and improved health and social care provision
Policy 15. New and improved education and training facilities
Policy 16. New and improved community, leisure and cultural venues
Policy 17. Formal outdoor sports provision
Policy 18. Equipped play areas and informal recreation / amenity spaces
Policy 19. Allotments
Policy 20. Accessible natural green space and river corridors
Policy 23. The pattern and shape of development
Policy 24. Plots and buildings
Policy 25. Hard and soft landscaping

National Planning Policy Framework (NPPF):

The NPPF has been updated with a revised version published February 2019. The following sections and paragraphs are relevant to this outline application:

1. Introduction
2. Achieving sustainable development
4. Decision-making
5. Delivering a sufficient supply of homes
6. Building a strong, competitive economy
8. Promoting healthy and safe communities
9. Promoting sustainable transport
10. Supporting high quality communications
11. Making effective use of land
12. Achieving well designed places
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the natural environment
16. Conserving and enhancing the historic environment

Note: NPPF paragraph 11 sets out the presumption in favour of sustainable development. This states, in part, that 'Plans and decisions should apply a presumption in favour of sustainable development. ... For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay...'

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Current housing land supply

The Council at present can only demonstrate 4.0 years of housing land supply of the requisite 5.0 years of housing land supply as set out in the NPPF. North Dorset District Council published its latest Annual Monitoring Report (AMR) last year:

<https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/north-dorset/additional-planning-policy-documents/annual-monitoring-report-development-stats/pdfs/annual-monitoring-report-2019-final.pdf>

It confirms that there is still a lack of an identifiable 5 year housing land supply. One reason that the 5 year supply has fallen (despite an increase in approvals) is that there is an amended definition of 'deliverable' in the latest NPPF, which means that the Council can no longer automatically include major development with outline permission in its 5 year supply. The definition states that Councils can only include such sites "where there is clear evidence that housing completions will begin on site within five years."

This means that the approval of outline applications such as the ones for the Gillingham SSA would not immediately improve the Council's 5 year supply.

12.0 Human rights (standard text)

Article 6 - Right to a fair trial.

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

The first protocol of Article 1 Protection of property

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

13.0 Public Sector Equalities Duty (standard text)

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

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

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

14.0 Financial benefits

Benefit	Quantum
Affordable Housing	Minimum of 10 % in Phase 1 and up to 25% depending upon development viability over the lifetime of the project.
Principal Street contributions	£2,335,789.47
Bus Service contributions	£434.04 per dwelling
Bus stop contributions	£52.63 per dwelling
Community Transport contributions	£29.23 per dwelling
Enmore Green Link Road/contributions	£329.47 per dwelling
Gillingham Rail Station Improvements Contribution	£94.15 per dwelling
Off-site Pedestrian and Cycle Improvements	Secured by s.106
Rail Station Cycle Parking Contributions	£1,186
Sustainable Transport Improvements Contributions	£137.43 per dwelling
Sustainable Travel Voucher	£100 provided to the first occupant of each dwelling
Town-wide Personalised Travel Planning Contributions	£99.85 per dwelling

Community Hall contributions	£936.32 per dwelling
Library contributions	£252.00 per dwelling
Heath facilities contributions	£112.28 per dwelling
Household recycling contributions	£271.94 per dwelling
Green Infrastructure	Public Open Space Play facilities Sports pitches with floodlighting
2 Form entry Primary School land	To be transferred to Dorset Council and secured by s.106 legal agreement.
Primary Education Contribution	£2017 per qualifying dwelling
Secondary Education Contribution	£4077 per qualifying dwelling
Construction Jobs	Provided for approximately 14 years.
Council Tax Revenue	Generated by up to 634 dwellings
New Homes Bonus	Approximately £2.4 million

15.0 Planning Assessment

Given that the substantive issues remain the same and planning policy has not changed to any extent that would warrant a different recommendation, this report seeks only to clarify matters which have occurred since February 2019. Please refer to the February 2019 Committee Report for the full details of the analysis of the planning issues (appended).

In summary Officers remain of the view that the application accords with the adopted Development Plan and the National Planning Policy Framework and should therefore be approved without any further delay.

Planning update since February 2019 Committee

Section 106 legal agreement:

The S106 has now been agreed between all parties and would secure the items previously requested, namely;

- 50/50% tenure split for all affordable housing
- 10% affordable housing in the first phase of development
- A viability review 'mechanism'/clause to review development viability in subsequent phases, seeking to secure policy compliant 25% affordable housing across the development as a whole
- Provision of transport infrastructure compliant with Local Plan Policy 21 requirements
- Provision of green infrastructure compliant with Local Plan Policy 21 requirements
- Provision of Social infrastructure (including education, health, community hall, household recycling, sports field and leisure and library) compliant with Local Plan Policy 21 requirements

Planning Balance

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

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

This Council's Policies in the adopted Local Plan follow the approach of the presumption in favour of sustainable development. It has been noted above that this Council can only demonstrate 4.0 years of housing land supply as such the relevant policies for the supply of housing should not be considered up-to-date.

This invokes NPPF paragraph 11 which states, in part, that when policies most important for determining the application are out-of-date, the Council should granting permission unless:

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

The development broadly follows the agreed principles of the Policy 21 strategic site allocation, related draft Master Plan Framework and accords with relevant planning considerations, including the National Planning Policy Framework, with the exception of being policy compliant for the level of affordable housing proposed.

That said the application needs to be considered 'in the round' weighing all material issues in the planning balance, including:

- Local support for the development
- Lack of an identifiable 5 year housing land supply and the presumption in favour of sustainable development
- Prospect of delivery of up to a combined total of upto 634 homes
- Financial benefits through construction and the creation of local jobs
- Increased spending in the Town centre and other local businesses from future residents
- New Home Bonus payments and increased Council Tax revenue
- Section 106 agreement which supports overall objectives to secure enhanced community infrastructure within Gillingham and which also underpin the Strategic Site Allocation Policy requirements with the following;
 - Community Hall contributions
 - Library contributions
 - Heath facilities contributions
 - Public Open Space
 - Play facilities
 - Sports pitches with floodlighting
 - Household recycling contributions
 - Principal Street contributions
 - Bus Service contributions
 - Bus stop contributions
 - Community Transport contributions
 - Enmore Green Link Road/contributions
 - Gillingham Rail Station Improvements Contribution
 - Master Plan and Residential Travel Plans
 - Off-site Pedestrian and Cycle Improvements
 - Rail Station Cycle Parking Contributions
 - Sustainable Transport Improvements Contributions
 - Town-wide Personalised Travel Planning Contributions
 - 2 Form entry Primary School land
- A minimum of 10% affordable housing would be provided in the initial stages
- A 'Viability Review Mechanism' has been agreed with the applicants and Council's legal advisor drafting the Section 106 agreement that would allow the Council potential to recover a policy compliant level of affordable housing over the lifetime of this large scale phased development

When all the material planning issues are considered in the planning balance, your Officer's conclusion is that the benefits of the development warrant approval of the outline application. This is despite the 15% shortfall in the initial development phases being policy compliant in delivering affordable housing coupled with agreeing to a S106 agreement to deliver 10% affordable housing with a 50/50% tenure mix.

16.0 Conclusion

The development broadly follows the agreed principles of the Policy 21 strategic site allocation, related draft Master Plan Framework and accords with relevant planning considerations, including the Government's National Planning Policy Framework, with the exception of being policy compliant for the level of affordable housing proposed.

It remains the view of Officer's that benefits of the development warrant approval of the outline application.

17.0 RECOMMENDATION

Recommendation A

Delegate authority to the Head of Planning to grant conditional planning permission subject to the completion of a Section 106 legal agreement, as specified in The Town and Country Planning Act 1990 (as amended), in a form to be agreed by the legal services manager to secure the following:

- 50/50% tenure split for all affordable housing
- Minimum of 10% affordable housing in the first phase of development
- A viability review 'mechanism'/clause to review development viability in subsequent phases, seeking to secure policy compliant 25% affordable housing across the development as a whole
- Provision of transport infrastructure compliant with Local Plan Policy 21 requirements
- Provision of green infrastructure compliant with Local Plan Policy 21 requirements
- Provision of Social infrastructure (including education, health, community hall, household recycling, sports field and leisure and library) compliant with Local Plan Policy 21 requirements

And the conditions (and their reasons) listed at the end of the report.

Recommendation B

If the Section 106 legal agreement is not completed by 14 November 2020, refuse permission for failing to secure the planning obligations (as set out above) which

are considered to be necessary to mitigate the adverse impacts, and secure an adequate provision of affordable housing, of the proposed development.

CONDITIONS

Time limits

1. Approval of details of the layout, scale, appearance and landscaping (“the reserved matters”) for each phase (or parcels therein) shall be submitted to and approved in writing by the Local Planning Authority before development on that phase or parcel begins.

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

2. An application for approval of reserved matters for the first phase of development (or parcels therein) shall be made to the Local Planning Authority within two years of the date of this permission. All applications for approval of reserved matters for each subsequent phase shall be submitted to the Local Planning Authority within 12 years of the date of this permission.

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

3. The first phase of development hereby permitted shall be begun before the expiration of four years from the date of the approval of the last reserved matter relating thereto. Thereafter, all subsequent phases shall be begun within two years of the Local Planning Authority’s approval of the last reserved matter for that phase.

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

Approved Plans

4. The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Access Arrangements ITB13355-GA-001 Rev A
 - Access Arrangements ITB13355-GA-002
 - Site Access ITB13355-GA-003
 - Revised Illustrative Masterplan Framework (Design & Access Statement addendum November 2018) 125_DI_13.2
 - Land Use Parameter Plan, Ref - 125_DI_06.9
 - Access & Movement Parameter Plan, Ref - 125_DI_07.5
 - Building Heights Parameter Plan, Ref -. 125_DI_10.5
 - Density Parameter Plan, Ref -125_DI_09.8

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

Quantum of Development

5. The development hereby approved shall be limited to a maximum of 634 dwellings.

Reason: To define the extent of the permission and to recognise the calculations to define infrastructure contributions have been calculated on the basis of a minimum of 634 dwellings.

Phasing

6. Prior to the commencement of any works on site, a phasing plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved phasing plan unless otherwise agreed in writing by the Local Planning Authority.

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

Trees/Landscaping

7. In relation to those trees and/or hedgerows identified to be retained in the Arboricultural Impact Assessment undertaken by Aspect Tree Consultancy and dated December 2017, no development shall take place within an approved phase of the development hereby permitted until details of tree and hedgerow protection measures for that phase during construction have been submitted to, and approved in writing by, the local planning authority. The measures shall accord with BS 5837:2012 Trees in relation to design, demolition and construction – Recommendations and shall indicate exactly how and when the trees will be protected throughout the construction period. The development shall be carried out in accordance with the approved details and protection measures.

Reason: To ensure retention and appropriate protection of trees and other vegetation that are important to the character of the proposed development.

8. All planting, seeding or turfing comprised in a phase and set out in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of each phase of development; and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interest of the amenity and appearance of the location

9. The reserved matters for each phase of the development (or parcels therein) shall include a landscape management plan. This shall include long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than land within domestic curtilages and the school land.

The scheme shall include the following elements:

- details of extent and type of new planting of native species
- details of maintenance regimes
- details of any new habitat created on site
- details of treatment of site boundaries and/or buffers around water bodies
- details of management responsibilities

The subsequent management of the development's landscaping shall accord with the approved plan.

Reason: To ensure the landscape scheme secured by reserved matters is implemented and satisfactorily maintained in the interests of the character and amenity of the completed development.

Flooding/Drainage

10. No buildings or roads shall be constructed until a detailed surface water management scheme for the site, based upon the drainage principles set out in the AWP Flood Risk Assessment dated December 2018 and 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 include:

- (a) clarification of how surface water is to be managed during construction phases
- (b) details of maintenance & management of both the surface water sustainable drainage scheme and adjacent receiving system; and
- (c) a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime

The surface water 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.

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

11. The construction of the foundations of any building comprised in any phase shall not commence until plans of a scale not less than 1:200 and other particulars showing the finished floor levels of the dwelling(s) in relation to Ordnance Datum in relation to the relevant phase have been submitted to and agreed in writing by the Local Planning Authority, and the development shall be carried out in accordance with those plans.

Reason: To minimise the risk of flooding

12. No development comprised in a phase shall be commenced until a scheme for the disposal of foul drainage for the relevant phase, based on sustainable drainage principles in accordance with the AWP Flood Risk Assessment and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. Amongst other relevant details the foul drainage scheme shall include appropriate arrangements for the agreed points of connection required to serve the proposed development, phasing, ownership of the scheme and how it will be maintained and managed after completion. The development shall be completed in accordance with the approved details.

Reason: To minimise the risk of flooding and/or pollution and to protect the environment

Ecology

13. Prior to the commencement of any development comprised in a phase a landscape and ecological management plan (LEMP) relating to the relevant phase shall be submitted to, and be approved in writing by, the Local Planning Authority. The content of the LEMP shall include the following;
 - a) Strategic landscaping proposals to deliver the mitigation identified in Chapter 6 (Landscape and Visual) of the WYG Environmental Statement submitted in support of this application, and specifically;
 - Clarifying the length and quality of hedgerow to be removed and the amount and location of onsite replanting to be undertaken.
 - b) Proposals to deliver the biodiversity mitigation identified in Chapter 7 (Ecology) of the WYG Environmental Statement submitted in support of this application, and specifically;
 - A method statement for the maintenance and enhancement of the Great Crested Newt population.

Unless approved otherwise in writing by the local planning authority, development of the site shall proceed in accordance with the approved LEMP.

Reason: To ensure that the development conserves and enhance the landscape and biodiversity

14. Prior to the commencement of any phase of the development, or part thereof, a Lighting Strategy to mitigate impacts on bats must be submitted and approved in writing by the Local Planning Authority.

Reason: To ensure that the development mitigates negative impacts upon protected species.

Highways/Transport/Construction

15. Prior to the occupation of any dwelling in any phase a scheme showing details of the proposed cycle parking facilities for that phase shall be submitted to and agreed in writing by the Local Planning Authority.

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

16. Grampian condition – off-site highway works
No more than 167 of the dwellings permitted hereby may be occupied unless and until the following works have been constructed:

- The B3081 Shaftesbury Road/B3092 New Road junction improvement scheme, as shown on Dwg No ITB4057-GA-027 Rev G (scheme to be agreed in writing with the Local Planning Authority or implemented directly by Dorset Council).
- A scheme to convert the existing mini-roundabout at the B3081 Le Neubourg Way/Newbury (High Street) to a signalised junction, as shown on Dwg No ITB4057-GA- 066 Rev E (scheme to be agreed in writing with the Local Planning Authority or implemented directly by Dorset Council).
- The implementation of a SCOOT (Split Cycle Offset Optimisation Technique) urban traffic control (UTC) system on the central section of the B3081/B3092 corridor (scheme to be agreed in writing with the Local Planning Authority or implemented directly by Dorset Council).

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

17. Grampian condition – Principal Street

No more than 408 of the dwellings hereby permitted may be occupied unless and until the principal street, linking the B3081 Shaftesbury Road to the B3092 New Road, has been constructed.

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

18. No dwelling hereby permitted shall be occupied until the following works have been constructed:

- Extension of The Eastern Arm of The Existing Park Farm Roundabout as shown on Drawing no. ITB13355-GA-001 Rev A (scheme to be submitted and agreed in writing with the Local Planning Authority).
- Pedestrian/Cycling/Emergency Access Link Via Eastern End of Cerne Avenue / Cale Way Junction as shown on Drawing no. ITB13355-GA-002 (scheme to be submitted and agreed in writing with the Local Planning Authority).
- Pedestrian/Cycling/Emergency Access Link Via Eastern End of Trent Square / Fern Brook Lane Junction as shown on Drawing no. ITB13355-GA-003 (scheme to be submitted and agreed in writing with the Local Planning Authority).

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

19. Prior to the commencement of any phase of the development, or part thereof, details of a scheme to install infrastructure to facilitate charging for plug-in and other ultra-low emission vehicles within that phase of the development shall be submitted to and agreed in writing by the local planning authority. The scheme shall include a timetable for implementation. Thereafter the development shall be carried out in accordance with the agreed details as have been approved by the Local Planning Authority including the timetable for implementation.

Reason: To ensure that adequate provision is made to enable charging of plug-in and ultra-low emission vehicles.

Construction

20. Prior to the commencement of each phase of the development, a Construction Environmental Management Plan (CEMP) for that phase (that is in accordance with the approach outlined in the Planning/Environmental Statement), shall be submitted to and approved in writing by the local planning authority. The CEMP shall detail the treatment of any environmentally sensitive areas, their aftercare and maintenance as well as

a plan detailing the works to be carried out showing how the environment will be protected during the works. The CEMP shall include details of the following:

- details of the layout of the site including generators, pumps, silos, site office, staff car parks and storage;
- storage of plant, materials and waste;
- the erection and maintenance of security hoardings;
- details of a scheme for the prevention of disturbance/nuisance caused by noise, vibration, dust and dirt to sensitive properties during construction;
- a scheme for recycling/disposing of waste resulting from construction works;
- the operation of plant and machinery associated with engineering operations;
- site security;
- fuel, oil and chemicals storage, bunding, delivery and use;
- how both minor and major spillage will be dealt with; containment of silt/soil contaminated run-off;
- disposal of contaminated drainage, including water pumped from excavations;
- site induction for workforce highlighting pollution prevention and awareness;
- a scheme to dispose of surface water run-off during the construction phase;
- construction operating hours;
- details of intrusive construction practices and methods such as piling and the subsequent control measures that will be implemented;
- the type of plant to be used;
- details of construction methods
- construction vehicle details (number, size, type and frequency of movement)
- a programme of construction works and anticipated deliveries
- timings of deliveries so as to avoid, where possible, peak traffic periods
- a framework for managing abnormal loads
- contractors' arrangement plan showing; compound, storage, parking, turning, surfacing and drainage
- wheel cleaning facilities
- vehicle cleaning facilities
- Inspection of the highways serving the site (by the developer (or his contractor) and Dorset Highways) prior to work commencing and at regular, agreed intervals during the construction phase
- a scheme of appropriate signing of vehicle route to the site
- a route plan for all contractors and suppliers to be advised on
- temporary traffic management measures where necessary

The works shall be carried out in accordance with the approved CEMP.

Reason: To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site

Broadband

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

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

Informatives

TBC

**Northern Area Planning Committee
14 May 2020
Gillingham Road and Transport
Improvements – Traffic Regulation Order
Proposed One-Way Street Restriction on
Station Road (Higher), Gillingham**

For Decision

Portfolio Holder: Cllr R Bryan, Highways, Travel and Environment

Local Councillor(s): Cllr D Walsh, Cllr B Ridout, Cllr V Potheary

Executive Director: John Sellgren, Executive Director of Place

Report Author: Emma Baker
Title: Project Engineer
Tel: 01305 228257
Email: emma.baker@dorsetcouncil.gov.uk

Report Status: Public

Recommendation: That having considered the representations received in response to public advertisement and the officers report, that the Portfolio Holder be recommended to implement the Traffic Regulation Order as advertised.

Reason for Recommendation: The introduction of a One-Way Street restriction will allow the widening of the footway on part of the eastern side of Station Road (Higher) to increase pedestrian safety and hope to encourage a modal shift.

1 Executive Summary

- 1.1 Dorset LEP has allocated up to £3,450,000.00 to deliver the Gillingham Growth project
- 1.2 As part of the Sustainable Transport Scheme pedestrian improvements are proposed between Gillingham Train Station and the High Street using Station Road. These are aimed at improving the public realm and encouraging increased non-car trips along this corridor. This improvement is necessary to access the town from the train station.

- 1.3 Providing new opportunities for sustainable travel by improving pedestrian facilities encourages and enables more sustainable transport journeys within Gillingham.
- 1.4 The Gillingham Road and Transport Improvement proposals were presented to the public in July 2019.
- 1.5 The proposals on Station Road (Higher) reduce the carriageway to one-way to enable the improvement of the pedestrian environment by widening the footway on the eastern side.
- 1.6 From the public consultation it was agreed that the required Traffic Regulation Orders and legal advertising for the proposed One-Way Street restriction on Station Road (Higher), relocation of the raised table in Station Road, and amendments to parking would be progressed as presented at the public exhibition.
- 1.7 Following the advertising of the proposed One-Way Street restriction on Station Road (Higher) two objections, both from the same household, were received.
- 1.8 This report considers the representations received and whether the proposals in Gillingham should be implemented as advertised.

2 Financial Implications

- 2.1 The cost of making the order is estimated at £1,000 inclusive of advertising charges.
- 2.2 The cost estimate for the proposed One-Way Street restriction on Station Road (Higher) and widening of the footway to improve the pedestrian environment is £120,000.
- 2.3 The costs associated with the proposals will be met from the Dorset LEP funding.

3 Climate implications

- 3.1 The transport improvements aim to improve journey times and journey time reliability for vehicles passing through the current network. Provision of safer and more reliable journeys, in turn provides more efficient access, for vehicles, pedestrians and cyclists, helping to support continued economic growth across the area.

- 3.2 The journey length for vehicles, including cyclists, that would have travelled northbound on Station Road could increase by around 550metres, depending on their origin and destination. This slight increase in journey length for a small number of users is outweighed by the improvements to the pedestrian route which will hope to encourage a modal shift. Infrastructure improvements for cycles are also being made on the alternative route to the High Street from the railway station as part of the wider package of works.
- 3.3 Walking and cycling will be encouraged through improved routes, junctions and crossings linking residents with key destinations within the town.
- 3.4 These improvements will in turn link with further proposed walking and cycling schemes as laid out in the Gillingham Neighbourhood Plan (2018).

4 Other Implications

- 4.1 None.

5 Risk Assessment

Having considered the risks associated with this decision, the level of risk has been identified as:

Current Risk: MEDIUM

Residual Risk: MEDIUM/LOW

- 5.1 There are financial risks to Dorset Council if the project is not completed by the Dorset LEP funding deadline.

6 Equalities Impact Assessment

- 6.1 An equalities impact assessment is being carried out.
- 6.2 The proposed improvements would have no discriminatory or negative consequences upon persons with protected characteristics and the proposals would benefit the young, elderly, infirm and disabled.

7 Appendices

Appendix A: Plan showing the proposed works on Station Road (Higher)

Appendix B: One-Way Street restriction consultation plan

Appendix C: Plan showing possible alternative routes for cyclists

8 Background Papers

- 8.1 Responses from the Town Council, Dorset Police and the local Dorset Councillors are held on file in the Environment Infrastructure and Economy Directorate.
- 8.2 A copy of the Dorset LEP Grant Agreement is held on file in the Environment Infrastructure and Economy Directorate and sets out the full scheme.

Footnote:

Issues relating to financial, legal, environmental, economic and equalities implications have been considered and any information relevant to the decision is included within the report.

9 Background Information

The LEP Funding

- 9.1 Dorset LEP has allocated up to £3,450,000.00 to deliver the Gillingham Growth project which is comprised of the following elements:

A) Junction Improvements

- Shaftesbury Road/New Road junction improvement
- Newbury/Le Neubourg Way junction improvement
- Split Cycle Offset Optimisation Technique (SCOOT) installation on 5 junctions along the B3081/B3092 corridor

It is proposed to improve four existing junctions by improving facilities for walking, cycling and buses and by introducing a SCOOT. Two of the four junctions will undergo major changes and thereafter the signalised junctions will be joined / managed by the SCOOT system. The SCOOT system is a real time adaptive traffic control system for the coordination and control of traffic signals across an urban road network.

B) Sustainable Transport Links

Sustainable transport improvements – walking, cycling links between the development, station, and town centre.

C) Enmore Green Link Road (design only)

The link road will be designed, and the scheme will be made ready for submission to other government bidding opportunities

The Highway Improvement Works

- 9.2 The purpose of the proposed Gillingham Junction and Sustainable Transport Link Improvements project is to:
- Provide capacity on the B3081 corridor, required to unlock the key residential and employment land for the town.
 - Help support the proposed Gillingham southern extension housing developments.
 - Improved junction layouts to ensure safe highway operation in the B3081 corridor.
 - Provide new opportunities for sustainable travel by improving walking and cycling facilities enabling people to cycle and walk to and from the new developments and encourage sustainable transport journeys within Gillingham.

- 9.3 As part of the Sustainable Transport Scheme pedestrian improvements are proposed between Gillingham Train Station and the High Street using Station Road. These are aimed at improving the public realm and encouraging increased non-car trips along this corridor. This improvement is necessary to access the town from the train station.
- 9.4 Station Road is the main link between the town and Gillingham Station which provides mainline services into London Waterloo. The station is also accessible from the south through the Brickfields Industrial Estate and beyond that, the new development site. Station Road is the only public highway alternative to the main, busy, Shaftesbury Road for residents from the south of the town to access the town centre. To maximise non-car trips and reduce the amount of background traffic it is necessary to improve this route.
- 9.5 Station Road is currently very industrial in nature, has narrow or absent footways, is grey and uninviting to pedestrians. The opportunity has been made available from the Dorset LEP funding to improve access for pedestrians including footway widening, narrowing junctions and improving crossings.
- 9.6 A scheme plan showing the proposed improvements on Station Road (Higher) is included in this report as Appendix A.

Time Frames

- 9.7 The Dorset Local Enterprise Partnership funding requires all of the Gillingham Growth Junction and Sustainable Transport Improvement works to be completed and the funding spent by 31 March 2021.
- 9.8 Construction of the first phase of the Gillingham Road and Transport Improvements started on Monday 13 January 2020 with the cycleway on Le Neubourg Way and improvements to the Waitrose junction. This will be followed with the further junction improvement works, with the whole scheme taking just over one year to complete.
- 9.9 The current construction programme proposes that the works on Station Road (Higher) are due to start in July 2020 for approximately four weeks.

10 Law

- 10.1 Sections 1, 2 and 4 of the Road Traffic Regulation Act 1984 allow the Council to make an Order to introduce a One-Way Street on a length of Station Road in Gillingham. The circumstances where an Order may be made include:

- For avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising
 - For facilitating the passage on the road of pedestrians
- 10.2 The introduction of a One-Way Street restriction will allow the widening of the footway on part of the eastern side of Station Road (Higher) to increase pedestrian safety.

11 Consultation

Scheme Public Consultation

- 11.1 Plans of the Gillingham Road and Transport Improvement proposals were displayed at two public exhibitions in Gillingham Town Hall during July 2019. Consultation on the scheme closed on 31 August 2019 and the feedback received from residents was reviewed by the scheme engineers and helped to decide how to proceed.
- 11.2 The public exhibitions were well attended with a lot of questions and discussion. Overall, 90 consultation responses were received. As part of the consultation the public were asked “To what extent do you agree or disagree with the proposed improvements for Higher Station Road One-way southbound”, the response is tabled below:

	% Strongly Agree & Agree	% Neither Agree / Disagree	% Strongly Disagree & Disagree
To what extent do you agree or disagree with the proposed improvements for: Higher Station Road One-Way southbound	50	14.5	35.6

- 11.3 There were three main comments/concerns to the proposals on Station Road (Higher) were highlighted from the consultation responses:
- Exiting the existing Asda Superstore as town centre bound traffic will be forced to turn right on to B3081 Le Neubourg Way / Station Road Junction. DC response – exiting Asda is an existing issue which unfortunately will not be resolved by any of the proposed options.
 - Vehicle speeds will increase. DC response – Station Road is narrow, the lane width will be 3.5m - wide enough for the buses or a fire

engine, but not wide enough to make it feel open. It is also a short section of road with a raised table crossing (road hump) at the end to deter speeding and in a 20mph zone.

- It should become one-way northbound. DC response – the traffic modelling showed that reversing the one-way in Station Road caused the traffic to back up from Station Road to the east and become very congested.

- 11.4 Following the public consultation, the project team agreed that the required Traffic Regulation Orders and legal advertising for the proposed One-Way Street restriction on Station Road (Higher), relocation of the raised table in Station Road, and amendments to parking would be progressed as presented at the public exhibition.

Traffic Regulation Order Consultation

- 11.5 Under Dorset Council's procedure, primary consultation was carried out on the proposed Traffic Regulation Order (TRO) and it was supported by the Local Members for Gillingham; Gillingham Town Council; Dorset Police; the Ambulance Service; the Fire and Rescue Service; and by Dorset Waste Partnership.
- 11.6 A package of highway proposals in Gillingham was advertised for public consultation which included the proposed One-Way Street restriction on Station Road (Higher), a copy of the consultation plan is included in this report as Appendix B. The public consultation started on 10 January 2020 and the objection period closed on 31 January 2020.
- 11.7 Within the objection period, there were 2 responses to the public consultation from the same household in Peacemarsh, around 4 miles from Station Road. Both object to the proposal applying to bicycles. Considers that pedal cyclists should be permitted to use Station Road (Higher) in both directions; a bicycle lane should be provided.

12 Officer Comments on Representations

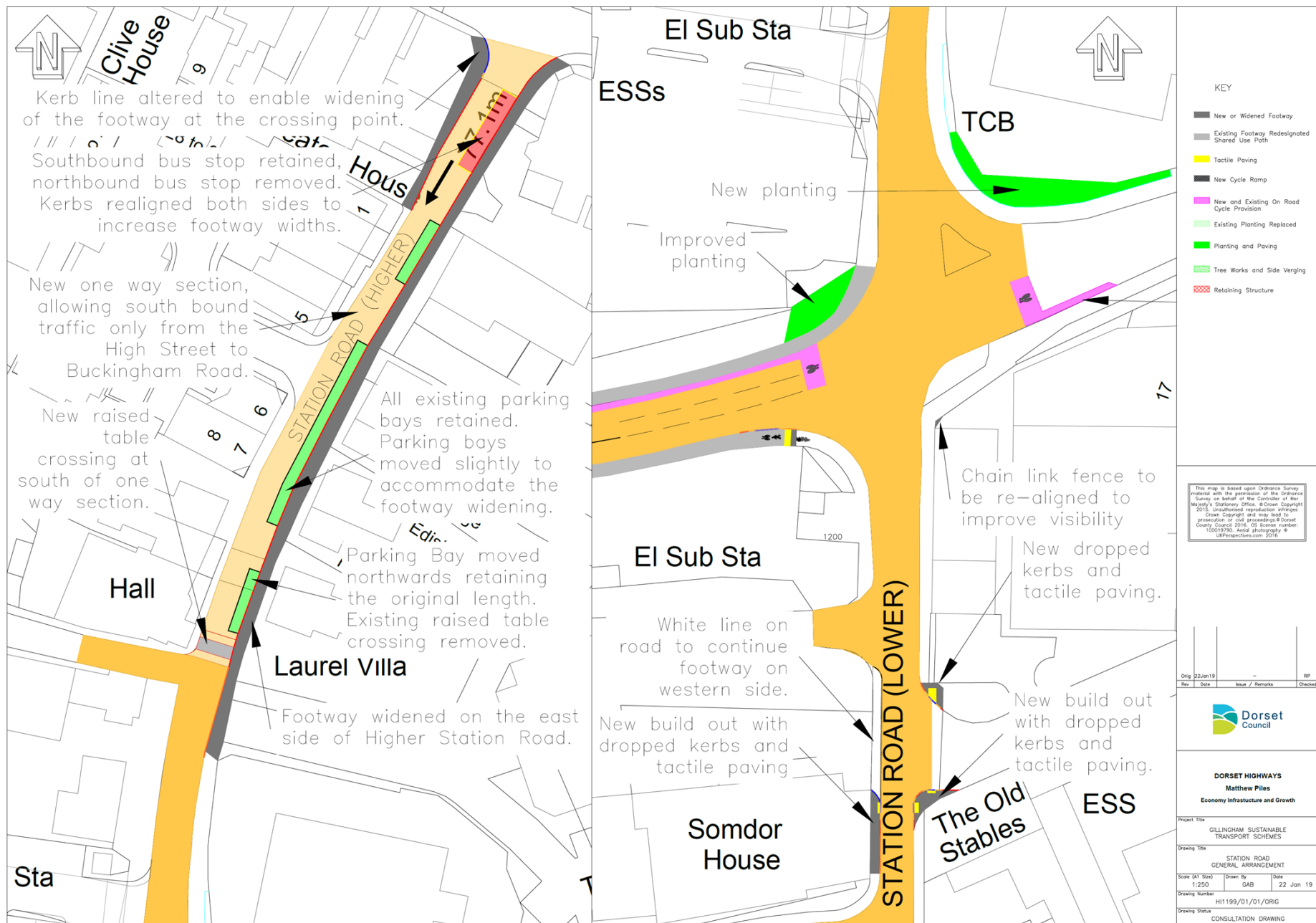
- 12.1 Allowing bicycles to continue to use Station Road (Higher) in both directions was considered as part of the scheme design however the road is already very narrow.
- 12.2 In order to improve the pedestrian environment, the scheme proposes to widen the footway on the eastern side by reducing the carriageway to one-way. A contra-flow (i.e. two-way) cycle lane would necessitate making one of the footways narrower than they are currently, and they are both already sub-standard – pushchairs and mobility scooters already struggle.

The running carriageway width would be 3.5m, which is wide enough for buses or a fire engine, but not wide enough to make it feel open. The scheme designer was extremely concerned about the safety of cyclists if they were permitted to use Station Road as a contra-flow – there is potential conflict with large vehicles, parked cars, side accesses and narrow footways.

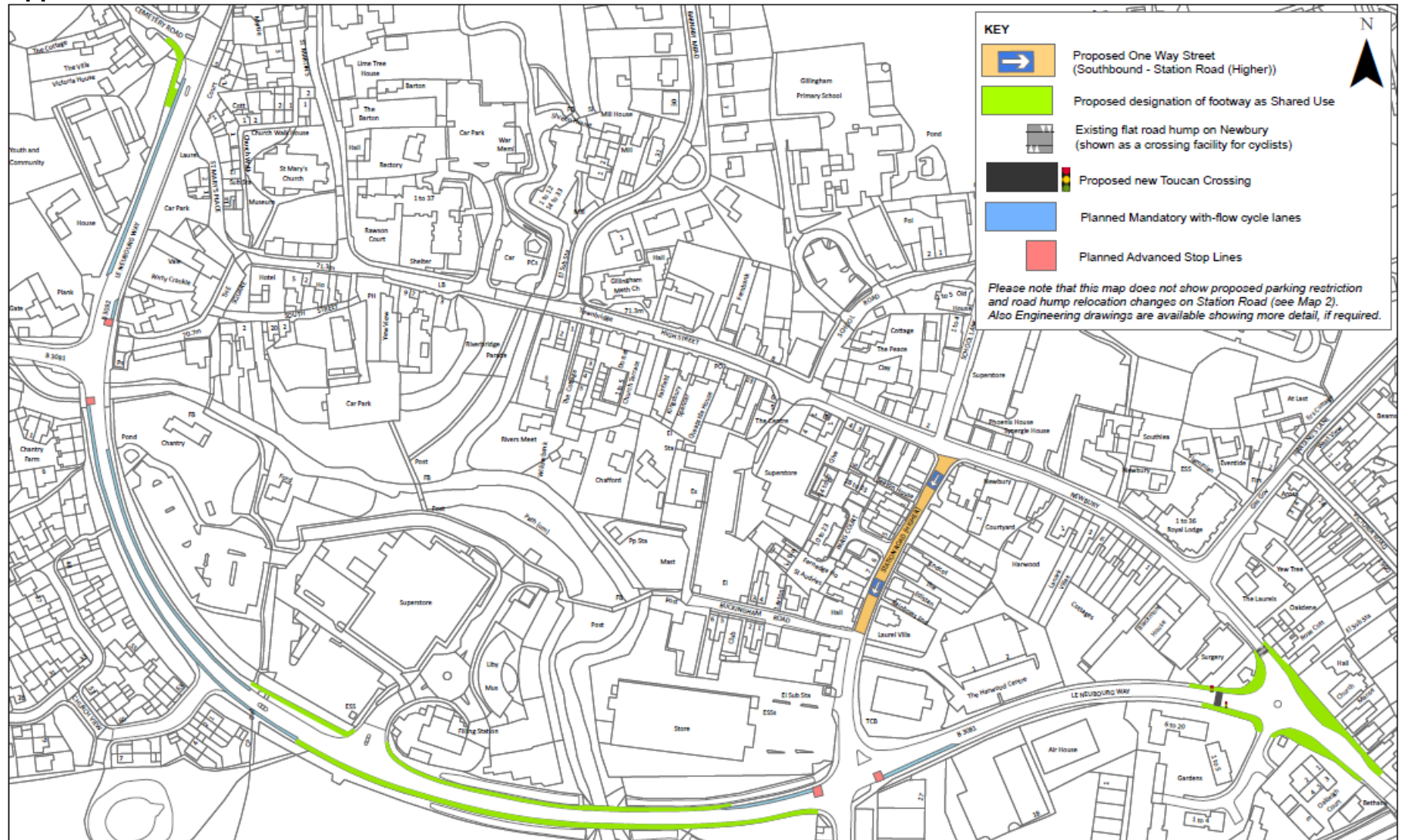
- 12.3 The scheme does not propose to remove any parking along Station Road.
- 12.4 The wider scheme improves the cycle provision along Le Neubourg Way as part of the road and transport improvements. The proposal is to sign cyclists from the train station along Le Neubourg Way on a shared-use footway/cycleway to the Waitrose Junction, into Chantry Fields using the new toucan crossings and access the High Street from behind Waitrose. Some cyclists may also choose to go eastbound on Le Neubourg Way from Station Road (Lower) which we will be providing cycle symbols on-road to make drivers aware of cyclists' presence – cyclists can then access the Newbury/High Street from the mini-roundabout. A plan highlighting the possible alternative routes is included in this report as Appendix C.

13 Conclusion

- 13.1 Providing new opportunities for sustainable travel by improving pedestrian facilities encourages and enables more sustainable transport journeys within Gillingham.
- 13.2 The proposals on Station Road (Higher) reduce the carriageway to one-way to enable the improvement of the pedestrian environment by widening the footway on the eastern side.
- 13.3 Having considered the representations submitted, the concerns raised have been responded to.
- 13.4 The Highway Improvements team considers that the proposed measures are necessary to increase pedestrian safety and hope to encourage a modal shift away from private cars.
- 13.5 It is recommended that the Committee recommend to the Portfolio Holder that the order be implemented as advertised.



Appendix B



Dorset Council Gillingham - Road & Transport Improvements Proposed & Planned Movement Restrictions and Toucan Crossing Cemetery Road, Le Neubourg Way, Newbury and Station Road(Higher)

DORSET HIGHWAYS
Matthew Piles
Economy Infrastructure and Growth
County Hall
Dorchester DT1 1XJ

Environment and the Economy
Directorate

Scale
Not to Scale

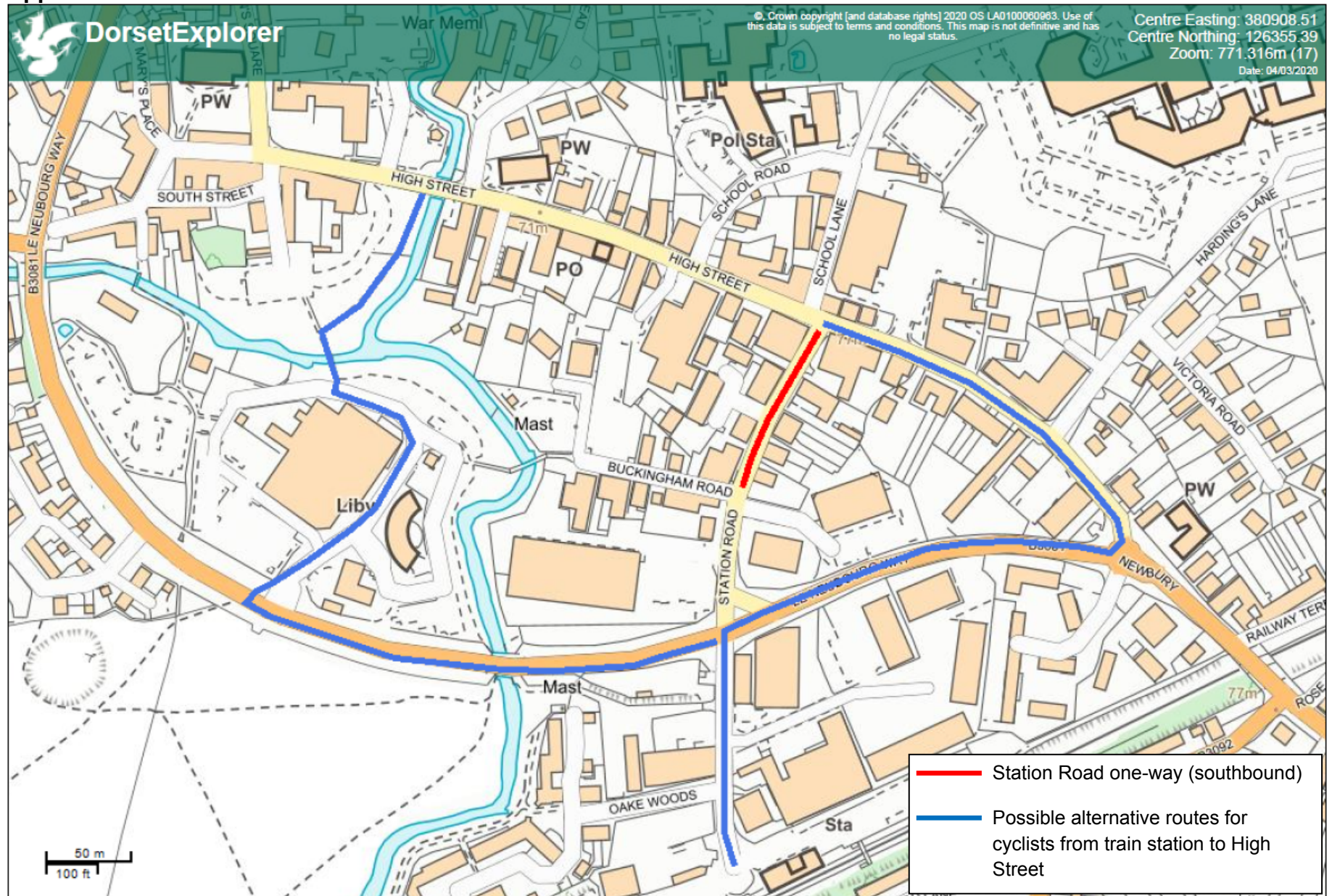
Date
16/12/19

Drawn by
GM

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Drawing No.
HI1199/ Map 1 of 2

Appendix C



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