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NORTHERN AREA PLANNING COMMITTEE

MINUTES OF INFORMAL MEETING HELD ON TUESDAY 24 AUGUST 2021

Present: Cllrs Sherry Jespersen (Chairman), Mary Penfold (Vice-Chairman), Tim Cook (Left meeting at 16.30.), Les Fry, Matthew Hall, Brian Heatley, Carole Jones, Stella Jones, Val Potheary and Belinda Ridout

Apologies: Cllrs Jon Andrews and Emma Parker

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

Philip Crowther (Legal Business Partner - Regulatory), Mike Garrity (Head of Planning), Mark Hitchcott (Enforcement Manager), Nicola Holdsworth (Technical Support Officer), Simon McFarlane (Area Lead Planning Officer, Gillingham), Steve Savage (Transport Development Manager), Hannah Smith (Planning Area Manager), Elaine Tibble (Senior Democratic Services Officer) and Huw Williams (Lead Project Officer - Corporate Projects)

16. Declarations of Interest

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

17. Public Participation

Representations by the public to the Committee on individual planning applications are attached as an appendix to these minutes.

18. Urgent items

There were no urgent items.

19. Planning Applications

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

20. P/OUT/2020/00472 - Land North of Common Mead Lane, Gillingham

The Area Lead Gillingham presented the application which sought approval to develop land by the erection of up to 80 No. dwellings, form vehicular access, associated open space and infrastructure. This was an Outline application to determine access only at this stage.

The site lay outside but immediately adjacent to the settlement boundary approx. 1km walking distance to the town centre where there was a train station and other public amenities, which deemed the location to be sustainable.

The site access was proposed off Common Mead Lane. The original illustrative master plan had proposed up to 85 dwelling but the number had been reduced to 80 following negotiations with the developer. It was acknowledged that this was a substantial change of use which would have an impact on neighbouring amenity, but not enough to warrant refusal of the application.

Situated 200m from the conservation area, 500m from listed buildings and adjacent to a non designated heritage asset, the Conservation Officer felt the site would have minimal impact on the significance of those assets. Nevertheless the encroachment into the undeveloped hinterland of the CA/non designated asset would result in less than substantial harm.

The Area Lead Gillingham concluded that the positives of the development would outweigh the harm overall. In summary the recommendation was to grant subject to S106 conditions and with agreement of the applicant that an application for reserved matters would be submitted within 2 years.

The Transport Development Liaison Manager advised that there were no concerns from Highways.

Representations were read by the Technical Support Officer and are attached as an appendix to these minutes.

Member questions focussed on the design of the junction and safety of cyclists, the ecological and diversity plan and the possibility of new tree planting going forward.

A question was raised as to whether the committee were able to protect an area of land (One Oak Field), although not relevant or appropriate to the application it could not be achieved, the Chairman suggested that if it were to be included within the draft Dorset Local Plan members would have the chance to make comments.

The committee had a number of concerns with regard to the density of the site, loss of open space for recreational use, the location not being sustainable and loss of biodiversity.

It was proposed by Cllr Val Potheary and seconded by Cllr Tim Cook that the application be recommended for refusal.

On being put to the vote the committee was minded to refuse the application siting Policy 20, due to the less than substantial harm on the heritage assets and the potential for the site to be considered for amenity/recreation.

The Head of Planning, having considered the representation and the officer's presentation and having taken into account the views of the committee, made the following decision under delegated authority:

Decision: That the application be refused for the reasons set out in the appendix to these minutes.

21. **P/OUT/2020/00495 - Land to the South East of Lodden Lakes, New Road, Gillingham**

The Area Lead Gillingham presented the application which sought approval to develop land by the erection of up to 115 No. dwellings, form vehicular access from New Road and Lodden Lakes Phase 1, form public open space. This was an Outline application to determine access only at this stage.

With the aid of a visual presentation members were shown various plans of the site, including an aerial view, the site location plan, site access, site photographs from various points, extracts from the Masterplan Framework detailing density on site and the Illustrative Masterplan.

There were no concerns regarding the proximity of the site to the designated heritage assets, the conservation officer was satisfied there would be no adverse effects on those assets.

Archaeological recording was ongoing but there had been no findings of any significance. The area lead Gillingham detailed the infrastructure/obligations before reaching his conclusion and recommendation to approve.

There were no concerns from the Transport Development Liaison Manager

The Ward Member Cllr David Walsh read a statement to the committee in support of the application, this is attached as an appendix to these minutes and a statement was read on behalf of the agent for the application.

Member questions concentrated on the visibility splays and line of sight from the junction and current speed limits.

It was proposed by Cllr Val Potheary and seconded by Belinda Ridout that the application be recommended for approval.

On being put to the vote the committee was minded to support the recommendation

The Head of Planning, having considered the representation and the officer's presentation and having taken into account the views of the committee, made the following decision under delegated authority:

Decision: That the application be granted, subject to the conditions and the completion of a legal agreement under Section 106 of the Town and County Planning Act 1990, as outlined in the appendix attached to these minutes.

22. **Appeal Decisions**

Members received and noted an update from the Development Management Area Manager on three recent appeal decisions.

23. **2/2019/1529/FUL- Bourton Mill Factory Hill Bourton**

The Development Management Area Manager presented the report which sought planning permission for the erection of 20 dwellings on part of the site that has been previously consented to house 34no. dwellings (under Council reference 2/2015/1841/VARIA).

The application was part of a wider scheme, with a long history which already had planning permission for 34 dwellings. This application sought to add an additional 4 dwellings. There were no direct heritage impacts and the site was not within a conservation area. A major constraint was the high-risk flood zone. The site lay within the setting of the AONB, but presented no unacceptable impact on the landscape.

The Development Management Area Manager gave an insight to the history of the site and the previous concerns resulting from asbestos and other contaminants on the site, the flood risk and how these had been dealt with and mitigated by the developer, together with an update on the site today including properties that had been completed and already occupied.

There were no concerns from the Transport Development Liaison Manager.

Representations were read by the Technical Support Officer and are attached as an appendix to these minutes. The Development Management Area Manager responded to the comments raised in the representations.

The Acting Enforcement Manager advised that he had provided information from the site to a contamination consultant who had also visited the site and the Development Management Area Manager added that there were two consultants who had been involved in the process.

Committee members were then invited to submit questions, which focussed on the soil contamination and risks, number of vehicles on site, availability of parking plus queries relating to the location of the spoil heap.

Officers were confident that the developer was very aware of what was required on site and additionally all permitted development rights on the site had been removed.

It was proposed by Cllr Les Fry and seconded by Carole Jones that the application be recommended for approval.

On being put to the vote the committee was minded to support the recommendation.

The Head of Planning, having considered the representation and the officer's presentation and having taken into account the views of the committee, made the following decision under delegated authority:

Decision: That the application be granted, subject to conditions and the completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990, as outlined in the appendix to these minutes.

24. **P/PAOD/2021/02481- South Walks House, Dorchester**

The Chairman introduced the application and advised that the building was owned by Dorset Council and previously used by all councillors, therefore all members had an interest in the building but none that prevented them from partaking in the decision making, however if any of the committee members were pre-determined they must say so.

The application had come to the committee as permitted development because the building was council owned. There were only 5 defined matters that the members were to consider.

The Lead Project Officer, Corporate Projects presented the report and confirmed the 5 subject matters of the prior approval and the relevant points that needed to be taken into consideration by the members. He was content that the plans and elevation drawings were adequate for the application and he addressed the matter of vehicular access to the building.

The application was to change the use of the building to residential, and it was unlikely that any changes would require breaking ground.

The Lead Project Officer, Corporate Projects updated the recommendation within 12.1 of the report to "minded to grant approval subject to the conditions and that the Head of Planning determine the application accordingly".

There were no concerns from the Transport Development Liaison Manager. There would be 41 car parking spaces at ground level and visitors could park in the car park.

In addressing the public statements the Lead Project Officer, Corporate Projects advised that as permitted development the application was not subject to affordable housing.

Concerns were voiced over changing a modern office building into habital dwellings, there was no provision for amenities for families, ie nowhere to hang washing, store pushchairs or disability buggies. The Chairman reminded members that these areas of concern were not in the committee's remit for this application. Other areas discussed was the impact of commercial premises in relation to residential areas, and some disappointment that alternative uses for the building had not come forward to maximise potential for council tax payers.

It was proposed by Cllr Carole Jones and seconded by Cllr Belinda Ridout that the application be recommended for approval with an additional condition relating to the approval of mitigation of noise from nearby commercial premises.

On being put to the vote the committee was minded to support the recommendation.

The Head of Planning, having considered the representation and the officer's presentation and having taken into account the views of the committee, made the following decision under delegated authority:

Decision: That the application be granted subject to the conditions as set out in the appendix to these minutes.

25. **WD/D/20/003145 - 17 All Saints Road, Dorchester, DT1 1EL**

The Development Management Area Manager introduced the report and gave an overview of the site which was within the Dorchester Conservation area and a recently made article 4 directive which took away Permitted Development rights to take away walls and enclosures.

In proposing off street parking for the dwelling, some of the boundary wall would be removed, but part retained with some planting of a tree and retention of shrubs. There were no highway objections or safety issues and the Development Management Area Manager was happy there would be no adverse effect to the Conservation Area.

It was proposed by Cllr Stella Jones and seconded by Cllr Les Fry that the application be recommended for approval.

On being put to the vote the committee was minded to support the recommendation.

The Head of Planning, having considered the representation and the officer's presentation and having taken into account the views of the committee, made the following decision under delegated authority:

Decision: That the application be granted, subject to the conditions as set out in the appendix to these minutes.

26. **Exempt Business**

There was no exempt business.

**Representations
Decision List**

Duration of meeting: 10.00 am - 4.40 pm

Chairman

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Appendix

Northern Area Planning Committee

Written Submissions

24 August 2021

Item 5a - P/OUT/2020/00472 - Land North of Common Mead Lane, Gillingham

Cllr Graham Poulter, Gillingham Neighbourhood Plan – Against the application

I make this submission and objection from the perspective of the Gillingham Neighbourhood Plan published in July 2018.

The Case Officer's report has quite correctly brought to the Committee's attention the provisions of Policies 17, 19 and 22 of the Neighbourhood Plan. This application could not be more clearly in breach of those policies. Those policies represent the wishes, desires and aspirations of the community of Gillingham. The number of objections to this application, without doubt, reinforces and illustrates those wishes, desires and aspirations.

The NPPF identifies three overarching objectives of the planning system, an economic objective, a social objective and an environmental objective.

The **economic benefit** identified by the case officer is a transient benefit. How will this development support growth, innovation or improved productivity? It will not.

The social objective. Since the making of the Neighbourhood Plan there have been applications for over 2,000 dwellings with provision for a further 200 at Station Road. There is the prospect of further windfall applications. Gillingham's housing needs are already catered for. A sufficient number and range of homes are already provided for. The removal of this land from the identified area in the Neighbourhood Plan for outdoor sport provision/allotment clearly does not support the Communities health, social or cultural wellbeing.

The environmental objective. The plans refer to the 'Northern field' which is to be retained. What guarantee is there that this will be the long term case? Will this field be the subject of future applications? There is the possibility that any net biodiversity gain would be short lived.

The provision of s106 monies cannot be considered in all cases to be an appropriate form of compensation for failing to provide for example outdoor

sports provision or allotments. Land has to be made available for such matters, not developed. If there is no land available in suitable and appropriate areas then the s106 monies cannot be used to provide these facilities.

There has been reference to the `emerging Dorset Local Plan`. With all due respect, this DRAFT PLAN is in such an early stage of its infancy that it should be totally disregarded. There has been much criticism of it and in particular to that part of it which identified this site for potential development. There is absolutely no guarantee that this particular provision will remain.

The SHLAA referred to is not, of course, binding and has identified the site as developable subject to policy change, which it has not. The SHLAA should therefore be ignored.

For the reasons mentioned the application does not meet the sustainable objectives set out in the NPPF and therefore the application should be rejected.

Mr M Cridge – Against the application

Sect 29.5.6.

What is meant by “In order to fulfil a shorter term need”?, what happens to the dwellings at the end of this “short term”?, the residents of The Mellows care home and the residents of Freame Way who overlook the proposed site would not agree that the site would have “minimal adverse impact on the surrounding landscape” or the many people who use this green space.

Sect 29.5.6

Contd. In the plan the number of dwellings “could number around 70 dwellings”, in the letter dated 20:07:21 the number has increased to 80 why the difference?

Sect 29.5.7

On the matter of vehicular access from Common Mead lane the owners of The Mellows care home (BUPA) have instructed their legal representative in a letter dated 3:02:21 marked fao Jackie Witt states they (BUPA) would not permit vehicular access across land they own to the East of the care home.

Sect 29.5.8

There is no provision in the sites design to incorporate two existing rights of way crossing the site, the development would take away access to popular existing green spaces.

Gill 3 Land at Common Mead Lane

Sect ii

Should the proposed access from Common Mead Lane not be permitted (ref 29.5.7) and there is no proposed alternative access then this application should be denied on those grounds.

Sect iv

No formal public open space and play facilities are indicated on the site plan.

Sect v

No indication that either allotments or sports pitches are indicated on the site plan.

I understand that there are 130 responses to the application, 128 against, 2 for, an indication of the feelings about this application, why weren't all of the responders sent letters informing them of this meeting? I was only made aware of the initial meeting and format when a friend showed me their letter and subsequently only found out about the change of format when I contacted George Dare, had these instances not happened I would not have been aware of the opportunity to air my views, how many letters were actually sent?.

Gillingham Town Council - Cllr von Clemens and Cllr Cullingford

Gillingham Town Council recommends refusal of the application for the following reasons:

- The site is served by a sub-standard rural lane. A section of the lane is of single carriageway width with no footways or usable highway verges and pedestrians share the carriageway with all vehicles. The character and nature of Common Mead Lane presents conditions that are totally unsuitable to cater for the likely increase in vehicular and pedestrian traffic generated by the new development and will adversely impact upon the safety of all existing highway users; therefore, the application is considered to be unsustainable and contrary to the guidance set out in the NPPF, Local Policy and the guidance provided by the Department for Transport publication "Inclusive

Mobility": A Guide to Best Practice on Access to Pedestrian and Transport Infrastructure.

- There is only one bus service a week from the nearest bus stop and this does not go to the town centre. The reliance on private vehicles is not a sustainable option and contrary to the NPPF.
- The site is outside the settlement boundary, in open 'countryside' where development should be strictly controlled.
- The development does not provide a sensitive transition between the urban and rural environment and will have a detrimental effect on the natural landscape area.
- The proposed development does not offer any biodiversity gains, nor does it protect, or enhance the natural environment.
- Development of this area will be harmful to the setting of one of the most historically important areas in Gillingham, Queen's Farm which is associated with the Gillingham Royal Forest.
- The development does not provide adequate new green infrastructure to improve the quality of life for the residents. It is suggested that formal outdoor sports and informal outdoor space can be provided for through s106 funding; however, how can this be achieved when the land set aside in the neighbourhood plan for sports provision is proposed for development? There are no areas of land in Gillingham on which to provide such vital infrastructure.
- Many of the young people in Gillingham are being denied an opportunity to play football, this is unacceptable in a town of our size and is contrary to the NPPF which supports healthy lifestyles through the provision of accessible green infrastructure and sports facilities for all ages.
- The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. The proposed development does not meet the three objectives of the NPPF and the harm caused by the application significantly outweighs the benefits.

Nicole Stacey, PCL Planning - Agent

Good morning Chair and Members

I am writing on behalf of the applicants and wish to endorse your officer's recommendation for approval of this outline application.

The site is situated to the north of Common Mead Lane, on the south-western edge of Gillingham. Gillingham is recognised in the adopted North Dorset Local Plan as one of the four main towns that are considered the most sustainable locations for housing, and the site has been identified by the Council as an allocation for residential development in the emerging Dorset Local Plan.

The site is within close proximity to a range of services and facilities and is not subject to any landscape, heritage or other designations.

The application has been submitted in outline. The layout, scale, appearance and landscaping of the site are matters reserved for future consideration.

The applicants have worked positively and proactively with officers and relevant consultees both prior to and during the course of the application, to address queries raised and achieve a scheme which is supported by your officers.

The proposal will provide a range of high-quality homes including a policy compliant level of affordable housing (25%) to meet identified local needs and assist in meeting the Council's housing land supply.

The scheme will deliver a range of economic, environmental and social benefits through the creation and support of local jobs, biodiversity enhancements and provision of areas of open space and play. A range of financial contributions would be provided to be spent on enhanced community infrastructure within the town, including healthcare, education, libraries, sports provision and local bus services.

No adverse impacts have been identified which would outweigh the substantial benefits of the scheme.

We therefore hope that you support your officer's recommendation and approve this outline application.

Item 5b - P/OUT/2020/00495 - Land to The South East of Lodden Lakes New Road, Gillingham

Simon Fife, Savills Planning - Agent

Good morning Chairman, Councillors, ladies and gentlemen.

Thank you for allowing Savills as agent to provide a written statement on this planning application on behalf of Taylor Wimpey, the Applicant.

The outline planning application is for up to 115 dwellings with access from New Road and Lodden Lakes phase 1, which is being developed by the Applicant. It establishes the broad parameters of development and details of the access arrangements. The application is before you today with a recommendation of approval from the Council's Planning Officer.

The Council has a confirmed shortfall in housing land supply and the benefits of delivering this allocated site are therefore significant. The proposals would also deliver a number of major benefits for the local community, including:

1. 115 new homes to meet local needs.
2. 25% affordable housing, of which 70% affordable rent.
3. Benefits to the local economy, including new jobs and expenditure in the town centre.
4. Financial Contributions towards education, community, healthcare and waste recycling facilities.
5. Financial Contributions towards public and active transport facilities and services, and highway infrastructure.
6. Public open space and sustainable drainage.
7. Habitat creation and landscaping in the Lodden valley.

Pre-application consultation revealed a significant level of support for the Masterplan, including open space and landscaping proposals. This was echoed by strong support from the Town Council.

Following submission of the application, no objections were raised by local residents or the Town Council – one letter of support was submitted. Taylor Wimpey also engaged with the Gillingham & District Angling Association, which resolved matters raised by the Association.

Further technical work with regard to surface water drainage, archaeology and access ensured that the statutory consultees confirmed no objections to the proposals. Savills also provided confirmation that the outline proposals are entirely consistent with planning policy, and the broad spatial and urban design requirements of the Master Plan Framework (MPF). Detailed matters raised by the Council's Landscape Officer will be addressed at the Reserved Matters stage.

Savills has confirmed to the planning officer that the draft planning conditions are appropriate and the Heads of Terms for the s106 agreement have been

agreed. The grant of planning permission would cement Taylor Wimpey's commitment to the early delivery of phase 2, aligned with the Council's commitment to delivering the Principal Street.

This is an exciting opportunity to deliver much needed new homes in Gillingham in a sustainable manner – we therefore hope you can support your officer's recommendation and resolve to grant planning permission.

Item 5c - 2/2019/1529/FUL- Bourton Mill Factory Hill Bourton SP8 5AX,

Mr & Mrs Hallett - objection

All points raised are referring to the document titled 'Design and Access Statement For Changes To Layout And House Types' prepared by Ashley Design October 2019.

1. We are aware that the original LBH Wembley contamination report showed considerable levels of contamination in the soil at the site. We are aware that no soil has left the site and that this contaminated soil has been incorporated into the spoil heap on the northern site. If this soil is to be used to enhance levels within the northern area (point 3.7) what action has been taken or is proposed to either remove this soil or make it safe for domestic dwellings?
2. In point 3.1 it is stated that the design is aimed to reflect the original mill appearance. The photograph attached to this report clearly illustrates that the proposed buildings are far from representing the original ones in appearance, size and indeed height. When this development was originally planned there were designs shown to residents of what was to be built in our village. We were shown thatched roofed buildings and greenstone faced buildings, but so far we have buildings coated in yellow render which has already had to be repainted due to severe discolouring , bright red tiled roofs and with regard to use of greensand stone in construction, apart from the odd corner stone and retaining wall no house looks remotely like the originals. We would like to express concern to the height that the buildings are constructed and in point 3.4 reference is made to that **“Building forms remain. Ridge, heights. Massing, expression and materials being retained as approved”** this does not seem to be the case and indeed point 3.7 appears to contradict point 3.4 which states that **“Enhancing levels within the northern area site will avoid removing material from site whilst at the same time raising rear garden levels”**. The current spoil heap height must be in excess of 3 metres. Are we therefore to believe that garden and therefore corresponding property floor levels will be raised to this height? We would also like to ask why the site is to be raised to help the contractor to use the contaminated spoil in the site rather than remove it as good practice would dictate.

3. Increasing the property numbers whilst not increasing bedroom capacity will indeed increase the number dwellings and therefore the number of vehicles and their movements.

Planning Application 2-2019-1529-FUL – proposal for 20 houses at Bourton Mill

Louise Shepherd & Jeremy Watts - objection

I have monitored the site closely and am concerned with numerous inconsistencies in reports; especially reliance on unverified information provided by the Developer and DC Planners acceptance of 'self-certification'

The LBH Wembley remediation statement identified high levels of contamination. A FOI request advised **no soil** has left the site, yet recent testing declared **NO** unsafe levels of contamination found. Where has the original contamination gone, it must be somewhere?

The Planning Application proposes to reuse stockpiled soils known as the 'spoil heap'.

Do the planning committee members appreciate the volume of the 'spoil heap'? Estimated to be more than 30,000 cubic meters, how can this volume of soil be retained without raising the ground levels of dwellings? Para 3.4 and 3.7 of The Design and Access Statement are at odds. Para 3.7 indicates raising rear gardens only to avoid removing the spoil heap from site but how can the volume of the 'spoil heap' raise rear gardens without raising the dwellings (as detailed in 3.4), there is simply too much 'spoil heap' to distribute and would be impossible to do without raising the site levels.

There are no cross-sectional drawings in the application containing street scenes which provide an indication of how the houses will appear visually from street level.

The properties already built are significantly higher than expected because the original drawings did not demonstrate the height in relation to street level.

Plots 25 and 26 currently under construction are built on top of a retaining wall over 10 feet high from street level. This is visually overbearing and not in keeping with any other properties in the village; this is contrary to Bourton Neighbourhood Plan Policy 3 (c) "*All alterations or new development shall complement the character and appearance of surrounding properties in terms of height, scale and density*". This dominant feature is visually unattractive and imposing.

I appreciate this has already had planning permission; my point is, street views should be available for scrutiny to ensure the properties to which

this application relates, do not hold any surprises in terms of height in relation to street level.

The original application proposed was for 16 x 4 bed houses encouraging families into Bourton, using the local amenities, and contributing to the community.

The new application proposes to replace these with 10 x 2 bed and 10 x 3 bed.

2 bed houses would more likely attract buy to let buyers not providing affordable homes but higher rentals.

The number of vehicles will be increased with more properties and is likely to lead to congested parking.

Bourton Parish Council statement to Dorset Council's Northern Area Planning Committee - Planning Application 2/2019/1529, Bourton Mill

1. **Contrary to assertions in the officer's report Bourton Parish Council has repeatedly raised pertinent planning considerations and reiterates its OBJECTION to this application because:**
 - a. The material submitted with the application is deficient, for the following reasons:
 - i. It fails to make it clear that the application proposes the retention of the large stockpile of unregulated contaminated waste material upon which the new houses would be constructed and gardens sited.
 - ii. The developer has failed to comply with the requirements stipulated by the environmental consultants, LBH Wembley, notably the placement of a geo-membrane underneath the stockpile.
 - iii. There are no street scenes, perspectives or sections to show the relationship of the proposed dwellings to existing homes and features.
 - iv. There is no level information relating to the western access road.
 - b. The perceived relationship of the proposed new dwellings to homes already built, the dam and the wider environment is unacceptable. Building 20 dwellings on the 4m high retained stockpile would result in them being overbearing and out of keeping with the surrounding landscape.
 - c. The absence of a firm proposal for the safe disposal of surplus construction waste from the site is unacceptable.
 - d. The lack of an independent monitoring and certification process to ensure compliant delivery of the necessary remediation poses risk to future occupants of the proposed dwellings and potential liability issues for Dorset Council.
2. BPC also OBJECTS on the ground of prematurity due to the failure of Dorset Council to consult BPC on the drafting of the Section 106 Agreement, to include provision for:
 - a. A genuine third-party monitoring arrangement that prohibits dependence on self-certification by the developer and/or contractor. An example of the risks associated with this process relates to the recent removal of

- contaminated soil from the gardens of Nos. 2, 4 & 6 Factory Hill, 2-3 years after commencement of occupation by their new owners.
- b. Removal of contaminated waste prior to the commencement of any construction works above floor slab level.
 - c. There are numerous outstanding issues relating to the existing S.106 which have yet to be resolved; these should be carried forward into the new S.106 agreement.
 - d. Early completion of the consented works to the extended Public Open Space including those to form the LAP (as shown on the approved landscape plans) and timely payment of an increased commuted sum to cover future maintenance costs of the enlarged area.
 - e. Remediation and certification of the extended POS.
3. From its experience of the execution of works including the obvious breaches of the remediation strategy, BPC believes that a performance-related bank bond linked to an all-embracing Section 106 is essential to ensure full compliance with all obligations by the developer.

Item 5d - P/PAOD/2021/02481- South Walks House, Dorchester

Keith Miller – against the application

I write as someone opposed to the above plan. My view is that the original idea to build a substantive modern council office block plus library on what was originally deemed a car park that enabled those who live in the surrounding country areas to park their vehicles when visiting the town for shopping etc, was very wrong indeed. Today this error looks even worse given the rapidly growing population within the region that Dorchester town centre serves. To then abandon this same building so soon after it was built and propose that the building be converted to living accommodation makes the matter even worse.

In pre-Covid times parking in the summer months when the tourists were at their peak was becoming difficult. Now that the worst of the pandemic is over and the UK economy is on the road to recovery, pretty soon we are going to see a real surge in demand for retail activity in Dorchester again. At the moment it does not seem like it as the loss of a number of shops in the town centre has had a negative impact on retail activity. Having said this there are signs of recovery. When looking ahead over the next few years, Dorchester would benefit from some substantive modern retail outlets and with this in mind, I do think the Council need to think about what can be done with South Walks House that will help lead to the return of the likes of Marks and Spencer and maybe attract others such as Primark. Also, there needs to be some consideration for

additional parking too as popular larger retail outlets will eventually lead to more vehicles arriving in Dorchester.

In summary I hope the Council Planners will consider a plan for South Walks House that will benefit the majority and not just the few. I therefore would prefer South Walks House be sold to a developer who can create a building/structure that serves residents of the town and the region as a whole.

Statement from Dorchester Town Council

‘We welcome the application in principle as long as the building can be made suitable for use by the future residents with regard in particular to ventilation, living space and access to outdoor recreation. We trust that the existing energy saving measures in and on the building will continue to be fully utilised for the benefit of future residents.

We expect the application to be subject to existing Local Plan policy HOUS1 to provide at least 35% affordable housing, a minimum of 15 units.’

With kind regards

Written Statement from Chris Geddes of Albion Planning (Applicants’ Agent) - Support

The proposal falls within the scope of permitted development, as defined in Part 3 Class O of Schedule 2 of the GPDO.

Development under Part 3 Class O is permitted on condition that the developer must apply for a determination as to whether the prior approval of the authority will be required in respect of a number of very limited matters:

In this regard, it has been demonstrated that:

Transport and highways impacts – The proposal does not present a material harm to the transport network or to highway safety. Reflecting this your Transport Development Liaison Engineer has not raised any objection, subject to the imposition of a condition requiring the parking spaces, accessways and service areas to be maintained for the purposes indicated.

Contamination risks – A detailed remediation scheme was implemented when South Walks House was constructed. As a result, any residual risks can be adequately addressed by the imposition of a condition addressing the management of any unexpected contamination encountered in the unlikely event that any ground breaking is required.

Flooding risks - The site is located within Flood Zone 1 (low risk). It is not within a Critical Drainage Area and is not considered to be at elevated risk of either surface or ground water flooding. As a result, the proposal would not result in a material increase in flood risk.

Impacts of noise from commercial premises on the intended occupiers – The site is located within a mixed used area accommodating a range of commercial and residential properties. The commercial uses accommodated in nearby buildings are such that they are compatible with the proposed residential use and mitigation is not deemed necessary.

The provision of adequate natural light in all habitable rooms – The submitted floor plans demonstrate that all of the proposed habitable rooms would receive adequate levels of natural light. Whilst limited external alterations will be required to a number of the proposed apartments, they would not materially affect the external appearance of the buildings and, as a result, they would not comprise development.

In addition to the above, all of the proposed apartments would comply with the nationally described space standards.

As a result of the above, your Officers have concluded that no further information is required to secure a satisfactory level of compliance with the provisions of national planning policy and that, as such, approval should be granted, subject to conditions.

I would, therefore, urge the Committee to accept the recommendation as set out in the Officer's Report.

This will allow the change of use to proceed and make a valuable contribution to your Council's 5- year housing land supply, which is currently in deficit.

Item 5d - WD/D/20/003145 - 17 All Saints Road, Dorchester

No reps

“Good morning Chairman and thank you for allowing me to address the Planning Committee this afternoon.

Good afternoon Committee, you have all heard me speaking about the Gillingham Southern Extension many times before, undoubtedly because the people of Gillingham master planned every detail of this development over many years. That I can say because I have lead on this for the last 9 years.

As you will have read in the report and they are facts that you already know, that Gillingham Town Council, the adopted Gillingham Neighbourhood plan and the adopted North Dorset Local Plan support this development.

It has long been the backbone of development for North Dorset and it is imperative that we get on with it as soon as possible.

There is a real danger in not getting on with it as soon as possible and you have heard already today: “Why do we need more housing development when we thought, it was planned that all housing need would be delivered through the Gillingham Southern Extension?”, well it never was that simple. There would also be infilling.

A problem that has developed whilst we were waiting for the Southern Extension to get under way, is that speculative development is coming through the back door: perhaps too much reliance was put on the early delivery of the extension, in the North Dorset Local Plan, all those years ago.

The outline application before you today, is the final part of the jigsaw for the Gillingham Southern Extension and the second half of the Lodden Lakes development, the principle of which was agreed through the strategic Local plan allocation and supported by the adopted Gillingham Neighbourhood Plan.

There are no objections by statutory bodies and as you have read: 3 letters of representations were received, 1 letter of support from a local resident stated the following: “Cannot wait for more details of these houses. As a family with 2 children at the High School in town, the location is perfect and hopefully some of the houses will be affordable for my husband and I (both teachers) to be able to get on the housing ladder. The remaining two letters were from the adjacent Gillingham and District Anglers association, where several objections were raised but I am pleased to say, that following discussions with Taylor Wimpey, the Anglers Association wrote to the Council confirming the withdrawal of their earlier objections.

Well committee, we have heard from the public when they don't want development and here is an application supported by everyone, so let us show the public that we do listen and as there are no material considerations which would warrant refusal of this application, I urge you to support the officer's recommendation and approve this application.
Please”

Best wishes

David

Cllr David Walsh
Portfolio Holder for Planning

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Northern Area Planning Committee 24 August 2021 Decisions List

APPLICATION NUMBER: P/OUT/2020/00472

APPLICATION SITE: Land North East of the Mellowes Nursing Home, Common Mead Lane, Gillingham, Dorset

PROPOSAL: Develop land by the erection of up to 80 No. dwellings, form vehicular access, associated open space and infrastructure. (Outline application to determine access).

Refuse, for the following reasons:

Reasons for Refusal

1. The proposed development by reason of its siting outside of the defined settlement boundary of Gillingham and encroachment into the countryside would cause less than substantial harm to the significance of the Wyke Conservation Area, and the non-designated Moat at Thorngrove (MDO3908) and that harm would not be outweighed by the public benefits derived from the residential development. In these respects the proposal is contrary to policies 2, 5, 20 of the adopted North Dorset Local Plan Part 1 (January 2016) and the National Planning Policy Framework (2021) particularly paragraphs 8, 11, 202, 203.
2. The proposed development would result in the loss of an existing area of informal green amenity space and a formal area of search for new outdoors sports provision. It has not been demonstrated that there is a clear overriding public benefit or that the proposed development could not be reasonably located outside of the area. In these respects, the proposal is contrary to policies 15 of the adopted North Dorset Local Plan Part 1 (January 2016) and policies 17 and 22 of the Gillingham Neighbourhood Plan (July 2018) and paragraph 98 and 99 National Planning Policy Framework (2021).
3. In the absence of completed and signed Section 106 legal agreement to secure affordable housing, and community benefits (infrastructure: grey, social, green) the proposal would be contrary to Policies 4, 8, 13, 14 and 15 of the adopted North Dorset Local Plan Part 1 (January 2016), and paragraph 55 National Planning Policy Framework (2021).

APPLICATION NUMBER: P/OUT/2020/00495

APPLICATION SITE: Land to The South East of Lodden Lakes, New Road, Gillingham, Dorset

PROPOSAL: Develop land by the erection of up to 115 No. dwellings, form vehicular access from New Road and Lodden Lakes Phase 1, form public open space. (Outline application to determine access only).

DECISION: Grant, subject to the completion of a legal agreement under section 106 of the town and country planning act 1990 (as amended) in a form to be agreed by the legal services manager to secure the following:

- 25% affordable housing
- Principal Street contributions
- Principal Street Commuted Sums - Landscaping/Trees
- Principal Street Commuted Sums – Final Footway/Cycle way resurfacing
- Bus Service contributions
- Bus stop contributions
- Community Transport contributions
- Enmore Green Link Road/contributions
- Gillingham Rail Station Improvements Contribution
- Sustainable Transport Improvements Contributions
- Sustainable Travel Voucher
- Town-wide Personalised Travel Planning Contributions
- Community Hall contributions
- Library contributions
- Household recycling contributions
- Green Infrastructure
- Local Area of Play
- Play Trail with 5 stations
- Informal Open Space along the River Lodden
- Primary Education Contribution
- Secondary Education Contribution
- Pre School Provision Contribution
- NHS Contribution

And the conditions (and their reasons) listed.

CONDITIONS:

Time Limits

1. Approval of the reserved matters (i.e. any matters in respect of which details have not been given in the application concerning the layout, scale or appearance of the building(s) to which this permission and the application relates, or to the means of access to the building(s), or the landscaping of the site) shall be obtained from the Local Planning Authority in writing before any development is commenced. Such development shall be carried out as approved.

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

2. Application for the approval of any reserved matter must be made not later than the expiration of two years beginning with 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 development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

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

Approved Plans

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

- Parameter Plan 01: Land Use, PP- 01, Rev D
- Parameter Plan 02: Building Heights, PP-02, Rev C
- Parameter Plan 03: Green Infrastructure and Open Space, PP-03, Rev D
- Parameter Plan 04: Access and Movement Plan, PP-04, Rev D
- Illustrative Masterplan 01, IMP-01, Rev H
- Phase 2 Access, 19-027-001, 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 115 dwellings only.

Reason: To define the extent of the permission

Trees/Landscaping

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

- a) a specification for protective fencing to trees and hedges during both demolition and construction phases which complies with BS5837 (2012) and a plan indicating the alignment of the protective fencing;
- b) a specification for scaffolding of building works and ground protection within the tree protection zones in accordance with BS5837 (2012);
- c) a schedule of tree work conforming to BS3998;
- d) details of the area for storage of materials, concrete mixing and any bonfires;

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

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

6. The reserved matters 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.

Drainage

7. Prior to the commencement of the development a detailed surface water management scheme for the site, based upon the hydrological and hydrogeological context of the development, and providing clarification of how drainage is to be managed during construction, shall be submitted to, and approved in writing by the local planning authority. The surface water scheme shall be implemented in accordance with the approved details before the development is completed.

Reason

To prevent the increased risk of flooding and to protect water quality.

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

Reason

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

9. Prior to the commencement of the development a foul drainage scheme shall be submitted to and approved in writing by the local planning authority. The foul

water scheme shall be implemented in accordance with the approved details before the development is completed.

Reason

To prevent pollution of the water environment

Flooding

10. Prior to the commencement of the development plans of a scale not less than 1:200 showing the finished floor levels of the dwellings in relation to Ordnance Datum shall be submitted to and approved in writing by the Local Planning Authority. The finished floor levels shall be set above the design flood level plus a suitable allowances for climate change. The development shall be carried out in accordance with the approved details.

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

11. Prior to the commencement of any development 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.

Heritage

12. Prior to the commencement of any development 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

13. Prior to the commencement of any development, an ecological design strategy (EDS) addressing all mitigation measures for protected species, European Protected Species and important ecological features; biodiversity net gain and compensation shall be submitted to and approved in writing by the local planning authority.

The EDS shall include the following;

- a) an Ecological Impact Assessment report to include:

- habitat losses and gains assessment and demonstration of measurable biodiversity net gain;
 - European protected species mitigation licence as required for Great crested newts or a compensation payment certificate issued under the Dorset Council GCN licence scheme;
 - provision of otter holts along the River Lodden;
 - provision and management of a minimum 8 metre wide buffer zone alongside the watercourse (River Lodden). 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. Plans showing the extent and layout of the buffer zone, a detailed proposed planting scheme, mitigation measures to protect the buffer zone during development, management for the life time of the development including adequate financial provision and named body responsible for management plus production of detailed management plan, details of any proposed footpaths, fencing, lighting etc. shall be included
- b) Purpose and conservation objectives for the proposed works.
 - c) Review of site potential and constraints.
 - d) Detailed design(s) and/or working method(s) to achieve stated objectives
 - e) Extent and location/area of proposed works on appropriate scale maps and plans.
 - f) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
 - g) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
 - h) Persons responsible for implementing the works.
 - i) Details of initial aftercare and long-term maintenance.
 - j) Details for monitoring and remedial measures.
 - k) Details for disposal of any wastes arising from works
 - l) Details for the protection to populations of water voles and otters and their associated habitats within the site, during construction works through to completion. Details shall include a timetable for implementation and mitigation of any potential damage. The plan must include ground works and vegetation clearance.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in the manner approved thereafter.

Reason: To mitigate, compensate and enhance/provide net gain for impacts on protected species and biodiversity.

14. Prior to the commencement of any development, a landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority. The content of the LEMP shall include the following:
 - a) Description and evaluation of features to be managed.
 - b) Ecological trends and constraints on site that might influence management.
 - c) Aims and objectives of management.
 - d) Appropriate management options for achieving aims and objectives.
 - e) Prescriptions for management actions.

- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The plan shall also include a timetable of reports describing the results of monitoring to the authority. Reports shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details.

Reason: To protect the landscape character of the area and to mitigate, compensate and enhance/provide net gain for impacts on biodiversity.

Highways/Transport/Construction

15. Prior to the commencement of any development the first 15 metres of the vehicle access, measured from the nearside edge of the carriageway, shall be laid out and constructed to a specification first submitted to and approved in writing by the Local Planning Authority.

Reason: To reduce the risk of accidents

16. Prior to the occupation of the development the visibility splay areas as shown on drawing ref - 19-027-012 Rev A must be cleared/excavated to a level not exceeding 0.60 metres above the relative level of the adjacent carriageway. The splay areas must thereafter be maintained and kept free from all obstructions.

Reason: To reduce the risk of accidents

17. The development hereby permitted must not be occupied or utilised until a scheme showing precise details of the proposed cycle parking facilities is submitted to and agreed by the Local Planning Authority. The approved scheme shall subsequently be implemented in accordance with the approved details, maintained and kept free from obstruction and available for the purpose specified.

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

18. Prior to the commencement the development, details of a scheme to install infrastructure within the plots with garages, 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

19. Prior to the occupation of the development, a Travel Plan must be submitted to and approved in writing by the Planning Authority. The Travel Plan, as submitted, will include:
- a) Targets for sustainable travel arrangements.
 - b) Effective measures for the on-going monitoring of the Travel Plan.
 - c) A commitment to delivering the Travel Plan objectives for a period of at least five years from first occupation of the development.
 - d) Effective mechanisms to achieve the objectives of the Travel Plan by the occupiers of the development

The development must be implemented only in accordance with the approved Travel Plan.

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

Construction

20. Prior to the commencement of the development a Construction Environmental Management Plan (CEMP) 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 to minimise the likely impact of construction traffic on the surrounding highway network and prevent the possible deposit of loose material on the adjoining highway.

Contamination

21. Prior to the commencement of the development, a remediation strategy to deal with the risks associated with contamination of the site shall be submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:
 1. A preliminary risk assessment which has identified:
 - all previous uses;
 - potential contaminants associated with those uses;
 - a conceptual model of the site indicating sources, pathways and receptors; and
 - potentially unacceptable risks arising from contamination at the site
 2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that the development does not contribute to, is not put at unacceptable risk from, or adversely affected by, unacceptable levels of pollution.

22. Prior to occupation of the development a verification report demonstrating the completion of works set out in the approved (contamination) remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure that the site does not pose any further risk to human health by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete.

23. If during development contamination not previously identified is found to be present at the site, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out on that phase (or a parcel or parcels therein) until a remediation strategy detailing how this contamination not previously identified will be dealt with has been submitted to and approved in writing by the Local Planning Authority. Thereafter, this remediation strategy shall be implemented as agreed in writing.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of pollution from previously unidentified contamination sources.

Broadband

24. Prior to the commencement of any 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

APPLICATION NUMBER: [2/2019/1529/FUL](#)

APPLICATION SITE : Bourton Mill Factory Hill Bourton SP8 5AX

PROPOSAL: Erect 20 No. dwellings.

DECISION: Grant, subject to the completion of a legal agreement under section 106 of the town and country planning act 1990 (as amended) in a form to be agreed by the legal services manager to secure the following:

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

CONDITIONS

Time Limit

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

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

Drawings

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

2608-19-15 Location Plan
2608-19-10 Block Plan (North)
2608-19-11 Plans & Elevations Units 3-5
2068-19-16 Plans & Elevations Units 15-16
2068-19-17 Plans & Elevations Units 10-13
2608-19-18 Plans & Elevations Units 21-24

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

3. Within three months of the grant of consent, samples of materials to be used in the construction and finish of all walls (including screen and retaining walls) roofing windows and hard surfaces shall be submitted to the Local Planning Authority. Use of any such samples shall first require approval to be obtained in writing from the Local Planning Authority. The development shall thereafter accord with the approved details.

Reason: To safeguard the character of the locality.

4. Within three months of the grant of consent, sample panel(s) a minimum of 1 m x 1 m of any brickwork or stone panels shall be erected on site to demonstrate the bond, method, colour and texture of the pointing and coursing. Any such sample

panel(s) shall require approval to be obtained in writing from the Local Planning Authority. The sample panel(s) shall be retained on site until all building work is completed. The development shall accord with the approved panels.

Reason: To safeguard the character of the locality and in the interests of the appearance of the development.

5. Within three months of the grant of consent, a scheme showing precise details of all fences, walls, retaining structures or other means of enclosure shall be submitted to the Local Planning Authority. Any such scheme shall require approval to be obtained in writing from the Local Planning Authority. The approved means of enclosure shall be erected or constructed before that part of the development is occupied.

Reason: In the interest of the amenity of the area.

6. Within three months of the grant of consent, a scheme showing precise details of the construction and surfacing of all parking, servicing, paved or hard surfaced areas, shall be submitted to the Local Planning Authority. Any such scheme shall require approval to be obtained in writing from the Local Planning Authority. The approved scheme shall be implemented before the development is occupied.

Reason: In the interests of the orderly development of the site and the amenities of the area.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order)(with or without modification) no extensions to the dwellings or alterations within the curtilage permitted by Classes A, AA, B, D, E & F of Schedule 2 Part 1 of the Order shall be erected or constructed.

Reason: To enable the Local Planning Authority to retain control over the development of the site in the interests of amenity issues in relation to the density of development, public safety and to manage surface water disposal (in relation to Class F).

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order)(with or without modification) no garages, sheds or other outbuildings shall be erected or enlarged, nor shall any means of enclosure be constructed within the land shown edged in red on the approved site plan.

Reason: In the interest of public safety and to safeguard the appearance of this development given its density in a rural edge location.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any order revoking and re-enacting that Order

with or without modification, no wall, fence, structure etc. shall be erected unless express planning permission is obtained from the Local Planning Authority.

Reason: In the interest of public safety and to allow free passage of flood water during extreme flood events.

10. The finished floor slab levels shall accord with the levels shown on approved block plan layout drawing number 2238-11-03C received on 31st May 2012. Any revision to the layout of buildings shall be accompanied by plan(s) and section(s) of a scale not less than 1:200 and other particulars showing the level of the finished floor slab of the dwelling(s) in relation to Ordnance Datum. Any such plan shall require approval to be obtained in writing from the Local Planning Authority. The development shall thereafter accord with the approved finished slab levels.

Reason: To ensure that the building relates properly to adjoining property or properties in the locality, to safeguard the character and amenity of the area and to minimise the risk of flooding.

11. Before the commencement of any further works, a scheme shall be submitted to the Local Planning Authority to provide for archaeological observation and recording to take place during the development process, including (where appropriate) the observation and recording of any structure on the land which may be demolished (completely or in part) in the course of the development. Any such scheme shall require approval to be obtained in writing from the Local Planning Authority. The development shall thereafter accord with the approved scheme.

Reason: The area is one of archaeological potential and it is important that any archaeological features and finds are properly recorded

12. The development shall be carried out in full accordance with the approved Asbestos Material Management Plan, Rev 2.

All construction workers within the spoil heap area should be appropriately trained and are aware of the ground conditions, so they can avoid exposing themselves and others to asbestos fibres. If, during works on site, visible AIB, lagging or any form of licensable ACMs identified during site preparation and/or construction works, the work should be stopped, and the LPA be notified immediately. A qualified/competent consultant would be required to assess the type of asbestos materials found and to determine the potential risk to construction workers and other human health receptors. Based on the findings of the further investigation and asbestos risk assessment, the license status of the works should be reviewed and modified accordingly, and an appropriate remediation scheme submitted to the Local Planning Authority. Any such scheme shall require approval to be obtained in writing from the Local Planning Authority.

(d) On completion of all the works detailed in the agreed Asbestos Material Management Plan, Watching Brief and Remediation Statement and prior to occupation of the development, a Site Remediation Completion Report (Validation and Verification Report) must then be completed by the environmental consultant(s) who carried out the remediation works confirming that they have supervised all the agreed remediation actions. All asbestos remediation records shall be compiled for inclusion in the Validation/Verification Report to be prepared for the site.

Confirmation that all works were undertaken as specified in the approved Asbestos Material Management Plan, Plan of Work and Remediation Action Plans will be required. This to be corroborated with the appropriate/related site records. This

report shall be submitted to the Local Planning Authority. No occupation shall take place until the Local Planning Authority is in receipt of said Remediation Completion Report and has confirmed in writing that it is satisfied with the contents of the statement and the standard of work completed.

The development shall be carried out in accordance with the approved details.

Reason: To prevent and mitigate potential human health risk from asbestos contamination during construction works to neighbouring occupiers and construction workers and to safeguard the living conditions of future and neighbouring occupiers and other sensitive receptors.

13. The development shall be carried out in full compliance with the remediation measures included in the Site Remediation Strategy Rev 2 by ACS, 03 March 2021, The Remediation Strategy Addendum by ACS, 22 March 2021 reference 21-70726 and the LBH Wembley Limited. Land Contamination Assessment & Remediation Statement. Ref LBH3256 Rem All Zones Ver. 2.3. Any variation to the agreed remediation measures must be agreed in writing by the local planning authority.

On completion of all the works detailed in the agreed documents as above, and required by Condition 12, a Site Remediation Completion Report (Validation and Verification Report) must then be completed by the environmental consultant(s) who carried out the remediation works confirming that they have supervised all the agreed remediation actions. The validation and verification shall be corroborated with the appropriate/related site records and all documentation shall be submitted to the Local Planning Authority for approval in writing. Any variation to the agreed remediation measures must be agreed in writing by the local planning authority.

Reason: To safeguard the living conditions of future and neighbouring occupiers and to protect the water environment and other sensitive receptors.

14. The Watching Brief Rev 2 by ACS, March 2021 and a Discovery Strategy must be complied with during all pre-construction (site preparation works) and construction works. If unforeseen contamination is encountered during the works, all work must stop immediately, and the LPA shall be notified. Works shall not restart until the soils are investigated and assessed by a competent and suitable qualified consultant and the Site Category and Plan of Work shall be revised and modified accordingly to reflect the asbestos work license category and asbestos control requirements for the development, and the results shall be submitted to the local planning authority for approval in writing. The development shall be carried out in accordance with the approved details

Where unforeseen contamination is found (asbestos or other type of contamination), which (in the opinion of the Local Planning Authority) requires additional remediation, a detailed Remediation Statement, including effective measures to avoid risk to future and neighbouring occupiers, the water environment and any other sensitive receptors when the site is developed and remediation programme detailing when each remediation action will occur relative to the construction works, shall be submitted to the Local Planning Authority for approval in writing. Any remediation

scheme(s), or part(s) thereof recommended in the Remediation Statement, shall be carried out in accordance with the approved Remediation Scheme.

Reason: To safeguard the living conditions of future and neighbouring occupiers and to protect the water environment and other sensitive receptors.

15. Before any further works on piling foundations are carried out, , a Piling Risk Assessment to evaluate environmental risks from piling and including the proposed piling technique shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved Assessment.

Reason: To safeguard the living conditions of current/future and neighbouring occupiers and to protect the water environment and other sensitive receptors.

16. Prior to the construction of any new foundations on site including those for roads, buildings and car parks, but permitting demolition and site clearance works, and prior to construction of any part of the flood risk management scheme, flood risk mitigation measures and dam works, a detailed fluvial flood management scheme, supported by detailed hydraulic modelling, shall be submitted to and agreed in writing by the Local Planning Authority. Details shall include how the scheme integrates with the upstream dam and downstream natural channel, as well as design details of the stilling pool, river channel, Factory Hill Bridge, flood compensation, bollards/fencing to prevent objects/cars entering the channel, proposals to protect the adjoining natural channel from erosion, and a detailed plan showing how the scheme shall be managed, maintained and funded in perpetuity after completion. The development shall be carried out in accordance with the agreed details.

Reason: To ensure long term effective provision of fluvial flood risk management

17. No part of development approved by this permission shall be first occupied until all of the flood mitigation measures, detailed in the flood risk assessment prepared by Fairhurst (December 2019), have been carried out in full and approved in writing by the Local Planning Authority.

Reason: To ensure that the development is subject to minimum risk of flooding.

18. Prior to the construction of any foundations on site including those for roads, buildings and car parks, but permitting demolition and site clearance works, and prior to construction of any part of the flood risk management scheme, flood risk mitigation measures and dam works, a detailed floodpath analysis, utilising the flows and velocities calculated in the dam breach analysis, and details of the final building designs, taking into account structural loading criteria, shall be carried out in accordance with the recommendations contained within the Flood Risk Assessment by Fairhurst (December 2019). The final scheme shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter accord with the approved details.

Reason: To ensure the development is adequately designed to resist structural damage in the event of a catastrophic flood, such as that resulting from a partial collapse of an upstream dam.

19. No development approved by this permission shall be occupied until a flood warning scheme and Flood Plan, have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be completed and implemented in accordance with the approved details.

Reason: To ensure that owners and occupiers of premises are aware of evacuation procedures and are given adequate notice to evacuate during a major flood event.

20. A strip of land 8 metres wide adjacent to the top of the bank of the River Stour, downstream of Factory Hill, must be permanently kept clear of all new buildings and structures (including gates, walls, fences, hedges). A strip of land a minimum of 2.5 metres wide upstream of Factory Hill shall be maintained in the same condition.

Reason: To preserve access to the watercourse for maintenance and improvement and to avoid prejudicing the River Stour maintenance requirements.

21. Before any foundation of any individual building is dug on land forming the subject of this application, excluding plots 25, 26, 27, 28, 7,8, 9, and 9A, a new estate road shall be constructed from the carriageway of the existing highway to the site of that building. The minimum requirements for this estate road shall be concrete foundations to kerb, hardcore laid level to the top of the kerb foundations and suitably

blinded, soil and surface water drainage laid complete with road gullies and gratings -

all to the specification first approved in writing by the Local Planning Authority in conjunction with the Local Highway Authority. No building shall be occupied until such time as the carriageway and footway/footpath have been constructed up to and including base course surfacing (complete with kerbing and street lighting to the approved specification) from the site of the building to the existing adopted highway.

Reason: To ensure that individual dwellings or buildings are accurately set out in accordance with the approved layout and an adequate means of access is available when the dwelling or building is under construction and when it is occupied.

22. Within a period of:

(a) Two years of the commencement of any further work on site or,

(b) Within three months of the completion of building works, or

(c) Where the development is phased, within three months of the completion of building works on any particular phase of the development, or,

(d) Within six months of the completion of 75% of the buildings on any phase (whichever is the sooner), completion of all roadworks shall occur. This will entail the making good of works previously undertaken, the provision of kerbing, channelling, street lighting (where applicable) and the final surfacing of all roads, footways and footpaths to the approved specification of the Local Planning Authority in conjunction with the Local Highway Authority.

Reason: In the interests of highway safety and to ensure a well-co-ordinated

development.

23. The retention or siting of any poles, lighting columns or similar obstructions in the visibility splays shall not be permitted unless otherwise agreed in writing with the Local Planning Authority in conjunction with the Local Highway Authority.

Reason: In the interests of highway safety.

24. Prior to the construction of any new foundations on site including those for roads, buildings and car parks, but permitting demolition and site clearance works, and prior to completion of any part of the flood risk management scheme, flood risk mitigation measures and dam works, a scheme showing precise details of the means of highway

drainage and surface water disposal from the whole site including sustainable drainage principles and a phasing programme to deliver any works specified shall be submitted to the Local Planning Authority. Any such scheme shall require approval to be obtained in writing from the Local Planning Authority on conjunction with the Local Highway Authority. The approved scheme shall be constructed before any part of the development served by that part of the highway is occupied or is brought into use.

Reason: In the interests of highway safety.

25. No development approved by this permission shall be occupied or brought into use

until a scheme for the future responsibility and maintenance of the surface water drainage systems has been submitted to and approved by the Local Planning Authority. The approved drainage works shall be completed and maintained in accordance with the details and timetable agreed.

Reason: To ensure adequate adoption and maintenance and therefore better working

and longer lifetime of surface water drainage schemes.

26. The development hereby permitted shall not be occupied or brought into use until the areas shown on drawing numbers 2238 - 11 - 01E & 03C for the manoeuvring, parking, loading and unloading of vehicles have been surfaced, marked out and made

available for these purposes. Thereafter, these areas shall be maintained, kept free from obstruction and available for the purpose(s) specified.

Reason: In the interests of highway safety.

27. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order) (with or without modification), no building operation or alternative use shall be undertaken which would prevent the garage or parking area(s) indicated on drawing number 2608 - 19 - 10 from being used for the parking of motor vehicles.

Reason: To maintain the original concept for the development, which may be frustrated by alternative uses of vehicle parking areas, resulting in potential danger or

inconvenience to road users.

28. Before the commencement of any further works a scheme showing the provision of a temporary vehicle parking area for site operatives, visitors, construction and delivery traffic shall be submitted to the Local Planning Authority and shall include details of the works to reinstate the land on substantial completion of the development. Any such scheme shall require approval to be obtained in writing from the Local Planning Authority in conjunction with the Local Highway Authority. The approved scheme shall be constructed before any further development takes place and reinstatement works shall be completed within 3 months of the substantial completion of the development. Reason: In the interests of highway safety.

29. Prior to first occupation of any further dwelling hereby approved through this permission, a plan showing the extent of all areas being offered to the Highways Authority for adoption shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be accompanied by detailed proposals showing how public access across all non-adopted areas shall be secured for maintenance purposes and waste collections to include copies of any agreements required to ensure such access has been secured. The development shall thereafter be managed in accordance with the approved plan and schemes and agreements. Reason: To ensure that adequate access is secured for public service maintenance operations to be satisfactorily undertaken.

30. No further development approved by this permission shall be commenced until a Construction Environmental Management Plan, incorporating pollution prevention measures, hours of operation, and location of storage compounds has been submitted to and approved in writing by the Local Planning Authority. The plan shall subsequently be implemented in accordance with the approved details and agreed timetable. Reason: To prevent pollution of the water environment and to mitigate impacts upon residential amenity.

31. Before commencement of any further works on site, a detailed Arboricultural Impact Assessment shall, by reference to site layout drawings of an appropriate scale, be carried out and submitted to the Local Planning Authority. Based on the Tree Survey, the assessment will identify and assess the impact of the proposed development on the existing trees on site, as well as any appropriate measures to alleviate this impact. Any such assessment shall require approval to be obtained in writing from the Local Planning Authority. The mitigation measures shall be implemented in accordance with the approved details. Reason: To ensure thorough consideration of the impact of the development and any mitigating measures on the existing trees.

32. Prior to the construction of any further foundations on site including those for roads, buildings and car parks, but permitting demolition and site clearance works, and prior to construction of any part of the flood risk management scheme, flood risk mitigation measures and dam works, details of the design of building foundations, car park surface construction and the layout (with positions, dimensions and levels) of service

trenches, ditches, drains and other excavations on site (insofar as they may affect trees on or adjoining the site) shall be submitted to the Local Planning Authority. Any such details shall require approval to be obtained in writing from the Local Planning Authority.

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

33. The approved planting and landscaping proposals for the site shall be implemented as soon as site conditions permit and, in any case, not later than the end of the first planting season (October to April) (following the substantial completion of the development. In the five-year period following the substantial completion of the development any trees or plants that are removed without the written consent of the Local Planning Authority or which die or become (in the opinion of the Local Planning Authority) seriously diseased or damaged, shall be replaced as soon as reasonably practical and not later than the end of the first available planting season, with specimens of such size and species and in such positions as shall be agreed in writing with the Local Planning Authority.

Reason: To ensure that, in the interests of visual amenity, the landscaping is phased as the development progresses.

34. Prior to first occupation of any dwelling hereby permitted, a landscape management plan shall, by reference to site layout drawings of an appropriate scale, be submitted to the Local Planning Authority and shall include long term design objectives, management responsibilities and maintenance schedules to include proposals for the re-planting of any specimens which die or otherwise fail during the first five years following completion of the development for all landscape areas, other than small, privately owned, domestic gardens. Any such management plan shall require approval to be obtained in writing from the Local Planning Authority. The development shall be carried out in accordance with the approved Landscape Management Plan.

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

35. No trenches or pipe runs for services or drains shall be sited within the tree protection zone in accordance with BS5837 of any existing tree or group of trees to be retained on the site or on adjoining land, and no ground levels shall be altered within this same radius.

Reason: To avoid any undue damage to trees to be retained on the site.

36. The proposed roads, driveways, and parking areas within BS5837 Root Protection

Areas not already completed, shall be constructed to a no-dig specification above existing ground levels, the details of which shall be submitted to, and approved in writing by, the Local Planning Authority, prior to the commencement of its construction. Their construction shall be carried out in accordance with the agreed details and thereafter retained.

Reason: In order to protect trees on site which are to be retained and which are protected by a Tree Preservation Order.

37. No development hereby approved shall commence until further habitat surveys together with mitigation measures, to include timing for implementation to accord with the recommendations made within the Protected Species Survey prepared by CTM Wildlife (submitted January 2010) shall be submitted to, and approved in writing by the Local Planning Authority, and works shall subsequently accord with the approved scheme. The submitted information shall follow the Dorset Council Biodiversity Mitigation Protocol.

Reason: In order to protect trees on site which are to be retained and which are protected by a Tree Preservation Order and to protect and enhance the biodiversity interests of the site.

38. Prior to construction of any foundations on site including those for roads, buildings and car parks, but permitting demolition and site clearance works, and prior to construction of any part of the flood risk management scheme, flood risk mitigation measures and dam works, a scheme to provide floodplain compensation including a detailed hydraulic modelling assessment 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 prevent an increase in flood risk.

INFORMATIVE 1:

In addition to any other permission(s) that may have already been obtained, e.g. planning permission, an Environmental Permit for flood risk activities may be required to

carry out work in, under, over or near (within 8m of) a main river (including where the river is in a culvert), on or near (within 8m of) a flood defence on a main river, in the floodplain of a main river, on or near (within 8m of) a sea defence.

For further information and to check whether a permit is required please visit:
<https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>

For any further advice, please contact your local Environment Agency FRA Permitting

Officer via Blandford.frap@environment-agency.gov.uk

INFORMATIVE 2:

The applicant is advised that any construction works under the new planning application should be classed as "Notifiable Non-Licensed Works". Under this category, the HSE should be notified prior to undertaking any works. This is important as it also outlines the requirements to notify any material change which might affect the particulars of the original notification e.g., discovery of licensed ACMs and determination of licensed work.

APPLICATION NUMBER: P/PAOD/2021/02481

APPLICATION SITE: South Walks House, South Walks Road, Dorchester, DT1 1UZ

PROPOSAL: Change of use from offices (Class B1(a)) to 41 no. 1-bed, 2-bed and 3-bed apartments (Class C3)

DECISION: That the Committee resolve that it would be minded to grant approval subject to the conditions set out at paragraph 12.1 of this report and that the Service Manager for Development Management and Enforcement determines the application accordingly.

CONDITIONS

(1) Unexpected Contamination

In the event that unexpected contamination is found at any time when carrying out the development, it must be reported in writing immediately to the Local Planning Authority and an investigation and risk assessment must be conducted in accordance with requirements of BS10175 (as amended). Should any contamination be found requiring remediation, a remediation scheme including a timetable for implementation shall be submitted to the Local Planning Authority for approval. The remediation scheme shall be carried out in accordance with the approved scheme and there shall be no residential occupation of any of the proposed dwellings until a remediation scheme verification report has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that any risks to future occupiers from any unexpected contamination encountered during the development are mitigated adequately and ensure that the application site will not be determined as contaminated land under Part IIA of the Environmental Protection Act 1990 (as amended).

(2) Maintenance of Access, Parking and Service Areas

The parking spaces, accessways and service areas indicated on the proposed Basement and Ground Floor Plan (Dwg no. FB.p 01 Rev. A) shall be permanently maintained free from other obstruction for the indicated purposes.

Reason: To ensure satisfactory parking and services arrangements are maintained.

1.1 Informative Notes to be Included on Decision Notice

(1) Further Information

Further information relating to this decision may be viewed online through the application webpages accessible by entering the application details at <https://planning.dorsetcouncil.gov.uk/>.

APPLICATION NUMBER: WD/D/20/003145

APPLICATION SITE: 17 All Saints Road, Dorchester, Dorset, DT1 1EL

PROPOSAL: Replace existing garden wall with new wall and gates. Form permeable drive and carry out landscaping.

DECISION: Grant, subject to conditions

CONDITIONS:

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans:
Location Plan, Existing & Proposed Site Plan, Elevations and Sections (received 01/04/2021)

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

3. Before the development hereby approved is occupied or utilised any entrance gates must be hung so that the gates do not open over the adjacent public highway.

Reason: To ensure that any gates do not cause a safety hazard on the highway.

INFORMATIVES:

National Planning Policy Framework Statement

In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and
- as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

- The application was acceptable as submitted and no further assistance was required.

Dorset Highways

The vehicle crossing serving this proposal (that is, the area of highway land between the nearside carriageway edge and the site's road boundary) must be constructed to the specification of the Highway Authority in order to comply with Section 184 of the

Highways Act 1980. The applicant should contact Dorset Highways by telephone at 01305 221020, by email at dorsethighways@dorsetcouncil.gov.uk, or in writing at Dorset Highways, Dorset Council, County Hall, Dorchester, DT1 1XJ, before the commencement of any works on or adjacent to the public highway.